

reasonable and necessary. Although the Government were not supposed to go beyond an Act in framing a regulation, they often did so. There was a temptation to amend a law under the form of a regulation.

New Clause passed.

Bill reported with amendments.

BILLS (2)—FIRST READING.

1, Esperance-Northwards Railway.

2, Land and Income Tax.

Received from the Legislative Assembly.

BILL—TRAFFIC.

Message received from the Legislative Assembly notifying that it had made amendments Nos. 4, 9, 10, 14, 16, 17, 19, and 22, requested by the Council, and had declined to make amendments 1, 2, 3, 5, 6, 7, 8, 11, 12, 13, 15, 18, 20, and 21.

House adjourned at 4.55 p.m.

Legislative Assembly,

Thursday, 27th November, 1913.

	PAGE
Questions: Railway Express, Kalgoorlie ..	3127
Railway Accident, Dwellingup ..	3127
Hospital Accommodation, Dwellingup ..	3127
Railway Rates, lines under construction ..	3128
State Steamer "Western Australia" ..	3128
Fremantle Sewerage Works, Employment ..	3128
Papers presented ..	3128
Bills: Opium Smoking, 1s.	3128
Land and Income Tax, 3s.	3128
University Lands, Com.	3128
Criminal Code Amendment, returned ..	3138
Factories Act Amendment, 2s.	3138

The SPEAKER took the Chair at 3.30 p.m., and read prayers.

QUESTION—RAILWAY EXPRESS, KALGOORLIE, ACCOMMODATION.

Mr. UNDERWOOD (for Mr. Green) asked the Minister for Railways: 1, Is he

aware that on the express leaving Kalgoorlie for Perth on 24th November, the second-class carriage was inconveniently crowded? 2, Is he also aware that only six second-class sleeping berths were booked for the second-class sleeping carriage by the same train? 3, Is he aware that this is frequently the position of affairs? 4, In view of the fact that second-class sleeper accommodation by the express is not advertised by the department, will he cause printed notices of this convenience to be posted in close proximity to all the booking offices on the Goldfields line, and also at Perth?

The PREMIER (for the Minister for Railways) replied: 1, No. The seating accommodation of the second-class sleeping carriage is 48; on this date there were 34 passengers *ex* Kalgoorlie. 2, Yes. 3, No. 4, This accommodation, which was inaugurated in 1911, and which is provided daily each way, must be so well known to second-class passengers that the notices suggested are not considered necessary.

QUESTION—RAILWAY ACCIDENT, DWELLINGUP, INQUIRY.

Mr. O'LOGHLEN asked the Minister for Railways: 1, Will he make public the result of the inquiry now being held into the Dwellingup railway accident?

The PREMIER (for the Minister for Railways) replied: No, as these inquiries are purely departmental, and it has not been customary in the past to make the results public.

QUESTION—HOSPITAL ACCOMMODATION, DWELLINGUP.

Mr. O'LOGHLEN asked the Premier: 1, Is he aware that several people were injured at Dwellingup on Monday last? 2, Is he also aware that no hospital accommodation was available? 3, Seeing that he promised the erection of a cottage hospital, can he state when this work will be put in hand?

The PREMIER replied: 1, Yes; but no official report has yet been received

by me in respect to the accident referred to. 2, Yes. 3, The Public Works Department are calling for tenders for the erection of a casualty ward at Dwelling-up, and it is anticipated that the work will be commenced at an early date.

QUESTION—RAILWAY RATES, LINES UNDER CONSTRUCTION.

Mr. MOORE (without notice) asked the Minister for Works: 1, With reference to the railrage rates on construction railways published this morning in the *West Australian* newspaper, is it his intention to charge, in addition thereto, a bush haulage rate? 2, If so, will not the settlers still have to pay 2½d. per bushel on wheat for a distance of twenty-five miles?

The PREMIER replied: The bush haulage rate is charged by the Working Railways, and not by the Works Department, which controls the railway under construction.

Mr. Moore: It still leaves the rate the same.

The PREMIER: It cannot leave it the same. We have made a reduction of about fifty per cent. all round.

QUESTION—STATE STEAMER "WESTERN AUSTRALIA."

Mr. MALE asked the Premier: 1, Is it a fact that the "Western Australia" has refused to carry goods in her cool chamber to the North-West ports on the December or Christmas trip? 2, If it is a fact, what is the reason?

The PREMIER replied: 1, Yes. 2, Temporary failure of the refrigerator on board the vessel. It is intended to adjust this at the next survey in the early part of the new year.

QUESTION—FREMANTLE SEWER- AGE WORKS, EMPLOYMENT.

Mr. CARPENTER asked the Minister for Works: 1, Is he aware that a considerable number of the men employed on

the sewerage works at Fremantle have been put off, owing to work not being ready? 2, In view of the approaching Christmas season will the Minister arrange for their re-employment on any available work at the earliest possible date?

Hon. W. C. ANGWIN, Honorary Minister (for the Minister for Works) replied: 1, No. Only 10 men out of 150 are standing down for a few days owing to the timber having to remain in the ground for the protection of large buildings. To remove the timber would make the Department liable for heavy compensation, and to purchase new material would be costly as it is not required, there being plenty to bring the work to a satisfactory conclusion. 2, Answered by No. 1.

PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): Papers in connection with the purchase, re-sale, and leasing of Gallop's garden. (Ordered on motion by Mr. Dwyer.)

BILL—OPIUM SMOKING.

Introduced by Hon. W. C. Angwin (Honorary Minister), and read a first time.

BILL—LAND AND INCOME TAX.

Third Reading.

Read a third time and transmitted to the Legislative Council.

BILL—UNIVERSITY LANDS.

In Committee.

Mr. Price in the Chair, the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Power to exchange lands:

Mr. HUDSON: The Bill had passed its second reading at one o'clock in the morning. Seemingly it was proposed to dispose of some lands at Subiaco, which were described in the schedule. The

Committee should be told exactly the situation of these lands, so that they might have some knowledge of the values. Would the Premier also give some idea of the value of the lands proposed to be taken in exchange?

The PREMIER: It was scarcely necessary to repeat all he had said on three previous occasions in regard to the measure. It was exactly the same Bill as that which had passed the Assembly last year, and had been rejected by the Council. On the previous occasion all possible information had been given to enable members to arrive at a decision. The University lands were situated at West Subiaco, at Claremont, and at North Fremantle, and the lands which it was proposed should be given in exchange were those comprised in the Crawley estate, less an area deleted for public purposes. It was also proposed to throw the boundary of the Crawley estate back from the river to keep on the higher ground and construct a road round it. This matter had been twice considered by the Senate, and on the last occasion the Senate confirmed their previous decision by a larger majority than it was carried in the first instance. It was undesirable that the Government should be continually finding large sums of money for temporary buildings when permanent buildings would have to be erected. Unless something were done, he did not propose to spend a penny further on temporary buildings. We could give a site for the University which suited the Senate, and the Government could make use of other land in exchange, to the advantage of the general taxpayer.

Mr. UNDERWOOD: The Premier had said that this Bill was passed last session, but the people of Western Australia had become familiar with the question since then, and had had time to consider it more fully, so also had the members of the Chamber. Had due consideration been given to the cost of the University, and the inability of Western Australia to afford the luxury, before the Bill was passed, it would not have become law for ten years. If the opinion of the people of Western Australia was taken to-day

they would be against this luxury. The Premier had said that he would not go on spending money on temporary buildings. His (Mr. Underwood's) opinion was that there were more important buildings than the University buildings, temporary or permanent. This was one of the extravagances which could be done away with. He was confident the majority of the people of Western Australia were in favour of postponing the construction of the University until we could afford it. Crawley was an ideal park, and it was a pity to fence it off from the public. Crawley was as much a park as any other park in the metropolitan area. If the University was built in West Subiaco on land which the University authorities held, it would mean another open space of 100 or 150 acres, and we should not be taking from our parks which were in existence to-day, but actually adding another park. From the point of view of the convenience of getting there, and from the point of view of getting as much open space for the people as possible, the University should be placed at West Subiaco.

Hon. FRANK WILSON: One could not agree with the member for Pilbara that the University should not have been started for ten years. The University had been established and would stay. The compromise effected by the Government had the sanction of the Senate, notwithstanding that there was a considerable amount of friction as to the site. But the fact remained that the governing body by a majority had decided that the exchange of lands was desirable.

Mr. Hudson: What about Convocation?

Hon. FRANK WILSON: Convocation was not the governing body. He did not attach serious importance to a resolution of Convocation, and Convocation had not the right to dictate to the governing body of the University. This Bill had been the subject of many negotiations between the University Senate and the Government, and on two separate occasions the Senate had approved of the exchange.

The Premier: By a larger majority on the second occasion.

Hon. FRANK WILSON: This vexed question should be settled once and for all. It was essential that we should have a site, so that the main buildings could be commenced as soon as the Government could find the money. If the University was to be popular and effective, and no one desired it to be ineffective, then we should start the permanent buildings at once. The member for Pilbara might believe that the University was before its time, and there might be other people in the State who endorsed his opinion.

Mr. B. J. Stubbs: Not a great many.

Hon. FRANK WILSON: The University was an accomplished fact, and why strangle it in its birth. The professors had been engaged and were doing their work.

Mr. Hudson: Would the work not go on as well at West Subiaco?

Hon. FRANK WILSON: With the limited means at their disposal on the temporary site the professors were doing their best, but they were much handicapped because they could not satisfy themselves.

Mr. Underwood: There is plenty of land at West Subiaco.

Hon. FRANK WILSON: If the University were placed on the Darling Ranges or anywhere else, he supposed the students would get there, but the professors could not do satisfactory work in the present temporary buildings. The cost of the University was not large, only a matter of £17,000, and the University was giving facilities equal to many other universities in the Commonwealth that were costing double that money. The number of students was over 200 and the University was promising well. Sympathetic consideration should be given to the labours of the Senate, who were devoting much time to making the institution a credit to the State.

