

question on Tuesday next. I will then be in a position to give him the information he asks for.

The House adjourned at ten minutes to five o'clock, until Tuesday, September 21.

LEGISLATIVE COUNCIL.

Tuesday, September 21, 1897.

Factories and Shops Acts Amendment Bill—Dunolly Cemetery Site Bill—Dog Act Amendment Bill.

The ACTING PRESIDENT (the Hon. F. Brown) took the chair at twenty minutes to five o'clock p.m., and read the prayer.

FACTORIES AND SHOPS ACTS AMENDMENT BILL.

The Hon. C. J. HAM brought up a report from the select committee on this Bill.

The report was ordered to lie on the table.

Sir HENRY CUTHBERT moved that the Bill be now committed.

The Hon. C. J. HAM said he would like to say a few words on the subject before the Bill was remitted to the committee of the whole House. The select committee to which the measure had been referred had held several meetings, and had given the most careful consideration to the matter. The immediate cause of the Bill being referred to the select committee, as the House knew, was a petition from the tailors engaged in the "bespoke" section of the trade, who represented that the wages to be paid in their trade had been so much increased by the special board that their business was likely to be seriously injured. Shortly after the appointment of the select committee, the special board met and rescinded the previous minimum log rate, making a reduction from 11d. to 10d. per hour. It was understood from the representations of the tailors made before the select committee that the action of the board in rescinding the previous resolution met their views. At the first meeting of the committee, important communications were received from the clothing manufacturers and from the boot and shoe manufacturers. The evidence given by the manufacturers of ready-made or "slop" clothing was to the effect that the manufacturers were practically unrepresented on the board which fixed the rate at which clothing was to

be paid for. That board was practically elected by the tailors, while the two branches of the trade seemed to be of a distinct character, factory or "slop" clothing and the order or "bespoke" trade being things apart. The manufacturers complained that persons with no knowledge were appointed to decide upon trade matters. It was also stated by the representatives of the principal houses in Melbourne that if the log rates were adhered to in the terms which it was understood had been fixed by the special board the results would be very injurious. No official log had been published, and the committee had not the privilege of seeing any log. The witnesses who spoke on the subject spoke from information derived from the press, a log having been published in the *Age*. Some of them were members of the special board, and others who were unable to give the details of the prices said that they had been shown the log in confidence. The manufacturers said that if the representation which the Bill provided for were accorded to them, namely, four votes each, there were about 30 large manufacturers who would have about 120 votes, as against about 600 votes of the small manufacturers, and that practically the presumed increased voting power would have no effect whatever. It was further stated that the export trade would be injured, if not ruined, because the manufacturers in Melbourne would have to contend against New South Wales, while in Sydney there were no such restrictive laws; so that if orders arrived in Melbourne they would have to be sent on to Sydney for execution. It was also mentioned that there was a large and growing trade with Western Australia and Tasmania, which would be greatly injured if not entirely destroyed. The select committee were largely influenced by the evidence laid before them to the effect that the existing law would throw a large number of people out of employment. That was the most serious aspect of the question to the committee. After taking very full evidence, the committee came to the almost unanimous conclusion, as far as the matter he was referring to was concerned, that there should be two distinct boards—one to settle the prices to be paid for the order or "bespoke" work, and the other to settle the prices to be paid for weekly labour, and the log for the "slop" trade. Evidence was given before the committee as

to how the board should be constituted. Witnesses were examined who, on the previous occasion when the existing Act was before the committee, advocated an elective board, and whose opinion had since somewhat changed. They said that there were great difficulties in their trade in the way of appointing an elective board, and they thought that it was desirable that nominee boards should be appointed. One difficulty in the way of elective boards, it was pointed out, was that there was more than one branch of the clothing trade—the “slop” trade; the order trade; and also the export “slop” trade. It was suggested that the best course to adopt was the one which was pursued in connexion with the furniture trade, namely, to give the Governor in Council power to nominate two boards, and the committee had embodied that suggestion in its report. In addition to the representatives of the clothing trade, the manufacturing boot and shoe makers desired to be heard. The committee, being anxious to bring up their report as soon as possible, were desirous of limiting the scope of the inquiry as much as could reasonably be done, but, as the Bill submitted by the Solicitor-General affected section 15 of the principal Act by providing that boots and shoes should be considered to be clothing, the committee decided to hear evidence on behalf of the clothing trade. Having heard the representatives of the clothing trade, the committee deemed it to be their duty to hear what representations the boot and shoe trade had, to make, so that the House and the Government of the day might be in the possession of such important information as might be tendered. It was pointed out to the committee both by the clothing trade and by the boot and shoe trade that the log in these trades was very much higher in proportion than the wages fixed as a minimum wage. He believed that it was the desire of the House that the out-workers should be protected, and that those who were working in their homes should not be driven into factories, whether they liked it or not. Looking at the magnificent log prices which it was proposed to pay in the clothing and boot trades, one would be highly satisfied if they could be given effect to, because one would naturally say—“What splendid remuneration the out-workers are going to receive.” But the effect would be entirely contrary, because the witnesses

pointed out that in both of the trades he was referring to the price was so much in excess of what the work would cost in the factories that the out-worker would obtain no work at all. The committee regarded that as being a very serious aspect of the question. By quoting from the report of the evidence given, he could show very clear statements in support of what he had said. The representatives of Bedggood and Co. showed that certain work, which would cost 10 guineas in a factory, would cost £20 if it were given out at log prices. He only mentioned that circumstance in order to show that the practical effect of the existing state of things would be to wipe out the out-workers, and also, according to the evidence given by the representatives of Bedggood and Co., to throw several hundreds of hands out of employment. The committee sat early and late, and, being desirous of bringing up their report as soon as possible, did not take further evidence which was offered. The bootmakers suggested that the log rate of 1892, which was considered high, should not be exceeded. That request, however, did not come within the purview of the committee, whose duty was not to fix prices by Act of Parliament. It was also suggested that the committee might ask the House to stay its hands in regard to the log prices until March next. Serious consideration was given to the suggestions of the bootmakers and clothing manufacturers. He might say that the committee had every confidence in the honest and careful administration of the Factories and Shops Act by the present Government. They felt special confidence in the present Chief Secretary, whose department carried out the Act. They all recognised that Mr. Peacock had shown great industry in this matter, and that he desired to carry out the Act in the interests of the workers, and also as far as he could in the interests of the public. The committee had to consider what was the best course to pursue. It might or might not be true that the calamities which it was said were likely to befall the industries concerned would follow upon the coming into law of the two logs. The question arose what was the best thing to do under the circumstances? The committee decided to recommend the House to insert a clause giving the Governor in Council power to suspend the operation of any log under the Factories and Shops Act if the Ministry

of the day thought it was in the interests of the public or of a trade that the framers of that log should have an opportunity of reconsidering the course they had pursued. It had already been seen that the House might have been saved trouble and delay if the moderate request of the tailors had been acceded to. It was mentioned to the committee that the special board would not receive a deputation or hear representations which the trades desired to make as to the effect of the board's log upon them. Surely the least that could be done under such circumstances was to grant a hearing to the trades affected. The power that was to be given to the Governor in Council would enable them, if they thought or believed that injury would be done to trade or commerce, or that any large number of persons would be thrown out of employment by the operation of any particular log, to suspend such log for six months, and the board would have an opportunity of reconsidering it. If, after the board had reconsidered it, they said that they could not see their way to alter the log, the Government would withdraw their opposition to it, and the thing would be at an end. It appeared to the committee that it would be desirable under the circumstances to give the Governor in Council that power, and the necessary clauses had been drafted. As time was an element of great importance, the committee had availed themselves of the services of the draftsman. A number of clauses were required in order to provide the necessary machinery, and only the two principles to which he had referred had been introduced. The first was that there should be two boards for the tailoring trade, and the other was that the Governor in Council should have power to suspend any log if they thought it desirable in the public interests that they should do so. The clauses providing for the appointment of two nominee boards instead of an elective board for the tailoring trade were almost as long as the Bill itself. They were practically a reprint of the sections in an Act which was passed by the House on a former occasion making a similar provision with reference to the furniture trade. In the first instance the board for the furniture trade was elective, but by the amending Act it was made a nominee board, and the necessary machinery had to be provided. When the Bill was in committee he would be glad to give honorable members any further information

with regard to the report of the select committee. The desire of the select committee was that the Bill should be dealt with at the earliest opportunity. He thought he might say that all the members of the select committee approved of the Bill as introduced by the Government. So far as it went it was a good Bill. It enabled the boards in fixing the rates to be paid to take into consideration the sex, the age, and the capacity of the workers, and so far it met with the approval of the House. The other clauses of the Bill also made amendments in the principal Act that were desirable. The select committee thought that the evidence they took was of such an important character that the further amendments they recommended should be made.

The Hon. J. H. ABBOTT observed that the select committee had given very careful attention to the Bill, and their report was now in the hands of honorable members. Honorable members had not, however, had an opportunity of studying it, and he would suggest that it should be read to the House.

The ACTING PRESIDENT.—The report can be read in committee.

The Hon. J. A. WALLACE said he thought it would be better to have the report read now, so that it might be discussed.

Sir HENRY CUTHBERT stated that in his opinion also it would be desirable to have the report read to the House.

The Clerk-Assistant then read the report of the select committee, which was as follows:—

“Your committee have had before them the petitions of the master tailors presented to your honorable House, praying to be heard before the Bill was passed, and which were referred to your committee for consideration; and your committee have also considered certain communications in writing from manufacturing warehousemen, requesting to be heard, as they believed that the proposals of the Clothing Board would have the effect, of materially injuring the export and home trade in clothing, and that the schedules of prices would be found to be unworkable.

“Pursuant to the request contained in the said petitions and written communications, your committee have examined witnesses connected with the manufacture of clothing, including representatives from warehousemen, manufacturers, employés, tailors, and several members of the Clothing Board appointed to fix prices.

“Your committee, by the evidence laid before them, have been forced to the conclusion that the construction of the board dealing with the clothing trade, and the mode of the

election of its members, are faulty, and in urgent need of alteration.

"The fixing of prices for order or 'bespoke' work and 'slop' or factory work by one board, in the opinion of your committee, would work unsatisfactorily, and evidence has been submitted to the effect that two boards should be appointed, one to deal with the prices to be paid in factories manufacturing ready-made or 'slop' clothing, and the other to regulate the prices in the order or 'bespoke' trade. Evidence was also given to show that under the existing Act the owners of large factories were practically unrepresented on the Clothing Board.

"Another matter which has been brought under the notice of your committee is that the effect of the log prices proposed by the Clothing Board will be to throw out of employment a large number of out-workers, it being pointed out by large manufacturers of ready-made clothing that the piece-work prices are fixed at too high a rate in relation to the wage prices. As it is stated in evidence that over 1,000 persons would be affected, this, in the opinion of your committee, is a matter for serious consideration.

"It was also urged by many witnesses that the proposed log prices would have the effect of greatly injuring the export trade.

"Your committee, having carefully considered the evidence put before them showing the many difficulties in the way of obtaining a proper representation for all parties on an elective Clothing Board, and also of classifying voters in factories where both 'bespoke' and 'slop' work is done, would recommend that the present Clothing Board be superseded by two boards to be appointed by the Governor in Council, one for the order or 'bespoke' trade and the other for the factory or 'slop' work.

"Your committee have ascertained that since the presentation of the petitions of the master tailors (representing the 'bespoke' trade) to your honorable House, and the appointment of your committee, the Clothing Board has met and reduced the minimum log rate from 11d. to 10d. per hour. The petitioners have, therefore, attained the object they sought in connexion with this particular item on the proposed log.

"Your committee, at the earnest request of the Victorian Boot Manufacturers' Association, heard evidence from representatives of that body protesting against the determination of the board appointed to fix prices for the boot and shoe trade. It was alleged that the minimum rate of wages was fixed too high, and would have the effect of causing the dismissal of 500 hands from the factories, and that sweating work would be carried on to a larger extent than ever before known. The piece-work schedule, as drawn by the board, was stated to be so cumbersome as to be unworkable, and according to the evidence the wages paid were excessive even when compared with the minimum wage. Apparently serious losses would be inflicted on both employers and employés if the proposed rates were allowed to prevail. Your committee are, therefore, of opinion that the determination of the Boot Board should be suspended from coming into immediate operation, in order to give time for its further consideration, and to prevent the trade from being thrown into confusion. Your committee

propose that a clause should be inserted in the amending Bill giving the Governor in Council power to suspend the determination of any board created under the Factories and Shops Acts for a period not exceeding six months.

"Your committee are of opinion that the amending Bill referred to them for inquiry should pass your honorable House with such amendments as your committee now propose.

"Effect is given to the recommendations of your committee in the Bill attached."

The Hon. J. A. WALLACE remarked that if ever a report condemned an Act of Parliament it was the report of this select committee. (Sir Henry Cuthbert—"Oh, no.") The report from beginning to end showed that the Factories and Shops Act was a bad Act. It was a rotten egg that would do for electioneering purposes, and the committee would have been justified if they had suggested amendments which would have wiped it out altogether. Even the inspectors under the Factories and Shops Act did not carry out their duties in a fair and just way, and the cost of the litigation that had taken place must have been very heavy. Reference should, he thought, have been made to this matter in the report of the committee, and some means should have been suggested of preventing the continuance of this very heavy expenditure.

The ACTING PRESIDENT—The Bill was referred to the select committee for a certain purpose, and they had nothing to do with the work of the inspectors or the legal expenses incurred under the principal Act.

