

Legislative Assembly,

Wednesday, 22nd October, 1902.

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THE SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

COLLIE-BOULDER RAILWAY.

SELECT COMMITTEE'S REPORT ON BILL.

MR. HASTIE brought up the report of the select committee appointed to inquire into the Collie-Boulder Railway Bill.

Report received, read, and ordered to be printed.

LEAVE OF ABSENCE.

On motion by MR. HIGHAM, leave of absence for one fortnight granted to the member for North Perth (Dr. McWilliams), on the ground of military service outside the State.

INDUSTRIAL AND PROVIDENT SOCIETIES BILL.

Introduced by MR. EWING, and read a first time.

PAPERS—G.M. LEASE No. 222m.

On motion by MR. HOLMAN, ordered: That all papers in connection with G.M. Lease No. 222m be laid upon the table of the House.

REPORTS AND RETURNS.

COLLIE-TO-GOLDFIELDS RAILWAY.

On motion by MR. EWING, ordered: That the report of the Inspector of Engineering Surveys on the proposed Collie-Goldfields Railway Line be laid upon the table of the House.

On motion by MR. EWING, ordered: That the reports made by the Acting Manager of the Agricultural Bank and the Government Land Agent at Katan-

ning, on the agricultural lands between Collie and the Great Southern Railway Line, along the route of the proposed Collie-Goldfields Railway Line, be laid upon the table of the House.

EAST PERTH RAILWAY YARD, GOODS.

On motion by MR. ATKINS, ordered: That a return be laid upon the table of the House showing the approximate tonnage of all goods carried by railway through East Perth yard towards and from Fremantle during the twelve months ended 30th September last.

MOTION—OLD AGE PENSIONS, TO PROVIDE.

MR. H. DAGLISH (Subiaco) moved:

That, in the opinion of this House, the Government should, during the present session, introduce a measure to provide for the granting of old age pensions in Western Australia.

He said: In moving the motion standing in my name, I do not propose to take up much time. Last session I brought a similar proposition before the House, but owing to the pressure of business at the close of the session, it was unfortunately one of the slaughtered innocents. I have from time to time postponed moving this, on account of the necessity of getting certain information, and because on one or two occasions the Treasurer has been absent. The Treasurer is not present this afternoon, but I hope in spite of that it will be possible for me not only to move this motion, but to get the House this afternoon to give its assent to the proposition. I may say this is a question that was put before the electors at the last election by a fair number of the members of this House, and I have no hesitation in saying that wherever the electors were asked to give an expression of opinion on the subject, they gave one absolutely and entirely in favour of the proposition that we should establish some system of old age pensions in this State. I venture to say it was impossible for any candidate for Parliament to bring before the electors a question that commanded a more unanimous approval from them. I am quite aware that this is one of the subjects on which the Federal Parliament has power to legislate; and I have not much doubt that within a year or two, probably, we

shall have legislation by the Federal Parliament affecting the whole Commonwealth; but, in the meantime, there are many unfortunates in our midst, who are perishing practically for the lack of assistance; men whose requirements are not met by our existing charitable institutions; men who would refuse, so long as people had to appeal to a grudging charity, to make that appeal at all. This legislation is required for those who desire to maintain their self-respect; those who, perhaps, have fallen victims of misfortune in business or to ill-health; those who have had the stress of life against them. For the sake of those persons we should, I think, at the present juncture make some provision, and establish a bridge between the present time and the time when the Federal Parliament will be in a position to deal with the matter. I do not think it needs that I should bring forward any arguments justifying such a proposal. The system is one that must command the approval of the best and greatest of public writers, public speakers, and thinkers throughout the whole of the British Empire. In a few of the States of Australia there is in existence a scheme providing for old age pensions, and in one of those States a measure has been adopted since the formation of the Commonwealth; therefore I am not without precedent in asking that this House shall, before the Federal Parliament has time to deal with the subject, make temporary provision. No great expenditure to the State will be involved, because of the very short period the measure will have to deal with; but even if great expense be incurred, this community can surely afford it. Western Australia has far away the largest income per head of any State in the Commonwealth. Our revenue may be termed almost shamefully large. The State is drawing enormous sums from the people, and I am sorry to say that in some instances the revenue is being recklessly squandered. Even at the present time, in these days of retrenchment, we are granting to individual officers of the public service increases of salary which would pay 10 or 20 old age pensions. If we can afford to do that sort of thing, surely we can afford to spend a few thousands on the necessities of those who have fallen victims in the battle of life!

The member for Perth (Mr. Purkiss) reminds me that the State is paying large pensions to comparatively young men retired from the public service, in possession of all their faculties and fully qualified to hold their own in life's battle. I think, therefore, that no question of our ability to carry the proposal can be raised, or at all events reasonably raised.

MR. PIGOTT: What do you think the system will cost?

MR. DAGLISH: I shall touch briefly on the cost. It is impossible for me to give exact figures, because I do not know what lines any measure of which this House might approve would run on. We have in Western Australia, roughly, 6,000 persons of the age of 60 years and upwards—nearly 6,000. Many of this number would not be applicants for old age pensions even if the pension system were in existence. In many other cases there would be two members of the same family, possibly husband and wife, over the age of 60 years. If we make 60 years the limit, we can fairly assume that not more than 2,000 out of the 6,000 would be found taking advantage of the existence of an old age pension system.

MR. TAYLOR: Sixty years is a very high limit.

MR. DAGLISH: It is a comparatively young age.

MR. TAYLOR: No; not young.

MR. DAGLISH: It is a lower age than has been fixed in other States which have adopted an Old Age Pensions Act. For the sake of argument, I am taking 60 years as the age limit. Assuming that one-third of 6,000 persons over the age of 60 would be applicants for old age pensions, and farther assuming that pensions were fixed at 10s. per week, the annual outlay involved would be £52,000. Surely the expense is one which this State can afford, especially as the system is likely to remain in operation (pending an enactment by the Federal Parliament) for only two years. At the utmost, probably the total cost to this State would be £104,000; but the cost would not be so large if we followed the example of New South Wales and Victoria, the legislation of which States provides that no person shall be entitled to an old age pension unless he or she has been resident for 20 years, I think, in the particular

State, with a total period of absence from the State of not more than five years during the term of 20 years. I do not for a moment say that this State should fix so long a period of residence as 20 years. To do so would be a great pity. I should rather be inclined to say, let the State deal liberally with the aged and fix no limit at all, or only a very low limit—two years at the outside. Assuming that a limit of anything from two years upward were fixed, the number of persons competent to draw pensions would again be enormously decreased, because an exceedingly large proportion of the population has settled in this State during the last 10 years. Any limitation in regard to the period of residence must seriously reduce the number of applicants, and as a consequence enormously reduce the expense. I do not intend to ask the House this afternoon to determine anything in regard to the details of a proposal which must meet the views of members. I simply ask for an affirmation of the principle that an old age pension system shall be established in this State. I do not think it should be necessary for me to say more in support of the motion. The mere fact of the existence in our midst of men and women who have passed the prime of life, who are in need, affords the amplest justification of this proposal; and I hope that the House will accept the fact as the only reason which should be given. We know that for many persons our existing poorhouses do not provide; we know that the accommodation at these poorhouses is unsatisfactory and inadequate; we know that people are herded together, old men and old women, and old women and children, in a manner which is absolutely shameful to us as a State. Therefore I say we ought at the earliest possible moment to make provision for the needs of the aged poor. I do not ask the House to go into any such question as to whether in respect of old age pensions we shall separate the deserving from the undeserving. It is an unfortunate fact that we have in our midst persons who, from a certain point of view, may be characterised as undeserving; but we know that the sun shines on the just and unjust alike, and in the same way I think charity, or in this case justice, should

deal with all equally, should recognise that no matter how great a person's demerits may be, still he or she does not deserve to die of slow starvation in old age. I commend the motion to the consideration of the House.

MR. W. M. PURKISS (Perth): I have much pleasure in seconding the motion. The State cannot, I think, embark on a more godlike enterprise than that of assuring sustenance and support to those who have fought the battle of life for a number of years, and have been beaten, and have failed. Here we are, a State raising a revenue of four millions or more—a colossal revenue to be paid by 200,000 odd people. I do not think the motion requires argument. Is there not something higher and better in providing for the needs of those who have been vanquished in the battle of life than there is in raising structures of stone and other gewgaws and shows? I was much impressed, as were also the present Treasurer (Hon. James Gardiner) and the ex-Treasurer (Mr. Illingworth), to hear the Premier of New Zealand refer at Albany a few months ago to this very subject of old age pensions. New Zealand inaugurated the system some six years ago, and Mr. Seddon remarked that it was as if a blessing had rested on the colony ever since. The prosperity, he said, which had been attained by the State during the short period of six years—and which still reigns—was marvellous. Mr. Seddon said it seemed as though Providence had blessed New Zealand for initiating the system of old age pensions. The system has cost that colony a little over £200,000 annually; and on the lines of New Zealand legislation the system here would cost, in round figures, £50,000 a year.

MR. MORAN: What length of residence would you require before granting a pension?

MR. PURKISS: I do not propose to enter into details now. In New Zealand, the Old Age Pension Bill took three years to pass. It is well that such a matter should not be hastily dealt with. The Victorian measure was somewhat loosely drawn, and in consequence many abuses have occurred in connection with it. On the lines of New Zealand legislation, as I say, old age pensions would cost this State £50,000 annually. What is £50,000

to a country which is raising four millions? New Zealand raises six millions from her 800,000 people; and look at what she gives her people out of that revenue. She gives them a penny postage to all parts of the world; she gives them a sixpenny telegram; she has far lower railway freights than we charge here; she never had a tax on mining machinery. Last year, notwithstanding her expenditure of £300,000 odd in respect of Contingents and £208,000 for old age pensions, she has been able to construct something like £170,000 worth of public works carried forward out of revenue. And I say that when we look at our Estimates and behold the ornaments, the gewgaws, the public buildings, the stone, the brick, and so forth, surely we can pause, can wait for those ornaments, and provide for these poor and aged people who in the struggle of life have fought and fallen, have been beaten, and who in their old age, verging on starvation, are perhaps too proud to enter the portals of an institution which is somewhat akin to a poorhouse. I do not think there will be one discordant note from any member, or that any will dream of voting against this motion, which has been so fittingly introduced by the member for Subiaco.

MR. W. ATKINS (Murray): I should like to add one argument. The old age pension scheme will relieve charitable people of a great burden, and will distribute over the country the expense now borne by those who are good enough to help the poor, and who have more calls upon them than is just. The scheme will only make everybody pay his share towards the support of those now dependent on the charity of the few.

MR. C. J. MORAN (West Perth): I intend to support the motion, more particularly as the Parliament of this State has seen fit to keep at the disposal of the Government a tremendous revenue, of which the portion derived from the food of the people would more than suffice to carry out this proposal. Parliament and the present Government have seen fit to raise, in addition to the four millions which they expect to get next year in revenue, about £200,000 from the food of the people of Western Australia, who are already very heavily taxed. I am therefore in favour of giving back some of

this hardly-extracted money to the people, and to the people who need it most, namely the aged. However, I must at once say there is a slight appearance of tinsel in all this praise of the great and godlike work which Mr. Seddon has done, when we find that the god in this case is supposed to shed his beneficence on those only who have been twenty-five years in the country, and not on anybody else. And in all the States this semi-divine and godlike blessing is to be showered on the heads of those only who have grown grey and poor and old in the particular State where the money is to be expended. Therefore we can talk a little too much about the divine aspect of this scheme. From this point of view it looks particularly selfish. It looks as if we will help those only from whom we think we have extracted something in years gone by; and I would point out that if a time limit of twelve or fifteen years—I do not know what is the limit in the other States, but I do not believe it is under fifteen in any—**[MR. HASTIE: Twenty or twenty-five]**—if we adopt a time limit of twenty years in Western Australia, the great influx of population which has made this country what it is to-day must find money for the benefit of those who were here before that influx. **[MR. TAYLOR: That will not do.]** The peculiar circumstances of Western Australia will not justify our making a limit of twenty or even fifteen years. I know of many deserving cases illustrative of my contention. There is one now in Perth, one of the oldest prospectors in the country, and probably one of the real finders of Hannans, poor old Dan. O'Shea, the real prospector with whom Mr. Patrick Hannan was a partner at the opening up of that field; Daniel O'Shea, a man who has opened up several rushes in Western Australia, and who is now absolutely down to bedrock, turned out of the Government hospital to seek his living where he can, with only one eye and with broken health. If we fix 15 years' residence as the qualification, then under that or any similar proposal those magnificent old prospectors who were the *avants couriers* of the gold-mining industry in all the States will be left out; and they have done magnificent work for Western Australia. Ten years' residence on the goldfields of this country, prospecting in the face of the hardships men

had to suffer in the old days, was equal to forty years' residence in a smaller and more settled State like Victoria. Ten years battling with adversity against the drought, the heat, the trials and the troubles of the Western Australian gold-fields ought to be an ample ordeal to warrant any man's getting the benefit of the old age pension. If this motion be carried, it cannot be put in practice this year. To ask the Government to do that would be unfair. The scheme should, to my mind, be graded and regulated, and brought forward next year as a complete measure. But if we carry the motion, the age limit should be very materially reduced; because if we look at the problem from a humanitarian standpoint, why should our charity so abruptly cease? Why should a man who has landed here a year ago, perhaps with plenty of money and has since broken down in health, in pocket, and in spirit, be passed over and left to starve, when another old man who has spent in Western Australia 25 years, perhaps 25 years of improvidence, receives the charity of the State which is denied to the man who through no fault of his own is destitute? Perhaps the latter came to Western Australia with a thousand pounds, and lost it in the country. Why should one and not the other get the pension? If the problem be regarded either from the standpoint of humanity on the one hand, or from the standpoint of State rights, with the notion that the pension is due to those only who have given their best to the State, those points of view are altogether different. But even considering those only who have rendered service to Western Australia, the man who has worked for seven or even five years in the back blocks of this State, and has broken down, should I think be a fair object of charity under the provisions of an old age pension law such as I hope to see introduced to this House. We cannot get away from this phase of the question. It is undeniable that the spirit of the times seeks to make Australia the field in which this experiment must be tried. The Commonwealth must undoubtedly administer an Old Age Pensions Act; and it will not then matter whether a man has arrived in Western Australia only a year ago, so long as he has been a certain number of years in Australia, and has given his

service for the good of the nation in any part of the States. I think none will doubt for a moment that unless a big change takes place in public opinion, old age pensions will become a Commonwealth matter. But even then, let us bear in mind that we shall pay exactly the same contribution. Under the present book-keeping system, the scheme will be administered by the Commonwealth, and we shall pay our share as we do for other services. And when that book-keeping system is abolished—which may the good Lord forbend for many a long day for Western Australia's sake—even then, I do not think this State will get more than a fair share out of any taxation for old age pensions, because in Western Australia, old age is not so plentiful in proportion to population as it is in the other States. So that in whatever way we look at this question, the Government have at least six or perhaps 12 months time for consideration; and at the end of that period the Commonwealth Parliament may take the matter into its own hands. But this is no reason why we should not now institute the system. Changes may take place; the passing of the Commonwealth Act may be delayed for years; and with a revenue extracted to a certain extent unjustly from the taxpayer, the best we can do with what we extract by taxing the food of the people is to give it back to those who are unable to buy food for themselves. I have great pleasure in supporting the motion; I hope it will be carried and be a direction to the Government to place a Bill upon their programme for next year.