Mr. ALLEN: The necessity for the Bill was to be regretted. We were making haste too rapidly. It was strange that such a body as the Senate should have gone into this scheme before they

were anything like ready. Before we had the accommodation, professors and a staff were engaged, and considerable money had been spent on temporary buildings. He could not understand why there should be so much trouble about the site. A referendum of the people should be taken to decide it. In his opinion West Subiaco was the most suitable. It was an elevated block of 300 acres and well served by the train. The teaching staff in a circular stated that if a site in King's Park was granted the surrounding land would be enhanced in value. That was a good reason why the University should be erected at West Subiaco. He would oppose any exchange. When Crawley was acquired he was under the impression that it was to be another recreation ground for the people.

The Minister for Lands: We were likely to spend that sum of money for a recreation ground.

Mr. ALLEN: The city council spent £8,500 for Loton Park. The site at West Subiaco would be more convenient than one at Crawley or at King's Park. If the name of the locality was considered objectionable that could easily be rectified.

Mr. HUDSON: When the motion to grant a portion of King's Park as a site was before the House objection was raised that it would be confiscation to take any portion of public lands reserved for the recreation of the people. He was astonished at the leader of the Opposition advocating the Crawley site. When justifying the purchase of Crawley two years ago the member for Sussex, who was then Premier, said—

I feel very proud of that purchase, for I was able to acquire that estate for £15,500, and, as it is well known to hon. members, it is needless to emphasise the great boon to the citizens of Perth and surrounding district which the acquirement of that property means. To have a stretch of foreshore as we have there, running past Crawley round the point and extending towards Nedlands free of access to the citizens of Western Australia, and used, as no doubt hon. members have seen it used during the recent holiday season,

is an advantage and a boon that cannot be overlooked.

Mr. B. J. Stubbs: He referred only to the foreshore.

The Premier: The public have had the use of the foreshore only, or less than we propose to give them.

Mr. HUDSON: It was not suggested by him that the whole of that estate should be granted for recreation purposes, but no plan had been produced.

The Premier: It was produced last year.

Mr. HUDSON: It was not here now. The granting of the Crawley site would be regarded as parting with lands which were acquired for recreation purposes. Crawley was unsuitable as a site for a university. Why should not Convocation be considered as well as Senate? The member for Subiaco (Mr. B. J. Stubbs) made a statement that the objection to Crawley had a political significance.

The Premier: It has.

Mr. HUDSON: It had not been suggested in what direction.

Hon. W. C. Angwin (Honorary Minister): The discussion in Convocation showed that.

Mr. HUDSON: The Honorary Minister should give some grounds for his statement. Convocation comprised men of such standing as were entitled to be respected.

Hon. W. C. Angwin (Honorary Minister): Some of them have not been here ten minutes.

Mr. HUDSON: The Honorary Minister did not know what he was talking about.

Hon. W. C. Angwin (Honorary Minister): Yes, I do.

Mr. HUDSON: The Honorary Minister should find on referring to the University Act the qualification required to be a member of Convocation and if he did so he would not make such sweeping observations as to suggest that all these men were dishonourable.

Hon. W. C. Angwin (Honorary Minister): I suggest that some of them are, not all.

Mr. HUDSON: What ulterior motive could they have politically or otherwise? The clause would have his opposition.

The PREMIER: There was room for a difference of opinion on this matter, but the fact remained that a Senate had been appointed, the most representative Senate that could exist unless the Act was amended. It would be the duty of Parliament to deal with the question of the constitution of the Senate; otherwise the University would pass out of democratic control. It was as well to be plain on such matters. When the Senate were appointed it was never considered for a moment what views its members would hold on the question of a permanent site. They were selected without any consideration as to that. Convocation was merely a body of persons who had passed through other universities and would be able to advise the Senate.

Mr. Hudson: The Senate is infallible and Convocation is corrupt.

The PREMIER: That was not his opinion. Western Australia desired its University to remain on democratic lines and he was nervous as to whether it could so remain if we permitted the conditions which prevailed to continue, namely, that Convocation could elect two-thirds of the Senate and that the Government could appoint the other one-third. As the general taxpayers would be called upon to find all the money to carry on the University, they should have control of it. The teaching staff had come into the matter. The object of the teaching staff was a commendable one. They desired to obtain a better set of buildings and better equipment for the students. At the same time the question of the site had nothing to do with them. It did not touch them in the slightest degree.

Mr. McDonald: They circularised members of Parliament.

The PREMIER: Yes. The teaching staff would be able to do their work whether the site was in the centre of the City, in King's Park, at Crawley, or at West Subiaco. In his opinion the teaching staff had exceeded their duty in circularising members in this connection. He had no objection to them expressing their opinion to the Senate; but he objected to them going past the Senate, who controlled them, and circularising members

of Parliament. He received a copy of their circular from the Senate; but the Senate marked it confidential between the Senate and the Government. Yet the teaching staff, forgetting their position, ignored the Senate and approached members of Parliament. The teaching staff stated that it would be desirable to have the University in King's Park, and they gave reasons for it. They pointed out that if the buildings were in King's Park they would require only the little ground on which the buildings would be erected and the people would have the use of the grounds in the day time. At night presumably the people would have to keep away; how far, the teaching staff did not say; but they would not tolerate the public standing alongside the wall and watching the students at their work. The teaching staff declared that the main sports ground might be conveniently placed at Crawley, and room could be found there for an experimental station for the use of the Professor of Agriculture. The teaching staff wanted the buildings in King's Park, because it would be more toney, and they wanted Crawley, just the same. There was sufficient ground in Crawley for all purposes of the University, and the Government had secured a piece of ground near King's Park, between the Fremantle road and King's Park, and had also purchased a portion of the Nedlands estate, so as to take the grounds further back, and thus enable the foreshore to be kept for all time, and had also agreed to class this as an "A" Reserve, so that it could not be given away without the consent of Parliament. Further, the Government were prepared to provide tramway facilities. Then, again, the Government had bought another reserve, on the Fremantle road, just on the other side of the Nedlands tramway, for a medical college, an area of 10 or 12 acres, so that altogether we had an admirable site on which this university would be established for all time. In view of all these facts, had not the Government done the correct thing? The proper body to consider this matter was the Senate, and the Senate had carried it a second time with even a larger ma-

jority. The wishes of that body therefore should be given effect to.

Mr. MALE: As the Bill was one which would determine the site for the University, he did not wish to give a silent vote. He regretted to find that the leader of the Opposition and he did not see eye to eye on this matter. We should not have started in the ambitious way we had done in connection with the University. We had rushed the matter too quickly, but as the university was now established there was no desire to go back. In regard to the question of site, it appeared to him that the Premier had the whole thing cut and dried before coming to Parliament, because he told Parliament what had been done, especially in the way of purchasing additional land for the university buildings. The Premier objected to the teachers expressing an opinion.

The Minister for Lands: No; what he objects to is the teachers circularising Parliament direct, instead of doing it through the Senate.

Mr. MALE: That circular was not treated as confidential.

The Premier: It reached me as confidential.

Mr. MALE: The teachers had some knowledge in regard to the suitability of site.

Hon. Frank Wilson: Have they a better knowledge than the Senate?

Mr. Underwood: Who are the senators, anyhow?

Mr. MALE: If the Premier contended that one site was as good as another, what was wrong with the land that Parliament had endowed? But the Premier had everything cut and dried, and the whole thing looked very much like a put up job. We had heard a good deal of talk about the inadvisability of establishing the university in King's Park, but what was wrong with that site? There was certainly something wrong with that corner of the park without a university building on it; there were not half a dozen people a month who went into that corner of the park, and if a few buildings, such as the university and an art gallery, were placed in the park, they would add very much to its attractiveness.

Mr. MULLANY: The clause appeared to him to bear on the one question, and that was the question as to where the permanent site of the University was to be. There had been a fair amount of controversy on that question; three sites had been mentioned, Crawley, a corner of King's Park, and the endowment lands at West Subiaco. In his opinion, the endowment lands were the best in the metropolitan area on which to establish permanent university buildings. A good deal had been heard about the inaccessibility of the other sites, but where could we get a more accessible site than the endowment lands? Other matters had been introduced into the controversy, as to whether we should retain the park lands for the people of Western Australia, but he claimed that the people of the metropolitan area had no more claim to those lands than people in any other part of the State, and while we had the Crawley lands it would be as well to hold them also. Crawley would be the second best site for the university, but he would not give away any portion of King's Park. If the endowment lands were decided upon as the site for the university buildings, we should add the Crawley estate to the King's Park lands, for the use of the people.

The Premier: The taxpayers would have to pay to hold them.

Mr. MULLANY: They would be prepared to pay. We were prone to say, at times, that in years gone by local bodies had made mistakes, and the City of Perth had been blamed for its narrow streets of to-day. We were prone to take exception to what had been done in the past. But, for his part, he gave credit for the foresight which was displayed by the declaration of King's Park as a public reserve for all time. It was his intention to oppose the clause in the Bill for the reason that in his opinion the exchange proposed to be made would not be in the best interests of the people, or the university.

Mr. DWYER: Had it not been that this clause practically determined that the site of the University should be at Crawley, he would have supported it, because he did not know that there was

anything more fitting for the Government to take in hand than to provide the best possible site for homes for the workers. As a site for workers' homes West Subiaco was eminently suitable, but as the Premier had stated that if this Bill was passed the site of the University would be fixed at Crawley he could not support it. The only proper place for the University was that most convenient to the persons who would avail themselves of the opportunities it afforded. He was not wedded to any particular site. He would as soon have it opposite Parliament House, or on the Esplanade, with, perhaps, a portion of Government House grounds thrown in, but of all places suggested Crawley site was the most unsuitable because of its inaccessibility.

Hon. W. C. Angwin (Honorary Minister): It is quite central for future development.