The Hon. J. A. WALLACE observed that he was under the impression that he was speaking to the report, but he had not yet had time to consider it. He thought, therefore, that some latitude should be allowed to him. It would, perhaps, be better to postpone the further consideration of the Bill until the following day. He had no desire to cause delay, but what the House did they should do well. It was stated in the report that in the case of the boot trade the minimum rate of wage had been fixed too high, and that this would have the effect of causing the dismissal of 500 hands from the factories. He believed that the number of persons who would be thrown out of employment would be much greater, and this showed the danger of hurried legislation. Honorable members should have time afforded to them to read not only the report, but also the evidence that was taken by the select committee.

The Hon. W. H. EMBLING said that the Bill was referred to the select committee on one point only. A petition had been presented to the House by the master tailors, and the select committee were instructed to inquire whether the boards appointed to fix the rates of payment in connexion with the clothing trade were doing their duty to the satisfaction of the manufacturers, and also of the employés. It was not within the power of the committee to go into the questions that Mr. Wallace had referred to. If they had attempted to do so they would have had to sit for six months. The inquiry was confined within the lines laid down by the House. After considerable discussion the committee decided to include the boot trade, and they did so simply because the clause referring to the clothing trade provided that boots and shoes should be considered as clothing. They could not deal with any question of legal costs or of the general working of the Factories Act. He trusted that the House would not postpone the consideration of the Bill. The select committee had given a great deal of time and care to the preparation of the report, and after the able and exhaustive speech that had been delivered by the chairman of the committee the House should be prepared to deal with the matter. Perhaps the Bill was not all that honorable members desired. To some extent he agreed with Mr. Wallace, but they were now face to face with one particular difficulty. They were told that unless this Bill was passed certain things could not be done. The select committee had endeavoured to improve the Bill, and he hoped that the House would accept their recommendations. As to the evidence, most of it was published in the newspapers, and he had no doubt that honorable members had read it. It all went to show that the Factories and Shops Act, like every measure that interfered with trade, did at first oppress some persons. Parliament could not touch trade without somebody feeling it. As soon as the select committee opened their inquiry they saw that unless they confined it to the one trade they would have applications from all the trades in the colony, and that their labours would be unduly prolonged. The committee had prepared the best report they could, and the House should deal with it without going into the question of whether the principal Act was a good one or a bad one.

The motion was agreed to.

The House then went into committee for the consideration of the Bill—the Hon. J. Bell in the chair.

On clause 3, amending section 15 of Act No. 1445,

Sir HENRY CUTHBERT observed that the select committee had recommended several amendments in order to provide that the minimum wage might be varied according to the age of the employés. He was quite prepared to adopt the amendments, which would make the clause read as follows:—

“(a) In sub-section (1) of section 15 of the Factories and Shops Act 1896, for the words ‘price or rate’ wherever occurring there shall as from the commencement of the said Act be deemed to have been substituted the words ‘prices or rates’; after the word ‘person’ where first occurring there shall as from the commencement of the said Act be deemed to have been inserted the words ‘or persons or classes of persons’; and after the word ‘done’ the words ‘and the age, capacity, and the sex of the workers’ shall as from the commencement of the said Act be deemed to have been inserted.”

He begged to move that the amendments be agreed to.

The amendments were agreed to.

The Hon. C. J. HAM proposed the following new clause:—

“A. (1) Notwithstanding anything contained in the Factories and Shops Acts, the Governor in Council may at any time, and from time to time, for such period as he thinks fit, not exceeding six months, by order published in the *Government Gazette*, suspend the operation of the determination of any special board within the meaning of section 15 of the Factories and Shops Act 1896, whether appointed with or without previous election. When the operation of any determination (whether published in the *Government Gazette* or not) is so suspended it shall be the duty of such special board to hear, receive, and examine evidence as to such determination, and thereupon such special board may either adhere to the said determination, or may make such amendments therein as to such board seems proper.

“(2) In the event of such special board making any such amendments, such determination as so amended shall, if so ordered by the Governor in Council, forthwith be published in the *Government Gazette*, and shall for all purposes be deemed and taken to be the determination of such special board, and shall from such date as may be fixed in such amended determination apply to every city and town, and also to any borough or shire or part of a shire to which such determination may be expressly applied by the Governor in Council by a notification in the *Government Gazette*; and the suspended determination shall thereupon have no further force or effect.

“(3) In the event of such special board notifying the Minister that such board adheres to its determination, without amendment, the Governor in Council may by order published in

the *Government Gazette* revoke the suspension of the operation of such determination from such date as he may fix in such order."

He said he did not anticipate any objection from the Solicitor-General to this clause, the reasons for which he had already given to honorable members. This provision would give a discretion to the Government, which would, no doubt, be wisely exercised. He thought that they could not do wrong in leaving this matter in the hands of the Government, who would be responsible to Parliament, and would, no doubt, always strive to act in the public interests.

Sir HENRY WRIXON remarked that any one should be very careful about interfering with the amendments suggested by the select committee after their very painstaking inquiry into the subject. Therefore, he only rose to ask whether it was intended to empower the Governor in Council to permanently overrule the decision of a board by refusing to gazette it, or only to suspend it for six months if the board refused to modify its list of prices? Sometimes the word "may" meant "shall." This was an important point, because recently the Furniture Board arrived at a certain determination, and the Chief Secretary wrote very urgently calling on them to reconsider it. In return, the honorable gentleman was practically told to mind his own business. He would like to know what was the intention of the select committee on the point he had raised?

The Hon. C. J. HAM stated that, as he understood the clause, the word "may" did not mean "shall," but meant that the Government should have a discretion in the matter. The Government of the day were responsible to Parliament, and if they made any mistake in exercising this discretion they would be very quickly brought up. The select committee thought it a wise discretion to give to the Government.

Sir HENRY WRIXON observed that he thoroughly agreed with Mr. C. J. Ham. It was perfectly right to give the Governor in Council power to overrule the decision of any of these boards. But honorable members must recognise that this provision would throw on the Governor in Council the responsibility of considering and either accepting or rejecting every log. However, the whole system was so artificial, and so contrary to the ordinary principles of industry, that he thought it

would be better to give this discretion to the Governor in Council.

Sir HENRY CUTHBERT said that the responsibility that would be thrown on the Governor in Council by this clause was not sought for by the present Government when they introduced this Bill. He was glad to find that the Bill as introduced had met with the approval of the select committee, and also with the approval of this committee. It was satisfactory to know that as far as the Bill went it had been favorably received. The amendments of the select committee were such as would commend themselves to every one who took the trouble to study them. Under the original measure, when once a price was fixed it was not in the power of the board to say, according to the custom of the trade, that there should be one price for men and another for women. That defect was overcome by the amendments already approved of. However, he wished to say that he had not had an opportunity of submitting the views of the select committee to any member of the Cabinet, the committee's report having only been published that day. Three members of the Ministry were in Sydney attending the Federal Convention, and he had not had the opportunity of consulting with the other members of the Government. Therefore, he was only expressing his own views when he said that, having carefully read the report of the select committee on this Bill, he could not take exception to anything done or recommended by the committee. Their suggestions were good, but as the Bill was a purely technical one, he did not know whether there would be any difficulty created by the establishment of the two boards. With the imperfect knowledge he had of the subject, it seemed to him that two boards were necessary, because the two branches of the trade—"slop" and order—were essentially different. The board which would fix the prices for the "slop" trade had quite a different duty to perform from the board which would fix the prices for goods made to order. Speaking for himself, he generally approved of the recommendations of the select committee.

The Hon. J. BALFOUR remarked that, when considering what was best to be done in dealing with the suspension of the log, the select committee's first idea was that power should be given to the Governor in Council to suspend it for three months. However, they eventually

decided to submit an amendment providing that the Governor in Council might suspend any log for any period not exceeding six months, and from time to time, so that at the expiration of one six months it could be suspended for another, and so on. As Mr. C. J. Ham said, if the Government did what Parliament thought wrong, Parliament could at once interfere. The object of this provision was to prevent injustice being done. A wages board might perhaps unconsciously do a great injustice to the trade. The Government might see that injustice and remonstrate with the board, and the Chief Secretary might be told, as indeed he had practically been told, that it was not his business or the business of the Government. This clause, however, would give the Governor in Council a controlling power over the board.

The Hon. F. BROWN said he did not quite understand the effect of this clause. It appeared to him that it would give the Governor in Council power to hang a log up for all time if the wages board did not alter its determination.

The Hon. J. BALFOUR remarked that the best explanation of the matter in question was what had happened in connexion with the bootmakers' trade. The bootmakers informed the select committee that the log proposed by the present wages board was very defective in two ways. In the first place, the board fixed a minimum wage of 45s. The employes on the board wanted to make the minimum wage £3 per week, and the employers desired to fix it at 30s. They divided the difference, and fixed on 45s., which the employers said was a great deal too high for certain work. Then, again, for piece-work they fixed a log which did not at all correspond with the minimum day wage. In some cases it was actually double what the day wage would have been. That difference they pointed out would create a tremendous difficulty. Out-door workers, for example, would not get any work at piece prices. They would be told that they must come into the factory and work for day wages. Some of them could not go into the factories, and those who did would be put on minimum day wages. If this Bill was an Act of Parliament, and the Government were satisfied that a great amount of injury would be done to the out-workers if that log was brought into force, they would suspend its

operation. That would cause the wages board to meet again and reconsider the matter. If the board knew that the Governor in Council had power to suspend their log and let the old wages continue, it would most certainly bring the wages board to their senses. The select committee were told that in 1892 a log was arranged by the bootmakers which both manufacturers and employes thought reasonable at the time. It was a great deal higher than the log now observed, but the impression given to the committee was that it would be a reasonable log. If the Government had power to suspend the present decision of the board, it was probable that a log something like that of 1892 would be adopted. If the board did not take that course, however, there would be a dead-lock, and the present wages would continue. He had recently observed in the newspapers that the board had met again, and that there was a real dead-lock, the manufacturers and employes quoting different prices, and the chairman declining to give his casting vote. (Mr. Sachse—"A dead-lock under this clause means starvation for the workers.") No; the existing wages would continue. Of course, they might be too low—and he believed they were too low, and that the log required amendment—but the present wages would continue until the board saw its way to come to something reasonable. The Government of the day was amenable to Parliament, and would not hold logs in suspense unless it considered that course necessary.

The clause was agreed to.

The Hon. C. J. HAM proposed the following new clause:—

"B. (1) Subject to this Act there shall be appointed by the Governor in Council pursuant to the Factories and Shops Acts, but without any previous election, two special boards to determine the lowest prices or rates which may be paid to any person or persons or classes of persons for wholly or partly preparing or manufacturing either inside or outside a factory or work-room the following articles of men's and boys' clothing or wearing apparel, namely, coats (including overcoats and cloaks of every description), vests, trousers, jackets, and knickerbockers, except indiarubber waterproof garments.

(2) One of such special boards shall be so appointed for the determination of the prices or rates to be paid for wholly or partly preparing or manufacturing the aforesaid articles if made or manufactured to the measure of any individual person, and which are usually known as bespoke or order garments, and the other of such special boards shall be so appointed for the determination of the prices or rates to be paid

for such of the aforesaid articles as are usually known as factory or slop clothing.

(3) The Governor in Council may without previous election from time to time appoint any person to fill any vacancy occurring in either of such special boards.

"(4) Appointments as members of either special board shall be for twelve months only, but any person whose term of office has expired may be re-appointed.

"(5) Any reference in the Factories and Shops Acts to an elected member or person shall, if not inconsistent with the context, equally apply to any member or person appointed to any special board pursuant to this section.

"(6) Immediately on the appointment of the said two special boards, the special board appointed by the Governor in Council on the 21st day of January, 1897, to determine prices for the manufacture of men's and boys' clothing shall without further or other authority than this Act be abolished, and no determination of such board shall have any force or effect."

He remarked that manufacturers of clothing waited on the Chief Secretary, and pointed out that it was desirable to have two wages boards, but the honorable gentleman said that he had no power to appoint two boards under the Act. That power would be given to the Governor in Council if the Bill and the select committee's amendments became law. Clause A, which honorable members had just passed, left it discretionary with the Governor in Council to suspend the determination of any board, but this clause provided that there should be two boards for men's and boys' clothing.

The Hon. D. MELVILLE observed that, of course, this was a case of "the house that Jack built." Honorable members were now engaged in amending the Factories and Shops Acts, while the greater part of them were adverse to legislation of the kind. No doubt it was a difficult position to be in. They knew that they were handing everything over to the Government, and that the Government were often moved by a power behind the scene. Honorable members were perfectly sensible that a time might come when the influence of the board would be brought to bear by action behind the scene. The Ministry said, very properly, that the power which it was now proposed to confer on them was one which they had not asked for. With such an artificial kind of legislation, it was difficult to know where to stop. Honorable members were told that the danger was so great, that nearly the whole of the export clothing trade of the colony, amounting to £150,000 annually, was likely to be stopped. Indeed, one of the witnesses

examined before the select committee, having that matter in his mind, said—"Better let it be stopped." The witness clearly had it in his mind that the export trade in question would be crushed by the operation of the board. Exactly the same state of confusion existed in New Zealand at the present time in connexion with the furniture trade, and the same legislation was being adopted in that colony. Honorable members were not allowed the option of making further amendments in the Act; they must pass everything on to the present Government, which built this house, surrounded by the conditions named in the nursery story. It seemed that under the existing state of things it was absolutely necessary to give the Government a free hand to crush the export trade if it liked. The Rev. Mr. Edgar had it in view a long time ago that his particular duty in life was to enact that men and women should earn a certain wage. It might be a good thing to have a fixed wage if it could be carried out, but where was the line to be drawn? Honorable members knew what was going to happen, but they were powerless to do anything. They did not act in this matter of their own accord; they were in a cleft stick. In the management of the boards it would be the Trades Hall which would have the first say. The area of Government had been extended so much, that no one knew what was before him. He could not see any limit to this kind of legislation. He did not say anything against Mr. C. J. Ham's views. Everything was in such confusion that it was the duty of honorable members to hand over to the Government the business of managing the boards. The Trades Hall would manage them in the first instance, and the Government in the second. Honorable members must give the proposal a reasonable trial, but they felt convinced, notwithstanding that the Government were in sympathy with the out-workers, the worst possible thing was being done for the out-workers. At any rate, that was the opinion of the witnesses who were examined before the select committee. The Government were simply asking for a despotic power, so that this "house that Jack built" might be set in order. He could see some advantages to be derived from the system of boards. They might put an end to strikes. But when the wages were fixed, the employers might strike. Would these bodies be boards of

conciliation, as they ought to be? One effect would be that the inefficient worker would be altogether crushed. The proposal seemed to be that the superior men should have all the work put in their own hands. Why should the number of apprentices be lessened instead of opportunities being given to educate the rising generation? The old English idea was not to prevent the rising generation from learning trades, but to teach them trades at every turn. Under the new plan the young people would neither be taught nor disciplined. Surely there ought to be some thought for those who were to come afterwards. If the new plan were to be followed, what was to become of the elderly men and the weaklings? He protested against it being said that honorable members had no thought for those who were so situated. The present idea seemed to be that all the work should be secured for the able-bodied. (Mr. Pratt—"And the young and old must starve.") He recommended honorable members to give the Government the fullest liberty, so that they could not say that they had been curbed in the slightest degree. The whole thing ought to be handed back to the Government, who should be left to get themselves out of the difficulty as they best could. The Council that night was simply going back to the old system of despotism. There was no question of an Act of Parliament; the whole thing was to be left in the hands of the Government.