THE PREMIER (Hon. Walter James) I do not think I have heard any member of this House, or any speaker outside of it, who when dealing with old-age pensions has not expressed his very strong sympathy with the principle. It is not a proposal which needs long and elaborate arguments to commend it to members of this Parliament or to the people of the State. We all recognise the justice of the underlying principle, the principle that if people have served for years in the State, and during the course of those years have been unable to make provision for their old age, whether that want of capacity be due to any defects of their own or to unforeseen circumstances

it is undesirable, to use no stronger word, that those men should be compelled to accept charitable sustenance under the conditions which must necessarily exist, under any conditions other than those embodied in a scheme for old age pensions. The preamble of the New Zealand Act reads: "Whereas it is equitable that deserving persons who, during the prime of life, have helped to bear the public burdens of the colony by the payment of taxes, and to open up its resources by their labour and skill, should receive from the colony a pension in their old age." That preamble is important, as indicating the principles upon which this first legislation dealing with the question is based. But while we all recognise the principle and the justice of it, while we recognise that there is a demand upon this and every other State to make some provision of that nature, none of us can shut our eyes to the difficulties that have arisen in the practice of this principle; difficulties which, I believe, have shown themselves not only in Victoria and in New South Wales, but in other States as well. Now I am not one of those who urge this scheme on the House because it will help to relieve the burdens of some of the more charitably-minded people in this State. I hope the time will never come when there will be no call upon private charity. I should be sorry indeed to think that we shall, by legislation, provide a system under which all the various needs that give rise to the demands upon private charity can be satisfied out of the public purse. That, I think, would have a very deteriorating influence on the public character of the people of this or any other country. Nor am I one of those who think that if there are people who have grown old and grey and have no means of subsistence, we should provide some system that should exonerate those upon whom such people have a legal and a moral claim; for they should discharge that claim, and not cast it upon the shoulders of the general taxpayer. In a great number of particulars I think those considerations have been overlooked in some of the Old Age Pensions Acts. There has been too great a desire to introduce a Bill based on the contention that because a man is old, because he is grey, and because he does not wish to be

put in the unpleasant position of insisting that persons who owe to him certain filial or other and similar obligations shall discharge those obligations, he should be pensioned by the State. Not only do I believe that we should not exonerate those persons whom we can legally and morally call upon to contribute, but I say farther that our main object should be to assist the deserving poor; not the poor who have enough to live on, but the poor who have not enough to live on unless some provision is made by the State. I believe it is not an obligation cast on us to provide more than what I might call a minimum of a pension, and if persons have more than that minimum they have no claim on the State. If we provide in connection with any scheme that a certain amount per week shall be paid, if a man has that amount per week from other sources he has no right to come on the State.

MR. PURKISS: That is the New Zealand scheme.

THE PREMIER: Not quite. I think there should be a minimum, and those that have that minimum should not have the right to come on the State. No doubt a great trouble has arisen in practice because of the difficulty that exists in ascertaining those persons who have the real right to claim the amount of pension provided for in the Act; and abuses in connection with the system were rampant in Victoria, so rampant that additional legislation had to be introduced. I want to point out these facts to members, because when we are approaching legislation dealing with this matter to confer on people, as it must confer on them, the right to obtain a pension, it is absolutely essential to safeguard the taxpayer of the State. It is impossible to approach the consideration of this question and have regard to individual instances. There are men who may be only 25 years of age, who on account of an unforeseen accident are so maimed and so crippled that they have every moral obligation to come to the State and ask for the amount of the pension we provide for those of a more advanced age. There may be persons much below the maximum age who have discharged services to the State in various ways—one of those ways was indicated by the member for West Perth (Mr. Moran)—who may for that reason have strong moral

claims on the people of the State; and so we might go on imagining case after case, but if we endeavour by legislation to meet these cases we shall have to depart from all the safeguards provided in existing Acts dealing with old age pensions. When the age is fixed by an Act, and the conditions are mentioned, there are always those members of Parliament and members of the community who point out that, by adopting a hard and fast line, some instances may arise that ought to be covered by the Act, but which are not covered by it through the adoption of that line. This question we shall have to face here, although we need not now discuss the details of a question like this. It is not incumbent to support the suggestion of the member for Subiaco (Mr. Daglish) that a mere residence of two years in the State of Western Australia should give the right to a person to claim a pension, whereas in every other State the probationary period is considerably longer. On the other hand I am not prepared to recognise the narrow—and I use it in no offensive sense—system indicated by the preamble to the New Zealand Act, the right of a person being dependent on the length of residence in the State, and having some relation to the individual as a taxpayer. What we want to secure is that the person having the right to a pension is the man who has made his home here; who has not come here in his last days to qualify for that pension, but a person who has taken up his permanent residence here and has, therefore, some claim on us for our consideration. At the present time allowances are made, under our existing law, for persons who are in indigent circumstances and in advanced years. It is not now a necessary condition to receive Government assistance that a person should be living either in the old men's dépôt or the old women's dépôt. There is an increasing number of people who are being assisted, and receiving aid outside these two homes; people whose claims are recognised for consideration and to whom amounts are paid.

MR. ILLINGWORTH: Residing in their own homes?

THE PREMIER: Residing in their own homes. We are by our administration adopting the principles underlying

this legislation, and I hope that during the course of the next few months by the administration we are adopting to have the principle considerably extended, and we may by that means be better able next session to see what will be the amount of cost to us by the passage of such a Bill as that now indicated. Reference has been made to the fact that this question will most likely be dealt with by the Federal Parliament. Having regard to the particular political force in that Parliament, I have very little doubt the question will be dealt with at an early date. So far as we can see of the workings of that Parliament, the party that holds the control there is a party that moves very strongly in the adoption of such legislation as this. I do not agree with the member for Western Perth, that under the federal legislation we shall not have to pay more than we should do under our own legislation. I am inclined to think that when the Federal Parliament pass this legislation they will cast covetous eyes on our balances and impose conditions on us. And one condition will no doubt be not the residence in any particular State, but in the Commonwealth, and the State which has to pay the pension will not be the State in which the person has resided for the greatest number of years, but the State in which the person resided when he qualified for the old age pension and when the age limit was reached.

MR. MORAN: It will be in the State all the time; paid and circulated in the State.

THE PREMIER: I think it will be found under the federal system that the amount we shall have to pay will be much larger than if we adopted legislation of our own. I hope the hon. member for Subiaco does not bring the motion forward with any idea that the Government should this session come down with a Bill to deal with this question. I need hardly assure the hon. member how strongly my sympathies move in the direction he is moving in, and during the course of the recess we shall be able to see to what extent the principle can be extended by administration to meet the cases of the deserving poor who are entitled to our consideration, and by the time we meet next session we may perhaps have a more definite idea as to

what we should allow if action should not be taken by the Federal Parliament next session. I believe it is our duty to be prepared to deal with this question. It is recognised all round as one that we should deal with, and the sooner it is brought into force the better. I would press on members when dealing with this question not to forget that all the Acts in force contain certain safeguards that have been found necessary, and if we are called on to consider legislation dealing with this question we shall have to take a broad view, and not be influenced by individual cases or possibly by an individual case. I support the motion so far as it asks the House to express an opinion in favour of the principle, but not so far as it asks the House to affirm that the Government shall introduce a Bill during this session. As to obtaining an affirmation from the House as a whole in favour of the principle, I and the Government entirely concur.

MR. J. L. NANSON (Murchison): I am entirely in accord with the principle of the motion; but at this stage it is not necessary for me to go at any length into the question, especially after the exhaustive manner in which the matter has been dealt with by the Premier. I am, however, equally with the Premier, unable to agree that a measure should be introduced during the present session granting old age pensions, and mainly for the reason that the House has already more legislation before it than it is capable of discussing and giving adequate attention to. If we are to close the session within reasonable time, Parliament will have to throw overboard more than half the legislation we have before us —

THE PREMIER: Oh, no.

MR. NANSON: Because there is not sufficient time to deal with it. Subject to what I have said, I have much pleasure in supporting the motion.

MR. ILLINGWORTH (Cue): I desire to express my great sympathy with the object the hon. member has in view, and I think perhaps we shall not obtain the ideal position in connection with this question until it is dealt with by the Federal Parliament. One of the difficulties that face us at once is the question of the limitation of residence in a State. There is only one reason why there should be a limitation, to prevent persons shift-

ing unnecessarily from one State to another, and the burden be cast on one State in particular. If the Federal Parliament take up the question and deal with it out of the funds of the Commonwealth, there will be no reason to make a limitation otherwise than outside the Commonwealth. I would very much like to have seen some action taken during the present session; but I am afraid we shall have to be content with the assurance of the Premier on this matter. Having been Colonial Secretary, I am in a position to say the amount paid to the needy poor by that department already amounts to a large sum of money. Although we have the assurance of the Premier that he will give special attention in this direction, that only meets the people in and around Perth. The mass of people away from the centres of population, many of them in needy circumstances indeed, cannot be reached in this particular way. I would, however, have liked if the Government could see their way clear to have dealt with the question this session; but if the Government are determined not to see their way to do it, I hope they will in the most liberal manner possible endeavour, not only in Perth and Fremantle, but in the large centres scattered throughout the country, to arrange for help to be given the needy poor as soon as they possibly can. I am sure if the Government bring in an Excess Bill composed of items in this particular direction, they will have no difficulty in having that Excess Bill approved by the House. I wish to express my entire sympathy with the proposal, and I only wish that we could have adopted a pension scheme for the aged poor this session. Not only should we make it for the aged poor, but there are real cases of distress, such as have been indicated by the Premier. But there is not time to go into the details of the scheme now. I hope during the recess the Government will mature a scheme and have the legislation ready early in the coming session.

MR. R. HASTIE (Kanowna): It is pleasing to notice that there is no discordant voice raised in the House as to the advisability of starting an old age pension scheme. I am glad to notice that not a very strong point is being made of the fact that we may expect the Federal

Government to take up this measure at a comparatively early date. In Australasia there are three States already which have in force old age pension schemes. These are New Zealand, Victoria, and New South Wales—the only State except ourselves which really is in a financial position at the present time to meet the necessary expenses. The other States, where old age pensions do not obtain, are Queensland, South Australia, and Tasmania, three States whose condition is at a very low ebb.

MR. MORAN: The credit of each of them is higher than that of Western Australia.

MR. HASTIE: So far as I have seen of much financial criticism, it is claimed that a very great deal of the money for old age pensions in New South Wales and Victoria is being paid out of loan instead of out of revenue; but generally the division is a very fair one, that all the States in Australia except those which have approached within a measurable distance of financial bankruptcy have an old age pension system, so we may expect this State, which has no financial difficulties whatever, but is in a better monetary condition than any of them, to put its old people in at least as good a position as the aged poor in other States. The Premier has pointed out that already in this State very much charitable aid is given by the Government, and so far as that goes we will all agree it is very desirable; but I wish particularly to emphasise this, that it has been found in every country where charitable aid has been given, that in most instances the really deserving people have not been the people benefited by it. If our Inspector of Charities, Mr. Longmore, has a large number of cases before him, he has no means whatever of knowing these people personally; he has no means of comparing their position with others; he has no means of knowing whether these people have relatives. In many cases, and in some to my personal knowledge, they have relatives who occupy pretty good financial positions in the service of the State; and many men who take a prominent position in the State are related to some of these people. Anyhow, Mr. Longmore has under his observation comparatively few people—practically no one except those who are bold enough to ask for

charity, and who have ceased to have any independence; so that the class of people who will be helped by our public charities under the present system, or even under the improved system of administration which the Premier has just indicated will be comparatively limited. Old age pensions, I say, have been started in various parts of Australasia; and the system is also in force in half of Europe at the present moment. The system exists in most of the German States, in Austria, also in Hungary; and in France there is some kind of arrangement, but I do not recollect the particulars; and had it not been for insuperable political difficulties, old age pensions generally to the deserving, not given as a charity but rather as a right, would, we can all take it for granted, have been in force in Great Britain long before this. Those who have followed the trend of political affairs during the last ten years will know that a few years ago it looked very likely that a measure to this effect would be put into force; and only the other day Mr. Chamberlain, a leading member of the Government, said it was only the opposition by friendly societies and a few other bodies of that kind which prevented this system from being generally in force there. So we need not assume for a moment that if we introduce into this country that new liberal measure, we shall be going on lines we have no experience of whatever. I shall not discuss the particulars of this measure. When a Bill is brought forward we will all have an opportunity of seriously considering many important points; but I hope the Government will not lose any time in putting before us a draft of their intentions in the matter, and that they will try to assist us in Western Australia to continue not to hold a backward place, but a position amongst those who are looking after their aged.

MR. DAGLISH (in reply): I may say I am gratified at the support the principle has met with this afternoon; but I still think the terms of the motion really deserve consideration, and that some effort should be made to deal with the matter. The notice has been on the paper since the very outset of the session; therefore there has been a reasonable amount of time to give due consideration to the question. A similar motion was

moved by me at the very outset of last session, and therefore in the past recess there was every opportunity to give consideration to the question. I must say I hope, and hope very strongly, that the House will not pass an expression of opinion this afternoon in favour of farther delay, because the fact of farther delay would merely destroy the motion in its entirety. It would have that effect. We already have a measure before this House which contains a provision that the House shall be dissolved early next year. In fact, in all probability we may take it there will be no next session of this Parliament. When the new Parliament is elected, very possibly some time will be required for the member for the Murchison (Mr. Nanson) to consider the order of business, and to arrange what measures he will proceed with; and we shall know what amount of legislation will face the House next July, which will probably be its earliest meeting time. All this time there will be many people who will be absolutely in want of some such provision as that referred to; all the time the preparations are being made to relieve them they are on the verge of starvation, many of them almost over the verge; and I would urge that under these circumstances, with a possibility of months of delay, when the first session of the next Parliament begins we should demand from the Government with some degree of force that they shall undergo whatever inconvenience is necessary in order to bring some measure forward to provide for existing cases of destitution. I strongly ask that the House shall therefore carry the motion as it stands this afternoon, and I hope that when the motion is carried the House will farther insist that the Government shall give effect to it.

Question put and passed.

FACTORIES AND SHOPS BILL.

IN COMMITTEE.

Resumed from the previous day; Mr. ILLINGWORTH in the Chair; the PREMIER in charge of the Bill.

Clause 3—Inspectors may be appointed:

MR. PIGOTT: With regard to the powers conferred on inspectors under the Bill, we should make it incumbent on the Government to see that no person should

be appointed as chief inspector or as ordinary inspector, unless fully qualified for the position. The powers given were extensive. An inspector would have power to enter, inspect, and examine at all reasonable hours, day or night, any factory when he had reasonable cause to believe that any person was employed there. He might also enter by day any place which he had reasonable cause to believe to be a factory. He might make examination and inquiries. He would have power to cross-question employees all round, just as he pleased; he could call for the production of books and examine them; and he could exercise such other powers as the Governor might deem necessary for carrying the measure into effect. Therefore in order to amend the clause in the direction indicated, he moved that the following words be added: "but no person shall be appointed either as chief inspector or inspector unless he shall first have passed an examination in the provisions of the statutes of the State relating to factories and shops, health, wages, accidents to workers, and hours of labour." Inspectors would have enormous powers, and it would be useless to appoint anybody unless great powers were given; but before we passed any more of the Bill we should put on the face of it this amendment.

Amendment negatived, and the clause passed.

Clauses 3, 4, 5—agreed to.

Clause 6—Application of Part III.:

MR. ATKINS moved that Subclause (1) be struck out. To exclude portions of the State from the operation of the measure would be unfair. The Bill should apply to the whole of Western Australia.

THE PREMIER: When a Factories and Shops Act was first passed in New Zealand, it applied to districts only. No doubt, proclamation after proclamation gradually extended its operation to the whole colony. The system here proposed was that adopted in Queensland, New South Wales, and South Australia. As to Victoria, he could not speak; but that State of course was very limited in area.

MR. MORAN: It was not sufficient for intelligent men to be told that some other State did not apply the provisions of a measure throughout its territory. What was the difference between a man

working in a factory at Northam and one working in a factory in Perth? The object of the Bill was to insure health. Perth was the healthiest part of the State; and therefore if the Bill was badly required in Perth, it was wanted much worse on the goldfields, and still worse in the North-West.