Mr. DWYER: Even the Darling Ranges were central in relation to somewhere. The attention of the Committee should be given to a circular letter subscribed to by the staff of the University. Their opinion was worthy of consideration, because they were gentlemen who had had experience of universities in other parts of the world, and were acquainted with the conditions of universities in other new countries as well as in the older countries, and it would be throwing away good material to despise their opinions. The opponents of the Bill were at sixes and sevens in regard to the most suitable site, but they were all agreed as to the unsuitability of Crawley. His attitude was that the site of the University should be as close as possible to the people who had to take advantage of it, the existing students and the students of the immediate future.

Hon. Frank Wilson: Is King's Park near Thomas-street, suitable?

Mr. DWYER: Much more suitable than Crawley.

Hon. Frank Wilson: But how is it more accessible?

Mr. DWYER: There was an excellent tram service to King's Park, and that, with the railway service, would render

that site easily accessible. It had been charged against those who advocated King's Park as the site for the University, that they were robbing the people of their heritage. That was an unfair and gross misrepresentation of facts. A condition precedent to that proposal was that the Crawley reserve should be added to the King's Park, and if we added 140 acres to the present 1,000 odd acres in the park, and from the total took away the few acres actually required for the University site, no one could say that the people were being robbed of their heritage. As a matter of fact the people's heritage was being added to to the extent of a good water frontage and a considerable area of land, a portion of which was well adapted for a sports ground. In addition, they would be placing in an accessible portion of King's Park buildings which would be an ornament and would make the park more popular than at the present time, and which would be no more restriction on the public than the placing of statues there.

Hon. W. C. Angwin (Honorary Minister) : You know the University grounds will not be open to the public.

Mr. DWYER : It would be a dereliction of duty on the part of the Government if they allowed a ring fence to be placed round the University buildings. The whole point was as to where the buildings should be placed to best meet the requirements of the students. At a recent meeting of students the Crawley site had not been endorsed. They wanted a more accessible site and he understood they had suggested the area opposite Parliament House. If it was the opinion of the students, the professors and lecturers, and of Convocation, that Crawley was unsuitable, and against that a narrow majority in the Senate considered Crawley was suitable, surely it was time to pause before enacting a Bill which would fix the site of the University at Crawley for all time. Before the Bill was proceeded with it would be well to appoint a commission, or to make a referendum as to which site would be most suitable and endorsed by the largest

number of persons who would use the University, or who took an interest in educational matters.

The Minister for Lands : You will be suggesting a referendum of the whole people of the State next.

Mr. DWYER : One had sufficient confidence in the common sense of the people to feel that they would not endorse the placing of the University at Crawley. He was satisfied the place the people would select would be one in the centre of population, a place to which all the main roads led, and to which students would be able to go without great waste of time. It seemed that the people who were concerned as to position of the University had never really been consulted. He had heard no one say what was the opinion of the students. The Government overlooked the fact that for a great number of years the students would consist for the most part of young men and women who during the ordinary working hours were engaged in other occupations and whose time for study would be limited to late in the afternoon and the evenings. To do anything but conserve every minute of their valuable hours would be to inflict a cruelty and hardship upon them. On the other hand if we placed the University in a position which they could reach without much loss of time we would be conferring upon them a boon and allowing them to make the greatest possible use of the institution, which was the intention of Parliament when it passed the Act. His firm conviction was Crawley was unsuitable as a site for the University.

Mr. HUDSON : The argument had been put forward that some of the lands surrendered by the University were required for workers' homes. This was not the only way in which these lands might be acquired for workers' homes. Some members thought that if they voted against the Bill the lands surrendered for workers' homes would be lost. Land could be made available for workers' homes by other methods. If land was required for workers' homes then the Government in dealing out money

for the University buildings might make it a condition that the carrying or otherwise of this measure would not affect the question of lands other than those at West Subiaco.

Mr. THOMAS: After having listened attentively, notwithstanding even what had been said by the member for Perth, he was quite convinced that Crawley was the proper site. The hon. gentleman in his advocacy of Kings Park said that if the buildings were erected there it would not interfere with the public's enjoyment of the park itself. Then the hon. member had gone on to say, "Why give away 100 odd acres of Crawley land which might be retained for the use of the people?" If, therefore, we would not be interfering with King's Park by using a portion of it, he (Mr. Thomas) did not see we would be interfering with the whole of Crawley if we put the University there.

Mr. Dwyer: Under this Bill Crawley is handed over absolutely in fee simple.

Mr. THOMAS: There could be a condition attaching to it if necessary to provide that it would be accessible to the people.

Mr. Dwyer: There is no such condition in the Bill.

Mr. THOMAS: The hon. member could possibly draft an amendment to cover that. The Crawley site was said to be inaccessible, but surely with the addition of decent tram facilities it would be very easy of approach indeed. As a rule people studying for examinations and attending a University were not so pressed for time as some hon. members would have us believe, and surely a few minutes extra ride on a tram would not make any difference. Another objection to the Crawley site was the allegation that it was unhealthy, but he did not attach much importance to that, because if it was unhealthy to establish a University at Crawley it must be exceedingly unhealthy for thousands of people to live at South Perth, which was probably no higher. It would not be a wise proceeding to give the students a voice as to whether any particular site pleased them or not, as the

young people attending the University to-day would not be the best judges of what would be the most fitting for all time to come.

Mr. TURVEY: The attitude which had been adopted right along the line in connection with the West Subiaco site was somewhat surprising. It had been quite evident from the very time the Government appointed a committee to examine the various sites which were at that time being suggested, that there seemed to have been a very hostile attitude adopted towards the West Subiaco site, for what reason he was somewhat at a loss to understand, because anyone visiting the locality and examining the area of ground available must readily admit that no finer site could be found in any part of the metropolitan area. The University endowment land was there at West Subiaco, an admirable site, but we found the Government and many others anxious to take away from the University, or exchange, the land which had been allotted to it. He cared not for what purpose the land at West Subiaco was required. The point was that in selecting a site for a University we were not choosing a site which was going to be for to-day or to-morrow only, it was to be for generations to come. The experience of the past in connection with universities in other countries should guide us in the matter of the site. Almost invariably as population had increased and the surroundings had become more congested the cry of the universities had been that they had not a sufficient area available. Rather than fall into the mistakes which had hampered other universities in other countries let us stick to the fine area which was already available in the University endowment land at West Subiaco.

Hon. J. MITCHELL: We were asked to hand over to the Government 361 acres in order that the Government might make a compound for the workers.

Hon. Frank Wilson: That is not the object.

Hon. J. MITCHELL: It was, and he objected to it. He was perfectly willing to leave the 361 acres and to provide a

sufficient area at Crawley for the purposes of the university buildings, but the public would require from the Crawley estate a reasonable amount of land on the foreshore for recreation purposes.

The Minister for Lands: That is what we are doing.

Hon. J. MITCHELL: His object in rising was merely to ask the Government to treat the university as generously as possible. It was clear, however, that we had started this institution all too soon. The working man was paying for it, and he was not likely to enjoy it. He intended to vote for Crawley, and we should leave the endowment lands in order that posterity might enjoy revenue from them which would be useful to them.

Mr. S. STUBBS: Crawley was an absolutely unsuitable site for a university, and when the Bill was going through its second reading stage he gave his objections in full. Three or four winters in succession he had passed that place every morning between eight and ten o'clock, and along the foreshore near Crawley it was rarely possible to see more than ten yards ahead, on account of the thick fog. From a health point of view there were scores of places which would be more suitable for a university than Crawley. A slice from the north-west corner of King's Park would be amongst the most suitable sites, and it could easily be taken out and the university which might be established there would never be anything in the shape of an eye-sore.

Mr. McDowall: What difference is there between that corner and Crawley?

Mr. S. STUBBS: It was more central, and the ground was higher.

Mr. McDowall: West Subiaco is higher still.

Mr. S. STUBBS: Crawley should not be utilised for any purpose other than the recreation of the people. In his opinion the University had been launched, about five or ten years too soon, and an enormous amount of money which we could ill afford just now would have to be spent on this institution within the next few years, no matter what site was chosen. The people of the State were

very heavily taxed to-day, and the State school system as it existed at the present time was beyond all recognition when compared with the education facilities which the young had in days gone by.

Hon. FRANK WILSON: A body of men had been endeavouring to provide proper accommodation for the University and now their efforts were to be check-mated. The Government might well have said that if Crawley was suitable they would transfer it, but they had not adopted that attitude. They declared that they had other obligations to the State, and to every section of the community, and that if they had to provide this site, it would represent a considerable sum of money, and as they were in need of the other sites for other purposes, notably workers' homes, they were willing to provide the Crawley site which already belonged to the State, with the additional land that had been secured in close proximity to it. That was the attitude. So unless they were prepared to compromise with the Government they had to stand right out and say, "The University may go hang, we will not give way an inch on our endowment lands," and so make the University a useless, costly institution. The only alternative had been to accept some reasonable compromise. He for one saw no virtue in converting a place like Parliament House to a purpose for which it was not adapted. On the question of Crawley, an hon. member had said that because he had driven for years along the Fremantle road and at certain times in the year had encountered a fog at Crawley, the site was absolutely unsuited to the purpose of a university. But fogs might be met with on the highest hills. The position in which it was proposed to put the University's main educational buildings was on the Fremantle road itself, which was 30 feet above high water level. Two-thirds of the City of Perth was not higher.

Mr. S. Stubbs: I have seen fogs there for days.

Hon. FRANK WILSON: Fogs had been seen in this very Chamber. If the Crawley site was compared with King's Park it was low, but as compared with

Perth generally it was high. It was not only for the purpose of putting up a school building that the site was required. Space would have to be provided for professors' residences to be built in close proximity to the main educational structure; and not only professors, but the teaching staff, and officers of religious denominations who, in the course of time, would be establishing their colleges.

Mr. Dwyer: What were the objections of the Senate to West Subiaco?

Hon. FRANK WILSON: The site was not suitable because of the contour of the land; there was a fine hill of but a small area, and it dipped into a drainage hollow, where a storm-water drain discharged. We not only required buildings for the teaching staffs and many accessory buildings associated with the University, but we required space for sports grounds, for agricultural crops for demonstration, for a club house—and above all things the river frontage would be an invaluable asset in a climate like ours.