The Hon. J. H. CONNOR remarked that handing over to the Government the control of the boards seemed to be giving them a very dangerous power, but it was just as well that the Government should be converted into a factory to administer this Act. He believed that great difficulties would arise in connexion with it. He quite agreed with Mr. Melville's remark as to young people in the colony not being allowed to learn trades at all; that was a monstrous thing. He trusted that the Government would administer the Act in the interests of the whole community. They would certainly have great difficulty in satisfying both parties. He feared that the export trade of Victoria would be greatly injured, and that a large number of colonists would go to Sydney and other places. He was sure that the Solicitor-General desired to do the best he could in the interests of the colony. Nevertheless, the honorable gentleman would find

that the Government would have great difficulty in carrying out this work.

The clause was agreed to.

The Bill, having been gone through was reported with amendments, and the amendments were considered and adopted.

On the motion of Sir HENRY CUTHBERT, the Bill was then read a third time and passed.

DUNOLLY CEMETERY SITE BILL.

The Hon. J. BELL moved for leave to introduce a Bill to enable the trustees of the Dunolly Cemetery to include certain adjoining roads within the site of the said cemetery.

The Hon. J. BALFOUR seconded the motion, which was agreed to.

The Bill was then brought in, and read a first time.

DOG ACT AMENDMENT BILL.

On the motion of the Hon. D. MELVILLE, this Bill was discharged from the paper.

The House adjourned at six o'clock, until Thursday, September 23.

LEGISLATIVE ASSEMBLY.

Tuesday, September 21, 1897.

Absence of the Speaker—The Deputy Speaker—Yarra Park Roads Bill—Adjournment.

At half-past four o'clock p.m., the CLERK having, at the table, informed the House that the SPEAKER was still in Sydney, attending the sittings of the Australasian Federal Convention, as one of the representatives of Victoria,

The CHAIRMAN OF COMMITTEES took the chair as Deputy Speaker.

THE DEPUTY SPEAKER.

The DEPUTY SPEAKER.—I have to inform the House that I have received a communication from the Speaker, who is absent in Sydney, attending the Federal Convention, requesting me to take the chair of the House on Thursday next. I have also received a subpoena, directing me to attend the warden's court, at Foster, in my electorate, on the same day, with regard to mining on some private property in which I have an interest; and whilst I have no desire to treat the warden's court discourteously, if I

comply with the summons I cannot be in attendance on the service of the House. I am, therefore, anxious to take the direction of the House as to whether I am to go to Foster or stop here to attend to my parliamentary duties.

Mr. BEST moved—

“That the Clerk do write to the warden, and inform him that the Deputy Speaker, being required to take the chair of the House on Thursday next, in the absence of the Honorable the Speaker, will be unable to attend at the warden's court on that day.”

He said he submitted this motion in deference to the Deputy Speaker, and if it was formally passed the Deputy Speaker would be able to take the chair of the House on Thursday.

The motion was agreed to.

YARRA PARK ROAD BILL.

Mr. BEST moved for leave to introduce a Bill to enable portions of the Yarra-park, in the city of Melbourne, to be excised for the purposes of public roads. He said the object of the measure was to enable a road to be made to the Melbourne Cricket-ground, in Yarra-park. He had been given to understand that there was a technical objection to the excising of any portion of the Yarra-park for that purpose, and several members of the House had urged upon him that it would be desirable to pass a short Bill enabling the road in question to be legally made. He was very anxious to comply with the wishes of honorable members, particularly in view of the very important cricket season that would shortly be coming on.

Mr. FOSTER seconded the motion.

Mr. CARTER remarked that, as every honorable member knew, he had always, during his public life, been opposed to any infringement of the parks belonging to the people; but as the Melbourne City Council had, by an overwhelming majority, decided that in their opinion the proposed road should be made from Jolimont-street to the Melbourne Cricket-ground, he had informed them that he would offer no factious opposition to the passing of this Bill. He merely mentioned this in order to make his position clear. He was just as much opposed as ever to any infringement of the public parks, and just as anxious as ever to preserve the parks for the people; but as the Melbourne City Council, who were joint trustees of the Yarra-park with the Board of Land and Works, had decided

that this road should be made, it would be very improper for him, as the representative of Melbourne, to offer any factious opposition to the Bill at this stage. He would, therefore, offer no objection to the Bill.

The motion was agreed to.

The Bill was then brought in, and read a first time.

ADJOURNMENT.

Mr. BEST moved that the House, at its rising, adjourn until Thursday next. (Mr. T. Smith—“At what time?”) Nominally three o'clock, but actually half-past three. He had received a telegram from the Premier intimating that he was leaving Sydney that day, so that he would arrive in Melbourne on Wednesday.

Mr. CARTER said that before the motion was put he would like to ask the Acting Premier what was the business honorable members would have submitted to them on Thursday? Was it proposed to do any business on Thursday? If so, what was the business to be? He would further like to know if it was proposed that Parliament should then be prorogued? Of course honorable members had seen statements in the newspapers as to the intentions of the Government, but they would like an official intimation from the Acting Premier.

The DEPUTY SPEAKER.—We had better pass this motion first. On the motion for the adjournment of the House I shall be very glad to hear the honorable gentleman.

The motion was agreed to.

Mr. BEST moved that the House do now adjourn. (Mr. Carter—“Now you can answer my questions.”) It was the intention of the Government to clear off all business on Thursday, as far as honorable members would permit them. (Mr. Carter—“What, all on the notice-paper?”) Yes. (Mr. T. Smith—“Private members' business included?”) No. On the return of the Premier he would suggest to him that he should immediately announce through the press the exact business honorable members would be expected to deal with on Thursday. (Mr. Murray—“Will you promise private members an evening before the end of the session?”) No.

Mr. CARTER remarked that a great many honorable members were threatened with opposition at the general elections, and they were very anxious to get to

their constituents at the earliest possible moment. They did not wish to be brought to the House on Thursday merely to do nothing, if the Government had no business to bring before them. If there was business to be done, honorable members might as well be told the character of that business, so that they would know exactly what they would have to deal with. For instance, were they to be asked to deal with the Lilydale to Yarra Junction Railway Bill, the Factories Acts Amendment Bill, or any other measures? He merely wanted to know, if the Acting Premier was willing to inform the House, what business they would be expected to deal with on Thursday next? Then honorable members would come prepared to stop all night, if necessary, to help the Government to put the business through. If there was no business to be done, honorable members would like to go to their constituents, but if there was any particular business to be done, they would remain in Melbourne. The House was in a very anomalous position. They had an Acting Speaker, an Acting Premier, and an acting leader of the Opposition; in fact, they were all actors. Honorable members would be very glad if the Government would kindly tell them what were their intentions. No doubt their intentions were strictly honorable, but the House would like to know what they were. Of course, if the Government would not take honorable members into their confidence, they must wait patiently until Thursday to know what business was to be submitted, if any.

Mr. GRAVES said that the leader of the Opposition had anticipated what he had intended asking the Acting Premier. Town members were not in the same position as country members in regard to the election contests. Many of the country members were being opposed by candidates who were now addressing the electors, whilst they were kept in Melbourne attending to their parliamentary duties, and they could do nothing until they ascertained what was the Government programme. They would therefore like to know whether any Bill of importance to their constituents would be brought on next Thursday, because if so, and they happened to be in their respective constituencies, they might be charged with neglecting their parliamentary duties. He hoped the Acting Premier would be able to say what business was to be brought

on on Thursday, and, if possible, when the Legislative Assembly was likely to be dissolved. Many country members had to do thirty or forty days' work in twelve or fourteen days. He was not exaggerating one bit in making that statement. Personally he had forty polling places to go to. It was therefore only fair that honorable members should be informed whether the Government were likely to proceed with any business on Thursday, and, if so, what business.

Mr. ZOX expressed the opinion that the leader of the Opposition and the honorable member for Delatite had made most fair requests for information, which honorable members generally desired to obtain. Even town members were put to great inconvenience through not being able to ascertain what the Government intended to do. He hoped there would be no evasive answer to the honorable members' questions. The House ought to be told what were the intentions of the Government, and what course the Government proposed to take.

The motion was agreed to.

The House adjourned at twenty minutes to five o'clock, until Thursday, September 23.

LEGISLATIVE COUNCIL.

Thursday, September 23, 1897.

Absence of the President—Railway Loan Application Bill
—Railway Loan Application Bill (No. 2)—Yarra Park
Roads Bill—Factories and Shops Acts Amendment
Bill—Close of the Session.

The PRESIDENT took the chair at nineteen minutes to five o'clock p.m., and read the prayer.

ABSENCE OF THE PRESIDENT.

The PRESIDENT.—I have to apologize to honorable members for my recent absence from the Council, while attending the meeting of the Federation Convention in Sydney. Nothing but a sense of duty would have impelled me to absent myself from the service of this House, and I trust that under the circumstances honorable members will excuse my absence.

RAILWAY LOAN APPLICATION BILL.

Sir HENRY CUTHBERT moved that this Bill be discharged from the paper.

He observed that there was a strong objection to the item of £60,000, which it was proposed to expend in constructing a railway station at Flinders-street. Honorable members were not inclined to approve of such an expenditure at the present time, and thought it desirable that the work should be postponed. If this Chamber had had the power to amend the Bill, no doubt that item would have been struck out. He had conveyed to the Government the wishes of the Council as far as he could ascertain them, namely, that it was the will of the House that all the items in the Bill with the exception of the one he had mentioned should be passed. A Bill similar in all respects to this measure, with the item to which this Chamber objected omitted, had passed another place, and would shortly be received by the Council.

The Hon. A. WYNNE said he thought that the Legislative Council might cordially congratulate both the Government and itself on the action it had taken on this subject. Honorable members of the Legislative Council felt very strongly opposed to the item in this Bill alluded to by the Solicitor-General. They considered that, at the present juncture in the finances of the colony, it was inopportune to spend £200,000 or £300,000 in building a central railway station, when so many country districts were crying out for railway communication. As the Council had no power to amend the Bill, they thought it right to pass every item but the one in question, to show the feeling of the Chamber. The action of the Council had been very strongly approved. The country was very much against the expenditure of large sums of money on useless works in Melbourne, and this work would have involved an expenditure which would have given no return whatever. It would have been a monstrous thing to build an ornamental palace in Flinders-street when the country required the money so badly for other purposes. Therefore, honorable members ought to be very well pleased at the action of the Government.

The Hon. T. BRUNTON said he differed from Mr. Wynne on this subject. The Flinders-street station was a positive disgrace to the colony. Some 30,000,000 human beings passed through that station every year, and it received about 10 per cent. of the railway revenue. It was, therefore, most unjust for the Government to

ignore the requirements of that mass of people, and deprive them of common necessities, such as the coverings of platforms. About £120,000 was all that would be required to carry out the necessary works, and surely the travelling public in the metropolis ought to have the same accommodation as was given to the travelling public in Ballarat and other parts of the colony. As a representative of the metropolitan district, he felt that it was a shame and manifestly unfair for country members to combine to oppose this expenditure because it happened to be in the city of Melbourne. It was expenditure in connexion with railway lines that helped to make up the deficiency created by some of the political lines in country districts. He felt it to be his duty to enter his protest against this compact, and against what he considered the unfairness of country members. Nowhere in the British Empire could a station be found, where such a vast number of human beings passed through from year to year, which was in such a thoroughly unsatisfactory condition. The comfort and convenience of those railway travellers ought not to be disregarded.

The Hon. J. M. PRATT expressed the opinion that Mr. Brunton was rather stretching his imagination in supposing that the expenditure in question was opposed simply on the ground of country *versus* town. The general tenor of the remarks of honorable members who were opposed to this expenditure was that it would not give the country value for the outlay incurred. Besides, no estimate of the total expenditure which this work would involve was furnished to honorable members, who did not know what the full extent of the outlay would be. Under these circumstances honorable members generally had a perfect right to object to the building of a new station in Flinders-street, and they did so object in the interests of the Treasury and of the country at large. It was pointed out in the course of the debate that previous works of this kind started with estimates of £50,000 or £100,000, but landed the country in an expenditure of £300,000 or £400,000. The honorable member would have been perfectly right had he applied his remarks to the Spencer-street station; but surely he had overlooked the fact that some £20,000 had recently been expended in improving the accommodation at Flinders-street station. Country

members generally were prepared to support any expenditure that would be productive of good to the country, but they were not willing to sanction an outlay of £200,000 or £300,000 on the erection of a central station in Melbourne, which, in the opinion of many honorable members, was not required. It was certainly a shameful thing to allow Spencer-street station to remain in its present condition, and many honorable members opposed any further expenditure on the Flinders-street as against the Spencer-street station.