MR. NANSON: It was to be regretted the Premier had refrained from giving some information as to why the Bill should not be made applicable to the whole State. When any difficult point was raised, the hon. gentleman thought he had answered amply by saying that such and such a thing was being done in New Zealand, or in Timbuctoo. We wanted to know, not how things were done elsewhere, but how things proposed to be done or not to be done here would affect our own industries. The Bill was intended to preserve the health of the worker, and could it be argued that the health of a worker in Northam, or Kalgoorlie, or Roebourne, was less valuable than that of a worker in the capital city? Clause 32 made provision for cleanliness of factories, provision for preventing overcrowding, and provision for the maintenance of a reasonable temperature so as to guard against extremes of heat; and were not these provisions—with the possible exception of the third, which might be abrogated in the case of Albany—necessary throughout the State? If we assumed that the Bill imposed some sort of check on manufacturers in compelling them to observe sanitary and other precautions, it followed that manufacturers in districts to which the Bill did apply would be placed at a disadvantage as against those established districts exempt from the operation of the measure. Equity demanded that the principle of the Bill should apply throughout the State, to every employer alike. That was the touchstone of legislation. If a measure pressed severely on a few only, those few found it difficult to give their grievance sufficient prominence to obtain a remedy; but legislation applying all round, everywhere and to everybody, would speedily be amended if found to be inequitable or impracticable. The principle of universal application had already been adopted in connection with the definition of "factory," which made the scope of the Bill as wide as it could

possibly be made. If the operation of the Bill were good, if it worked no hardship, if it did not depress industry or make employment scarce by driving capital out of the State, we might bless the day on which we passed the measure. If it made employment scarce and restricted enterprise, if the industries affected were suffering, then if it applied to all classes of labour throughout the State the outcry could not be disregarded by the Government. If, however, only one small section at a time were affected, an infinity of harm might result before the whole community were fully seised of the injury being done to the State. If one industry were penalised through unwise legislation, the State as a whole must ultimately suffer. The Labour party stated that employment was not too plentiful on the goldfields. Then if such experimental legislation made people less willing to embark on industrial enterprises subject to the restrictions of the Bill, employment would be scarcer both on the goldfields and in towns, and there would be here, as in the Eastern States, a serious unemployed difficulty. It was not always realised what an immense machinery was, for good or for evil, set in motion by passing such a measure; and in order that its full effect might be seen not on one but on every industry, the Committee should endeavour to make the Act apply all round. He supported the amendment to strike out Subclause 1, providing that Part III. should have effect only in such districts as the Governor might gazette. Would the Premier state whether in England the Act applied to certain districts?

THE PREMIER: It applied to specified classes of factories.

MR. NANSON: Then by Subclause 2 the Government had enough and perhaps too much power. It was debatable whether it would not be fair if, instead of leaving the matter to the discretion of the Ministry, those industries to be brought under the Act, and those to be exempted, were scheduled.

MR. PURKISS supported the amendment. Why should not Part III. apply to the State generally? There was sufficient saving power in Subclause 2, enabling the Governor to exempt any factory or class of factories.

MR. DIAMOND: Though coming in almost daily contact with manufacturers in Fremantle and district, he had not heard one make the objections raised by the leader of the Opposition. Some self-constituted champions of the manufacturers were acting without authority, for the purpose of embarrassing the Government and delaying a useful measure.

MR. NANSON resented the imputation of the last speaker, who, if he understood the subject, would know that the amendment of the member for the Murray was moved, if not through the special desire of the Chamber of Manufactures, with the strongest support of the chamber, which had closely considered the Bill. If the chamber were not a reliable authority, who was?

MR. DIAMOND: The hon. member had no practical knowledge of the subject.

MR. NANSON: By members of the Chamber of Commerce he had been supplied with a list of amendments desired, and this was one to which they attached great importance, and had originally suggested. Would the Premier enlighten the House as to the Bill, instead of waiting in stony silence for a vote, trusting to the mere force of numbers?

THE PREMIER: Did a bad argument need an answer?

MR. PIGOTT supported the amendment. There was no reason why the Bill should not be generally applicable. In his district (West Kimberley), there were several factories which might well be included; though if the law were applicable to the far North, the conditions must be modified to permit of a cessation of work during the heat of the day.

MR. HASTIE: Was an eight-hours day desired?

MR. PIGOTT: In the North, people were satisfied to work about six hours; nor did they ask Parliament for protection. As the effect of the measure would be felt by all, why should it not have general application? Whether a man worked with his hands or with his brain, we should do all we could to ease the conditions under which he worked.

MR. YELVERTON: Living as he did in a portion of the State where there was a factory, although that factory had been exempted from the provisions of the Bill, he hoped the Premier would give some

explanation why the Government desired to obtain the right to limit the operation of the Bill to any portion of the State. The measure should apply not only to Perth but to every locality. All districts should have the benefits of the Bill. The member for South Fremantle had stated the manufacturers in his district were prepared to accept the Bill as a whole. The amendment of the member for the Murray was moved on behalf of the manufacturers in this portion of the State.

MR. MORAN: In an important issue like this, it was altogether against the courtesies of debate that members should be met with obstinacy and silence on a big question. It was recognised that on an important measure the Government should show some little courtesy, by trying to give reasons in support of the clause and why it was desired that the Bill should not apply all round. In every Parliament there was a proper and well regulated course for extracting information from Ministers. The Opposition asked the Government to discuss the point that had been raised. Why should it be left to the Government and those supporting them to bring backstairs influence to bear to include a certain portion of the country within the operation of the measure, and other portions not to be included? Why should the Government abrogate the functions of Parliament on an important subject? The Opposition had the right to query legislation of this kind, so that it should be made as clear as possible. Was not the Opposition entitled to an explanation from the Government why the Bill should not apply to the whole State? In Perth we were situated in the most favourable part of the country as far as climatic conditions were concerned, and it was proposed to apply the Bill to the metropolitan area and to the goldfield area because there happened to be in those districts large congregations of workmen belonging to labour unions. There was no reason why men belonging to a labour union should get anything from Parliament that those who did not belong to unions could not get. In Northam and York there were important factories which would come under the purview of the Bill if applied to the whole country. There were dozens of

factories in Bunbury, for wherever two people were working together in the avocations named in the measure, that would be a "factory." At Menzies, at Kookynie, at Mount Margaret, at Geraldton, at Cue, at Nannine, and at other places there were ginger-beer factories; there were also little boot-shops and printing-offices which would come under the Bill. There was every reason for the Bill on the ground of health. If the Premier would give any reason, be it as brief as possible, why the Bill should not apply to the whole State, and he (Mr. Moran) came to the conclusion that the Committee was against the amendment, he would not discuss the question farther.

THE PREMIER: In view of the observation of the member for West Perth, he did not know that he could add much to the reasons already given. In dealing with legislation of this nature, the Committee had to be guided by the experience of other States which had adopted this legislation. In Queensland under the Act of 1896 this was the law, it was the law there still, and to-day the Act applied only to certain districts of that State. In New South Wales, which was a large State with a democratic Parliament, the same principle was adopted. The same principle was accepted in South Australia, an equally democratic State. In New Zealand, the first Act applied only to certain districts, but an amending Bill was passed making the measure apply to the whole State. He had not replied earlier, as he did not think members of the Opposition were in search of information. So far as experience elsewhere was concerned, he gave the facts to the Committee. To apply the Bill to a State in more than two-thirds of which no industrial occupation was carried on was absurd. The definition of "factory" was extended, not because it was thought right that a building with two persons employed in it should be a factory under all conditions, but to prevent, in industrial centres, small buildings where two persons were employed being brought in competition with large ones. Persons might then evade the Bill by splitting off into small buildings. The interpretation of "factory" was widened because the Bill would not apply to outside industrial centres.

At 6:30, the CHAIRMAN left the Chair.
At 7:30, Chair resumed.

MR. NANSON: When referring to the proposed amendment of this clause in the earlier part of the debate, he raised an objection to confining the scope of the Bill to certain portions of the State, and he did so mainly on sanitary grounds. After a good deal of trouble he got something in the form of an explanation from the Premier; and, so far as he could gather the meaning of the hon. gentleman's statement, it was that the Bill was intended to apply only in districts where there were large establishments, the object of the measure being to prevent sweating. So far as his recollection served him, this was the first time in the discussion of the Bill that any reference to sweating had been introduced; and if it was necessary to have a clause of this description limited to certain portions of the State in order to prevent sweating, surely it was the duty of the hon. gentleman in charge of the Bill to have first shown that sweating existed in Western Australia, or in any portion of it. One would be very much surprised to learn there was anything like sweating at the present time in Perth or any other part of the State. It was true the features of this Bill relating to the hours of labour applied only, he thought, to women and children; but the particular industry in Perth at present and practically the only industry in which any considerable number of women were employed, was the tailoring industry, and already in that industry the tailoresses had joined in a union, and were able to go before the Arbitration Court and get the rate of wages and hours of work fixed. When once fixed, that decision had all the force of law. Therefore, it could not be said in regard to the larger industries in Perth in which women were employed that they were not already protected. Having disposed of those larger industries, we came to the smaller industries employing only two, three, or four persons. On what grounds of equity did the hon. gentleman ask the Committee to limit the operation of this Bill simply to Perth and Fremantle, or to such districts as he in his majesty might proclaim, and not make it apply to other portions of the State? If sweating was an evil, it was

just as much an evil in Roebourne or Carnarvon as in Perth. Unless we made the law apply to the whole State, we simply drove the evil out of thickly-populated places into places where the population was not so great.

MR. DIAMOND: The measure would then be applied at once.

MR. NANSON: If there was one doctrine the Premier and the members on the Labour bench had indicated, it was that we must not wait until these evils assumed gigantic proportions, but that we must anticipate these evils; and surely there could be no justification for legislation which would stop sweating in one place and drive it to another.

MR. DAGLISH said he was one of the first to object to this clause.

MR. JACOBY: The hon. member objected to its being applied to Subiaco.

MR. DAGLISH: No.

MR. JACOBY: Yes; the hon. member voted against it.

MR. DAGLISH: The Factories Bill?

THE CHAIRMAN: Order!

MR. NANSON: As to sanitary requirements in connection with factories and workshops, he greatly doubted whether it was wise to have in this Bill sanitary provisions, because the proper place for sanitary provisions was in a Health Act; but the Premier had quietly left that aspect out of consideration, and earlier in the evening he led us to infer that in Queensland the Act applied only to certain districts. The Queensland debates on the Factories and Shops Bill as reported in 1900 (*Hansard*) showed that the strongest exception was taken to the Bill on the ground that it made no provision for the regulation of sanitary matters in country districts. The Queensland Home Secretary, in introducing the measure, laid particular stress on the fact that the Bill dealt with sanitation and contained stringent provisions. Reference was then made to insanitary conditions at Rockhampton; and if in the Queensland measure it was found necessary to apply the sanitary provisions of the Bill to a town like Rockhampton, a comparatively small town—

THE PREMIER: Rockhampton a small town! It was one of the most prominent towns in Queensland.

MR. NANSON: It was not more prominent in Queensland than Northam or Roebourne was prominent in Western Australia. Could it be urged that the claims of decency were less urgent in Roebourne than they were in Perth? The supplementary provisions inserted by way of afterthought were, presumably, not intended to apply to factories other than those in proclaimed districts.

THE PREMIER: The provisions in question were not afterthoughts: they were supplementary to and an integral part of a Factories Bill.

MR. NANSON: Was Clause 72, dealing with the protection of hoists and lifts, which might be taken as a sample clause, a necessary provision or not? Should Clause 65, providing for the lining of iron buildings, apply in Roebourne as well as in Perth? Should Clause 66, dealing with provisions for escape from fires, be restricted to the operatives of Perth and Fremantle, while operatives in country districts were to be allowed to roast to death? Where was the logic of the Bill? The tenderest possible care was shown for the metropolitan operatives, but for the workers in small townships and in the bush apparently the Ministry felt no concern. The whole attention of the Government was directed to benefiting a few close unions, organised for political purposes. Was Clause 67, dealing with sanitary conveniences, not as necessary in Northam and other parts of the State as it was in Perth or Fremantle? Were "indecent" and "decency" terms subject to geographical limitation? The more the Bill was examined, the more illogical and inconsequential it appeared, by reason of the absurd restriction as to its operation. Presumably the conditions in the country districts of Queensland were not widely different from those obtaining in Western Australia. At all events, the country conditions of this State approximated so closely to those of South Australia as to be almost identical. Mr. Lesina, in the course of the debate in the Queensland Parliament, gave a lurid picture of the condition of things prevailing in Queensland shearing sheds. [Extract read, describing insanitary conditions of shearing sheds.] Mr. Lesina's testimony was not solitary: page after page was filled by other members, all speaking to the same

effect. Supposing matters were only a quarter as bad in the shearing sheds of this State as in those of Queensland, would any hon. member maintain that the most insanitary factory of Perth was one tithe as bad? Why did not the hon. gentleman, in his efforts at humanitarian legislation, go to the root of the evil? Why should the Bill deal only with towns, where health boards were already in existence and where insanitary abominations could not long continue? The Premier gladly introduced such legislation at the command of the Trades and Labour Council, though that body represented a small proportion only of the workers. Neglect of sanitary precautions flourished in the country with tenfold greater intensity than in Perth; yet the Premier would apply the Bill only to places where there was competition, striking at an imaginary sweating evil of which there had not been a tittle of evidence. More information was due from the Government. The Labour party, now their presence was required, were absent. It was no use for the Premier to let these clauses pass in silence. Why should sanitary precautions necessary in Perth not be enforced elsewhere?

MR. THOMAS supported the amendment. Last session several members strove to apply the Early Closing Bill to the whole State; but the Labour party, though professing to desire that, accepted the Government proposal that certain districts only should be affected.

THE PREMIER: The provisions were similar to those of every other Early Closing Bill in Australia.

MR. THOMAS: The member for Subiaco and other Labour members then voted that the Bill should not apply to Subiaco. Their desire was to apply it to the big centres, where from its introduction a little political popularity might result. If they were so anxious to put down sweating and protect women and boys, then apply the Bill to the whole State instead of singling out one district. Undoubtedly a legal definition of hours and conditions of labour was needed throughout the State; and for that reason he (Mr. Thomas) would support the amendment, thus preventing the Government from selecting the districts to which the Bill should apply.

MR. DAGLISH: The statement of the last speaker, that other Labour members supported him (Mr. Daglish) in exempting Subiaco last session, was incorrect. His own attitude he would be prepared to justify. He was the first to object to the "district" proposals as to factories in this Bill, and spoke against them on the second reading. But members who were in favour of the Bill should give the House a chance of passing it, leaving stonewalling to those directly opposed to applying the measure to any part of the State. He would support its all-round application.

Amendment (to strike out subclause put, and a division taken with the following result:—

Ayes	...	...	...	19
Noes	...	...	...	11

Majority for ... 8

AYES.	NOES.
Mr. Atkins	Mr. Diamond
Mr. Butcher	Mr. Ewing
Mr. Daglish	Mr. Foulkes
Mr. Gordon	Mr. Gregory
Mr. Hastie	Mr. James
Mr. Hayward	Mr. Kingsmill
Mr. Hicks	Mr. McDonald
Mr. Johnson	Mr. Monger
Mr. Moran	Mr. O'Connor
Mr. Morgans	Mr. Rason
Mr. Nanson	Mr. Higham (Teller).
Mr. Pigott	
Mr. Parkiss	
Mr. Reid	
Mr. Taylor	
Mr. Thomas	
Mr. Wallace	
Mr. Yelverton	
Mr. Jacoby (Teller).	

Amendment thus passed, and the subclause struck out.

MR. YELVERTON moved that Subclause 2 be struck out, and the following inserted in lieu: "The industries mentioned in Schedule 5 shall be excepted from the operation of this Act."