Mr. Hudson: And so we shut the people out from it.

The Premier: Nothing of the kind.

Hon. FRANK WILSON: Of course not. Five chains along the water frontage had been reserved for all time to the people, and in due course a drive would be provided all the way from the causeway to Claremont. What better facilities of access could be had than the tramway facilities and the river? The trams would be running, at penny fares, from the centre of the City to the gates of the University. Could any better access be hoped for at King's Park? What sort of access would be obtainable at Thomas-street? He unhesitatingly said that Thomas-street was many times more inaccessible than Crawley. The Government had undertaken that as soon as the buildings were commenced at Crawley they would carry the tramway system down to the gates of the University, and sooner or later that tramway service would have to be extended right down the river. He, with others, had spent many days in examining the various sites, and if members would take the trouble to go over all the sites, he ventured to think a majority of

them would be convinced that there could be no more suitable site than Crawley, taking everything into consideration. If he could bring himself to believe that it would be right to take 100 acres out of King's Park, he would have to admit that that would be the best site, but King's Park was the heritage of the people, and in years to come every inch of it would be required for the recreation of the people. He hoped members would not block this Bill, notwithstanding that some of them were of opinion that the State had started too soon on this scheme of university education.

Mr. O'Loughlen: We are 10 years ahead of our time.

Hon. FRANK WILSON: But the University was an accomplished fact, and no good could be done by retarding the scheme and discouraging the professors and the students.

Mr. McDONALD: One speaker had objected to Crawley on the ground of inaccessibility. Accessibility counted for nothing. A site that might be inaccessible to-day might be quite accessible in five or ten years' time. When the universities were established in Sydney and Melbourne there were, no doubt, many people adverse to the sites on the ground of inaccessibility, but to-day, although the Melbourne University was in the centre of the City, it was a great distance from many of the suburbs. In Sydney, too, the University was something like $1\frac{1}{2}$ miles from the General Post Office, but it was many miles from the uttermost skirts of habitation on the North Shore, and from the extension of suburban settlement to the south. So that the question of accessibility need not be taken into consideration at all. The member for Northam and the leader of the Opposition had suggested that Parliament should be generous and hand over the Crawley lands and at the same time allow the University to keep the endowment lands in West Subiaco, so that in future any revenue that might be required could be obtained from that land. Section 35 of the Act provided that the Governor might grant to the University, by way of endowment, such Crown

lands as he might think fit. That property was to be non-taxable, and there was also to be paid to the Senate out of revenue an annual sum of not less than £13,500. That did not show parsimony on the part of the Government. One speaker, referring to the inaccessibility of Crawley, had said that students would not be so pressed for time as to object to the loss of a minute on a tram ride. Thanks to the generosity of the Government the instruction in the University would be practically free, but at the same time many people who would attend the University would be persons who were working for a living and to them time would be of great moment. He knew of many well known men in the professional, commercial, and political world in Australia, who at the time when they were attending lectures at the Melbourne University were engaged in night work and had to make special arrangements in order to carry on their studies. It was such men as those whom we must consider. Another point was the welfare of the people who might not be fortunate enough to be University students, and it was in behalf of those people that he intended to vote against the substitution of King's Park for Crawley as a University site. The member for Swan, who had been a member of the Committee appointed to investigate the matter, had said that the majority of the committee were opposed to Crawley.

The Premier: There were more in favour of Crawley than of any other site.

Mr. McDONALD: It had been suggested that the opposition to Crawley was mostly due to political reasons, for what reason he did not know. He would vote for West Subiaco as the site. The main question was the retention of Crawley Park as a breathing space for the people.

Clause put and a division taken with the following result:—

Ayes	24
Noes	11
				—
Majority for	..			13
				—

AYES.	
Mr. Angwin	Mr. O'Loughlen
Mr. Bath	Mr. A. E. Plesse
Mr. Bolton	Mr. A. N. Plesse
Mr. Broun	Mr. Scaddan
Mr. Carpenter	Mr. B. J. Stubbs
Mr. Collier	Mr. Swan
Mr. Elliott	Mr. Thomas
Mr. Johnson	Mr. Walker
Mr. Lefroy	Mr. A. A. Wilson
Mr. Lewis	Mr. F. Wilson
Mr. McDowall	Mr. Wisdom
Mr. Mitchell	Mr. Layman
	(Teller).

NOES.	
Mr. Allen	Mr. Moore
Mr. Dwyer	Mr. Mullany
Mr. Hudson	Mr. S. Stubbs
Mr. Johnston	Mr. Turvey
Mr. Male	Mr. Underwood
Mr. McDonald	(Teller).

Clause thus passed.
Schedules, Title—agreed to.

[The Deputy Speaker took the Chair.]

Bill reported without amendment, and the report adopted.

Read a third time and transmitted to the Legislative Council.

BILL—CRIMINAL CODE AMENDMENT.

Returned from the Legislative Council with an amendment.

BILL—FACTORIES ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th October.

Hon. J. MITCHELL (Northam): The Attorney General has, with the best possible intentions no doubt, brought down an amendment of this very important Act. Every hon. member will admit that this is a very interesting subject, as the question of the Factories Act is one which really relates to our secondary industries. I believe it would be well if all our people could be engaged in primary production. The Minister for Lands has a very much better opportunity to settle people successfully and set them out on the path of life with a

chance of success than any other Minister in the Cabinet. The Minister for Mines occupies an interesting position which presents an opportunity to set upon the path of life with some little chance of success, those who are willing to work in the great gold mining industry. We on this side of the House realise that there are many men who do not wish to become agriculturists or miners, or workers in the great timber industry. These men are naturally entitled to turn to Parliament for protection. The subject is a very interesting and important one, not only to the persons employed, but also to the employer. We have of course an undoubted responsibility to these people. Custom has very wisely provided that Parliament shall take an interest in the whole of the people of the State; and in furtherance of this it has provided conditions of employment. As far as we are concerned we have no desire to shirk our responsibilities. We realise what they are, and when an opportunity comes to amend such a law as this, along reasonable lines, we are willing to assist. I do not mean to infer that I agree with every amendment suggested by the Attorney General. I realise probably to a very much greater extent than he does, that our duty is three-fold. Firstly we have the employer, a man of enterprise, ability, brains and capital or credit, who provides the work; secondly we have the workers, who are perhaps less fortunately placed, and then we have the public. The public, the employer and the worker should receive consideration when such a measure is brought down. I will confess right here that I have some sympathy for each of these three classes, and I am going to show just where my sympathy begins and ends. So far as the employer is concerned, the man who is endeavouring to manufacture in Australia and compete against the manufacturers of the world, is entitled to our sympathy and help, because it is of no use any country like this fixing wages on a high scale unless we can provide the work. The only true position for the workers to be in is that under which the employers have to compete for their services.

Before the present Government came into office good workers were competed for. The position is not quite the same now; but that is the position in which I like to see the country. The good employers are served best when they compete for good workmen. The country is in the most prosperous condition when the workmen are wanted, and when those who want them have to compete for their services. Those who have money and enterprise and credit and experience should be encouraged in order that the worker who although probably he may have equal brains and equal opportunity of employing, does not wish to do so, may have reasonable work. The worker who toils, deserves consideration, protection, help and assistance in every possible direction. I believe the conditions under which he labours should be made as pleasant as possible. I have no sympathy with the people who are to-day encouraging men to put forth little effort. I believe the great curse which Australia will suffer under will be the curse of want of effort. If there is one thing more than another which will operate against the worker it is this feeling that the effort of the past is not to be the effort of the future. A man who puts forth good work is entitled to receive sympathetic consideration on the part of those who employ him, and adequate reward for his services. He should be paid for every ounce of effort he puts forth. Unfortunately for the worker, whether in the factory or in any other of the industries, he is not encouraged to put forth his best effort. In fact in this Bill there is a clause which is against the pace-maker. I know it is not intended for that, but I think it will act in that direction. The man who is specially gifted, and whose brain and muscle are good, and who is able to give good service will, I think, be discouraged. This Parliament has declared against the piece worker, and we know a piece worker is a man who works for himself, who is capable of special effort, and who, by reason of Nature's favours in the matter of brain and muscle, wants to put forward a special effort, and he is entitled to get a reward for it. The clause in the Bill bearing on this matter

is no new clause, because we endeavoured under the Mines Regulation Bill to put an end to piece work.

Mr. A. A. Wilson: You mean contract work, a different thing altogether.

Hon. J. MITCHELL: The hon. member for Collie can call it anything he pleases. I know the hon. member admires the man who puts forward his best possible effort. So far as we are concerned on this side of the House, we wish to encourage every class. We know that unless we encourage the employing class, the employee cannot have a good time. We have in this State probably the very best workmen that the world possesses. As an agriculturist I realise that I am well served by the men I employ. They are men of ability and of energy, and they are willing to give me a fair deal, and I think that so it would be throughout the factories if the men were encouraged to do their best. In view of the competition which faces us from the cheap labour countries of the world, the employer will require every encouragement if our industries are to flourish, and our employees are to earn an adequate living. I believe that one is responsible to the other, and to my mind the idle employer is just as objectionable as the idle worker. We must not overlook the fact under this measure that we have a public who must be considered. The workman is probably more closely concerned, as a member of the public, with the operation of our secondary industries than anyone else in the community, especially the worker who has fulfilled his obligations to society and is a family man. I know the bachelors cannot be regarded in the same category. I think the man who is a bachelor in a country like this, where there are a heap of handsome girls unmarried and working in the factories and that sort of thing is not a credit to the community. Some men have reached the marrying age, and still shirk their responsibilities. I realise that Australia is a paradise of paradises for these single men, who day by day shirk their responsibilities, and who should walk through life, particularly when they meet members of the fair sex, with their heads hung

down. We are discussing the responsibilities of the Minister who is introducing this measure to the public, and particularly to the worker who is a family man. We know that if we put up the price of a product, that price has to be borne by the consumer. I hope the Minister will agree, when we get into Committee, that some of these clauses should be amended a little, in order that the conditions may be fair to everyone. It is of course a very easy matter, and no country in the world realises it more than we do, that with the best possible intentions we may bring down legislation to unduly penalise the worker and the public. It is not a bit of use giving the worker an extra shilling a day if the cost of living goes up 1s. 2d. What we want to do in all legislation is to see that the conditions are right and fair, and that the advantage of higher wages, which we all like to see in a State like ours, is a real advantage. Hon. members know that, while the standard of living in this State is generally considered high, and rightly it should be, that standard of living cannot be maintained if the people have to pay too much for the articles that are needed in order that they may live up to that standard. The workers of the State delight to keep their homes comfortable and clean, and their children well dressed and well fed, and it is always a great pleasure to me to realise that when I visit any of our country schools. We know the cost of living is high, and that the worker is the greatest spender. The Premier has admitted that he realises, in the eleventh hour of his administrative power, that every disadvantage of Government reacts on the worker. I daresay that every disadvantage of Government is felt most keenly by the working classes, and when we have a Bill of this sort before us we have to keep this fact in mind. I agree that there is something beyond the fact that men who work are the greatest spenders. We want to make the conditions fair under which they work. We want them to work under comfortable conditions. We want our factory buildings, whether it be a factory where our boots are made, where our clothes are made, or where our

machinery is made, to be comfortable and adequate.