The Hon. G. GODFREY stated that he coincided in the remarks of Mr. Brunton in this matter, and he exceedingly regretted that the item of £60,000 towards the erection of a central station at Flinders-street had been withdrawn, and that the work thus contemplated was not to be carried out. Great inconvenience was suffered by the travelling public of the metropolis in consequence of the very unsatisfactory state of Flinders-street station, and the proposed new station was an actual necessity for the health, comfort, and convenience of the citizens of Melbourne. The longer it was delayed the greater would be the wrong and injustice done to the travelling public of the metropolis. It was almost impossible to get to the trains in wet weather without being thoroughly drenched. (Mr. Wynne—"Do you think the Government ought to provide umbrellas for the passengers?") He certainly did not think the Government ought to provide umbrellas for the passengers, but they ought to cover the station platforms.

The Hon. E. MILLER remarked that he disagreed with Mr. Godfrey and Mr. Brunton on this question. The point put before the Council on the previous occasion was that this proposed expenditure of £60,000 on the Flinders-street station had not been submitted to Parliament in the proper way? It should have first been referred to the Railways Standing Committee for consideration and report, and he trusted that that committee would not approve of the proposed outlay when they came to reconsider the matter. It was time to protest against this unnecessary expenditure; it made one think that the boom time had returned again. Why should they spend £60,000, involving an ultimate expenditure of between £200,000 and £300,000, in the erection of a new station in Flinders-street, seeing that the railways of the colony did not pay by a

very long way? (Mr. Brunton—"The lines into Flinders-street do pay.") This expenditure would add to the enormous burden already borne by the railways of the colony. When the country was involved in debt it was time to speak out in protest against needless expenditure. He agreed that coverings might be erected over the platforms at Flinders-street station, but that would not involve the expenditure of £200,000 or £300,000. The proposal to incur this expenditure on the Flinders-street station should be referred to the Railways Standing Committee before it was again submitted to Parliament.

The PRESIDENT.—I will just state before putting the question that Mr. Brunton has apparently misapprehended the action of this House. This House did not express an opinion as to whether this expenditure was required or not, but this House expressed a decided opinion—and I think rightly so, too—that the question was brought before this House in an illegal manner.

Sir HENRY CUTHBERT.—Oh, no.

The PRESIDENT.—That was my opinion.

Sir HENRY CUTHBERT.—Yes; but not the expressed opinion of the House.

The PRESIDENT.—And what I said had some influence with honorable members. The Railways Standing Committee has been appointed to deal with all questions involving an expenditure of more than £20,000. If the Government wished to show their *bona fides* in the matter they should have submitted this work to the Railways Standing Committee, and let it come before the House in a proper manner.

The motion was agreed to.

RAILWAY LOAN APPLICATION BILL (No. 2).

This Bill was received from the Legislative Assembly, and, on the motion of the Hon. W. McCULLOCH, read a first time.

The Hon. W. McCULLOCH moved the second reading of the Bill. He said it was simply a copy of the previous measure, with the item of £60,000 for the Flinders-street railway station struck out. The reason of the Government for omitting that item was that an intimation had been given by the President that he would rule the Bill containing that item out of order. (Mr. Bell—"We are quite content to pass this Bill now.") Yes, but he desired to explain the matter. The

Government were quite prepared to go on with the Bill before this House, but they did not want to have all the various works provided for in the Bill stopped through the President ruling the Bill out of order on account of this one item. Moreover, there was no great urgency for the new station at Flinders-street; and, as this was the last night of the session, the Government thought it advisable to get legislative authority to carry out the other works provided for in the Bill.

The Hon. E. MILLER said he presumed the Government had looked well into this proposed expenditure, and found that it was all necessary. (Mr. McCulloch—"You have already passed the items contained in this Bill.") But surely honorable members might be allowed to express their opinions on those items now that they were again proposed in a new Bill. The Government had taken out the item of £60,000 which they contemplated spending on the Flinders-street station, and all he could say with regard to it was—"For this relief, much thanks." But there were other items in the Bill against which he protested.

The Hon. A. WYNNE.—That is not wise.

The PRESIDENT.—It is a question more for committee if the honorable member approves of the principle of the Bill.

The Hon. E. MILLER stated that he disapproved of a great many items in the Bill, because he did not think that the present was a time for expenditure on all sides. The Government were expending a vast amount of money in finding employment here, there, and everywhere, in regrading railway lines and other undertakings, and this Bill provided for a lot more expenditure. If the Government expended all the money in hand during the present year there might be none left for the following year. (Dr. Embling—"I think some of this money has been expended already.") A good deal of it had not been spent at any rate. The schedule included an item of £9,200 for improvements at Burnley station, for which there was not the slightest necessity. For the purposes of economy the Glen Iris trains stopped all day at Burnley on Sundays, instead of going to Melbourne, and now it was proposed to have an unnecessary expenditure of nearly £10,000. He had no objection to the item of £9,000 to provide additional accommodation for agricultural produce at the Spencer-street station; but the other expenditure provided for in

the schedule was scarcely required at the present time.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 2, which provided for the expenditure of £206,260 for certain works,

The Hon. E. MILLER asked the Minister of Defence to explain why it was necessary for this money to be expended?

The Hon. J. BELL observed that this objection to the Bill was scarcely fair. There was a tacit understanding between the House and the Government, and it was not fair to go into these matters now. There was no question of sending the Bill back to another place. It would not be at all in good taste to commence a discussion on the items now.

On the schedule,

The Hon. J. STERNBERG said that while he did not object to the passing of the Bill he wished to again place on record his protest against the item of £7,000 towards the construction of cattle-pits, removal of gate-houses, and erection of residences for station employes. He objected to the practice which was followed in dealing with the removal of gate-houses, and the construction of cattle-pits. The Railway department ought to exercise more care and caution in putting down cattle-pits, because in the past they had been placed in situations which were not at all suitable, and which were dangerous to life and limb. He desired to place on record his objection to the department continuing its old methods in this respect.

The Hon. T. BRUNTON asked the Minister of Defence to explain the meaning of the item for the verandah shelters at Balaclava station? Were not the residents of other localities also entitled to protection from the raging winds?

The Bill, having been gone through, was reported without amendment.

On the motion of the Hon. W. McCULLOCH, the Bill was then read a third time and passed.

YARRA PARK ROAD BILL.

This Bill was received from the Legislative Assembly, and, on the motion of the Hon. W. McCULLOCH, was read a first time.

The Hon. W. McCULLOCH moved the second reading of the Bill. He said that the object of the measure was to enable a portion of the Yarra-park to be used for

the purposes of a road to the Melbourne Cricket-ground, in accordance with the terms of an arrangement entered into between the City Council on the one part and the Board of Land and Works on the other part. The road was required to enable people to drive to and from the cricket-ground.

The Hon. J. BALFOUR remarked that the Bill proposed the making of a road from the junction of Jolimont-terrace and Jolimont-street to the Melbourne Cricket-ground. He noticed in the public press that all that was being done to widen Jolimont-terrace was the giving up of the small footpath. He thought that it was a great pity that provision was not made to widen the terrace to a greater extent, because the street was too narrow for the large amount of traffic which it would have to bear. Years ago Jolimont-terrace had no footpath on the side adjoining the park, and it was considered desirable that the street should be widened. Discussion took place as to whether the City Council and the trustees of the park should take a portion of the park for the purpose of widening the street. If he remembered rightly, the late Chief Justice Higinbotham, as counsel for the City Council, gave it as his opinion that it was quite within the power of the City Council to make paths or roads in the park; and that body took advantage of this opinion. He (Mr. Balfour) did not want to delay the Bill a moment, nor did he expect that the Government on the spur of the moment would be able to widen the road; but he would be much better pleased if they saw their way to widen Jolimont-terrace by taking in a little more of the park. (Mr. McCulloch—"It is intended to do that.") The Bill did not say so. If the width of Jolimont-terrace were increased it would be a great advantage in giving the proposed road to the Melbourne Cricket Club.

The Hon. R. REID stated that he fully agreed with the remarks of Mr. Balfour. As Jolimont-terrace was a narrow street only 30 feet wide, the Government ought to have made provision for the taking of a little more land, so as to make a passage in which two or three traps could pass each other. As there was so much land in the park, it was a very silly proceeding to leave so little room for vehicles. He was a member of a deputation from the Melbourne Cricket Club which interviewed the Minister of Lands on the subject, and he then pointed out this important feature.

The small strip of 3 feet of land taken out of the park to widen the street was not sufficient. He supposed that it was too late in the session now to alter the Bill, but he protested against the smallness of this improvement when there was ample opportunity to make it in a better way.

The Hon. G. GODFREY observed that he was entirely in accord with the Bill. He saw nothing in the measure as to any number of feet of land that were to be taken, so that the road might be constructed exactly as the necessities of the case required. The Bill merely provided for the construction of a roadway, and there was nothing in it to limit the number of feet or the exact position of the road to be made.

The Hon. J. M. PRATT said he must express his surprise that the Bill contained no clause authorizing an increase of the width of the two streets in question to 66 feet, or 1 chain. Some members of the City Council were opposed to any portion of the park being excised, but they were in a minority. When the matter was discussed in the City Council it was pointed out that, if the roadway were only 40 feet wide, with heavy traffic passing to and fro on a special day there would most likely be an accident. It would be impossible on a day of heavy traffic for vehicles to pass to and fro on a road of that width without having a block. The City Council were in favour of a road 1 chain in width. That body, not feeling sure that the Bill would be passed during the present session, did its best to widen the streets in question, and a portion of the footpath against the fence was added to Jolimont-terrace. The roadway would probably not have any very extensive traffic in ordinary times, but on special days cabs rushing down and meeting others would be sure to cause accidents.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 2, authorizing the construction of a roadway to the Melbourne Cricket-ground,

The Hon. J. BALFOUR observed that he understood that the present width of Jolimont-terrace was about 34 feet. He wished to be fair, however, and he would mention that the Town Clerk of Melbourne said that there was room in it for three rows of cabs, and that if the street were widened so as to make room for four rows there would be greater

danger to the people coming out of the Melbourne Cricket-ground and seeking cabs. Having lived at one time in Jolimont-terrace, he would like to see the street widened, but he did not wish to press his views if honorable members were against them.

The Hon. C. J. HAM stated that he trusted that no debatable matter would be introduced. The Minister of Lands had brought in this small Bill in exact accordance with an arrangement between the two trustees—the Mayor of Melbourne and the Minister of Lands. Personally, he (Mr. Ham) was desirous that power should be given to extend this road to a width of 66 feet at a future time. He expressed that opinion in the City Council, but the council did not agree to embody it in the measure which they asked the Minister of Lands to submit. To make an alteration now would be, to some extent, a breach of faith with the two bodies of trustees. No doubt next session the Minister of Lands would bring in another Bill to allow the road to be widened to 66 feet. Meanwhile, he (Mr. Ham) would ask honorable members not to disturb the arrangement which had been agreed to.

The Hon. J. C. CAMPBELL said it did not follow that because two trustees had agreed to a wrong thing that it should not be rectified. He contended that a roadway of 34 feet was not sufficient for three rows of cabs. It would be much better to make provision in the Bill for the construction of a road 1 chain wide.

Sir ARTHUR SNOWDEN remarked that he hoped that the clause would pass as it stood. This matter had been very carefully considered by the Government and by the City Council, and the Bill was the result of an arrangement agreed upon by the two parties. It would, therefore, be a mistake to amend the measure. He believed that before long the Minister of Lands intended to submit a Bill dealing with parks, and an amendment of the kind now asked for could be inserted in that measure. There was no necessity to widen the street in question at the present time. When cricket matches were being played, the traffic was so regulated that it all went in one direction, and every requirement of the present traffic would be met under the Bill. The great thing desired was provided for, and it would be a pity to jeopardize the measure by making any alteration in it.

The Hon. R. REID observed that he had no desire to jeopardize the Bill, but he thought it would be a simple matter to insert a provision empowering the trustees to make a road 1 chain wide if they thought it desirable to do so. It was common for honorable members to be told, when a Bill was submitted at the end of a session, that if they would do what was wrong it would be righted by-and-by. He lived in the locality in question for many years, and he had been familiar with it for nearly 40 years. For many years Wellington-parade had a large space of land alongside it, which was afterwards taken out of the then roadway and thrown into the park. It was absurd for a city like Melbourne to have only a narrow inlet and outlet for its principal cricket-ground. (Mr. Service—"With the House of Commons team coming out, too.") No doubt the crowd would be greater than ever when the House of Commons team played. The Solicitor-General could easily draft a clause to enable the trustees to alter the width of the road if they thought it necessary in the future.

The Hon. J. H. ABBOTT stated that he could not see any allusion in the Bill to the width of a road. He did not see why the trustees under the terms of this measure should not alter the width of the road if they thought it desirable. The matter ought to be left in their hands to carry out in their own way.

The Hon. J. BELL said he quite agreed with Mr. Abbott, and he thought that it would be best to adhere to the Bill as it stood. Before submitting the measure the Minister of Lands inquired fully into the whole matter. It was not desirable to make alterations in a Bill on the last day of the session.

The Hon. G. GODFREY remarked that he was glad that honorable members now saw the Bill in the light which he pointed out half-an-hour ago. There was nothing in the measure to regulate the width of a road, and he hoped that the Bill would be passed.

Verbal amendments were made in the title.

The Bill was then reported to the House with amendments in the title, and the amendments were considered and adopted.