THE PREMIER: This amendment was brought forward at the bidding of the member for the Murchison, who had indulged in a diarrhoea of words and made a catspaw of members of the Labour party. Could not members see what it all meant? The member for the Murchison, who had protested most vigorously against the Bill being limited in its operation by geographical lines, now proposed that there should be a limitation dependent on the nature of the industry. What became of the pathetic appeal of the hon. member, when he urged the Committee not to make a distinction?

Could not members of the House and the people of the country see what was the attitude of the member in connection with the Bill, evidenced in the clearest possible way by his conduct to-night? He (the Premier) would appeal to members on the Labour bench to be careful lest they were led away by the leader of the Opposition, and not make a mistake by grasping at a shadow and missing the substance.

MR. HASTIE: The phrase that Labour members were made a catpaw of by the member for the Murchison was rather strong. The member for Subiaco had said, during the second-reading debate, that he was in favour of the operation of the Bill being extended to all parts of the country; and it was an omission on his (Mr. Hastie's) part in not mentioning that matter himself. It was surely impossible for the Labour members to do other than extend the operation of the Bill to the whole country. No one on the Labour bench for a moment took what had been said by the member for the Murchison in a serious way, inasmuch as the hon. member told the Committee that the Bill should not come into force this session, and announced his intention of taking every possible means to emasculate the measure, at any rate to limit the scope.

MR. MORAN: The little ebullition of temper on the part of the Premier was to be regretted.

THE PREMIER: It was a warning.

MR. MORAN: The Premier smarted under his defeat to-night.

THE PREMIER: It was evident before tea that the amendment would be carried.

MR. MORAN: The Government had been defeated on two important principles. The amendment now proposed was in keeping with the desire that every industry should be nominated in a schedule of the Bill. Was it better to schedule the industries that the Bill should apply to, or say that the Bill should apply to all industries, and schedule the exceptions? He was certain the members of the Labour party were not "catpaws" because they had broken away from the Government to-night.

MR. NANSON: It was to be regretted the Premier should have been led into a temporary ebullition of feeling.

THE PREMIER: There was no anger at all; for on coming back after the division, he wished to move the amendment standing in the name of Mr. Atkins.

MR. NANSON: In speaking strongly he felt strongly for the wellbeing of the worker outside those in Fremantle and Perth, and he doubted if it was altogether a subject for jest by one who, like the member for East Perth, had always been regarded and had set himself up as being in an especial degree the champion of the town worker. If he (Mr. Nanson) was not regarded as the champion of the town worker, he at least might be regarded as the champion of the worker who had no union, but who was content to work away in the country without the aid of any union, and without the aid of notoriety-hunting politicians. The Premier had attempted to fasten on him an inconsistency in regard to the amendment proposed. But the first part of the clause had been amended so that the Bill should apply to all parts of the State; and the second portion of the clause as it now stood gave to the Government the power to make the first amendment, which the Committee had carried, absolutely of no effect. The clause asked us to give to the Governor—to all intents this meant the member for East Perth for the time being—the power to exempt either wholly or in part any factory or class of factory in any district or part of a district from the operation of the Bill. Did the Committee or the Labour party think it wise to intrust the Government with the power specified in Subclause 2 which they had already denied to his hon. friend in Subclause 1? If the Government were unwilling to extend the benefits of this Bill to every portion of the State, surely they were not fit to be trusted with the responsibility of saying which trade, manufacture, or industry should be exempted from the operation of the Bill. Last night members on the Opposition side of the House succeeded in having an amendment inserted in the definition of "factory," so as to give to the word the meaning which was found in the English dictionary, a meaning of the widest possible scope, that was, to extend the operation of the measure to all business establishments, to extend it to the over-worked and sweated clerk as well as to the operative who was engaged

at some manufacture; to give the same protection to the bank clerk and the clerk of any degree as was given to the man who used a hammer and the woman who worked a sewing machine. The attitude of members on the Opposition side of the House had been consistent all through. If the Bill was a good one, it was good not merely for one section of the community but for all. Justice was demanded for every portion of workers in the State, and not merely for those favoured people who happened to have unions and who already were sufficiently protected under the provisions of the Conciliation and Arbitration Act. So far he had only had a limited amount of opportunity to study the voluminous debates on this subject of factory legislation.

MR. HASTIE: Thank heaven!

MR. NANSON: Did the member for Kanowna wish members to give an ignorant, uninformed, prejudiced, and biased vote in the matter? Was it not the duty of members to inform themselves to the fullest extent possible on the question? He hoped that before we got much farther with the measure, some breathing space would be permitted, so that we might read up this vast and complicated subject. It was difficult to do so because we had other subjects demanding urgent attention. We had a Constitution Bill, a Redistribution of Seats Bill, the Estimates, the Financial Statement, and half a dozen other things, more than it was possible, perhaps, for one intellect to compass in the space of the few weeks which he supposed this session was likely to continue. Now that the subject had been ventilated to some extent, and members were beginning to realise how much lay in it that so far might be beyond their ken, he appealed to the Premier whether it would not be wiser and more statesmanlike to postpone the Bill to another session.

MR. TAYLOR: The hon. member was "giving the show away."

MR. NANSON: If so, he preferred to be honest. He had no fear about "giving the show away." He was as transparent as it was possible to be in these matters. If he could find, from the Premier downwards, one who could tell him the experience of the Eastern States and of the mother country, and who could in a single speech condense all the controversy

and the divers opinions that had characterised the discussion on the subject, he might be prepared to say "Go on with the Bill by all means." In a matter like this in Subclause 2 of Clause 6, we had no information from the Premier in regard to it. We did not know whether we were to pass it because it was embodied in the Factory Act in Queensland, in New Zealand, in China, it might be in Timbuctoo, or some other interesting part of the world from which the Premier drew his legislative experience. The amendment by the member for Sussex (Mr. Yelverton) was armed with the strongest sanction that could be obtained at the present time in regard to factory legislation—armed with the sanction of the Imperial House of Commons, where the matter had been debated by some of the largest manufacturers, also by Labour members representing the largest number of organised labourers in the world. It came from a Senate House which had the command of specialists and the knowledge of specialists in every kind of manufacture which could be mentioned. It had at its back the matured experience of nearly 700 chosen from the very pick and flower of every walk in English life, from the scion of the aristocracy to the man who had come out of a collier's cottage. When we found a Parliament of that kind, the very mother of Parliaments, deciding that it was not wise and not statesmanlike to give to any Government the right of saying what factory or industry should be exempted and what should not, then to give that power would be giving it to a Government which had very limited experience of factory legislation and of industrial conditions, and would be leaving the whole question in their hands as to what was to be exempted and what was not. Subclause 2 of Clause 6 would practically place in the hands of the Government the whole of this Bill to use as they liked. Some member of the Government might have taken a fad against an industry; for instance, against the making of cigars. One would not wonder if the Premier were to say, "If no other factory comes under this Act, I will take jolly good care that cigar factories are brought under its purview." We knew how the member for East Perth was distinguished

as a gentleman of fads and fancies in these matters. We knew how, when he got an industrial "bee in his bonnet," nothing less than a charge of dynamite would expel it: then unfortunately it would knock his own head off, and we did not wish that to happen. The clause would give to the Premier the power almost of life and death over some industries. Labour members might not now regard him (Mr. Nanson) as a special champion of their creed, but later they might see reason to change their view. He supposed the Labour party thought that if he were in the position of the member for East Perth, his administration of the Factory Act would not meet with their approval. But perhaps it might meet with the approval of the great body of the workers of the State, even if it did not meet with the approval of the professional Labour party. Let it be assumed, for the sake of argument, that he was merely the tool of an employer, that he had no pity for the working men, had none of the ordinary instincts of humanity, and that his one object in life was to extract to the uttermost every farthing he could from the working man, to oppress him and sweat him in every conceivable manner for the benefit of the capitalist; still he felt it his duty to oppose this kind of provision in a Factories Bill. If this clause were passed as it stood, the Premier would be armed with the power of making the Bill of no avail. Members of the Imperial Parliament had seen, as we no doubt should see on a division being taken, the dangers lurking in a clause of this description. It remained on record in the Imperial statute-book that not the Government of the day but the whole Parliament of the country should hold the power of discrimination. As for the charge of inconsistency levelled at him by the Premier, he contended that he would be inconsistent if he did not support the proposed amendment. He understood the intention was to discuss, on reaching the schedules, which industries should come within the scope of the Bill and which should remain outside its scope, so that the industries to be exempted could be enumerated in a fifth schedule. By this method, the right of exemption would vest in Parliament, instead of

vesting in the Government of the day. To place such a power in the hands of Ministers was unheard of outside Australia, and this responsibility ought not to be thrown on Ministers. He therefore appealed to the Committee to vote for the amendment. The Premier had already shown that he took a very limited view of the Bill, and wished to limit its scope as much as possible; therefore the Labour party should look with suspicion on the attitude of the Government. Let the Labour members bear in mind that the attempt to broaden the scope of the measure had come from the Opposition side.

MR. MORAN: At this stage a few words from the Premier would probably set the whole matter at rest. Presuming that the hon. gentleman did not seek to evade any issue, did the Premier wish to abide loyally by the vote of the House, and was it his intention to make Subclause 2 consequential on the result of the amendment? By striking out Subclause 2, we should make the Bill applicable to all factories in Western Australia, without exception; but we could, of course, insert other words limiting the scope of the measure.

THE PREMIER: There was some difficulty in gathering from the remarks of the member for the Murchison and the member for West Perth under which thimble the pea was. The former member had moved that the subclause be struck out.

MR. NANSON: Nothing of the kind.

THE PREMIER: Well, the hon. member had done it by substitute.

MR. NANSON rose to a point of order. Was the Premier in order in terming another member a substitute?

THE PREMIER: In view of the objection raised, he would not say the hon. member's substitute had moved the amendment, but he would say the hon. member's colleague had brought forward an amendment at the express request of the member for the Murchison, who no doubt had drafted the amendment himself. The object of the amendment was to strike out Subclause (2) and substitute a new subclause in lieu. The whole of the eighth or ninth second-reading speech delivered by the member for the Murchison dealt not so much with the question whether Subclause (2) should be struck

out, but with a proposed amendment. To that proposed amendment he (the Premier) objected strongly; but he did not object to amendment of Subclause (2). Members approaching the question with a sincere wish to improve the Bill, and not misled by those desirous of wrecking the measure, would see that the power to exempt must stand. In the absence of such power, which was almost inseparable from a measure of this nature, cases of great hardship must arise. The leader of the Opposition desired the elimination of the subclause because the retention of the provision would result in the smoother working of the Bill.

MR. NANSON: The amendment suggested by the Premier was consequential on the alteration made in the first subclause. In order to save time, he (Mr. Nanson) had suggested that the amendment of the member for Sussex (Mr. Yelverton) should be taken first, because if that amendment were carried there would be no necessity for debating the other amendment suggested.

THE PREMIER: The member for West Perth (Mr. Moran) had asked, what was the objection to Subclause (2) with certain consequential amendments?

MR. MORAN: Better take a division on the amendment.

THE PREMIER: Very well.

Amendment (to strike out Subclause 2) put, and a division taken.

MR. HIGHAM claimed the votes of the members for the Murchison (Mr. Nanson) and the Swan (Mr. Jacoby), on the ground that they had called for a division and had voted (on the voices) with the Noes.

MR. NANSON: Was this the only method by which members on the Government side could obtain votes?

MR. MORAN said he also was apparently voting on the wrong side.

[Mr. Nanson and Mr. Moran crossed the floor and voted with the Noes.]

MR. HIGHAM: The member for the Swan (Mr. Jacoby) had distinctly called for a division.

MR. MORAN: Why raise these points, which could not affect the result?

MR. JACOBY said he had not called for a division.

THE CHAIRMAN: The denial of the hon. member must be accepted.

The division resulted as follows:—

Ayes	...	...	...	8
Noes	...	...	...	21

Majority against ... 13

AYES.	NOES.
Mr. Atkins	Mr. Daughish
Mr. Butcher	Mr. Diamond
Mr. Hicks	Mr. Ewing
Mr. Pigott	Mr. Foulkes
Mr. Parkiss	Mr. Gordon
Mr. Thomas	Mr. Gregory
Mr. Yelverton	Mr. Hasle
Mr. Jacoby (Teller).	Mr. Hayward
	Mr. James
	Mr. Johnson
	Mr. Kingsmill
	Mr. McDonald
	Mr. Monger
	Mr. Moran
	Mr. Nanson
	Mr. Phillips
	Mr. Rason
	Mr. Reid
	Mr. Taylor
	Mr. Wallace
	Mr. Higham (Teller).

Amendment thus negatived.

MR. WALLACE: This House was becoming the laughing-stock of the country, because of the ruling of the Chairman not being obeyed.

THE CHAIRMAN: The hon. member must not make such a statement.

MR. WALLACE: If the Chairman's rulings were not obeyed, he (Mr. Wallace) would move that the Chairman do leave the Chair. The Chairman had ruled that certain members called for a division and voted with the Noes. Those members disputed the statement, and the Chairman nevertheless allowed one of them (Mr. Jacoby) to vote with the Ayes.

THE CHAIRMAN: The member for the Swan had been asked whether he had called for a division, and he answered in the negative. The hon. member's denial must be accepted.

MR. WALLACE: Hon. members were not in every instance truthful.

THE CHAIRMAN: The hon. member must withdraw that remark.

MR. WALLACE: The member for the Swan, in response to the Chairman's question whether he had or had not voted No, had demurred, and then stated he would withdraw the call for a division.

THE CHAIRMAN: The hon. member must withdraw his charge of untruthfulness, which reflected on the honour of another member.

MR. WALLACE withdrew the statement.

MR. PIGOTT: Had the hon. member really withdrawn?

THE PREMIER: Surely the Chairman could maintain order.

THE CHAIRMAN: It had been ruled that the hon. member had withdrawn the statement. The Committee must accept the ruling, or vote the Chairman out of the Chair.

MR. PIGOTT moved that the Chairman do leave the Chair.

Motion put and negatived.

MR. JACOBY: Possibly he had voted contrary to his intention. It was only when informed that he was voting wrongly that he discovered the mistake. This was a pure inadvertence, and was not prompted by any desire to mislead the House.

MR. MORAN: The Bill should not be sectional in its application. He moved that the words "in like manner," in line 1, be struck out, and "by notice in the *Government Gazette*" inserted in lieu; that the word "in," in line 1, and the words "in any district or part of a district," in lines 2 and 3, be struck out. These amendments were in keeping with the last vote.

Amendments passed.

MR. PIGOTT: The regulations should be laid before Parliament within a given time after being gazetted.

THE PREMIER: Deal with that under Clause 78.

MR. NANSON: Should not Sub-clause 3 provide that any alteration or rescission of the *Gazette* notice be advertised in a local newspaper also?

THE PREMIER: That was intended.

MR. NANSON: When an important alteration was made, it should be advertised in one newspaper as well as in the *Government Gazette*, which many people did not see.

THE PREMIER moved that in line 10, after "may," the words "in like manner" be inserted.

Amendment passed, and the clause as amended agreed to.

Clause 7—Factories to be registered:

MR. MORAN: During the discussion at the previous sitting, a request was made that a fair amount of notice should be given to manufacturers before the Bill came into operation. Six months' notice was suggested, also that there should be three months' farther term before it should be obligatory to register; practically nine months altogether. He under-

stood the Premier was willing to enter into a compromise over the matter, and extend the time before the Bill came into operation for three months beyond the period mentioned in the Bill. He moved that in line 1 the word "three" be struck out and "six" inserted in lieu. Small manufacturers would be hampered by the expense when the operation of the Bill commenced; therefore as much time as possible should be given. In a reform such as this a delay of three months was infinitesimal.