Mr. B. J. Stubbs: Are you supporting the Bill?

Hon. J. MITCHELL: The hon. member for Subiaco imagines that I am opposing the Bill. I am supporting some clauses in it, and opposing others, but the clauses which make for proper factory accommodation will most assuredly receive my support. I believe that adequate factory accommodation means well-ventilated buildings. The Minister provides that there should be proper sanitary arrangements. That is entirely right, although I do not know whether this is a proper measure in which to impose that obligation upon the factory owner. We have, unfortunately, mixed up in this measure provisions which belong to the Factories Act, the Masters and Servants Act, and the Health Act. I think the health inspector is much more likely to know what is needed in connection with sanitary matters than the factory inspector. It may be, and probably is, the intention of the Attorney General to appoint the health inspector to be a factory inspector, but there is a good deal to be said against that, because the factory inspector should be experienced in factory work in the interests of everyone concerned, and we have no right to neglect the interests of anyone, whether it be the interests of the employer or those of the worker. The Health Act should have been amended, if it is necessary to have an amendment to deal with sanitary conditions. The Attorney General provides that there shall be a proper dressing-room for women workers. I think that, if such accommodation is not already provided, the provision under this Bill is a very wise and right one. If women have to work in this country, it is largely to the discredit of the men. Sometimes a woman may have a husband who is a spendthrift and neglectful, but sometimes she cannot get a husband, and this is to the discredit of the bachelors of the community, who wander around day by day shirking their responsibilities. *Sitting suspended from 6.15 to 7.30 p.m.*

[*The Deputy Speaker (Mr. McDowall) took the Chair.*]

Hon. J. MITCHELL: I was referring to the fact that the Minister had made provisions which I believe to be right for the people who work in factories, but whilst I disagree with some of them and consider that they are absolutely wrong, there are others which are right and proper, and necessary, and the Minister, although he refers to the past rather than to the present, will realise that in these enlightened days few people are entitled to work in the best possible surroundings. There can be no objection to the provision which makes for the comfort of the workers, but when it comes to the fixing of wages and hours of work the position is entirely different. The Minister, in this Bill, is overriding the Arbitration Act. I do not know why. I thought that the Minister believed in arbitration, and that he would agree that the court should determine the wages and conditions. Parliament is not capable of doing this work. The judge who presides over the Arbitration Court takes evidence, inquires into the surroundings, and becomes an expert, and he soon learns what an industry will stand, and what the conditions should be. It is the law of the land that the Arbitration Court shall determine the rates of wages for the workers, as well as the conditions under which the people shall work. Why then, does the Minister seek to take away from the Arbitration Court the power that that tribunal now possesses? The House would be unwise if it were to depart from what was already law. It is quite true that the Arbitration Act is for unionists alone, and that is the blot on the Act.

Mr. Dwyer: On a point of order; is the hon. member in order in discussing the Arbitration Act?

The DEPUTY SPEAKER: The hon. member is out of order in going so far as to discuss the Arbitration Act.

Hon. J. MITCHELL: But the Bill refers to the Arbitration Act.

Mr. B. J. Stubbs: And you are reflecting on the Arbitration Act.

The Attorney General : This Bill substitutes certain provisions for those contained in the Arbitration Act.

Hon. J. MITCHELL : The Arbitration Act is the Act that is designed to fix wages and conditions, and I am staggered that the member for Perth should say that I was wrong in discussing it.

Mr. Dwyer : You were not discussing the Bill; you were discussing the merits of the Arbitration Act.

Hon. J. MITCHELL : I contend I am quite right, because the Bill refers to the Arbitration Act, the Health Act, and the Masters and Servants Act.

The DEPUTY SPEAKER : The hon. member can refer to the Arbitration Act for the purpose of illustration.

Hon. J. MITCHELL : I believe that every Act should be self-contained, and that one Act should not override another. The member for Perth is a lawyer, and he would be delighted if all these Acts of Parliament did cause confusion; it is because of the confusion and the impossibility to interpret Acts of Parliament that the hon. member is able to make a living. The Arbitration Act should cover the workers in these factories, and should not be an Act for unionists alone. Probably it is because these workers are not members of unions that their wages and conditions of employment are brought under the operations of this Bill. It has been said that I am not in favour of arbitration, but I have always been in favour of it. I contend, however, that it should not be necessary to become a member of a union in order to be able to approach the court. There is grave danger in fixing wages and conditions by special Act of Parliament. Is it not quite possible that the wages we might fix might not be high enough, and that the conditions we might fix might not be fair? Can we act in this arbitrary fashion? Can the Minister expect us to agree that for one section we shall say by Act of Parliament how many hours employees shall work and how much they shall receive, and that in the case of others they shall go to the Arbitration Court and get an award, and from time to time approach

the court in order to have the award varied? It is quite possible that we are not giving enough when we say that a youth of fifteen should not receive less than ten shillings a week and that he should get additions of 5s. per week for each year of employment, etc. Is it not quite possible that we are not fixing wages high enough? I do not say we are not because I realise that the youths engaged are learning a trade.

Mr. Carpenter : It says "not less."

Hon. J. MITCHELL : The Attorney General declared that if we had apprentices they must get something.

The Attorney General : I am willing to drop that.

Hon. J. MITCHELL : If there are people in the State who are paying less they do not deserve any sympathy at all, and the sooner they are told so the better. But we must remember that the fixing of charges in this arbitrary manner may be wrong from the point of view of the worker or the employer. For instance, in the watchmaking business, employment may be worth more than 25s. for anyone of 21 years or less, and in other trades it may certainly be that the youths are getting a *quid pro quo* for the instruction received, and I am not sure that this Bill does not cover lawyers' offices. I notice that newspaper offices are exempt. Is it not possible that in fixing an arbitrary amount we will be doing something which might be entirely wrong? There are some trades in connection with which a premium has to be paid. I think therefore the Attorney General is right in agreeing to delete the clause. If it is a clause that covers young workers in shops there is something to be said for some arrangement by which they can get a tribunal which will fix their wages. We are asked to limit the hours of work particularly for women. It is not very creditable to the manhood of Western Australia that in a fair and new country like this our women should have to work. We are asked to fix the hours by statute, and Clause 29 provides that they shall be not more than 44, excluding meal times. That is quite enough. Women are to start not before

eight o'clock in the morning nor finish later than six o'clock in the evening. Here again I say if a direction could be given by the court it would be very much better. It may happen that in some districts we shall legislate in such a way that women will not get any work at all. These hours are quite right, but Parliament is not the place in which to fix them. Women have to start at 8 o'clock, boys not before 7-45 a.m. and men presumably have to start at an earlier hour. If men and boys are employed in a factory the factory does not get going until all arrive. This may cause confusion resulting in an additional tax on the wage earner. I think the Arbitration Court should fix the hours and wages and conditions of employment. The public are not aware of the provisions in our Acts of Parliament. The average man does not know what the Acts provide, and he certainly does not know when he is running the risk of committing an offence. We have a Factories Act to-day, but the provisions of that measure are not enforced, probably because the people engaged in factories do not know what the Act contains.

The Attorney General: They are better carried out now than ever before.

Hon. J. MITCHELL: I doubt it. The hon. member does not know how the Act was carried out before his time. The hon. member's office is a fairly big one and he is a fairly busy man and could only hear from his inspectors. These inspectors, of course, are always inclined to tell the Minister of the day that he is the best Minister that ever was. Overtime is limited to three hours a day on ten days in the year, and the rate is to be time and a quarter. We may be doing an injustice to the worker here. It may be that overtime is worth more than time and a quarter.

The Attorney General: The employer may pay as much as he likes.

Hon. J. MITCHELL: I am not willing to believe that the rate will be more than time and a quarter. We have no right to assume that it will be. We are legislating that it shall be time and a quarter and shall not be less. We have

the Arbitration Court to decide these questions. I hope the Attorney General will see that in common fairness to all concerned in our industries we are going a bit too far. I think all these workers of every degree should be allowed to band themselves together and go to the Arbitration Court for an award. It is provided under the Bill that the women and boys can only work overtime by special permission of the inspector. Ministers says to us here "You shall work all the hours of the day and night." There is no limit to the time we are kept at work here. However, all industries are not on a par. Some industries may demand overtime. It may be a dressmaking industry which has rush times, when work is rushed. People should be encouraged to do that work; but we say unless the inspector gives permission, no overtime is to be worked. Is it wise, and are we competent to say to just what industry this shall apply? The Arbitration Court discriminates between these various industries. This measure will operate against the worker; both worker and employer are likely to suffer under its provisions. For instance, certain things may not be done without the permission of the inspector. I am sorry that the House is so thin, because I think members ought to know that we are passing a law containing these provisions. Some of these provisions attack the Masters and Servants Act. This Act is set aside, and if wages are not paid punctually there is to be a special fine of 5s. But under ordinary law a man has the right to recover his wages in the law courts. This is considered sufficient as between man and man.