On the motion of the Hon. W. McCULLOCH, the Bill was read a third time and passed.

DUNOLLY CEMETERY SITE BILL.

On the order of the day for the second reading of this Bill,

Sir HENRY CUTHBERT said he would ask Mr. Bell to be kind enough to withdraw the Bill, as they had now reached the close of the session, and honorable members had not had an opportunity of considering it. If the honorable member would do so, the Government would be prepared to afford him an opportunity of introducing the Bill early next session.

The Hon. J. BELL stated that he would with pleasure accede to the request of the Solicitor-General, especially as the honorable gentleman promised that he would give him an opportunity of introducing the Bill early next session. He begged to move that the order of the day be read and discharged.

The motion was agreed to.

PETITION.

A petition was presented by the Hon. D. MELVILLE, from certain factory operatives, against the amendment made by the Legislative Council in the Factories and Shops Acts 1896 Amendment Bill providing for the appointment of two boards in connexion with the clothing trade.

FACTORIES AND SHOPS ACTS
AMENDMENT BILL.

This Bill was returned from the Legislative Assembly, with a message intimating that they had agreed to some of the amendments made by the Legislative Council, disagreed with others, and agreed to new clause A with amendments, in which they desired the concurrence of the Legislative Council.

Sir HENRY CUTHBERT stated that the Legislative Assembly had disagreed with the amendments made by the Legislative Council, inserting in clause 3, after the word "age," the word "capacity." The Bill, as it was received from the Legislative Assembly, consisted of about five clauses. These five clauses met with the general approval of honorable members, but the Bill was referred to a select committee. In consequence of the evidence that was adduced before that committee it was considered to be advisable to make certain amendments. Amongst these amendments was the insertion of "capacity" after "age" in clause 3, with which

the Assembly had now disagreed. The clause gave the boards power, in fixing the rates to be paid, to take into consideration the age and sex of the workers. The House considered that it would be well to give them power also to consider the capacity of the workers. If honorable members would look at clause 3 they would see that it was essentially a validating clause. It was inserted for the purpose of giving effect to the determinations of the various boards, some of these determinations having already been gazetted. It was pointed out in another place that if the word "capacity" was inserted, it would be necessary for the boards to do their work over again. So far as the Clothing Board was concerned, it had given very close attention to this subject during the last seven months, and if honorable members would look at the log that had been prepared they would see what a large amount of labour it had entailed. If the word "capacity" were retained, not only the Clothing Board but the other boards that had already come to a determination would have to consider the whole matter again. Under the circumstances, he did not think the House would be disposed to insist on these amendments. He begged to move that the amendments be not insisted on.

The Hon. C. J. HAM observed that, although it might be wise to regulate the prices to be paid for work not only according to the sex and age but also to the capacity of the workers, it had been pointed out very clearly that the Bill was retrospective, and that the object of it was to validate the determinations of the boards. If the House insisted on the amendments inserting the word "capacity" in clause 3, the result would be to undo a great deal of the work that had been done by the boards up to the present time. Taking this fact into consideration, he did not think it would be advisable to insist on the amendments.

The Hon. J. BALFOUR remarked that there was another reason why the House should not insist on these amendments, and that was that the Chief Secretary had stated that, in preparing the amending Bill which he proposed to introduce next session, he would take the question of inserting "capacity" into consideration.

The amendments were not insisted on.

Sir HENRY CUTHBERT moved that the amendments made by the Legislative

Assembly in new clause A be agreed with. He stated that practically the Legislative Assembly had agreed to the principle of this clause. Sub-section (1) of the clause was as follows:—

“Notwithstanding anything contained in the Factories and Shops Acts, the Governor in Council may at any time, and from time to time, for such period or periods as he thinks fit, not exceeding six months in the whole, by order published in the *Government Gazette*, suspend the operation of the determination of any special board within the meaning of section 15 of the Factories and Shops Act 1896, whether appointed with or without previous election. When the operation of any determination (whether published in the *Government Gazette* or not) is so suspended it shall be the duty of such special board to forthwith hear, receive, and examine evidence as to such determination, and thereupon such special board may either adhere to the said determination or may make such amendments therein as to such board seems proper.”

The Legislative Assembly had inserted after “period” the words “or periods”; after “months” the words “in the whole,” and before “hear” the word “forthwith.” It was intended when this sub-section was passed to allow the Governor in Council from time to time, for any period not exceeding six months, to suspend the determination of any board. This would place the Governor in Council over and above the expert board that was created under the principal Act for the purpose of determining the price to be paid for the work that was done. It was thought by another place that it would be too much to give the Governor in Council power to continue the suspension from six months to six months, and it was now proposed that the period for which the Governor in Council should have power to suspend should be any period from, say, a week up to six months, but not more than six months. He thought the House would consider these amendments to be reasonable. A protest might be handed in by the employers or the employed, and the Governor in Council might see fit to refer the question for further consideration to the special board. If he did so, then it was provided that the board should “forthwith” proceed to receive evidence as to such determination. He thought that the word “forthwith” had been very properly inserted. It pointed out to the board that they were not to linger over this work, and to keep people in a state of suspense, but that they were to promptly come to a conclusion as to whether they would alter their determination or not. Sub-section

(2), as it left the Legislative Council, read as follows:—

“In the event of such special board making any such amendments, such determination as so amended shall, if so ordered by the Governor in Council, forthwith be published in the *Government Gazette*, and shall for all purposes be deemed and taken to be the determination of such special board, and shall from such date as may be fixed in such amended determination apply to every city and town, and also to any borough or shire, or part of a shire, to which such determination may be expressly applied by the Governor in Council by a notification in the *Government Gazette*; and the suspended determination shall thereupon have no further force or effect.”

Objection had been taken to the power that was to be given to the Governor in Council to act as referee, and to say whether any amendment made by the special board should be carried into effect or not. What was the use of appointing a board of experts if, after they had given their best attention to the performance of their duties, their determination was to be overruled? It was intended originally that the boards should be nominated by the Governor in Council, but they were afterwards made elective. The system had not yet had a sufficient trial to justify honorable members in giving this power to the Governor in Council. The Chief Secretary had to administer the Factories and Shops Act, and it was too much to expect him to review the acts of a competent board of experts. He thought, therefore, that it was right that time should be given to the board to reconsider their determinations, if necessary, and to make any amendments, and that the Governor in Council should be relieved from the unpleasant duty of saying whether he would assent to the amendments or not. The Legislative Assembly had struck out the words “if so ordered by the Governor in Council,” and he thought the House should agree to this amendment. Sub-section (3) of the same clause was as follows:—

“In the event of such special board notifying the Minister that such board adheres to its determination without amendment, the Governor in Council may by order published in the *Government Gazette* revoke the suspension of the operation of such determination from such date as he may fix in such order.”

In this sub-section the responsibility was again placed upon the Governor in Council, and he had previously expressed the opinion that the power proposed to be given was one that the Ministry of the day would find it very

difficult to carry out. The Legislative Assembly had omitted the words "the Governor in Council may by order published in the *Government Gazette* revoke the," and had inserted in lieu thereof the word "such." Then after "determination" they had inserted the words "shall by an Order in Council published in the *Government Gazette* be revoked," and after "date" had inserted "not later than fourteen days." There was also a consequential amendment, and he thought that the sub-section in its altered form would fairly carry out the views of the House. It would, however, relieve the Governor in Council from what would have been a very serious responsibility and one the results of which could not be altogether foreseen. There might, hereafter, be a conservative Ministry in power, with a Chief Secretary all on the side of the employers. On the other hand, there might be a Ministry that would be altogether in favour of the workers. It was much better that questions relating to trade should be dealt with by an independent and competent tribunal, and that time should be given to them to reconsider their determination whenever that might become necessary. If a log were objected to the Minister could refer the objections to the board and ask them to reconsider their decision.

The Hon. C. J. HAM observed that the principle for which the Legislative Council had contended had practically been conceded. The select committee saw that the determination of any of the boards might be injurious to trade, or might have the effect of throwing numbers of the workers out of employment, and they thought it desirable that the Minister should have power under such circumstances to call upon the board to reconsider their decision and to take evidence. It would appear that the boards had not invited and were not desirous of hearing evidence, although they were dealing with important matters affecting the trade of the colony. That, surely, was a position that no board should take up. The clause as amended would give the Minister power to call upon the board to take evidence, but he was not to have the power to renew the period of suspension from time to time. In the first instance the select committee came to the conclusion that the suspension should be for only six months, but on reconsideration they thought it desirable to give a further time, as occasions would arise when six

months would elapse before the re-assembling of Parliament. It had been pointed out to him that under section 15 of the principal Act the Minister had very great powers, and that it was not necessary that the period of extension should exceed six months. That section enabled the Governor in Council to remove any member of the special board. (Dr. Embling—"Would he do so?") It was highly improbable that he would not do so unless the case was one of extreme emergency. The power, however, existed, and could be exercised if an emergency arose. He thought the House should agree to the Assembly's amendments.

The Hon. A. WYNNE said he could not see that it would be any advantage to have clause A in the Bill at all. Each special board was composed of an equal number of employers and of workers, and it was their own fault that they did not call evidence. He was surprised to hear from Mr. C. J. Ham that any board had agreed to a log without taking evidence. The board ought to know what was necessary, and it seemed to him that this new clause would be a dead letter. No Minister would at any time either alter or suspend the determination of a board. If they made a mistake it would be their own fault. If they neglected their duty by failing to call evidence, how could the Chief Secretary or any other Minister interfere. He might refer the matter back to the board, but they could say—"We have made no mistake; we know what we are about, and we will stick to our log." (Mr. C. J. Ham—"They will take evidence.") If they did not take evidence in the first instance it was their own fault. (Mr. C. J. Ham—"They are not compelled to take evidence.") It could not be said that boards that were elected by the two parties were improperly constituted. It might just as well be said that Parliament was not properly constituted. Whose fault would that be but the electors'? So, in the present case, it depended entirely on the bodies who elected the members of the boards. It was the duty of the members of the boards representing the different trades to call for evidence in the first instance, and if they neglected their duties those who appointed them would take care not to elect them as representatives again. Under those circumstances this clause would be a dead letter.

The Hon. W. H. EMBLING observed that the employers, especially in the

clothing trade, had complained of the composition of the board. It appeared that the majority of the board represented one branch of the trade, and that the other branches suffered. There was therefore trouble from the first. The complaint was that the large manufacturers were out-voted by the small shopkeepers. It was not a dispute among employers and employed, but among the employers themselves—between two branches of a great trade. The contention that the decision of the board was wrong was outside the point altogether, because from the very beginning the manufacturers complained that it did not properly represent all sections of the same trade. (Mr. Wynne—"But the matter was referred back to the same board.") The board would be well enough if it were properly constituted, but it was necessary to make provision for a section of the trade which was not represented at all. (Mr. Wynne—"That can be done without this clause.") The clause, as amended, gave the Governor in Council power to suspend the operation of the determination of any special board for a period not exceeding six months.

The Hon. J. H. ABBOTT remarked that he understood the amendment would empower the Chief Secretary to direct the board to take evidence, if he believed that to be necessary, and he therefore thought that it ought to be adopted. For any reason which the Chief Secretary thought fit he could direct the board to take further evidence, and it was right that he should have that power, because it was possible, in the first instance, that sufficient evidence might not have been taken.

The Hon. J. BALFOUR stated that the proof that the clause was a good one was to be found in the fact that it came from a committee of the Legislative Council, and had been accepted by the Chief Secretary as an improvement. The Chief Secretary had acted on the principle of the clause, but he had done so without legal authority. The honorable gentleman had several times sent back a log to a board and asked them to reconsider it. In some cases the log had been reconsidered, and in others it had not been reconsidered. Now that the Chief Secretary would be able to act with the authority of law, it might at least be expected that the boards which wished to do their duty would accept the responsibility of reconsidering the log whenever requested to do so. It might, therefore, be hoped

that the Act would work much more smoothly than before.

The amendments were agreed with.

Sir HENRY CUTHBERT observed that the Assembly had disagreed with new clause B inserted by the Council, which provided for the appointment of two special boards for the clothing trade. That clause was founded to a great extent upon the evidence taken before the select committee. The committee recommended that two boards should be appointed, one for the purpose of dealing with ready-made clothing, and the other for the purpose of dealing with clothes made to order. A number of the workers engaged in factories, and also the outside workers, were looking forward most anxiously to realizing their expectations under the original Act. In consequence of the board being elective instead of nominee, some three or four months elapsed before the machinery was prepared to give effect to the wishes of the House; and several months elapsed while the boards were making the preparations rendered necessary. He trusted that honorable members would not insist on this amendment to have two boards, because it would lead to delay, which would be most harassing to those who built their hopes on their condition being improved by the passing of the Bill; and because in all probability it would be necessary next session to bring up a measure making further amendments in regard to the rates to be paid for work. The amendment contained no provision to compel the new board to adopt the work which had already been well performed by the special Clothing Board. What was the great objection to the rates of wages to be paid under the decision of that board? Under those rates a woman could gain the minimum wage of £1 a week. Surely, when the number of hours a woman had to spend in earning that sum to support herself and those dependent on her was considered, no one would say that it was too much. Parliament ought, therefore, to give a trial to the arrangement of that special board. If it were afterwards found to have a prejudicial effect upon the trade, an amendment might be made next session. (Mr. Melville—"The trade may have all gone by that time.") He had been told that day upon good authority that some of the leading houses had been paying wages as high as those fixed in the log of the special board, and that they were able to do a

very large business and compete successfully against other houses. He did not therefore anticipate that any disaster would follow the passing of the Bill, upon which so many hopes were centred. He begged to move that the amendment be not insisted on.