MR. HASTIE: If the Bill were to pass by the end of the present month, that would allow five months from the 1st November until the first April before the Bill came into operation; therefore the manufacturers would be getting five months' notice, not three. The request for an extension of time should not come from the front Opposition bench. The Labour members had declared their readiness to prevent sweating, and had therefore agreed to extend the operation of the Bill to all parts of the State. The enactment should come into force as soon as possible. The member for the Murchison had spoken about consistency; therefore one might hope the hon. member would be consistent on this occasion and endeavour to prevent the manufacturer from sweating the workers.

MR. NANSON: It was suggested that the operation of the Bill should be postponed until the 1st July. It had been forcibly pointed out by the Premier and the member for Kanowna that the Bill could not substantially come into force until the 1st April. Therefore if the amendment postponing the operation until the 1st July were carried, it only meant a delay of three months. The member for Kanowna had accused him (Mr. Nanson) of inconsistency before he had expressed himself on the amendment. His wish was not to go to extremes, but to obtain a workable Bill that would be fair to all parties, and it would not make any difference if the Bill came into force on the 1st April or the 1st July; it was not going to make or mar manufacturers or employees. A large body like the Chamber of Manufactures should have its request acceded to. He appealed to the Labour Party for fairness in this matter.

THE MINISTER FOR WORKS: Members felt a certain amount of indignation at the waste of time to-night and on a previous occasion when this Bill was under discussion, and he ventured to express the hope—

MR. NANSON called attention to the state of the House.

Bells rung, and quorum formed.

THE MINISTER FOR WORKS: When he was interrupted he was about to express the hope that we should not witness any more of the lamentable waste of time we had seen so far in regard to this Bill. The member for the Murchison (**Mr. Nanson**) had said that his method had been transparent. His method certainly had been most transparent; it was transparent with regard to the amendment now suggested. Anything the hon. member could do, either to delay the passage of this Bill or its operation, he did cheerfully and to the best of his ability.

MR. NANSON: Was the hon. member in order?

MEMBER: The hon. member should not squirm, every time.

MR. NANSON said he was not squirming. He had risen to a point of order. It was wise that the forms of debate should be observed.

THE CHAIRMAN said he was giving to the hon. member (Minister for Works) the same latitude as had been given to the member for the Murchison.

THE MINISTER FOR WORKS: The hon. member had motives.

MR. NANSON: Was the hon. member in order in imputing motives?

THE MINISTER FOR WORKS said he hastened to withdraw any imputation on the hon. member. The hon. member was absolutely devoid of motive, or anything else. The hon. member prided himself on his honesty, but he would be vastly more honest if he moved at once that the Bill be read this day six months.

MR. NANSON: Was the hon. member in order in referring to the subject of honesty?

THE MINISTER FOR WORKS: That he also withdrew at once, as being utterly foreign in connection with some individuals.

MR. NANSON: Name?

THE MINISTER FOR WORKS: One had no wish to be personal.

MR. JACOBY: How far from home would the hon. member have to go for that?

THE MINISTER FOR WORKS: The suggested amendment was that the word "three" be struck out and "six" inserted in lieu, and we were asked to accept this amendment because forsooth it was suggested or urged by the Chamber of Manufactures. He believed the hon. member held a brief from the Chamber of Manufactures in Perth. The hon. member said the Bill had been rushed through the House. The Bill was read the second time on the 23rd September, a month ago; and surely there had been time for members who displayed such great interest in the Bill to-night to have studied it in the interval between the second reading and the present time; but it seemed their interest had been awakened only since they received a circular or some request from the Chamber of Manufactures in Perth. Then they became interested in the Bill, and not before. Seeing that if the Bill passed as it stood there would be five or six months before it would come into operation, ample time was afforded not only to the manufacturers who came within the scope of the Chamber of Manufactures in Perth, but to manufacturers throughout this State, to make due provision to meet the requirements under the Bill. He hoped that if we were going on with this Bill earnestly and with a sincere desire that it should pass into law, we should endeavour to do so without any more waste of time; without any of those, he was going to say unseemly performances—he was almost tempted to call them performances—we had witnessed to-night.

MR. PIGOTT: The whole scope of the Bill had practically been altered. When the Bill was introduced, we heard it was to be a Factories Bill in part only; it was to be applied to certain districts only, and certain classes of work only. Was the Bill in that position now? The Committee had decided more than once that the measure was to apply to the whole of Western Australia, and not only to one class of factory but practically to every class of factory. If the Premier saw fit originally to grant five months' exemption, surely now that the Bill was going to be in operation all over

the State, another month was necessary.

THE PREMIER: If we were going to apply the Bill to the whole State, we ought to strike out "three months" and let it come into operation at once.

MR. PIGOTT: In the present state of the Committee, he would suggest that before there was a division on this point members should take plenty of time to consider the thing, and approach it in a cool, even-minded way. Therefore he moved that progress be reported.

Motion (progress) negatived.

MR. MORAN: The suggestion of the Chamber of Manufactures was to alter the time for the coming into operation of the Bill. The time proposed in the amendment was three months less than they asked for, and the amendment was moved by him purely and simply in a spirit of compromise. He had not the slightest feeling one way or the other with regard to the three months; but he did not like the slighting way in which the Minister for Works spoke of the Chamber of Manufactures in Perth. [THE MINISTER FOR WORKS: Oh no.] The Minister and he had fought shoulder to shoulder against federation in this country, and the hon. member was then a welcome guest at every public meeting held by the manufacturers to put their case before the country.

THE MINISTER FOR WORKS said he had the greatest respect for them.

MR. MORAN: The way that Minister spoke did not lead him to suspect that the hon. gentleman had the greatest respect for the manufacturers of Western Australia, who after all were a deserving body of people, and their requests should be treated with due respect by this House. Those who were free from the overlordship of either manufacturers or the Labour bodies could afford to take a middle course. He thought last night it was inferred from what the Premier said that the hon. gentleman was rather inclined to agree to the amendment. He (Mr. Moran) had no other feeling than to get the Bill through with the greatest amount of satisfaction to both parties, employers and employees. If it came to a real fight whether the Bill should become law or not, he would use every effort to make it law; but at the same time, as an independent member, he suggested that in a case

like this, seeing we had made the scope of the Bill so much greater, there should be a compromise by which a three months longer extension would be allowed. If the Committee did not want to adopt that, well and good. He hoped there would be no bad feeling about it. He thought the Chamber of Manufactures would accept the Bill loyally and royally, trying to do the best they could; and he felt certain that if the measure became law and they became used to it, they would be able to compete, all things being equal. He did not suppose they would be able to compete otherwise.

MR. DAGLISH: If one could see any reason for it, he would be quite willing to agree to the amendment. The representations of public bodies of the importance of the Chamber of Manufactures fully deserved the greatest consideration; but he did not think they deserved, apart from their intrinsic merits, that their recommendation should meet with entire adoption by this House.

MR. MORAN: The request of the Chamber of Manufactures was that the Bill should not come into law until July; and an additional three months' grace would bring the measure into operation in June.

MR. DAGLISH: The factory clauses of the Bill would come into operation on the 1st April.

MR. MORAN: Not at all. We had passed the clause dealing with the date at which the measure would come into operation.

MR. DAGLISH: The Bill, although to operate from the 1st January next, would come into operation only on the day when the liabilities sought to be imposed on factory-owners were actually imposed on them.

THE PREMIER: Factory-owners were given three months to prepare.

MR. DAGLISH: That was the position. The Chamber of Manufactures asked that the Bill should not come into force until the 1st July. No reason had been shown for believing that any particular clause would operate unjustly, unfairly, or harshly on the 1st April but not on the 1st July.

MR. MORAN: Would the hon. member admit that the Bill entailed a considerable amount of expense in many cases?

MR. DAGLISH: No. If it were true that much expenditure was necessary to

make the factories of this State properly fit and safe for factory purposes, it was to be greatly regretted that the Bill would not come into operation on the 1st January, so that conditions might be ameliorated for the summer months. Some few of our factories were undoubtedly bad, some few were overcrowded, and in some the air space was not sufficient for the number of workers. These defects could not be remedied too early. The only clause of the Bill which would entail some expense, and in respect of which farther delay might be necessary, was that requiring factories to be wood-lined. An amendment to be moved in that clause had been placed on the Notice Paper. The leader of the Opposition did not seem to be aware that Australia was in advance of Great Britain with respect to factory legislation, and that the factory legislation of Victoria was in advance of that of the sister States. Members on this (Labour) bench would offer no great objection to extending the time for one month, by way of compromise.

MR. THOMAS: With every desire to see the Bill brought into operation as soon as possible, one could not but recognise that some extension of time was necessary, particularly as the Bill would apply to the whole of the State. Clause 65 required that any building used as a factory or shop which was constructed of iron, zinc, or tin, must be lined with wood or other material to the satisfaction of an inspector. Assuming, as one had a right to assume, that this clause would be passed, he wished to point out that a number of buildings in this State, which were not lined and did not require lining, would take a considerable time to line, especially in outlying districts.

THE PREMIER: The hon. member, who had just refused to differentiate between one part of the State and another, now appeared to see the force of it.

MR. THOMAS: In regard to such matters as the prevention of sweating and the early closing of shops, he would certainly not differentiate. Clause 39, for the better prevention of accidents, would in many instances involve the necessity of a complete rearrangement of machinery. Mine managers in erecting their machinery kept in view the provisions of the Mines Regulation Act, but of course factory machinery had been

erected without regard to any legislative provisions. Alterations in gearing, for example, would take considerable time. In the event of an accident, factory-owners would be subject to the penal clauses: they would be breaking the law unintentionally.

THE PREMIER: The liability to accident would be no greater when this Bill had been passed.

MR. THOMAS: Hardship might be entailed if the time for enforcing the penal clauses were maintained at three months, as provided by the clause. The member for Kanowna (Mr. Hastie) had said factory-owners would have five months to get ready; but we had dealt with only six clauses of this measure in two days, and at that rate the Bill would not become law for another ten weeks. There could be no valid objection to extending for another three months the time for registration. The Bill would come into force in January next; and if only to satisfy the inspectors, most factory-owners would probably comply with the provisions of the Act, instead of waiting until the last moment. The clause might inflict hardship on innocent people.

MR. PURKISS: The Bill as drafted evidently provided for more than three months, because the date of commencement was the 1st January.

THE PREMIER: On the same day it might by notice be made applicable to the Perth and Fremantle municipalities.

MR. PURKISS: Surely to appoint inspectors after the date of commencement, and to constitute districts, would take some time.

THE PREMIER: It need not take ten minutes.

MR. NANSON: The amendment was a compromise on the original proposal of the Chamber of Manufactures, that the Act should not have effect till the 1st October. Last night the Premier promised he would be prepared to meet certain hon. members on Clause 7.

THE PREMIER: Nothing had been waived in consideration of that.

MR. NANSON: Debate had been waived.

THE PREMIER: The debate convinced him that the clause was vital.

MR. NANSON: The Premier was convinced by a division.

THE PREMIER: The hon. member would be convinced on another point, before the Bill left the House.

MR. NANSON: The member for Dundas (Mr. Thomas) had shown how hardship might by the clause be entailed on manufacturers; but no instance had been given of hardship to the worker if the amendment were passed.

MR. DAGLISH: A few unhealthy factories were mentioned.

MR. MORAN: The names were not given.

MR. NANSON: Such a statement should be more explicit.

MR. DAGLISH: The member for Dundas had been just as general.

MR. NANSON: Why not report insanitary factories to the health authorities? If there were such abuses which the amendment would perpetuate, he would agree to the clause standing; but until these were shown, the House should in a reasonable spirit of compromise meet the views of the manufacturers, who asked that the operation of the Bill be postponed till October. Split the difference, and make it the 1st July.

MR. DAGLISH: The allegation made by him was that a small number of Perth factories did not meet the requirements of the Bill, nor provide sufficient space for the employees. Nothing had been said about "insanitary" conditions, in the ordinary sense. There was nothing in the Health Act, so far as he was aware, which required that sufficient air-space should be provided for each person working in a factory. If the Government could step in, an employer should not be allowed to coop up people in an insufficient space.

DR. O'CONNOR: There was power under the Health Act.

MR. DAGLISH: Then the Health Act was being unsatisfactorily administered in Perth. There were overcrowded work-rooms in the city of Perth, and he hoped the remarks he had made would lead the hon. member (Dr. O'Connor) to make examination, and he would not have much trouble in finding the instances referred to.

MR. JACOBY: If considerable expense was to be incurred by men working on a narrow margin of profit, sufficient time ought to be given to these persons to make arrangements. There were many manufacturers who were not making more than wages, and these people would have

to find the money to make the improvements. To a majority of the manufacturers the expense might be trifling, but it might cripple a small proportion. If there were such bad conditions as mentioned by the member for Subiaco, why did not the workers go to the health authorities and complain?

MR. THOMAS: The health authorities should receive the support of the public in the administration of the Health Act. Yet the member for Subiaco was not willing to give information as to overcrowding which he said he knew existed in the city of Perth. If it was true that overcrowding did exist, and there was a necessity in some instances of doubling the accommodation that was now provided, it would take some time to increase the accommodation to comply with the Bill.

MR. MORAN: Were the Government prepared to give way to the extent of two months, or must the Opposition go on talking to make converts? It would be impossible to line every iron building used as a manufactory in Perth within the time allowed—in fact, he did not think there was sufficient matchboard in Perth to do the work. The Government should not be obstinate or vindictive because they had been defeated on two occasions.

MR. HASTIE: It was possible to bring the Bill into operation immediately. At the beginning of this discussion it was suggested by the member for Subiaco (Mr. Daglish) that to stop farther discussion, if all parties were agreeable, we might extend the time for a month. That was offered as a compromise. The position taken up by the member for the Murchison (Mr. Nanson) was that of embracing every possible opportunity to emasculate the Bill, and to delay its coming into operation. The position of the Labour party was to do what they could to bring the measure into operation at the earliest possible moment. It had been suggested that if we wished the Bill to be brought into operation, we ought to show a spirit of compromise. If he for a moment dreamt there was anything in that, he would suggest compromise; but it seemed certain that the only possible way to get this Bill through was to stick to it as closely as possible—of course with the amendments the

Labour party wanted inserted. Any compromise made by the Government would induce others to do their best to obstruct the carrying out of the measure. He hoped this matter would come to a division. All members had made up their minds.

MR. DIAMOND moved "That the Committee do now divide."

Motion (to divide) put, and a division called for.

POINT OF ORDER.

MR. MORAN: The motion by the hon. member was "that the Committee do now divide." He appealed to the Chairman whether there was any question before the Committee. The proper motion would have been "that the question be now put." There was nothing to divide upon, and the motion was out of order. The Chairman never put the question; therefore what were the Committee to divide on?

THE PREMIER: Whether "three" be struck out or not. The member for West Perth specifically asked what the question was.

THE CHAIRMAN: The motion had been accepted by him as being equivalent to a motion "that the question be now put." He knew those were not the exact words, but he thought that was the intent.

MR. MORAN: Those words were out of order, and there was no proper motion before the Committee.

THE CHAIRMAN: The form of that particular motion, when in Committee, was "that the Committee do now divide;" so the motion was in order.

Division taken on the question "that the Committee do now divide," with the following result:—

Ayes	...	...	...	17
Noes	...	...	...	10

Majority for 7

AYES.
Mr. Daglish
Mr. Diamond
Mr. Ewing
Mr. Gordon
Mr. Gregory
Mr. Hastie
Mr. Hayward
Mr. James
Mr. Johnson
Mr. Kingsmill
Mr. McDonald
Mr. Monger
Mr. Rason
Mr. Reid
Sir J. G. Lee Steere
Mr. Wallace
Mr. Higham (Teller).

NOES.
Mr. Atkins
Mr. Butcher
Mr. Moran
Mr. Nanson
Mr. O'Connor
Mr. Pigott
Mr. Taylor
Mr. Thomas
Mr. Yelverton
Mr. Jacoby (Teller).