The Attorney General: It is not between man and man, but between men and very little girls.

Hon. J. MITCHELL: We are asked to impose this fine day by day. We have the remedy under the Masters and Servants Act. It is a great pity and it can be of no advantage to the worker to mix up the Masters and Servants Act with this factory legislation. They should be kept separate and distinct. While an inspector may be a very good factory inspector he will be utterly incompetent as

a prosecutor. Yet it is provided that the inspector may take action for the recovery of wages.

The Attorney General: The inspectors will need to be well qualified all round.

Hon. J. MITCHELL: As members of Parliament are, who make laws applying to every mortal thing. These inspectors are neither highly trained or highly paid; yet we are to say to an inspector "Go to the court and if the member for Perth is there opposing you, well, buck up, and you will be all right." Is that right and proper? I say it is not. When the present Government have done with their legislation it will take a Philadelphia lawyer to arrive at what they mean. This confusion is not in favour of the man who has not much opportunity of ferreting out these things for himself. Clause 86 provides very heavy penalties. The offence may be trivial, notwithstanding which a couple of honorary justices on the bench may impose the maximum penalty of £20, and £5 per day. The minimum is to be one-tenth of the maximum. This is a new idea in legislation, so far as I know. At any rate, we provide a maximum, and the minimum is to be one-tenth of that amount. Surely this ought to be left with the court. Let me illustrate in a simple and easy manner the trouble that may be caused by the passing of this Bill as it is presented. Every hon. member who is here will realise that members of Parliament, if they are heavily worked, at least like to live with some degree of comfort, and we want to have some regard for the comfort of other people. But this is to be a stale bread Government. They provide by legislation not only wages and conditions but stale bread for everyone. I believe that stale bread is very wholesome and good for the digestion, but I think the Attorney General probably has been living on fresh bread during the last week, judging by his irritability. At any rate we are to have stale bread in future, and this is to be known as the stale bread Government.

The Attorney General: That is better than the rusty crusty Government.

Hon. J. MITCHELL: Let us see what is proposed in regard to the baking of

the bread. Hon. members know that first there is the flour and then the dough, then the bread is put in the oven, and then it is taken out of the oven. It is not changed from flour to bread in a few minutes. The manufacture takes hours, and although in the wisdom of the Attorney General and the member for Perth it may be possible to make bread in a few hours, still I believe it will be found on inquiry that usually the dough requires to be ripened if we are to have a good loaf. Of course Ministers do not care whether it is a good loaf or a bad one. At any rate, they forget that half the workers in the industry work by day and the other half by night. I believe that is so; I am not very well informed in regard to the industry.

Mr. Underwood: We will take your word for that.

Hon. J. MITCHELL: Yes, but I am ten times better informed than the hon. member. Under the present system, where the time necessary to make bread from flour covers more than the hours of light, we have half the men working by day and half by night, and now we are asked to say that they shall all work by day. Regardless of whether the bread is ripe, it is to be stuck in the oven and pulled out and served to the people.

The Attorney General: It can be done all right.

Hon. Frank Wilson: We cannot get fresh bread from Friday till Monday now.

Hon. J. MITCHELL: But apart from Sunday we are to have stale bread all the time. Has the Minister realised that loaves are not taken out of the flour bag without putting them through the oven? Does he realise what this means? The workman who goes out in the morning has not a dining room to go to such as we have here, where he can get a good meal for 1s. or 1s. 6d. He has to take a meal with him to his building job, probably with the shade temperature over 100 degrees. He is to be required to go out with stale bread in the morning and eat it stale at mid-day. Has the Minister considered the difficulties under which housewives labour in the country, parti-

cularly in the scattered agricultural districts and on the goldfields? This may be all right for Perth, but it is certainly not all right there. We are told time and again that the minority must be inconvenienced for the comfort of the many. That is the principle that actuates hon. members on most occasions. When it comes to taxation they tax the few that the many may benefit. Now we are asked to make conditions of labour more comfortable for the few, to the great discomfort of the many. One can understand that if this work could be done by day the master baker would not do it by night, because it must be more expensive, but he is to be told that the work must be done at night and that he must not work overtime.

The Minister for Mines: In some States they do not work at night.

Hon. J. MITCHELL: I doubt if it will be found possible in a climate like this, and yet we are asked to legislate against night work. Does the Minister wish to impose stale bread on us all?

The Attorney General: The bread will be just as fresh under this system as under any other.

Hon. J. MITCHELL: Most assuredly not. Will the Minister say that bread taken out of the oven at five o'clock on Tuesday will be as fresh at five o'clock on Wednesday afternoon, as it would be if it had been taken out of the oven on Wednesday morning? It will never be fresh when it goes to the consumer and it will be always stale when it is used. However, the Minister is determined that there shall be no night work and so he puts this clause into the Bill. I confess that the Minister did not deal with this proposal when introducing the Bill, although it is a very far reaching one. It will apply to Wyndham, to the goldfields, to Northam, Perth, Albany, and every centre of the State. He did not say whether it would be possible for the work to be done by the people engaged in making bread in those various places. Legislation should only be brought before Parliament after careful inquiry and after Ministers have satisfied themselves that there will be no unjust burden placed on any one.

The Attorney General: That is the case.

Hon. J. MITCHELL: That is not the case. If a country baker is assisted by his son and his wife the Minister is legislating so that that man's bakery will constitute a factory. If a man is fortunate enough to have a son to help him he will come under the Factories Act. That is an iniquitous provision, and probably the Minister never intended that it should apply in that way. But there is barely a baker in this State who will not come under this Bill if it is passed as it stands. Of course, we will endeavour to amend it on reasonable lines in Committee but the Minister knows that he has provided deliberately that there shall be no baker who does not come under the Act. Just imagine that if two men start in a town working in a bakery, that bakery shall be a factory.

The Attorney General: It should be.

Hon. J. MITCHELL: It is all right for the bigger establishments in the City but every one has to make a beginning, and a man who wishes to start in a small way in the country, and employ just one assistant or one of his own family should be encouraged and not discouraged. I have pointed out that two people will constitute a factory in every business. If a blacksmith and a wheelwright go into Trayning, Korrelocking, or any other agricultural centre and set to work, unless they register before starting they will be subject to a fine. Unless they take out a license and pay a fee to the Government, who are after revenue, those people, who may be hard up, will not be able to shoe a horse or mend a cart without being liable to a fine. This is in a new country, where the people need the services of others, but we are asked to legislate against the possibility of men starting in a small way, unless they register under the Factories Act. I am not quite sure whether the Bill applies to a lawyer's office or to a surveyor's office. I know that the Attorney General in his wisdom has exempted the newspaper offices. The *West Australian* will not come under the Factories Act.

[The Speaker resumed the Chair.]

Mr. Taylor: The *West Australian* only produced arguments in favour of the Liberals. You cannot call that a factory.

Hon. J. MITCHELL: If they said anything in favour of the Government they would certainly have to manufacture it, and their office would then be a factory. At any rate the newspapers are to be specially exempt, and I suppose every lawyer's office and every other office will come under the Factories Act. I am assuming that, because of the fact that newspaper offices are excluded, but the exclusion may be because they use machinery. We should be careful before we legislate against opportunity to the small man. Of course the bigger factories, and people who are established will welcome the Bill because of the difficulties it places in the way of people starting in opposition to them. I want to see opportunities for the small man to start in opposition to those who are now established. The Bill provides, too, and it is a strange provision, that no woman or boy under the age of 21 shall manage a lift. Working a lift is the work of a boy, as a rule, and it can be handled by a woman more easily than some of the work she has to face. It is further said that a factory shall not be closed unless seven days' notice is given. I do not know what the Attorney General means, but if a man wants to discharge his workmen and close his factory apparently he will have to give notice to the inspector before he can do it. Why is this provision inserted? Has the Attorney General in mind some chance of a lockout; is there some ulterior motive, or why is it? It is regrettable that a man cannot say, "I am going to stop and I will put up my shutters."

The Attorney General: You cannot do as you like in a civilised community; you have to think of the welfare of the whole.

Hon. J. MITCHELL: It may happen that an employer cannot pay the wages for seven days ahead. Has the Attorney General considered that phase of the question? I am willing to confess that the changes proposed by this Bill are for the most part small ones, but nevertheless they are apt to be very far-reaching. There is a provision that the employer

must give a certificate of employment to the young fellow who leaves so that if he has reached the 10s. a week stage he must be put on that same stage by his next employer. He cannot be put back to the bottom rung, no matter what his worth is. He may be slow at learning, and I contend that this should be left to some other tribunal to decide. There are some provisions of the Bill which are good. It is provided that before the boys start they must have some certificate of fitness. That is all right. There are many other provisions which are intended to benefit the worker and protect the employer, but there are a lot of innovations which seem simple enough in themselves, but which will operate not only against the worker, but against the employer, and certainly against the public. The provision regarding the certificate, to which I have just referred, requires some explanation. I presume that the certificate will have to be supplied by a doctor. Before the Bill is passed we ought to be assured that the certificate will be obtainable without any cost to the boy who is just starting work, and has nothing. He should not be put to the cost of paying a guinea for a health certificate if that is the Minister's intention. In introducing such legislation the Minister should take the utmost pains to explain the reasons for it. It is not sufficient for him to state the effect of the legislation, but he should show that the Act which exists is not satisfactory and the reason why.

The Attorney General: I am bringing it into line with the other States; that is one of the chief reasons. New Zealand, New South Wales and Victoria are all ahead of us.

Hon. J. MITCHELL: That is not a sufficient reason. The Attorney General should show how and where our Act has failed. People are manufacturing in Melbourne for Western Australian firms because it can be done more cheaply and comfortably in Melbourne.