The Hon. D. MELVILLE remarked that he must congratulate the Solicitor-General on the easy manner in which he had glided from one position to another. It was clear that the honorable gentleman's mind was not now his own. He must have received fresh inspiration altogether since he last spoke on the subject. (Sir Henry Cuthbert—"I have received a great deal of information since then.") If he expected the Solicitor-General to come to any conclusion when his mind was his own, it was the one that the innocent recommendation for the adoption of two boards should be agreed to. The manufacturers, in force, complained that they had no adequate representation on the special board, and that they were completely overruled. When firms of 25 years' standing said that, something must be radically wrong. One witness who was examined before the select committee openly avowed that he had made the charges very nearly double in certain cases. He belonged to one portion of the trade, whose special interest it was to prevent the manufacturers from taking all the business away from him. Of course, if one interest predominated in the board the other interests would go to the wall. The chairman of the select committee adopted the wise view that the two sides should each manage their own business. The Solicitor-General had a mind of his own on the subject until the women interfered, and it then disappeared. Two hundred ladies had waited on Mr. C. J. Ham, and he had also succumbed. (Mr. McCulloch—"I found you alone with the ladies on one occasion.") He could not understand the exact reason for the representation which had reached the Government from the Trades Hall, but it seemed to him that the interests of manufacturing firms that had invested a large amount of capital in the export trade were not receiving due attention. Why should the manufacturers, who had developed the trade, who had built enormous establishments in Flinders-lane, and who had a high standing, be interfered with by persons in shops? It was said that there were no log prices in New South Wales—

that the Melbourne manufacturers had branch establishments there, and that if they were surrounded with difficulties the result would be injury to the class which it was desired to benefit. One witness examined before the select committee candidly said that the clothing export trade amounting to £150,000 per annum might be allowed to go. It was right that the people whom that witness represented should have their own board. He saw nothing in the argument adduced against the clause. (Sir Henry Cuthbert—"There is the matter of delay.") That did not affect the merits of the question. The board might meet any day. (Sir Henry Cuthbert—"There may be a delay up to seven months.") Men of business would settle the matter in a fortnight. (Sir Henry Cuthbert—"Why did it take the special board seven months to do its work?") If the Solicitor-General were alarmed on that ground it would be better to do away with the boards altogether. The honorable gentleman had landed himself in a terrible hornets' nest. The plan was working unsatisfactorily at present, but he (Mr. Melville) would give the promoters of this kind of legislation a free hand for a time. The thing would soon cure itself. If the boards continued to work in an unsatisfactory way the people would speedily interfere. Therefore he said let honorable members give the Government whatever they asked.

The Hon. C. J. HAM stated that the select committee could not have arrived at any other conclusion than the one that the manufacturing interest was not represented on the special board. Mr. Wynne seemed to think that it was the fault of the representatives of the manufacturers that the board did not take evidence. In reply to that, he (Mr. Ham) would point out that in the evidence given before the select committee Mr. Alfred Bowley was examined as follows:—

"By the Hon. J. Bell.—There is an alteration in the Bill to give four votes?—We have 30 manufacturers in Melbourne. Give them all four votes and that is only 120, and there are 600 tailors in the town."

The manufacturers were necessarily out of it, and it was therefore not their fault that evidence was not called. The select committee had before it evidence showing that the export trade would be seriously injured if the log came into operation;

also that under it deserving persons would be thrown out of employment. The loss of the export trade was a serious matter, but what weighed with the committee more was the prospect of some hundreds of deserving persons being thrown out of employment. It was to be regretted that the representatives of the employes did not see fit to place their views before the select committee. It was open to them to do so. (Mr. McCulloch—"Were they invited?") No one was invited; it was an open inquiry. Four members of the board which fixed the log were examined, and amongst them was one of the lady members of the board. She expressed the opinion that there ought to be two boards, because there were separate trades. Evidence of an important character was taken, and it had been placed before the Government. He did not feel that he would be justified in doing anything that would be likely to cause the loss of the Bill, the main portions of which he regarded as being beneficial, as they would legalize what had been done in a right direction. If the Bill were rejected serious injury would be inflicted on a deserving class. Owing to the defective drafting of the original Act the board could not fix wages in accordance with the sex or age of the worker, and the Bill remedied that. He understood that the board which fixed the log had acted on the supposition that the Bill would be passed. If it was not passed it would cause great confusion to the trade. Power had already been given to the Government to suspend the log for a period of six months if they found its operation seriously disadvantageous to the community. The Government were in possession of all the information which the select committee had gathered, and now the responsibility rested with the Government, and not with the Legislative Council. He and his friends had done all that they could, and they had certainly acted in the interests of the workers as much as in the interests of the traders. Their sympathies were with the workers; they desired that they should receive a good, a living, and a fair wage. But, on the other hand, they did not want to see work driven to another colony. However, the responsibility could not rest with the Legislative Council. He believed that the Bill would be passed, and if the evils which were anticipated did arise, the Council would be free from the

Hon. C. J. Ham.

responsibility in every respect. Under these circumstances, it would not be wise to run the risk of losing the Bill.

The Hon. A. WYNNE said that if the original Act were being dealt with by honorable members it would be wise to have two boards for the clothing trade, but he was informed that, prior to the special board fixing the rates, the weekly minimum wage for a woman was 18s. 8d., and that now it had been increased to £1. The difference was 1s. 4d. per week, and no one could say that that was a large increase. (Mr. C. J. Ham—"There are the prices for piece goods.") The log prices for piece goods were increased, but if the manufacturers objected they could fall back on the minimum wage, and give their employes £1 a week. The increase there was from 18s. 8d. to 20s., or 1s. 4d., and he did not think that slight increase would drive trade from Melbourne. (Mr. C. J. Ham—"It may drive the out-work into the factories.") It might have that effect, but the factories would still be able to retain the export trade. He asked a representative of one of the largest factories in Melbourne whether the prices fixed would deprive them of the intercolonial trade, and his answer was—"No; it may affect some of the manufacturers who have not the best and most improved machinery, but the larger and better-equipped factories will still be able to retain the intercolonial trade." It was about this trade that honorable members were anxious. They did not wish that the colony should lose a trade representing £150,000 a year, as that would do an injury not only to the workers but to the whole population. If the larger factories could at the prices fixed retain the intercolonial trade, he could not see that the smaller factories would be injured, because they would have the Victorian trade. The only persons who objected to the Bill in the first instance were the master tailors, and they did so because the minimum rate per hour was fixed at 11d., which was 1d. more than they had ever before paid. The board reconsidered their determination, and reduced the rate to 10d., when the master tailors withdrew their opposition. If the people in the trade were satisfied, honorable members should be satisfied also.

The Hon. J. H. ABBOTT stated that he listened very attentively to the evidence that was given before the select committee;

and he came to the conclusion that it was desirable that there should be two boards for the clothing trade. He regretted that another place had not seen fit to adopt that suggestion, but, under the circumstances, the House should not insist on its amendment. Honorable members had been told by the Solicitor-General that in all probability another amending Bill would be introduced within the next few months. If it was then found that the Act was not working satisfactorily the proposal of the select committee could then be considered. He felt sure that honorable members in both Houses had the same object in view, and that was to do the best they could in the interests of both the employers and the employed.

The amendment was not insisted on.

The Bill was ordered to be returned to the Legislative Assembly with a message intimating the decision of the House.

CLOSE OF THE SESSION.

Sir HENRY CUTHBERT moved—

“That the House, at its rising, adjourn until Tuesday, September 28.”

He said that it was the intention of the Government to hold a meeting of the Executive on Monday, and to have the Chief Justice sworn in as Acting Governor. One of the first duties the Acting Governor would be called upon to perform would be that of proroguing Parliament by proclamation. Something might, however, transpire in the meantime, and he thought it better to formally move that the House should adjourn until Tuesday next.

The motion was agreed to.

On the question that the House do now adjourn,

The Hon. J. BALFOUR said he wished to express on his own behalf, and on behalf of other honorable members also, their sense of satisfaction at the way in which the representatives of the Government had conducted the business of the House. The Solicitor-General deserved the thanks of the House for his uniform courtesy, and his close attention to the business. It had been a short session, but a large number of measures had been dealt with. The proceedings of the House had been conducted in a most pleasant and satisfactory manner, and he thought it right he should say that before they wished good-bye to each other.

Sir HENRY CUTHBERT stated that he felt grateful to honorable members for so generously recognising the work that had been done by the representatives of the Government. He would take the opportunity of offering his sincere thanks to the President for the great attention he had bestowed upon the business of the House generally. He had ruled the House not with a rod of iron. He had been kind and courteous on every occasion, but whenever honorable members had been inclined to err he had been strict in calling them to order. To the officers of the House the thanks of honorable members were also due. They had been most attentive to their duties, and had afforded honorable members all the information in their power. He supposed that the new Parliament would assemble within the next four or five weeks, and even at that early date the Government would be prepared to place some business before them.

The Hon. A. O. SACHSE remarked that he desired as a private member to express his high appreciation of the services that had been rendered to the House by Mr. Wynne. The honorable member had at the express desire of the House undertaken the important task of leading what he might call the Opposition, and he had given an enormous amount of attention to the consideration of the various measures that had been introduced. He had tried to put to the House the opposite side of each question, and he had in that way greatly assisted honorable members on the opposite side of the House. He did not suggest that Mr. Wynne had acted in any way in opposition to the Government. He had not done so, but it was right that there should be some honorable member who was able to state the opposite side of each question. Mr. Wynne had performed this difficult duty in a fair and impartial manner, and honorable members generally were under a great obligation to him.

The Hon. J. H. ABBOTT stated that he agreed with the remarks that had been made by Mr. Sachse. It was to be regretted that the honorable member had mentioned any side of the House. (Mr. Sachse—“The whole House.”) Honorable members generally were under an obligation to Mr. Wynne for the valuable services which he had rendered, and he thought that the Solicitor-General must also feel indebted to him.

The Hon. C. J. HAM observed that, as senior member for the city of Melbourne, he felt it would not be out of place for him to say a few words on this subject. There were only a limited number of gentlemen who could fill such positions as that that was occupied previously by Sir Frederick Sargood, and now by Mr. Wynne. The position required great parliamentary experience, untiring energy, and some legal knowledge. It was an immense advantage to have a gentleman who was prepared to take the responsibility and trouble of studying every measure that was introduced, and of affording honorable members any information they might desire with regard to it. This duty had been performed in an eminently satisfactory manner by Mr. Wynne, who had always been courteous to honorable members, and who had greatly assisted in the transaction of business. Honorable members were all under an obligation to him for the services that he had so ably and so kindly rendered.

Sir HENRY CUTHBERT remarked that he indorsed all that had been said by the previous speakers with reference to Mr. Wynne. The position that that gentleman had filled was one that very few honorable members would aspire to, because he had to take the trouble of carefully examining each Bill that came before the House, and of giving his best attention to it, so that he might be enabled to point out any defects that appeared to him to call for amendment. The position might be termed that of the critic of the House. The honorable member had not been leader of the Opposition. In the Legislative Council there were no sides; the House was not divided into parties. Honorable members met simply for the purpose of doing what they considered to be best in the interests of the country, by reviewing the measures that were sent up from another Chamber, or introducing measures which commended themselves to their judgment. To a gentleman like Mr. Wynne, who had so many duties to perform, this position must have been a great tax, but he was sure that he had given satisfaction to the House generally. It was not easy to follow in the footsteps of such a gentleman as Sir Frederick Sargood, who devoted untiring energy, great ability, and experience to the performance of his duties. Mr. Wynne had filled the position which he had taken, not by his own election but by the express desire of the House, with the greatest ability, and he had pleasure in

indorsing the remarks that had already been made on the subject.

The Hon. A. WYNNE stated that it was very pleasing to any one to have so many kind things said about him by his fellow members, and especially by the Solicitor-General. Ever since he had been in the House he had felt that honorable members had made it their endeavour to assist whatever Government was in power. That was a House of Review, and honorable members recognised that it was their duty to criticise the measures that were submitted to them. It could not be a House of Review unless they carefully considered every measure, and did so simply with a desire to conserve the best interests of the country. They never had a member of the House who gave to this position such untiring energy, and who did so for the love of work, as their absent friend, Sir Frederick Sargood. Although the honorable member was not trained in legal lore, he (Mr. Wynne) never met a man who had a better grip of Bills or Acts of Parliament than Sir Frederick Sargood had. It had been surprising to him to see the way in which the honorable member could handle any Bill that was brought before the House. He had untiring energy and a great memory, and he could always tell the House what amendments had been made in any Act of Parliament, and what other amendments had become necessary. Every honorable member must feel, as he did, the loss of Sir Frederick Sargood very greatly. Sir Frederick Sargood was a man he was delighted to follow, because he always gave such sound reasons, and his judgment was always so good. The Ministry of which he was a member always welcomed Sir Frederick Sargood's criticisms, although they did not always agree with them, and he thought it had been the same with all Ministries. He was very pleased that there had never been sides in the House. It would have been a misfortune if the House had been divided into parties. He trusted that next session honorable members would still endeavour to support the Government in all good measures. He thanked honorable members for the kindly way in which they had treated him, and for the generous terms in which they had spoken of the services he had been able to render.

The House adjourned at nine minutes to eleven o'clock, until Tuesday, September 28.

LEGISLATIVE ASSEMBLY.

Thursday, September 23, 1897.

Lilydale to Yarra Junction Railway—Savings Banks Commissioners—Drainage Law—The General Election—Ferntree Gully to Gembrook Railway—Victoria Park State School—Gristing in Bond—Ratepayers' Roll—Public Service Increments—Municipal Accounts—Miner's Right Residence Areas—Mallee Lands—Miners' Railway Tickets—Railway Loan Application Bill (No. 2)—Yarra Park Road Bill—Lilydale to Yarra Junction Railway Construction Bill—Factories and Shops Acts Amendment Bill—Close of the Session.