Motion thus passed, and a division taken accordingly on the amendment that the word "three" be struck out, resulting as follows:—

Ayes	...	...	...	9
Noes	...	...	...	17

Majority against 8

AYES.	NOES.
Mr. Atkins	Mr. Daglish
Mr. Butcher	Mr. Diamond
Mr. Moran	Mr. Ewing
Mr. Nanson	Mr. Gordon
Mr. O'Connor	Mr. Gregory
Mr. Pigott	Mr. Hastie
Mr. Thomas	Mr. Hayward
Mr. Yelverton	Mr. James
Mr. Jacoby (Teller).	Mr. Johnson
	Mr. Kingsmill
	Mr. McDonald
	Mr. Monger
	Mr. Rason
	Mr. Reid
	Mr. Taylor
	Mr. Wallace
	Mr. Higham (Teller).

Amendment thus negatived (in effect).

DEBATE.

MR. NANSON moved that the Chairman do leave the Chair. We had now had a discussion long, but not too long, on Subclause 2. The member for South Fremantle, taking advantage of the forms of the House and abusing those forms, had had the question put to a vote before a compromise could be arrived at, and before an opportunity was given of advancing another argument why the time for bringing the Bill into operation should be extended. No doubt a motion that the Chairman do leave the Chair was somewhat unusual at this stage, but the irritation caused on the other (Ministerial) side by the honest endeavour of members on the Opposition side to secure adequate discussion of and to improve the Bill, showed that no good purpose could be served by prolonging the proceedings. When we had reached a stage at which argument had to give way to superior numbers, although it could in no wise be maintained that argument had been exceeded in regard to the clause, it was wise for the sake of the dignity of the House, for the esteem in which the House ought to be held, to terminate the proceedings.

POINT OF ORDER—SPEAKER'S RULING.

THE PREMIER rose to a point of order. It was intolerable that a motion of this kind should be discussed. Was the hon. member in order in discussing a motion that the Chairman do leave the Chair?

THE CHAIRMAN said he had already ruled that the motion could not be discussed, but the hon. member was now disputing that ruling.

MR. NANSON: Oh, no. Had the Chairman ruled that the motion could not be discussed?

THE CHAIRMAN: Yes.

MR. NANSON said he must apologise. He was not aware that the Chairman had ruled that the motion could not be debated. At the same time he felt bound to say that he knew of a case where a motion of the kind had been discussed. With all respect, he would be glad to know what Standing Order prohibited discussion of his motion?

THE PREMIER: There was no necessity for looking up the Standing Order. The matter could be referred to the Speaker.

THE CHAIRMAN: *May* laid down distinctly that a motion of this character could not be discussed. He (the Chairman) had ruled that it could not be discussed, and he was looking for the authority to establish his position when the hon. member proceeded to speak.

MR. NANSON said he had spoken under a misapprehension. He would be obliged if the Chairman would quote the authority for the ruling.

MR. PIGOTT: On a point of order—

THE CHAIRMAN: The ruling had been given on the point of order.

MR. PIGOTT: On a point of order—

MEMBERS: Chair!

THE CHAIRMAN: The question before the Committee was that the Chairman do leave the Chair. He felt bound to point out, so that members might know what they were doing, that the effect of carrying the motion would be to stop the Bill for the time being. The motion was not "That the Chairman report progress and ask leave to sit again."

THE PREMIER: That was why the motion was not discussable.

MR. NANSON: With all respect, he would ask the Chairman to quote the Standing Order or the ruling of *May* on the point; otherwise the Chairman's ruling might be disputed and referred to the Speaker.

THE CHAIRMAN: That could be done.

MR. NANSON: In that case, with all respect he would dispute the Chairman's ruling.

Mr. SPEAKER resumed the Chair.

The CHAIRMAN stated the disputed point.

THE SPEAKER: A motion "that the Chairman do leave the Chair" was the same as a motion "that the Chairman report progress," and therefore must be put without discussion.

IN COMMITTEE.

THE CHAIRMAN: According to *May*, if a motion that the Chairman do leave the Chair were carried, the Order of the Day would become a dropped order.

MR. NANSON: In the circumstances, he would withdraw the motion.

Motion by leave withdrawn.

THE PREMIER: Consequent on the striking out of Sub-clause 1 of the previous clause, thus abolishing the proclamation of districts, he moved that the word "application," in line 1, be struck out, and "commencement" inserted in lieu.

MR. PIGOTT (in explanation): For the attempt of the leader of the Opposition to debate the motion that the Chairman do leave the Chair, he (Mr. Pigott) was in fault, if fault there were. A few months ago he was in the Federal House of Representatives when a similar motion was debated for 24 hours.

THE CHAIRMAN: The hon. member was now debating the decision of Mr. Speaker, and was out of order. The rules of the Federal Parliament were not necessarily identical with our rules.

Amendment passed.

THE PREMIER moved that in line 2 the words "part of this" be struck out, and "to any district" inserted in lieu; also that "within such district," in lines 2 and 3, be struck out.

Amendments passed.

MR. DAGLISH: On the Notice Paper appeared an amendment to be moved by the Chairman, dealing with Chinese or other Asiatics.

THE PREMIER: Better deal with them in a new clause, which would be framed.

Clause as amended agreed to.

Clause 8—Application for registration:

MR. HIGHAM moved that the word "Minister" be struck out and "inspector" inserted. As the operation of the Bill had been extended, it was important

that factory owners might apply direct to the inspector.

THE PREMIER: The applications need not be made to the Minister personally, but were to be addressed to him.

Amendment by leave withdrawn.

MR. NANSON: Application was to be made in writing on a prescribed form, and must, by paragraph (f), include "such other particulars as are prescribed."

THE PREMIER: To indicate in the Bill all necessary particulars would be impossible. These, such as appliances in case of fire, would be prescribed by regulation.

MR. NANSON: This was objectionable. In some cases the Bill prescribed regulations with all possible minuteness. It would be possible for the Government, after the Bill became law, to prescribe all kinds of regulations. If the Government were to make regulations these should be embodied in a schedule to the Bill, so that members might know what was to be the law.

THE PREMIER: Strike out Subclause (f).

MR. NANSON moved that at the end of Subclause (f) the words "in Schedule 5 to be added" be inserted. That would enable the Government to prescribe what regulations were necessary.

Amendment negatived.

MR. NANSON moved that Subclause (f) be struck out. He understood that regulations might be necessary under the Bill; but in the Workmen's Compensation Act the regulations were given in the Bill.

THE CHAIRMAN: The hon. member could not now move that Sub-clause (f) be struck out.

MR. MORAN: The question before the Committee was the whole clause.

MR. THOMAS: The clause provided that the maximum number of persons employed in a factory were to be given. This was rather a drastic order, and he suggested that the word "approximate" be inserted in place of "maximum." A man might start a factory to manufacture something which was in demand on the mines, the manufacturer might put down the maximum number of men at twenty, and suddenly he might find a large number of orders coming in so that he would have to double his employees. Such con-

tingency frequently occurred in foundries and other places.

MR. HIGHAM: There was nothing to object to in the clause, because the only power inspectors would have would be to decide whether there was sufficient cubic space to suit the number of employees specified in the application. If there were not sufficient cubic space, the inspector would refuse the application. If there were a surplus, well and good; it could be employed later on.

THE PREMIER: A building might be registered, but not more than a certain number must be employed in that building.

MR. NANSON: When our soldiers went to South Africa, great orders came in for saddlery which had to be completed in a very short time. Were we to understand that if the owner of a workshop got a special order of that description, an order upon which in some cases the safety of the Empire might depend, he would be compelled to refuse the order unless he had the necessary cubic feet of space for all his employees? Extra work at busy times might necessitate, say in the cool season, perhaps a few extra men for a month at the utmost. In such cases of emergency there should be something left to the discretion of the inspector or the Minister.

THE PREMIER: The question of emergency of employment did not arise under Clause 8.

MR. NANSON: If some special circumstances arose a manufacturer should not be penalised.

THE PREMIER: If a manufacturer, in a case like that, employed more than the license allowed, the license could be revoked.

MR. NANSON: Could he not get temporary exemption?

THE PREMIER: Yes; undoubtedly there would be power given under the regulations.

Clause passed.

Clause 9—Inspector to examine factory:

MR. NANSON: The clause seemed to give a great deal of latitude. This question of whether a factory was suitable for the purposes for which it was to be used rested entirely with the inspector.

THE PREMIER: Oh, no; there was Clause 10.

MR. NANSON: Clause 10 did not really bring it much nearer: The inspector had to specify the defect, but was it open to the inspector on his own authority to define the defect, or was it sufficiently defined in the Bill what was meant by defect?

THE PREMIER: By clause 9 members would know exactly the position. If an inspector was not satisfied, he would make a requisition, and Clause 10 provided that if the applicant were not satisfied with it he had a right to appeal, and that would settle the matter definitely. It did not rest entirely in the hands of the inspector.

MR. NANSON: Was there a sufficient definition of "defect" in this Bill? Say a manufacturer was of opinion there was no defect, who was to settle the point? Was it to be settled under the Bill?

THE PREMIER: Under the Bill.

MR. NANSON: If an inspector had to say there was a defect under clause so-and-so of the Bill, that was intelligible, but if an inspector could simply say, "I consider it a defect, and the defect is so-and-so," and was not required to show that what he considered a defect was defined as a defect under the Bill, it would be placing too much power in his hands. We did not know what these inspectors were to be paid. He supposed that on the average it would be about £3 a week. It had been pointed out by the Kalgoolie Chamber of Commerce that a man, to carry out the duties properly, would require to be an expert in matters of health, sanitation, prevention of fires, building, etc., and in their opinion the question of suitability should be left entirely in the hands of the local board of health.

MR. HIGHAM: Did not this discussion relate to Clause 10, which really dealt with the right of appeal against the decision of an inspector?

THE CHAIRMAN: The hon. member was not out of order, but there had been a tendency the whole evening to make second-reading speeches, to which he had several times called attention. For the better conduct of business, it would be well if members would confine themselves as much as possible to the subject matter before the Committee.

MR. NANSON said he was not clear what a second-reading speech was. If the

Chairman could give some definition of that, it might assist him.

THE CHAIRMAN: In Committee, when Clause 9 was under consideration, a member should confine himself to that clause. The hon. member had on several occasions during the evening referred to dozens of clauses.

MR. NANSON: The object he had was merely to elucidate his argument. He wanted now to find out whether the meaning of "defect" was simply any meaning an inspector liked to put on it. If "defect" was limited in its meaning to something expressed in the Bill, there could be no objection to the clause; but if we allowed an inspector, paid a very small salary—

MR. JACOBY called attention to the state of the House.

[Bells rung, and quorum formed.]

MR. MORAN moved that progress be reported.

THE PREMIER: No. The Government had offered to report progress a few moments ago, but the offer was not then accepted. Now, we would go on.

Motion (progress) put, and a division taken with the following result:—

Ayes	...	...	...	4
Noes	...	...	...	21

Majority against ... 17

AYES.
Mr. Moran
Mr. Nanson
Mr. Yelverton
Mr. Jacoby (Teller).

NOES.
Mr. Daglish
Mr. Diamond
Mr. Ewing
Mr. Gordon
Mr. Gregory
Mr. Hastie
Mr. Hayward
Mr. Holman
Mr. James
Mr. Johnson
Mr. Kingsmill
Mr. McDonald
Mr. Monger
Mr. Phillips
Mr. Purkiss
Mr. Rason
Mr. Reid
Mr. Taylor
Mr. Thomas
Mr. Wallace
Mr. Higham (Teller).

Motion thus negatived.

MR. NANSON: In order to bring matters to a head, and to draw an explanation from the Premier, he moved that after "used," in line 3, the words, "as specified in this Act" be inserted. The amendment, if carried, would prevent an inspector, or even a Minister, from refusing a certificate simply because of some personal fad; both inspector and

Minister would be absolutely bound by the measure; and there would be an appeal not only to the Minister, but from the Minister to the Supreme Court.

THE PREMIER said he did not mind the amendment.

Amendment passed, and the clause as amended agreed to.

Clause 10—And may require defects to be remedied:

MR. HIGHAM moved that Sub-clause 2 be struck out. The necessary changes could be made in Clause 72 with the object of making the Local Court of the district in which the factory was situate a court of appeal from any decision or requisition of the inspector.

THE PREMIER: This was a question for the Committee; but personally he thought the cheapest and most impartial tribunal would be the Minister.

MR. DIAMOND: If the appeal were to the Police Magistrate, well and good; but if to honorary justices, the amendment should be negatived.

MR. HIGHAM: The Minister would not be conversant with local details, and must depend on the reports of the inspector or other officer.

MR. NANSON: It was his intention to move that the Conciliation Board be the tribunal. Would the Premier consent to report progress?

THE PREMIER: There was none to report.

MR. NANSON: In every Parliament a Factories Bill, when introduced, was discussed line by line.

THE PREMIER: The hon. member's long and dreary speeches were evidently not made with intent to improve the Bill, but rather to waste time.

MR. NANSON: In the Imperial Parliament, a debate on the question whether the Act should apply to the whole State or to portions only would occupy the greater part of a session. He moved that progress be reported.

Motion negatived.

MR. HASTIE: The obvious intention of the member for Fremantle was to make the appeal from the inspectors to the Local Court. We had already in this country mining inspectors, machinery inspectors, and others who had as intricate work as an inspector under the Factories Bill would have to perform. It was not wise to have an appeal to a Local Court from an inspector. Under the

Imperial Act appeals were to the Local Government Board and not to any court. The effect of the amendment would be to nullify the clause. An appeal to the Conciliation Board would be ridiculous. At present there were three Conciliation Boards, one in Perth, one on the Eastern Goldfields, and one on the Murchison; and if appeals were to be made to the local Conciliation Board it would be necessary to constitute six additional boards. That was apart from the question whether it would be wise to make appeals to the Conciliation Boards or not. If the Bill was to be of any effect, the inspectors should have some responsibilities, and if their duties were carried out in a fair-minded way, the Government should be held responsible for the manner in which the Bill was administered.

MR. HIGHAM: While admitting that the decisions of the mining and boiler inspectors had satisfied the public, there was a general feeling amongst manufacturers that there should be the right of appeal to some higher authority.

[Attention called to the state of the House. Bells rung, and a quorum formed.]

MR. HIGHAM: The amendment he desired was to strike out the words "necessitating the expenditure of money," in line 2 of Subclause 4, so that there might be no limit to the requisition on which appeals might be made. Then he wished to insert "or refusal to grant a license," in lieu of those words. He desired also to see struck out that provision which prohibited appeal so far as the refusal to grant a primary license was concerned. Subclauses 5, 6, and 7 which provided the nature of the appeal and the term within which an appeal must be brought forward, would stand with a small alteration in Sub-clause 5 in relation to which he proposed to alter the term of seven days to fourteen days. Appeal to a local authority would be more satisfactory than appeal to a Minister. These amendments would meet the view of coastal manufacturers, also of some Kalgoorlie bodies. The application of this measure was being made very wide, and might be extended from Wyndham to Eucla. If his views were carried into effect, there would be 40 or 50 Local Courts available for appeal cases as against three Conciliation Boards.

THE COLONIAL SECRETARY: It would be as well if, instead of striking out the subclause, the hon. member (Mr. Higham) would confine himself to making in the subclause itself the difference he wished.

MR. NANSON: It would be wise for the hon. member to fall in with that suggestion.

Amendment by leave withdrawn.

[Twelve o'clock, midnight.]

MR. HIGHAM moved that in line 3, the words "Minister whose decision shall be final" be struck out.

MR. DIAMOND: It was to be hoped the words would not be struck out. To leave the matter to the adjudication of the Minister would prove less expensive, less productive of delays, and in every respect more satisfactory.

MR. NANSON called attention to the state of the House.

[Quorum formed.]