The Attorney General: Put our Act on a level with theirs and we will be able to compete with them.

Hon. J. MITCHELL: If this Bill is intended to bring our Act into line with the law in the East, unless we are to penalise the worker, we shall not be able to compete. In the Eastern States goods can be manufactured more cheaply probably for the reason that manufacturers receive more sympathetic treatment, but apparently the worker is more satisfied to work there than here because he does work there. Our factories have decreased since Federation, though I am glad to note that more people are being employed in the last few years than before. But our factories will go on decreasing unless something is done to stem the tide. That something is not being done by this Bill. Our people are heavily handicapped in competition with the other States. The Melbourne manufacturer has Victoria, New South Wales, and South Australia at his door, and he can ship his goods to Queensland and Western Australia. His markets are wider and bigger and he has a larger turnover, and therefore can manufacture more cheaply. We want the population here and we want to encourage our population. We have heard no very good reason for the introduction of this legislation. It is true the Attorney General went back 70 years, and described the conditions which applied then, but those conditions do not apply now. What have we to do with 70 years ago? We are legislating for 1913, and afterwards and for people who are employed under fair conditions. I do not say that there are not some small hardships, but the conditions as compared with those of the past are absolutely fair and the Attorney General described, and was encouraged by the member for Subiaco and others who rushed in with books to aid him, described, I say, the conditions in the English coal mines 70 years ago when hon. members on the Government side were boys, in order to show how industries were carried on in those days when women were harnessed to trucks and made to pull barrows of coal, and when children worked in the mines.

Mr. B. J. Stubbs: And the same arguments that you are now using were then used against factory legislation.

The Attorney General: And the hon. member has not advanced a bit.

Hon. J. MITCHELL: We have advanced. It is unfair to say we have not. The legislation for the conditions which now obtain is Liberal legislation.

Mr. Taylor: What nonsense.

Hon. J. MITCHELL: Hon. members on the Government side have amended our legislation just a little, but have not improved it much. Will hon. members tell me that the Factories Act is not Liberal legislation, that the Arbitration Act is not Liberal legislation? Why the people have been given the right to vote, adult suffrage is the result of Liberal legislation.

Mr. Taylor: But after what sort of a fight?

Hon. J. MITCHELL: There was no fight.

Mr. B. J. Stubbs: Why are you fighting now?

Hon. J. MITCHELL: I am endeavouring to enlighten the hon. member who does not know the Bill. When members say that I have not advanced on the conditions of 70 years ago, I say they are not right. The workers of to-day are enlightened because of the education system which is the result of Liberal legislation. They are free to express their objections to any injustice—due to Liberal legislation. They are free to go to a court to have wages and conditions fixed for them—due to Liberal legislation, and then we are told we have not advanced, that we still want to chain women to barrows and make them cart coal as they did 70 years ago. More likely the progenitors of hon. members on the Government were those who did this. The Minister has no right to bring such legislation down unless he can produce good reasons for the amendments. He ought to produce reason after reason for amendment after amendment, if he desires hon. members to deal with the matter intelligently. He has not produced any good reason for any change.

The Attorney General: You stated that the changes were good.

Hon. J. MITCHELL: Some of the proposals are good, but the Minister did

not produce any reason for many of the changes, and particularly for the drastic ones. He did not show that the Arbitration Court had failed to impose proper conditions and wages or that the Health Act, the Masters and Servants Act, or any important provisions in the original Factories Act had failed. The workers are protected and rightly so by these various Acts, to which may be added the Workers' Compensation Act. They have their unions and they are intelligent people who can protect themselves, thanks to past Liberal administration. We want to encourage our primary industries, but every hon. member desires to have better conditions for the worker in Western Australia than anywhere else in the world.

Mr. Taylor: No one would think so to hear you speak.

Hon. J. MITCHELL: Anyone but a prejudiced listener would. He would recognise the ring of truth in my remarks which cannot often be laid to the door of hon. members on the Government side. There is sincerity on this side of the House. We want the conditions of the workers to be good; we want them to be comfortable, not only in the factory, but in their homes. We want them to have fresh bread when they can get it. We want them above all to be kept at work in Perth and not in Melbourne. I have already stated that we have a threefold duty, a duty to the employer whose industry and enterprise should be encouraged, because the employer is all important to the worker. Without the employer the workers could have no work because the Government have shown conclusively they cannot employ them all, in fact they pay them off from time to time when the works are nearing completion. In addition to the employer we have a duty to the worker whom we want to see protected and working under fair conditions, and we have a duty to the public. It is a very easy matter to bring down legislation and if one were a little one-eyed it is very easy for that legislation to be wrong. It is the duty of hon. members to look into the question. It should not be a party question. The Minister should

allow hon. members on his side to look into every detail of the proposals and express for the guidance and benefit of the House just what they think about the clauses of the Bill. We want a workable measure and I ask hon. members on the Government side, regardless of anything the Minister may say, to express their honest views, opinions, and convictions in regard to the proposals brought down. I confess I do not like this legislation because it mixes so many Acts with this one measure and in the interests of the worker who is represented on the Government side, though I believe he is better represented by the Opposition, this mixing up is wrong. It is much easier for the employer to understand the provisions of many Acts of Parliament than it is for the worker, but the Attorney General says it does not matter, and that these things can be mixed up. I am not going to vote against the second reading of this Bill, but I am going to try to alter it materially in some respects when we get into Committee; and when we do get to the clauses I object to I will be able to give good reasons for my objection. Therefore, I hope the Attorney General will be reasonable. As a rule Ministers have not been reasonable during this session. They have usually said "That is our proposal and we stick to it." As this is a very far-reaching Bill, I hope that where proposals from this side are an improvement on it the Attorney General will accept our suggestions. I repeat that I think the Attorney General in bringing the Bill forward is actuated by good intentions, but many of the provisions will operate against the very people whom the Attorney General, no doubt in all honesty, professes to help.

Mr. B. J. STUBBS (Subiaco): The hon. member for Northam professes to want to know why this measure has been presented to the House. He can be answered in a very few words. It is for the purpose of bringing up to date our factory legislation, to bring into operation provisions which our own experience teaches us, and which the experience of other States has

demonstrated to be absolutely essential, for the protection of those who are engaged in our factories. There is not one provision in this measure which is not already law in one or more of the States of Australia or New Zealand.

Hon. J. Mitchell: I think you are wrong.

Mr. B. J. STUBBS: I am giving the hon. member the information which he professes to be seeking and he immediately denies that my information is correct. I say it is absolutely correct. There is not one provision in this measure which has not been law for a considerable time in one of the States of Australia or New Zealand. The hon. member also says that this measure is going to override the Arbitration Act. Such is not the case. There are large numbers of our factory workers in Western Australia, and particularly in the metropolitan area, who have never been able to avail themselves of the benefits to be derived from our Arbitration Act. Most of these workers, it is true, are young women. They have not, so far, seen the wisdom of combining in organisations so that they may approach that court for the purpose of having their wages and conditions regulated by the court, but even though they do not see the wisdom of joining an organisation, we want to bring our legislation up to date so that these people will have protection, even if it is in spite of themselves. The hon. member for Northam also claimed that most of the beneficial legislation which has been passed has been passed by a Liberal Government. In England we find that the Liberals admit that the great majority of progressive measures have been passed by conservative governments, simply because a conservative Upper House have been willing to pass legislation for a conservative government which they continually blocked when sent up by more progressive governments. We have the same experience in this country. But who is responsible for creating public opinion, and making it possible for legislation of this character to be passed at all? I claim that in this country, and every other country, it is the workers

themselves. The Attorney General in introducing this measure pointed out the conditions under which workers have had to labour in the past ages of the world, and the great fight they had to put up to gain any slight benefit to their conditions, and, as I interjected, the prototypes of the hon. member for Northam, in those days, consistently opposed any progressive legislation of this character. They claimed then, as they claim to-day, that those who were going to improve the conditions of the worker were going to ruin the industry and thus prevent the workers from getting employment. Every progressive measure which has been passed has given the lie to that argument, and has proved not only that progressive legislation has been in the interest of the worker but in the interests of the industry and the employer as well. Enquiries have been made at various times throughout the world into the conditions of workers, and we have had some very startling information brought out. In this State, only a few years ago, a select committee was appointed to enquire into the existence of sweating in our midst. You, Mr. Speaker, were chairman of that committee, and although I admit the committee found on enquiry that sweating was not so rampant as the rumours afloat led one to believe, still they found that conditions existed which should not be allowed to continue in a country such as ours. That committee found that there were fully 6,000 workers in the State who were not protected by any legislation whatever, and that was principally because of the fact that our present Factories Act makes it necessary for six people to be employed before a business can be brought under the measure. To overcome that, and to give protection to as many as possible of these 6,000, who were thus debarred from the protection of the Act, we have under this Bill reduced the number necessary to constitute a factory from six to two; and I think members will agree that it is absolutely essential that we should give this protection to these workers who have been debarred from it for so long. As I have already pointed out, the big majority of them are young

women and girls, and when we recognise that these young women are going to be the future mothers of our race I think hon. members will recognise how necessary it is that we should protect them in their earlier years from having their health undermined by working in conditions and surroundings which are absolutely deleterious to health. Another provision which we make in this measure is in regard to limiting the overtime which can be worked. I think it will be recognised on all hands that long hours in close or stuffy factories are not conducive to good health among the workers. Under the existing Act it is possible for the workers to be worked at overtime on 30 days in the year, and it is so arranged that these 30 days can be crowded into a fairly short period. We are seeking to alter that, and we want to make it so that no person shall be allowed to work overtime on more than three hours on one day, one day in a week, or ten days in a year; and I think that is sufficient for any requirements of rush of trade. We want to look at this question not purely from the selfish point of view of those who delay giving orders or making necessary arrangements until the last moment and then expect others to make all sorts of sacrifices to meet their conveniences. If people want clothes, for instance, at Christmas time, and neglect to place their orders until the last few weeks, it is not right that other people should suffer inconvenience by working long hours, just to satisfy these selfish people. If they would distribute their orders properly, and give them in ample time, there would be no necessity for all this overtime to be worked, and we would have the workers enjoying the festive season the same way as others do, instead of suffering discomfort through overwork. The hon. member for Northam dwelt at some length on the question of a minimum wage, and said we are taking away the functions of the Arbitration Court, but I would point out that we are doing nothing of the sort, but are simply fixing the minimum wage for those who cannot see their way to get to that court. I would like to see all the workers organised so as to

make available to them the provisions of the Arbitration Court. In most other States, when a minimum wage condition was provided in the factories legislation, a pernicious system of charging premiums for work was inaugurated, and it was found necessary in those States to bring in legislation to prevent that system, and we are providing the same in this measure. We are also making it an offence for anyone paying that premium. Another very important part of the measure relates to outdoor work. This is where the most pernicious system of sweating existed, and the select committee which sat in this State to enquire into this matter brought in some very potent recommendations. They first say—

For example the small earnings of outworkers in the clothing industry are due to the fact that many women take work to their homes, not from necessity but in order to supplement the already sufficient incomes of their breadwinners, being already well provided with necessities, they are content with small remuneration for their spare time, in order to supply themselves with objects of luxury or refinement.