At half-past three o'clock p.m., the Clerk announced that the SPEAKER was in Sydney, attending the sittings of the Australasian Federal Convention.

The CHAIRMAN OF COMMITTEES (Mr. Mason) took the chair as Deputy Speaker.

LILYDALE TO YARRA JUNCTION RAILWAY.

Mr. CAMERON presented a report from the Railways Standing Committee with reference to the Lilydale to Yarra Junction Railway.

The report was ordered to lie on the table.

SAVINGS BANKS COMMISSIONERS.

Mr. HARRIS asked the Premier whether any of the Savings Banks Commissioners were connected with other monetary institutions as directors; and, if so, would they retire by December next?

Sir GEORGE TURNER.—Several of the commissioners are connected with monetary institutions, but, under the Act we passed last session, they have either to sever their connexion with these other institutions or to retire from the commissionership. I do not know who the gentlemen are, and I have not received any intimation from them as to what course they intend to pursue.

DRAINAGE LAW.

Mr. MURRAY said that he desired to ask the Premier a question with regard to a matter to which he had previously called attention. A conference was held in the Melbourne Town-hall last week to consider the Drainage Bill that had been prepared by the Attorney-General. The Bill met with the general approval of the conference. It dealt with private and not with municipal drainage, and it was hoped that, as there was no opposition to it, it

might, even at this late stage, be introduced and passed. He supposed it was now useless to expect that that would be done. He had not the slightest doubt that the Premier would be re-elected, and that he would have a large body of supporters behind him. He desired to ask the honorable gentleman if he would make the Drainage Bill one of the first measures to be introduced in the first session of the new Parliament? The country was anxiously expecting some legislation dealing with this subject. He might use the words of Mr. Gladstone, and say that the country was not only expectant but suppliant, and he trusted that the Premier would give an answer to his question that would be satisfactory.

Sir GEORGE TURNER.—The Attorney-General consulted me with regard to this Bill. I understood that some amendments had been suggested, and I thought it was too important a Bill to attempt to pass on the last day of the session. It affects the rights of private individuals. The representatives of the municipalities may be perfectly willing to agree to it, but there are private individuals whose interests may be prejudicially affected. It would therefore be unwise to deal with a Bill of that character until full publicity has been given to it, and the parties interested have had an opportunity of placing their views before the House. I might fairly promise the honorable member that on about the 18th or 19th of October I will take steps to introduce the Bill.

THE GENERAL ELECTION

Mr. McBRIDE asked the Minister of Railways whether he would grant free passes to miners working outside the districts in which they resided on polling day, so that they might be enabled to record their votes? He understood that it was the intention of the department to grant free passes to the men who were employed on regrading works, and he thought that the miners had a strong claim to a similar concession.

Mr. H. R. WILLIAMS.—In answer to the honorable member's question, all that I can say is that I will not do anything of the kind.

Dr. MALONEY asked the Premier if he could see his way to proclaim the day of the general election a public holiday. This would, he said, save a good deal of heartburning, and would enable many

persons to record their votes who would otherwise be prevented from doing so.

Sir GEORGE TURNER.—I will take the honorable member's request into consideration, but at the present time I am opposed to it. I think it would be a mistake to declare the day of the general election a public holiday. We have in our own employ a large number of men who are paid by the day, and if we declared polling day a public holiday they would either have to lose a day's pay or we would have to provide the money for them. There are many other persons who are in daily employment, and if they get a holiday they will not get their pay. We will give every facility to the employes of the State to record their votes. It has not hitherto been the practice to proclaim polling day a public holiday, and I think it would be a mistake to do so. I will, however, consult with my colleagues with reference to the matter.

Dr. MALONEY asked the Minister of Railways if he would give each candidate for Parliament a free pass for the district that he wished to contest? He remarked that no member of the Legislative Assembly wished to be returned under any undue advantage over an opponent, and as this Parliament would end in a very short time he saw no reason why every candidate should not have a free pass over the railway lines in the electorate he was contesting. The Minister of Railways might himself have an opponent, and he would surely not like to have any undue advantage over him in contesting the electorate.

Mr. H. R. WILLIAMS.—I do not know whether it would be wise to do anything of the kind, but I think the sitting member might take into consideration whether he will present each of his opponents with a free railway pass.

Dr. MALONEY.—I will be perfectly willing if the Government will run a railway to my district.

Mr. H. R. WILLIAMS.—From the railway point of view, I politely decline to do what the honorable member asks.

FERNTREE GULLY TO GEMBROOK RAILWAY.

Mr. LONGMORE asked the Minister of Railways if he would take steps to have the Ferntree Gully to Gembrook narrow-gauge line brought before the House? He said that the survey of this line had been completed, and there was no objection to it.

If it could be sanctioned and proceeded with now, it would confer a great benefit on the district to be served, and would also provide work for the unemployed which was much needed.

Mr. H. R. WILLIAMS.—The honorable member should know that I am not in a position to do anything with regard to this line, because we cannot at present refer it to the Railways Standing Committee. A line has already been referred to the Railways Standing Committee, and they have reported that they have not had time to consider it. That blocks the reference of any other line to the committee.

VICTORIA-PARK STATE SCHOOL.

Mr. WILKINS asked the Minister of Public Instruction what action he intended to take with regard to the re-erection of the Victoria-park Stateschool that had recently been destroyed by fire? A number of children were now not attending school at all. More than one-half of the street had been fenced off by the department, and there were loud complaints about the condition in which the school was being left.

Mr. PEACOCK.—I find, on consulting the officers of the Public Works department, that the building referred to is in such a state that it cannot be renovated at all. We shall have to erect a new school, and I have given orders that that shall be done without delay.

GRISTING IN BOND.

Mr. GRAHAM said that when the House last met he asked the Minister of Customs at what date the practice of gristing in bond was introduced in the colony, and the honorable gentleman then requested him to repeat the question at the next sitting of the House. He would be glad if the honorable gentleman would now supply the information. He also desired to know under what condition flour was imported into the colony and manipulated? Was the flour dealt with in bond and under Customs lockers?

Mr. BEST.—Gristing in bond, or what may be more correctly described as the manufacturing of flour into biscuits in bond, was first permitted in 1872. In 1876 more formal regulations were prepared, and the practice has been carried on without interruption since that time. With regard to the honorable member's second question, I would say that the flour that

is imported is manufactured into biscuits that are used solely for the export trade. This is done under the very same system as is adopted in connexion with the gristing of oats in bond, and the authority for it is contained in the Customs Act. Some misleading figures have been circulated in regard to this question. The figures were prepared on a misunderstanding altogether, and I will now give the honorable member the correct returns. The quantity of flour imported from 1st January to 11th September, 1897, in 200, 100, and 50 lb. bags was 27,051 bags, or 2,683,820 lbs. From this flour the following articles were manufactured:—Plain biscuits, 743 tons; flour biscuits, 262 tons; sweet biscuits, 253 tons; cakes, 184 tons; puddings, 233 tons. There was a loss in the manufacture of plain biscuits of 38 tons, and the quantity of flour in bond on the 11th of September, 1897, was 63 tons. These figures added together show that our importation of flour for the manufacture of biscuits for export purposes amounted to 1,342 tons, but the export itself, adding the items I have referred to, comes to 1,776 tons, the difference being accounted for by the raisins, currants, and other ingredients put into the several articles I have referred to.

Mr. GRAHAM.—These articles are exported as being manufactured from Victorian flour, whereas they are manufactured from Californian flour.

Mr. BEST.—They are exported in the form I have already described.

RATEPAYERS' ROLL.

Dr. MALONEY asked the Chief Secretary what was the shortest time of residence necessary to qualify for the parliamentary franchise on the ratepayers' roll of the city of Melbourne? He said he asked this question because it was very difficult to find the residences of some of the voters.

Mr. PEACOCK.—To entitle a citizen to be enrolled on the municipal roll for the city of Melbourne on account of occupancy he must have been an occupier of property for six months. To entitle a citizen to be enrolled on account of ownership he must have been owner some time prior to the preparation of the list in September. No special period for ownership is prescribed. Citizens enrolled on the municipal roll are entitled, without further qualification, to be entered on the parliamentary ratepayers' list, which, after revision, becomes the parliamentary roll.

PUBLIC SERVICE INCREMENTS.

Mr. LANGDON (in the absence of Mr. MURRAY SMITH) asked the Premier, seeing that the Public Service Act 1890 required only, with reference to long-service increments, a recommendation from the permanent head of the department and the certificate of the Public Service Board, whether these increments would not now be paid to the officers legally entitled to them under provisions made in the 2nd schedule of the Public Service Act 1890?

Sir GEORGE TURNER.—I am not in a position to give a definite reply to this question. For some years these increments have not been paid, the necessary certificates not having been given. Somewhat to my surprise, I learnt from this question that the certificates had been given. I had the papers handed to me to look through before I went to Sydney, but I could not find sufficient time to go into the matter fully. However, as soon as I get time, I will look into the matter under the altered circumstances.

Mr. T. SMITH asked the Premier would the Government pay the long-service increments to the officers in the service who had been recommended to receive them, in accordance with the provisions of the Public Service Act, by the heads of the department and the Public Service Board?

Sir GEORGE TURNER.—I have already said, in answer to a somewhat similar question, that there are altered circumstances in connexion with this matter which I was not aware of until I saw the question of the honorable member for Hawthorn on the paper. I had the papers to investigate the matter before I went to Sydney, but I had not time to go into it. As soon as I get an opportunity, however, I will look into the matter and deal with it under the altered circumstances.

MUNICIPAL ACCOUNTS.

Mr. GRAY asked the Minister of Public Works if he had any objection to state—

"1. The number of reports received from each inspector of municipal accounts for year ending 30th June, 1897?

"2. The time occupied on each report and the expense incurred in connexion therewith?

"3. The total cost of each inspector since appointment, including salary, railway fare, and other expenses to 30th June?"

Mr. BEST.—In the absence of my honorable colleague, the Minister of Public Works, I beg to state that the

departmental replies to the honorable member's questions are as follows:—

"1. The reports furnished by the inspectors of municipal accounts for the year ended 30th June, 1897, numbered 131 and 124 respectively, with 22 and 27 attendances respectively at the department on special business.

"2. The cost of inspection is by the Act 1243 made a charge upon the municipal endowment, and it is not practicable to make any equitable calculation of the cost to each municipality.

"3. The average annual cost of each inspector, inclusive of salary, travelling allowance, yearly railway ticket, and sundry transit expenses, is £483."

RESIDENCE AREAS.

Mr. LAZARUS asked the Premier, in the absence of the Attorney-General, if it was a fact that the Crown Solicitor had given his opinion that a transferee of a miner's right residence area must be in personal occupation for two and a half years before he was entitled to purchase the holding, notwithstanding that the person from whom he purchased might have already resided the statutory period on the land? He said that for many years past it had been the custom to allow the transferee to purchase such a holding by virtue of having a miner's right, but he was given to understand that an alteration had been made. If the Premier could not give him an answer to the question now, he would be glad if the right honorable gentleman would look the matter up and write to him on the subject.

Sir GEORGE TURNER.—It will be impossible for me to give an answer to this question without having the ordinary notice. However, if an opinion has been given by the Crown Solicitor, and it is not a confidential departmental opinion, I will ask the Solicitor-General or the Attorney-General to furnish the honorable member with the fullest information possible on the subject, in order that he may make it public.

MALLEE LANDS.

Mr. LANGDON asked the Minister of Lands the following questions:—

"1. Is it a fact that 700 applications have been made for the 120 allotments of mallee land lately resumed by the Government from Messrs. Kersell and Adams?

"2. If so, has he ascertained whether the applicants for this land are of an eligible character to settle in the mallee country; and, if so, what action, if any, does he intend taking to secure the settlement of the balance of these people on the lands of the colony?

"3. Does he not consider, in the interests of the people, a more *bond fide* settlement of the mallee country will take place under the above system than by granting permission to private individuals to subdivide and dispose of Crown lands as now allowed?"

Mr. BEST.—I am very happy to report, in answer to the honorable member's first question, that there have been some 877 applications for the particular area which I had the pleasure to resume. In reply to question No. 2, I may say that the steps I am taking are these: I have appointed a special board. It will be the duty of that board to go through the applications of those 877 people, and to examine each applicant. The board will then pick out the applicants whom they regard as eligible men, and a ballot of those eligible men will then take place. That is to say, the ineligible men will be thrown out, and a ballot will be taken as regards the balance. In answer to the third question, I can assure the honorable member that I am only too anxious to resume land where I get an opportunity of doing so upon reasonable terms. We have many offers to permit the Government to resume, but the terms which the lessees seek are somewhat in excess of those which we in the department regard as fair and reasonable. As far as the resumptions have gone, they have been satisfactory, and if I can manage to secure land on something like similar terms, it will always be my anxiety to do so, as I very much prefer that class of settlement to settlement by private individuals.

MINERS' RAILWAY TICKETS.

Mr. McBRIDE asked the Minister of Railways if he would inform the House of the result of his conference with the Premier in reference to the extension of the distance for which miners' tickets were issued?

Mr. H. R. WILLIAMS.—As I promised to bring this matter before my colleagues, I did so, and I caused the following reply to be forwarded to Mr. John Praed, secretary of the Amalgamated Miners' Association —

"Melbourne, 3rd September, 1897.

"Sir,—Referring to your frequent representations on the subject of the limitation of distance for railway travelling on miners' tickets, I am directed by the Hon. the Minister of Railways to inform you that he has again talked the matter over with his colleagues, and made further representations to the Commissioner of Railways; but as there is so little in it, the Commissioner of Railways declines to make the alteration."

DIVORCE.

Sir GEORGE TURNER, in compliance with an order of the House (dated August 17), presented a return relative to divorce suits instituted since the passing of the Divorce Law Amendment Act 1889.