MR. DIAMOND: The wish of the Fremantle factory owners, as expressed at a large and representative meeting of persons interested in the Factories and Shops Bill, was that after "Minister" the words "whose decision shall be final" should be struck out, and that "finally to the Supreme Court" should be inserted in lieu. Thus it appeared that the amendment of the member for Fremantle (Mr. Higham) was not in accordance with the wishes of the people on behalf of whom the hon. member spoke. He appealed to that hon. member to withdraw his amendment, and not unconsciously to play into the hands of those desirous of wrecking the Bill.

THE MINISTER FOR MINES: While it would be better to pass the clause as printed, it was a fact that most of the chambers of commerce and chambers of manufactures desired an alteration creating the magistrates of Local Courts or the Board of Conciliation the final tribunal. The Kalgoorlie Chamber of Commerce had expressed the opinion that an appeal to the Minister would be of no use. The measure was new, and therefore people concerned had no knowledge of how it would work. The duties of inspectors under the Mines Regulation Act and under the Boilers Inspection Act, which were more important than the duties of the inspectors to be appointed

under this Bill, had been performed in such a manner as to give rise to no complaints.

MR. MORAN: Had not the Minister had complaints concerning his inspectors?

THE MINISTER FOR MINES: Decidedly not, as to their decisions regarding machinery.

MR. MORAN: It was well known the Minister had received complaints; and from the Labour party, moreover.

THE MINISTER FOR MINES: The hon. member (Mr. Moran) generally knew a good deal more about the working of departments than did those intimately connected with them. He (Minister for Mines) had removed inspectors for certain reasons, but those reasons were not to be sought in any complaints on the score of the manner in which the inspectors' duties had been performed. The working of the Bill would be smoother and less expensive if appeal were to the Minister, and not to Local Courts or to the Board of Conciliation. It mattered little to the Government whether the amendment were carried or not, since its adoption would meet the wishes of the various chambers of commerce and chambers of manufactures.

MR. NANSON: As the Perth Chamber of Manufactures, the Kalgoorlie Chamber of Commerce, and representatives of Fremantle importers and manufacturers were united in opposition to the clause, he again appealed to the Premier to avert the scandal of passing the clause after midnight, and moved that progress be reported.

Motion put, and a division taken with the following result:—

Ayes	...	...	...	5
Noes	...	...	...	19

Majority against ... 14

AYES.		NOES.	
Mr. Moran		Mr. Daglish	
Mr. Nanson		Mr. Diamond	
Mr. Thomas		Mr. Ewing	
Mr. Yelverton		Mr. Gordon	
Mr. Jacoby (Teller).		Mr. Gregory	
		Mr. Haastie	
		Mr. Hayward	
		Mr. Holman	
		Mr. James	
		Mr. Johnson	
		Mr. Kingemill	
		Mr. McDonald	
		Mr. Monger	
		Mr. Purkiss	
		Mr. Rason	
		Mr. Reid	
		Mr. Taylor	
		Mr. Wallace	
		Mr. Higham (Teller).	

Motion thus negatived.

THE PREMIER: Better deal with this question on Clause 72.

MR. NANSON: Yes; if the Premier were willing to strike out Subclause 2.

THE PREMIER: That would evidently be the wiser plan.

Amendment (Mr. Higham's) by leave withdrawn.

MR. HIGHAM moved that Subclause 2 be struck out.

Amendment passed, and the clause as amended agreed to.

Clause 11—Inspector to certify to Minister:

THE PREMIER moved that the words "by the Minister," in line 8, be struck out, and "on appeal" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 12—agreed to.

Clause 13—Certificate of registration:

MR. MORAN moved that the words "unless he be a member of a coloured Asiatic race" be added to the clause.

THE PREMIER: Better deal with Asiatics by a separate clause.

Amendment not pressed, and the clause passed.

Clause 14—Registration fees:

MR. HIGHAM moved that the clause be struck out. Factories would have to be registered not for the benefit of owners, but for the benefit of the community at large; therefore the manufacturers should not be mulcted in fees without receiving some benefit.

THE PREMIER: If the fees were too high, they could be reduced.

MR. HIGHAM: The principle of fees altogether was objected to, because no benefit was received.

MR. NANSON: The amendment was a proper one. If fees were to be paid, the persons for whose benefit the Bill was brought forward should pay them. If a plebiscite vote of the manufacturers was taken to-morrow they would vote that the Bill was not necessary; but members looked at the measure from two points of view, in the interests of the manufacturer and the employee. If we looked at the Bill from a point of view of the manufacturer, it must be admitted that it was not required. It was to protect the worker that the measure was being passed. Every person throughout Western Australia who employed one person had to

be registered under the Bill and pay a fee of five shillings; if a man kept a collier's shop and employed an assistant that was a factory, and a fee would have to be paid. There were certain anomalies in the Bill which would have to be removed.

MR. THOMAS: There was an objection to fees being charged when no benefit was received therefrom. There could only be one reason for levying such fees in Western Australia, and that was to raise more revenue. In relation to every Bill that came before us, if there was a possible opportunity of putting in a schedule of fees, it was safe to bet that the Government would put in such a schedule. If this increase of revenue would only do some good to the country, one might give way a little on the principle involved, for the common good which would accrue; but he claimed that if we allowed the collection of 5s. fee throughout the State, the result would be as was seen during the last two years, rapidly increasing public service.

MR. NANSON called attention to the state of the House.

[Quorum formed.]

MR. THOMAS: On the annual Estimates, we were expending in charities a little over £19,000 a year, and the administration of the charities cost nearly £8,000.

THE CHAIRMAN: The Estimates were not before the Committee.

MR. THOMAS: To collect fees of this sort would mean an increase of our Civil List, without benefiting any man. In regard to public works, we spent in administration from 20 to 30 per cent. of the cost of the works.

THE MINISTER FOR WORKS: That was absolutely untrue.

THE CHAIRMAN: The hon. member must not refer to the Estimates.

MR. THOMAS: The instance he gave was sufficient to prove his contention as to what would probably happen if we allowed these fees to be charged.

MR. DAGLISH: The statement was contradicted.

MR. THOMAS: One instance was not disproved, that in relation to charities and the cost of administering it. The other instance he could not prove at present.

THE MINISTER FOR WORKS: The assertion made was not correct.

MR. THOMAS: Then one did not know what the figures meant. People who had not asked for this Bill should not be forced to pay a stiff registration fee. The Bill would benefit the whole State considerably; every worker, especially the boy and the woman, would benefit to an enormous extent; and seeing that nearly every person or the vast majority in Western Australia would be benefited by the operation of this measure, it behoved the Government to see that the inspectors were paid out of the public revenue. He again appealed to the Premier to report progress. It was a farce for any reports to go forth to the country that the Legislative Assembly dared to sit here—only 14, 15, or 16 members—to force a Bill of such vital importance through Committee. It was doubtless the intention of the Premier—

THE PREMIER: Was this speaking *re* the clause?

MR. THOMAS claimed that he had a right to raise his voice in protest against a thin House dealing with this clause.

THE PREMIER: On a point of order, had this anything to do with the clause?

THE CHAIRMAN: The hon. member was not out of order just now.

MR. THOMAS: The Premier ought not to rise to order twice within five minutes, when an important principle was being dealt with. So thin a Committee as this—

THE CHAIRMAN: The hon. member must not deal with the Committee, but with the subject matter of the clause.

MR. THOMAS: The objection to the clause was that no benefit accrued to the persons who were to be charged fees. He supported the amendment.

MR. HASTIE: It was to be regretted that the hon. member (Mr. Thomas) had at last joined the out-and-out obstructionists. No question of principle was involved. The hon. member knew fees were charged wherever inspections were made, and it was right that the industry to be benefited should pay the fees. This objection was farcical. That factories and early-closing laws were to the benefit of manufacturers and shopkeepers was proved by the fact that when legislation of this kind lapsed, even those manufacturers and shopkeepers who had strongly

opposed it in the first instance were clamorous for its re-enactment. It was fair to assume that manufacturers would to some extent at any rate benefit by this Bill, and therefore they might well pay a small fee for inspection.

MR. THOMAS: Were fees charged for inspection of mines?

MR. HASTIE: Mines had to pay for registration. The clause should stand as printed.

MR. MORAN: The hon. member (Mr. Hastie) asked why manufacturers should not pay fees, seeing that gold miners, leaseholders, and woodcutters paid fees. Pearlers and hotelkeepers also paid fees. These cases were not analagous to that of the manufacturer. A miner's right gave the prospector the privilege of seeking gold on Crown land and on private property.

MR. THOMAS called attention to the state of the House.

THE CHAIRMAN declined to test the question whether a quorum was present.

MR. MORAN: Moreover, a miner's right gave the holder a status in a law court.

THE CHAIRMAN: The question was one of fees for the registration of factories.

MR. MORAN: The advocates of the Bill said manufacturers should pay a fee because the miner paid a fee. In return for this fee, what privileges would the manufacturer get?

THE PREMIER: That of avoiding Chinese competition, and of securing fair conditions in respect of the other competitors.

MR. MORAN: To obtain these privileges was the license necessary?

THE COLONIAL SECRETARY: The same argument applied to pearlars.

MR. MORAN: No. The pearler was privileged to exploit the wealth of the country.

THE COLONIAL SECRETARY: Pearls were obtained outside the three-mile limit.

MR. MORAN: The pearler was protected on shore.

THE COLONIAL SECRETARY: And would he were he not licensed.

MR. MORAN: Without the license he could not get pearls, whereas the factory owner received for his license fee no such consideration. The Act would affect half of the population of the State, and of that half only one-fifth were asked to pay

fees for the benefit of the remainder. The fee would be fair if paid by employer and employee alike. That the employer was compelled to treat his employees with humanity was not a privilege but a restriction. The Bill was one of general administration, yet by this clause the manufacturers would have to pay for administration of the law.

[Attention called to the State of the House. Quorum formed.]

MR. MORAN: No other Bill except a Customs Bill would affect more people than this; therefore it should be carefully considered, and not be rushed through by a brutal majority. The measure would tend to the amelioration in the future of a large manufacturing population which might grow up here; and being a Bill of general administration, it should be paid for by the people of the State, not by a few.

MR. JOHNSON: Move that the employee should pay.

MR. MORAN: The expenses should be paid by the community, and not by the employees or employer.

MR. JOHNSON: What about the Trade Unions Act?

MR. MORAN: That Act conferred great and grand privileges on trade unionists. There was an Act which was on all-fours with the Bill before the House, the Conciliation and Arbitration Act; and who paid for that Act?

MR. HASTIE: The same people who would pay for this Bill.

MR. MORAN: On the Estimates there was a sum of money in connection with the carrying out of the Conciliation and Arbitration Act.

MR. HASTIE: So there would be in connection with this Bill.

MR. MORAN: The trade unionists paid for registration because they had a great boon conferred on them.

MR. JOHNSON: It was not a boon at all; it was a curse.

MR. MORAN: Until now he had never heard a member of the Chamber say that the Conciliation Act was a curse. So in 12 months, that which was to bring about the millenium in Western Australia had become a curse! The State paid the salary of the Judge who presided over the Conciliation Court, and paid the members who were associated with that Judge. The timber-cutter who paid fees had the

privilege to go on the Crown lands and cut timber; the trade unionists had the benefit of the law and the legal recognition of the unions; a friendly society was a combination of people who asked to have legal sanction for their union, which was a great benefit to them; so in all these cases, the State gave privileges in exchange for a legal fee. But what privilege was given to the manufacturer in return for which he was asked to pay a fee? Under this measure an inspector had to be a sort of Admirable Crichton; he had to be a compendium of goodness knew how many statutes, with an experience that a man could not gather perhaps in a lifetime. A manufacturer who was carrying on his business argued that he was doing so in a humane way. The State came along and said, "We will curtail your privileges or what you consider your privileges; we will narrow the scope of your operations. We will prevent you from employing the number of men you are employing now unless you put more buildings up." The slightest interference with the manufacturer would cost him money. In this case we were going to confer a privilege on the State, not altogether at the expense of the manufacturer, but certainly the manufacturer was the one who would be affected most and most often under this measure. Why did the Government wish to pile up the ever-increasing burden of taxation upon the people of Western Australia? There was always an argument for seeking farther avenues of revenue like this, if the State was labouring under the disadvantage of a shortage of revenue; but we knew that even in the Budget introduced by the Government there was a surplus. It was desirable that we should have social legislation for the general public, and the State found the benefit of it in having a healthy and cheerful community. All this affected the State and the State should pay for it; but under this Bill there would be thousands of places where fees would have to be paid by people who did not want the measure. In Wyndham, Derby, and Broome, the most northerly towns in this State, there were many little factories; aerated water manufactories and all sorts of things. There were two or three in Broome. There were little boot shops in each of the places he had mentioned,

any amount of little shops which would come under the Bill, and 4s. was a fairly decent poll-tax. It was only the minimum, however; the fee ran up to £2 2s. per head, which was at the rate of £100,000 per annum.

THE CHAIRMAN: The question before the Committee was not one of taxation.

MR. MORAN: If the clause proposed to tax all employees at the rate of 4s. per head, what would be said? This taxation was unfair in its incidence.

MR. NANSON: The hon. member's interesting financial calculations took rather too wide a sweep. Owing to the manner in which the scope of the Bill had been enlarged, this clause involved financial considerations of no small magnitude.

THE CHAIRMAN: Clause 14, and not a question of taxation, was before the Committee.

MR. NANSON: The fee to be imposed was equivalent to a tax.

THE CHAIRMAN: The fee was to be paid by the factory owner.

MR. NANSON: Exactly; that was where the member for West Perth fell into error. The member for Kalgoorlie (Mr. Johnson) had suggested, at strange variance with Labour principles, that workers as well as employers should pay fees; and the suggestion perhaps had some tendency to lead the member for West Perth astray. It was certain that the clause would produce far more revenue than was required for the purposes of the measure. Presumably there was no intention to get in, by a side wind, funds for general purposes.

THE MINISTER FOR MINES rose to a point of order. The financial aspect of the Bill arose under the first schedule, and not under this clause; accordingly he asked the Chairman to rule the hon. member's remarks out of order.

MR. NANSON: In the circumstances, he would defer farther remarks on the financial aspect until the schedules were reached. Clause 14, while providing that certain fees should be payable for registration, did not state by whom they were to be payable. Would the fee be paid by the owner, by the Government, by a stranger, or by the employee?

THE CHAIRMAN: The hon. member was wasting time.

THE MINISTER FOR MINES: Read Clause 13.

MR. NANSON: That provided for a fee on registration. To remove the ambiguity, he moved that the words "by the Government" be added to the clause.

MR. JACOBY called attention to the state of the House.

[Bells rung, and quorum formed.]

Amendment put and negatived.

THE PREMIER: On recomittal, any ambiguity would be removed.

Clause passed.

Clause 15—Renewal of registration on change of occupancy:

MR. NANSON: Must a fresh fee be paid on every renewal?

THE PREMIER: No.

Clause passed.

Clause 16—Mode of computing persons employed in factory:

MR. NANSON: Would the occupier and one employee constitute a factory?

THE PREMIER: Yes. The wife did not count.

Clause passed.

Clause 17—agreed to.

Clause 18—Powers of inspectors:

MR. NANSON: The inspector might enter at reasonable hours if he had reasonable cause to believe any person was employed on the premises. Could he break in at 1:30 a.m.?

THE PREMIER: He could not break in at any time. For entry made without reasonable cause the inspector would be liable. This was taken from the New Zealand Act.

MR. NANSON: The measure had been extended to establishments not originally contemplated. Some Perth factories were kept lighted all night; and if there was a light in a place all night, with all the blinds down, and if there was no opportunity of ascertaining whether anyone was working therein, would it be held that an inspector was acting unreasonably by breaking into the place?

THE PREMIER: He could not break in.

MR. NANSON: As long as a factory was locked up, and the windows were closed, even if there might be a light in the building and work was being carried on there during the whole of the night, an inspector could do nothing. If an

inspector broke into a building would he be liable?