Later on, the same report goes on to say—

Your Committee were desirous of seeing the conditions under which some of this outwork was done, and for that purpose visited some of the homes of those employed by factory occupiers, and as the result of such visits are satisfied that supervision is necessary to guard against any spread of infectious disease, and the need of some form of registration if such employment is to continue. From the evidence of the Chief Inspector of Factories, it appears that the visits paid to these outworkers employed by factory occupiers has not been so frequent as formerly, owing to the absence of a female inspector. Many outworkers are not actually dependent upon the remuneration received, as has been given in evidence, and take the work more as a pastime or pin money, thus leaving room for unfair

competition and reduction of prices. It is generally conceded by those employing outworkers, that the system is bad. Your Committee would therefore recommend, either, first, that outwork be abolished, or, second, restricted by a system of registration and regulations controlled by the Chief Inspector of Factories.

We recognise that whilst the system of outwork is undoubtedly a pernicious one, there are many, women especially, who are unfortunately placed and who cannot overcome having to take work to their homes. There are many widows with young children whom they cannot leave in the day time. There are also many women who have sick husbands and also young children who require attendance during the day; and therefore it would be a hardship to those women to compel them to go to a factory to work, or else to go without work altogether. Therefore we have adopted the second part of the recommendation of the Select Committee and are making provision that out-workers shall be registered and shall come within the purview of the Chief Inspector of Factories, who shall make inquiries, and if he finds no inconvenience will be caused to the person, that person will not get a permit to work outside, but will be compelled to go into a factory or work-room to earn a living. Another provision we are bringing in is that accidents occurring in factories shall have to be reported. Since the clauses relating to machinery were taken out of the old Act there has been nothing in the Act to compel the reporting of accidents. As a matter of fact there never was anything to compel the reporting of accidents which happened away from machinery, and we thought it necessary that all accidents in factories should be reported so that a proper record of them might be kept, and by that means we can see what are the prevalent causes, and perhaps in the future bring in legislation which will prevent them from happening. I want to refer to the question of the abolition of night baking. We want our bread baked in the day

time. I will admit the member for Northam gave a fairly good definition of the baking industry; but there was one important ingredient he forgot to add and that was the yeast. We are supplying the yeast by the provisions we are making in this measure. It is generally admitted by all who have had experience in this industry that night-baking has a very deleterious effect on the men employed in the industry. They are compelled to work in a very close room, and I am told by those who are engaged in the trade that if the night is cold they have to close up all windows and doors so as to properly work the dough, and that they are compelled to maintain a fairly high temperature in the room, and that when they cease working about midnight, or one o'clock in the morning, they go out from that temperature into the cold night air, thus incurring a serious risk. Experience tells us that that kind of thing must have a bad effect upon the health of those engaged in the industry; and we will not be compelling people to eat stale bread by bringing about an alteration. People will get their bread even fresher than they do to-day. It will be baked and delivered on the same day. I am told that the bread will be ready for delivery at about 10 in the morning.

Mr. A. N. Piesse: Is there any mortality among the workers in this industry?

Mr. B. J. STUBBS: Many men suffer from a serious industrial disease by following this occupation. I trust the measure will have a speedy passage through this Chamber, and that it will go through another place as well and become law. As I have pointed out, we are not seeking to bring about an innovation in this measure; we are only putting into it what experience has demonstrated to be necessary and what has proved beneficial in other countries where it has become the law of the land.

The ATTORNEY GENERAL (in reply: I am very pleased that the Bill has been so favourably received

by both sides of the House, although the member for Northam pursued the characteristic course of criticism which he applies to everything that comes from this side of the House. The hon. member admitted that the measure was an important one, and that it contained many provisions which he designated as right, and which he gave us to understand he was in thorough sympathy with; therefore it is not necessary now to labour the matter any further. I might perhaps say one word in regard to that member's accusation, that if the Bill is passed we shall be known as the stale bread Government. He is welcome to any epithet he may hurl at us in that respect; but as a matter of fact it has been said by those able to give an opinion upon the subject that if we adopt the system proposed in the Bill, of making bakeries factories, and putting them under supervision and attending to their cleanliness and sanitary surroundings and general healthiness so far as the workers on the premises, and the public dealing with the establishment are concerned, if we do that we shall be able to carry out all that the present bakeries are doing and obtain special benefits in addition. Of course at the start there will be some disarrangement, but I am informed by those able to give in a qualified manner an opinion on the subject, that if the provisions of the Bill are brought into operation, then the work would start at 6 a.m. and finish at 6 p.m., and on Fridays it would be extended till 10 p.m. The first round of bread would be out inside of three hours and ready for delivery in one hour from that time. The second round would be out about noon, and the carts could then get out with the bread. The bread that comes out in the afternoon would be delivered on the following morning, and by the time the carts came back the fresh round would be out and so on.

Mr. Male: Are you going to exempt the tropics?

The ATTORNEY GENERAL: This is a measure which is intended to cover the whole of the State; but the hon.

member will see that there are provisions made for exceptional cases where it would be absurd to apply the law. It will be managed by an inspectorial staff; we will have an officer administering the Act, and I take it it will be administered intelligently and with that pliability consistent with the observation of the law and meeting the necessities of special emergencies. I take it that is granted, and therefore I do not think the hon. member's question is exactly appropos, inasmuch as he must know that the Act will apply to every part of the State. We cannot have a factory right in the heart of the bush; but take it all round the Bill will apply to factories under the definition given to factories. And as the hon. member for Subiaco has pointed out, its principal purpose is to bring the legislation up to date. We are behind in every sense of the word, our neighbours of the East, and behind our relatives in England, in New Zealand, in New South Wales and in Victoria. All these places can teach us lessons which we are willing to learn, and we are putting them in compact and comprehensive form in this Bill. The member for Northam made a point that we were mixing a lot of Acts together and that was an ill-feature of the Bill. What are we actually doing? We are making provision for the protection of a helpless body of people who, under existing conditions cannot possibly take advantage of the Arbitration Act. Granted that the Arbitration Act is beneficial in those spheres of labour and employment where organisation can be maintained, that it is good and preserves industrial peace and helps the contentment of both worker and employer, then those benefits being in this manner admitted, it can be no crime to extend them to that class of people who, because of their inexperience, their youth, their helplessness or their scattered conditions of employment are unable to organise and to come within the scope of the Arbitration Act. We desire to carry the blessings that we have learnt through the operation of the Arbitration Act into those quarters where

the workers are helpless and cannot take care of themselves: That is the object of all legislation. It is the work of our courts to protect those who are unable of their own initiative and by their unaided capacities to protect themselves. We carry the blessings we have learnt by experience in organised labour into the unorganised strata of society, and therefore I regard this as one of the principal blessings that the Act will give. It puts the protection of the whole State over the humblest and feeblest of the workers. That is its aim and object. But the hon. member said that in order that we may carry out the Factories Act as we have proposed it here in the draft—and our draft is only what exists in other parts of the Commonwealth, and therefore is no innovation; we have really made no step which ought to surprise the public because of its novelty—the hon. member says if we apply the Act we infringe on the Health Act because we take care that the factories in future shall be built and maintained upon sanitary lines and worked under hygienic conditions. We propose that it shall be illegal for factory employers to crowd together girls in a room where there is not sufficient breathing space, or to employ women or boys or men in rooms that are insanitary, that are dangerous to health, where cleanliness cannot obtain and where the workers are not only a menace to their own individual lives, but a menace to those with whom they come in contact afterwards. Because we propose to see that the ordinary conditions of health obtain in factories we are accused of infringing on the province of the Health Act. It is not so at all. We are taking the blessings which we have learned exist under the operations of the Health Act into our factories. We are only extending the operations of the Health Act, and putting it within the reach of those who, because of the conditions under which they labour, have not been able to obtain these blessings hitherto. I need not go further; I have I think exposed the fallacy of speaking of the mixing up of these

Acts. If the hon. member by an interjection will give me a cue as to what he wants further explained, if I can shed any additional light upon the darkness which may exist in his mind in regard to this—

Mr. Male: We will seek further information in Committee.

The ATTORNEY GENERAL: That is what I was going to say. Every point instanced by the member for Northam (Hon. J. Mitchell) will have to be reviewed clause by clause as the Bill goes through Committee. There was one point he mentioned emphatically, in reference to fixing the minimum wage. I am prepared to drop that clause if the Committee so desire, and only upon matters that are strictly outlined upon principle, that are known by the test of experience to be valuable, only upon those points shall I be obdurate and firm. Whenever from either side of the House we can get a single hint that will improve this measure for the benefit of the workers, the industries and the community, I shall be most willing to adopt those amendments.

Question put and passed.

Bill read a second time.

House adjourned at 9.5 p.m.