THE PREMIER : He would be liable at common law. If an inspector was found to be acting unreasonably he would soon be shifted.

MR. JOHNSON : It would be desirable to strike out the word "reasonable" in line 1 of Subclause 1. If someone was working in a factory at night and the inspector knocked at the door, the occupier might refuse to allow the inspector to enter, as it was an unreasonable hour.

MR. HASTIE : If an inspector went to a factory at 11 o'clock at night, the occupier might say it was an unreasonable hour and refuse to admit him.

THE PREMIER : It was intended that there should be some limitation of the powers of inspectors. The clause was reasonable as it stood.

MR. HASTIE : So long as the clause would not prevent an inspector going into a building if people were heard at work at 11 o'clock at night or 1 o'clock in the morning, there could be no objection.

THE PREMIER : If people were heard working, that would be a reasonable hour.

MR. NANSON : Was it to be supposed that an inspector could go at any hour of the night and prowl around premises to see if the provisions of the Bill were being complied with. If that was so, the Government might run the chance of an inspector being locked up by a constable. It was a question whether a person living on the premises and seeing a man prowling about and in a burglarious attitude could not shoot the man on sight. It had been held by Mr. Justice Hawkins in the High Court of Judicature that a man being seen on premises at night apparently in a burglarious act, could be fired at with the object of maiming him. And if the man was killed it was not an act of murder or manslaughter. According to Subclause 4, not only could an inspector prowl about premises, but he could examine and question every person found on the factory or who he had reason to believe had been in the factory within the preceding two months. Under this clause an inspector might rouse up anyone who happened to be on the premises, if the place was a factory within the meaning of the Bill. He

might call persons from their beds and proceed to examine and question them. That might be putting a strained meaning on the clause; but when it was possible to import a meaning of this description into it, it did not say very much for the draftmanship of the measure. It only showed the necessity for us to look into it. Under Subclause 5 the production of a certificate was required. This first subclause as to all hours of the night seemed to vitiate Subclauses 3, 4, 5, and 6. It might have been better to have paid more attention to the suggestion of the member for Kalgoorlie (Mr. Johnson), and to have seen whether we could not improve the subclause so as to avoid the confusion into which we were led with regard to Subclauses 3, 4, 5, and 6.

THE PREMIER : This was an admirable instance of the unreasonable nature of the opposition to the Bill. When he introduced the measure he particularly pointed out that he would be as reasonable as possible with regard to its provisions. The amendments to which he most strongly objected to-night and last night were amendments which in his opinion did not improve the Bill by giving it a wider scope than was desirable at present. We had heard its provisions criticised, also its draftmanship. The Bill passed by the Imperial Parliament in 1878 showed that inspectors in England had greater powers than it was proposed to give to inspectors here. Under Subsection 1 of Section 68 of the English Act, an inspector had the same powers as we were giving in Subclauses 1 and 2 of Clause 18 of this Bill. In addition, under Subsection 2 he had power to take with him in every case a constable into a factory in which he had reasonable cause to apprehend any serious obstruction in the execution of his duties. Under Subsection 3 he could require the production of the registers, certificates, notices, and documents. Subsection 5 gave power to enter any school. Under Subsection 1 an inspector could enter, inspect, and examine at all reasonable times by day and night a factory and a workshop and every part thereof, when he had reasonable cause to believe that any person was employed therein—that was our Subclause 1—and to enter by day any place which he had

reasonable cause to believe to be a factory or workshop—that was our Subclause 2. Under Subsection 4, which was the same as our Subclause 3, an inspector had the power to make such examination and inquiry as might be necessary to ascertain whether the enactments for the time being in force relating to public health and the enactments of the Act were being complied with so far as respected the factory or workshop and the persons employed therein. Under Subsection 6 he had power to examine either alone or in the presence of any other person, as he thought fit, with respect to matters under the Act, every person whom he found in a factory or workshop or such school as aforesaid, or whom he had reasonable cause to believe to be or to have been within the preceding two months employed in a factory or workshop, and to require such person to be so examined. Under Subsection 7, which was the same as our Subclause 6, he could exercise such other powers as might be necessary for carrying the Act into effect. One did not see in the English section that protecting provision which members would find in the second paragraph of Subclause 4 of this Bill, which enacted that no person, on any examination or inquiry by an inspector, should be called upon or required to answer any question which might incriminate himself. What foundation was there for his friend's attack on this clause? If the hon. member would only come to the consideration of this question with a desire to arrive at a reasonable conclusion, he would find that the Bill was infinitely more reasonable and moderate than he would lead one to believe it to be by his constant repetitions and tirades. In the English Act of 1878, where there was the matured wisdom of that Parliament to which the hon. member referred in such glowing terms, equal if not greater powers were given than were given by this Bill.

MR. NANSON: The hon. gentleman had evaded the point raised. He (Mr. Nanson) pointed out that we had to bear in mind the Bill had been so amended in regard to the definition of "factory" that it would apply to places the Act in England did not apply to. The hon. gentleman read out a number of subsections in regard to the English Act

which apparently were on all-fours with the subclauses in the clause we were now discussing. The Premier did not state what was the definition of "factory" under the British law.

THE PREMIER: The English definition of "factory" did not depend on the number of workers, except in one case—that of foundries—in which it was provided that not less than five workers were necessary to constitute a factory.

MR. NANSON: The definition under this Bill would apply to dwelling-houses if work were done in them. People might thus be roused at any hour of the night by an inspector.

THE CHAIRMAN called attention to this Standing Order of the British House of Commons, which also applied to our proceedings:—

That Mr. Speaker or the Chairman, having called the attention of the House or of the Committee to the conduct of a member who persists in irrelevant or tedious repetition, either of his own argument or the argument of other members used in the debate, may direct him to discontinue his speech.

The hon. member during the last quarter of an hour had persistently repeated, again and again, arguments which he had previously used. In the interests of good order he (the Chairman) might find it necessary to use the power given under the Standing Order quoted.

MR. NANSON: Perhaps the Chairman would state whether we had also a 12 o'clock rule, forbidding the rushing through of Bills when no quorum was present? The British Parliament had such a rule, designed to prevent such flagrant abuses as that now being perpetrated. The Premier had been appealed to again and again to report progress, so that the provisions of the Bill might be fitly and adequately discussed. He (Mr. Nanson) had hoped for the Chairman's support; he had hoped that the Chairman would use his influence with the Premier to prevent so gross a public scandal as the rushing through of a highly important measure in the small hours of the morning. A second-reading discussion might, perhaps, proceed under such circumstances; but the Committee stage called for close and careful consideration.

MR. THOMAS moved that progress be reported.

Motion put, and a division taken with the following result:—

Ayes	...	...	...	5
Noes	...	...	...	19

Majority against ... 14

AYES.	NOES.
Mr. Moran	Mr. Daglish
Mr. Nanson	Mr. Diamond
Mr. Thomas	Mr. Ewing
Mr. Yelverton	Mr. Gordon
Mr. Jacoby (Teller).	Mr. Gregory
	Mr. Hastie
	Mr. Holman
	Mr. James
	Mr. Johnson
	Mr. Kingmill
	Mr. McDonald
	Mr. Monger
	Mr. Phillips
	Mr. Purkiss
	Mr. Rason
	Mr. Reid
	Mr. Taylor
	Mr. Wallace
	Mr. Higham (Teller).

Motion thus negatived.

MR. MORAN hoped this habit of applying the gag would not grow.

THE PREMIER: Adjourn when we reach Clause 22, which is really contentious.

MR. MORAN: The powers of inspectors having been extended by applying the Bill to the whole State, this clause was vital. Most laundries were in dwelling-houses. Were women who had retired for the night to be obliged to dress to receive the inspector? This applied to dressmakers also. Permit of inspection by night in Perth, Fremantle, and Kalgoorlie; but not elsewhere.

THE PREMIER: There was power to exempt a small class of factories.

MR. MORAN: But would it be exercised? Such night-work was unobjectionable if unaccompanied by tyranny over the employee. If this power to enter by night were abolished, the remaining powers of inspectors might be defined by regulation. The powers given were requisite, but he objected to the time given. We should not allow an army of inspectors to roam through the country breaking into premises at all hours of the day and night.

MR. NANSON moved that in Sub-clause 1, lines 1 and 2, the words "by day and night" be struck out. The Premier had stated that if a person broke into a factory, he would be liable to be proceeded against in the law courts, and the onus rested on the inspector to show that he had gone into the place at a

reasonable hour. In a printing office or a bakehouse, where the work was carried on at night and in the small hours of the morning, a reasonable hour for an inspector to visit such places would be during the hours of the night. If an inspector went at night to a factory where all the work was done in the day time, he would bring himself under the charge of going to the place at an unreasonable hour.

THE PREMIER: It was not unreasonable to ask for powers which had been found necessary everywhere else. It seemed just as objectionable for an inspector to go to a place where there were four persons working as where there were two. If the amendment was carried, the Court would hold that a reasonable time was in the day time. The clause was not unreasonable. He did not wish to press for the contentious clauses which began at Clause 22. The only matters on which there had been honest controversy were on the definition of factory and the question of the scope of the Bill.

MR. JACOBY: As the scope of the measure had been altered to apply throughout the State, the powers of the inspectors were very important. It was not right to discuss the measure at such an hour of the morning when very few members were present. Progress should be reported.

MR. NANSON: If the words were not struck out, the clause would be rendered abortive. Those who knew something about industries would understand that it would be absurd to go to a newspaper office at 10 o'clock in the morning to see the conditions under which the men were working. The time to visit a newspaper office was at about 2 o'clock in the morning. There was no reason why the words "by day and night" should be kept in the clause.

MR. THOMAS again protested against proceeding with this important Bill at this hour. He moved that progress be reported.

Motion (progress) negatived.

Amendment put and negatived.

MR. NANSON: The words "or whom he has reasonable cause to believe to be or to have been within the preceding two months employed in a factory," in Sub-clause 4, should be struck out. There

were other means of obtaining the information. If there was reason to suppose a person was a material witness, presumably he could be summoned in the usual way.

THE PREMIER: The provisions which were found to be necessary everywhere else ought to commend themselves here. There were some persons, like the member for the Swan (Mr. Jacoby), who wanted to start everything on their own. There were some who did not seem to realise that under the administration of any Act passed difficulties would crop up. Alterations had to be made to deal with the difficulties which occurred. In the South Australian Act they had exactly the same power as that provided for here.

MR. NANSON: Why was it put in?

THE PREMIER said he had given the reason why it was put in the Bill.

MR. MORAN: The present Premier used to strongly object to the contention that what was done in other countries should be done here.

THE PREMIER: Reasons were then given by him why we should not adopt what was done in other countries.

MR. MORAN: It would be a hard thing to ask the Premier or Parliamentary Draftsman to bring into being a whole Factory Act; but when one quoted sections of any Act, and said they were all-sufficient, he ought to show that the conditions were the same. The objection he was taking was to simply quoting another country, and putting in legislation here without being able to give a corresponding reason. The Opposition had improved this Bill out of recognition in some quarters. They had so improved it that it would not only include Perth with its few acres but Western Australia with its broad millions. All the Opposition wanted now was intelligent explanation of the various clauses.

MR. NANSON: Why was the period of two months fixed? The Premier could give no reason, having simply adopted the provision in *holus-bolus* fashion. Why should we displace, by this system of enforcing declarations, the ordinary system of summoning an offender and subpoenaing any witnesses required? We ought not to pass the clause blindfold.

MR. DAGLISH: The statement of the Opposition that members on this (Labour) side took no interest in the Bill must be

taken exception to. This side had all along shown interest in the measure.

MR. JACOBY: The hon. member should talk about the clause, and not about himself.

MR. DAGLISH: The member for the Swan rarely spoke on matters in which he had not a personal interest.

MR. JACOBY rose to a point of order. He asked for a withdrawal of that statement.

THE CHAIRMAN: Perhaps the member for Subiaco would modify the expression.

MR. DAGLISH: The hon. member rarely spoke except on matters in which he took a personal interest, like the Agricultural Bank Act Amendment Bill.

MR. JACOBY: The member for Subiaco having made and repeated the statement that he (Mr. Jacoby) never spoke on matters unless personally interested in them, he asked that the hon. member be compelled to withdraw the statement.

THE CHAIRMAN: If the member for Subiaco wished to convey that the member for the Swan spoke only on matters in which he had some personal, private interest, the remark must be ruled out of order.

MR. DAGLISH said he must decline to withdraw the remark, simply because the member for the Swan chose to put an improper construction on it.

MR. JACOBY: No other construction was possible.

THE CHAIRMAN: The member for Subiaco must either withdraw or explain the remark.

MR. DAGLISH: The hon. member (Mr. Jacoby) was not referred to in any way as being pecuniarily interested. Moreover, the remark was not that the hon. member never, but that he rarely, spoke on matters in which he was not personally interested.

MR. NANSON: The amendment would be withdrawn if the Premier explained why "two months" was fixed.

MR. DIAMOND moved that the question be now put.

MR. MORAN: The motion was out of order, because the hon. member moved it when out of his place.

THE PREMIER: Objection should have been taken previously.

THE CHAIRMAN: The motion was out of order.

MR. MORAN: Would the Premier explain why this "two mouths" proviso found a place in English legislation?

THE PREMIER: Explanation had been given.

MR. DIAMOND moved that the question be now put.

Motion passed; the amendment then put and negatived.

MR. NANSON: Subclause 6 provided that inspectors might exercise such other powers and authorities as the Governor might deem necessary. Could the inspectors be given powers not contemplated in the Bill, or would such powers be *ultra vires*, and subject to review by a law court?

THE PREMIER: The intention was that the law of *ultra vires* should apply.

MR. DAGLISH: Should not the inspector be empowered to take with him an interpreter, when dealing with Chinese?

THE PREMIER: That power could be dispensed with. If several Chinese were employed, an inspector who understood the language might be appointed for the time being. It would not be wise to insert a provision that the inspector should be accompanied by an interpreter.

MR. DAGLISH: The question might arise in connection with Italians.

MR. NANSON: The inspector was given wide powers as to entry, and if the inspector was allowed to take an interpreter with him, that would not give the interpreter similar powers. If the interpreter entered he would be liable to an action at law. It would be better if the Premier recast the clause. There might be a provision that if an interpreter accompanied an inspector, that interpreter should have the same status and powers as an inspector for the time.

THE PREMIER promised to look into the clause.

Clause passed.

Clause 19—Occupiers to allow entry and inspection:

MR. THOMAS moved that in line 2 of Subclause 1, between "all" and "time," the word "reasonable" be inserted.

Amendment passed.

MR. HIGHAM moved that the following be inserted as Subclause 3:—

In the event of any inspector disclosing to any person, except for the purposes of this Act, any information calculated to injure the occupier of a factory, he may be fined in a sum not

exceeding fifty pounds sterling, and be otherwise dealt with as the Minister may direct.

This provided for a penalty if an inspector disclosed any information calculated to injure the occupier of a factory.

Amendment passed.

MR. THOMAS moved that at the end of the new sub-clause there be added: "provided he shall be dismissed." If an inspector was put into a place of trust and divulged information which would injure an occupier, the inspector should be dismissed.

MR. HASTIE: He should be disqualified for life.

MR. THOMAS: An inspector would be sworn to secrecy, and if he divulged information, then he should be dismissed.

THE CHAIRMAN: The addition of the words would not make the subclause sense. Better move the amendment on recommittal.

Amendment withdrawn.

Clause as amended agreed to.

Clause 20—Agreed to.

Clause 21—Records to be kept in factory:

MR. MORAN: It would take some time to get this information together. If the provision was in accordance with the usual legislation in a Factories Act, he had no objection to it.

THE PREMIER said he did not think that any difficulty would arise.

Clause passed.

On motion by the PREMIER, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at twelve minutes after 3 o'clock, a.m. (Thursday), until the afternoon.