**RAILWAY LOAN APPLICATION
BILL (No. 2).**

Mr. H. R. WILLIAMS moved for leave to introduce a Bill to authorize the expenditure of certain sums of money available under Loan Acts for railway purposes.

Sir GEORGE TURNER seconded the motion, which was agreed to.

The Bill was then brought in, and read a first time.

Sir GEORGE TURNER moved the second reading of the Bill. He said this measure was similar to the one which the Assembly passed a few weeks ago for the purpose of expending certain moneys out of the loan for railway purposes, but this Bill omitted one item which was contained in the previous measure—the item of £60,000 in connexion with certain work at the Flinders-street station. The other measure was sent to another place, where it was somewhat fully discussed, and from the reports of the discussion it appeared probable that that Bill might be ruled out of order in consequence of certain objections which were taken in regard to whether that particular item of £60,000 should have been referred to the Railways Standing Committee for inquiry and report before the Bill was brought into this Chamber. While he felt that that contention was not correct, it might be that the other Bill would be ruled out of order (although it might be that the Bill would not be ruled out of order in another place), because it contained the item in question. Now, he did not desire, at this very late period of the session, to have even the semblance of a dispute with another place, nor did he desire to be left in the position during the next few months of not being able to go on with various works whereby the Government might give employment and carry out necessary undertakings. At the same time, he did not want to be put in the other position of having to go on with those works without legislative authority. Under these circumstances, and still retaining all the rights and privileges of this Chamber in connexion with the matter, he desired to follow out a practice similar to the one which was followed in connexion with the Mines Acts Amendment Bill, and

to introduce and pass this Bill, understanding, as he did, that that course would not be offensive to another place. It was a course which he thought the Government were fully justified in taking. They were bound to get this authority to enable them to expend the money, and whatever strong opinions they might hold in regard to the rights of another place in the mode they proceeded to deal with the Bill, they did not want now to have that difficulty raised, so that, under the circumstances, he might fairly ask for the unanimous support of the House to this Bill.

Mr. BROMLEY observed that he very much regretted that the Premier should have decided to strike out the item of £60,000 for the construction of the Flinders-street station, though it was done at the dictation of another place. It was specially necessary that that money should be expended at the present juncture. The station in question was one of the worst in the Southern Hemisphere. (Mr. Sangster—"One of the worst in the world.") The accommodation afforded by it was of the very worst possible character. During rainy weather it was in an impassable state. Passengers in bad weather could leave the streets with their garments in good condition, but after passing along the platform to reach the trains they were in a very unclean state, and that was a disgraceful state of things to allow. The opposition to the expenditure in question had not been on the technical point that the matter ought to be referred to the Railways Standing Committee; the opposition had been on the part of country representatives in another place to the expenditure of this amount of money in the city of Melbourne. The Premier ought to have adhered to the item, because it was one which ought not to be remitted to the Railways Standing Committee at all. The committee had no doubt done excellent work, but it was appointed by Parliament to consider as to the desirability or otherwise of constructing railway lines in certain districts when such lines were remitted to them, and it was not appointed to deal with purely technical work like that of the alteration of a railway station. Work of that character ought only to be reported upon by experts. (Mr. Burton—"The Railways Standing Committee do not desire to have the matter remitted to them.") He was glad to hear that the committee put such a sensible

interpretation upon their duties. He did not think that they ought to be called upon to judge in a matter of this character. He could not hope that the Premier would now include in the Bill the item of £60,000, but he (Mr. Bromley) must express his deep regret that the right honorable gentleman had thought fit to strike it out. He believed that if a determined attitude had been assumed by the Assembly another place would have agreed to the item.

Sir GEORGE TURNER.—If I had adhered to the item the Bill would not have come back to us. If another place had rejected the Bill, as it probably would have done, I could not have introduced this measure at all.

Mr. BROMLEY said that it was necessary to find work for the unemployed, and especially for skilled artisans. He believed that the Premier was sincere in his desire to find work for the unemployed, but it must be borne in mind that there were many men who could not do pick and shovel work on the railways, and to whom work in the construction of a railway station was especially necessary. He again expressed his regret that this particular item had been struck out, not on the technical point as to the necessity of referring the matter to the Railways Standing Committee, but because undue pressure had been brought to bear by country members in another place against this proposed expenditure in the city of Melbourne.

Mr. STAUGHTON stated that nearly £90,000 of the money to be voted under the Bill would be expended in Melbourne, the remaining £116,000 being for the purchase of heavy rails. Thus, leaving out the cost of the rails, about 90 per cent. of the money to be spent would be expended in Melbourne. The honorable member for Carlton attributed the withdrawal of the item of £60,000 to the action of the country members. (Mr. Bromley "I said country members in another place.") Melbourne would get the greater portion of the money, and it was all to be spent on labour. The money to be spent under the Bill during the six months which would elapse before the Premier could again submit a proposal for the erection of the Flinders-street station was a very substantial amount.

Dr. MALONEY remarked that the honorable member for Bourke West had said that 90 per cent. of the money provided

for by the Bill was to be spent in Melbourne. 90 per cent. of the amount would be £180,000, and certainly that sum was not going to be spent in Melbourne. (Mr. Staughton—"I said leaving out the cost of the rails.") If the honorable member for Bourke West admitted that he was wrong that was sufficient. When the corridor cars were being constructed he trusted that the Minister of Railways would see the necessity of providing the 2nd class carriages with lavatories. At the present time the 2nd class carriages which went to Adelaide and Sydney were a disgrace to civilization. Even the 3rd class carriages in trains which went long journeys in the old country were provided with these conveniences. (Mr. Bromley—"Have not our 2nd class carriages got them?") The 2nd class carriages which ran to Adelaide and Sydney had not, and it was a disgrace to the colony. (Sir George Turner—"I quite agree with the honorable member.") He was glad he had elicited that opinion. (Mr. H. R. Williams—"The new carriages will have lavatories.") He fully indorsed the remarks of the honorable member for Carlton, and he regretted that the honorable member for Essendon was not present to add the weight of his words to the condemnation of the elimination of the item of £60,000. He (Dr. Maloney) did not see any chance of the item being included in the Bill, but he trusted that when the Premier had been returned to Parliament with a big majority, he would see the necessity of making the Flinders-street station equal to some of the stations which he had seen in the old country.

Sir JOHN MCINTYRE said that he desired to congratulate the Government upon having omitted the item of £60,000. He did not see any objection to the present proposal of the Government except that they made no provision for the district of Maldon. He would ask his friends on the opposition side of the House to accept the Bill and to deal with the business of the House as rapidly as possible.

Mr. GRAY stated that he regretted the Government had found it necessary to omit the item for the Flinders-street station. He would urge upon the Government, when they returned to the House with the big majority which honorable members on the Ministerial side of the chamber hoped they would have, to bring in a special Bill for the construction of that station.

Mr. J. ANDERSON observed that he thought the explanation of the Premier ought to be accepted by the House. Although the Flinders-street station had been very much neglected no money ought to be spent on it until the exact position was understood. Parliament had not yet decided whether the northern suburbs traffic was going to be accommodated at that station or not. (Mr. Bromley—"It has.") Parliament had not decided that. There had been too much experimental expenditure on railway stations, with the result that some things which had been done had had to be undone. He understood that when the Flinders-street station was built it was to be in a form which would last for generations. The present generation ought therefore to know the exact position they were in before they speculated in accommodation for the advantage of future generations. It was quite right that the item for the Flinders-street station should be omitted until it was well known what would be the plans for the future. He visited the mallee district in order to acquire information in regard to mallee legislation, and he found that, when travelling in the country, the inland stations, such as those at Ballarat and Maryborough, were palatial, while the Spencer-street station was almost a disgrace to civilization. Yet country members were continually harping on the undue expenditure which took place in Melbourne. The Spencer-street station was a mass of rottenness and filth. Though it was a great terminus it gave no accommodation for the public. The condition of Melbourne in this matter, as compared with the country, was a standing disgrace to past Members of Parliament who represented the great metropolis. He quite agreed with the Premier that the present was not the time to raise any conflict with another place, and that not 1s. should be spent on the Flinders-street station until the action of Parliament showed what traffic it was likely to have and what accommodation it would be probably necessary to provide. It must be remembered that whatever money was spent on that station now not another foot of platform accommodation for the public would be gained. It would be better to postpone the construction of that station until it could be made a building worthy of Victoria, and fit to bear comparison with English stations.

Mr. RAWSON remarked that he was glad that, from whatever cause, the Premier had thought fit to omit the item for the Flinders-street station from the Bill. There were many members of the Assembly, as well as of another place, who objected to the expenditure of £60,000, or £200,000 as was at first proposed, on this station. If ever there was a period in the history of the country in which it was necessary to practise economy in the management of the railways in every direction the present was the time. As it had been made clear that it was necessary to develop the resources of the country in every possible way, and to help the farmers in new settlements by giving them railway accommodation, all the money available should be spent in that direction. He certainly would oppose any expenditure of this kind until the position of the country and of the Railway department was very different from what it was at the present time.

The motion was agreed to.

The Bill was then read a second time, and passed through its remaining stages.

YARRA PARK ROAD BILL.

Mr. BEST moved the second reading of this Bill. He said that he had to make an apology to the House with regard to the Bill in this respect: That the measure was one that had to be mutually agreed upon in terms by two corporations—that was to say, the Melbourne City Council and the Board of Land and Works—and it was only within the last quarter of an hour that they had actually come to an agreement. The result of this was that they had only three or four copies of the Bill. He would, however, read the clauses to the House if honorable members desired, although he could inform them that it was in such a form as to be quite unobjectionable to any one.

Mr. MADDEN.—We will take it as read.

Mr. MURRAY.—Does not the name of Ranjitsinjhi appear in the Bill?

Mr. BEST said that that name did not appear in the Bill, at the present time at any rate. The measure provided that the land, which had been granted for recreation purposes, was vested in the City of Melbourne Corporation and the Board of Land and Works; that it had been agreed that a roadway should be constructed to the cricket-ground; and that the trustees should be indemnified if they constructed or permitted the construction

of this particular road to the cricket-ground. A further clause provided that the road should at all times be kept open for vehicular traffic except at such periods as the trustees should be of opinion that it ought to be closed. These were the terms of the Bill, and in moving its second reading he had pleasure in stating that he was gratified that they were at length able to come to some agreement in regard to the construction of the road.

Mr. CARTER stated that he wished to say, on behalf of the Melbourne Corporation, that they had assented to the Bill, and concurred that it should be passed.

The motion was agreed to.

The Bill was then read a second time, and committed.

On clause 1,

Mr. BEAZLEY said that as the Bill had not been circulated, and honorable members did not know what the particular clauses referred to, he desired to know whether there was any provision in the measure for the widening of the road through Jolimont?

Mr. BEST stated that the Bill contained nothing of the kind.

The Bill, having been gone through, was reported without amendment.

On the motion of Mr. BEST, the Bill was then read a third time.

FACTORIES AND SHOPS ACTS AMENDMENT BILL.

This Bill was returned from the Legislative Council, with a message intimating that they had agreed to the same with amendments.

The amendments were ordered to be taken into consideration on the same day.

LILYDALE TO YARRA JUNCTION RAILWAY CONSTRUCTION BILL.

The amendments made by the Legislative Council in this Bill were taken into further consideration.

Sir GEORGE TURNER.—Mr. Speaker, honorable members will recollect, with regard to this Bill, that when it left this Chamber it provided for the construction of a narrow-gauge line of railway not to cost more than £2,000 per mile. The Bill has been altered in another place, making the proposal one for the construction of a broad-gauge line, with a somewhat different starting place, and leaving the cost per mile blank. When the amendments came before us, I considered that there were two difficulties with regard to them. There

was, first of all, the question of the constitutional right of another place to make an alteration from a narrow gauge to a broad gauge, which admittedly increased the cost of construction; and, secondly, whether that alteration could be made in view of the provision of the Standing Committee on Railways Act. We then, in order to get out of the difficulty, remitted the Bill back to the Standing Committee, so that they might consider and report upon the question of broad gauge or narrow gauge. The report of the committee has been presented to us to-day. The committee appear to have gone very fully into this matter. They say that they have, in addition to the departmental estimates with regard to a 2-ft. narrow-gauge line, obtained estimates for a broad-gauge line from Lilydale, *via* Wandin, along the route surveyed for the narrow gauge, the curves being altered from 2 chains to 8 chains. These estimates are for 3rd class broad-gauge railways, with second-hand 60-lb. iron rails. The 2-ft. gauge line, according to the estimates of the Railway department, was to cost £2,565 per mile, but the committee limited the expenditure to £2,000 per mile. The loss shown on the departmental estimate is £989 per annum, but the committee say that could be reduced to £594 per annum, and add that this estimate is based upon local rates, but that if special rates were adopted there would probably be no loss at all. Now, the broad-gauge railway, following the route proposed for the narrow-gauge line, is, according to this report, to cost £3,198 per mile, or nearly £1,200 per mile more than we fixed in our Bill for the narrow-gauge line.

Mr. OUTTRIM.—Their previous report was £8,000 per mile.

Sir GEORGE TURNER.—I may mention that these rates are for what are called "3rd class" lines. The committee say—"These estimates are for 3rd class broad-gauge railways with second-hand 60-lb. iron rails." I do not know whether that will make a difference, but we have to deal with the facts as we have them before us. This broad-gauge railway, following the route of the narrow-gauge line, would cost £1,200 per mile more than the narrow-gauge line, and would leave an annual deficiency of £1,659. Then the other route proposed, for a broad-gauge railway branching off the main line between Lilydale and Coldstream, would cost £3,072 per mile, that is, more than £1,000

per mile over the limit we fixed, and would involve a loss of £1,328 per annum. The ninth paragraph in the committee's report is very important. They say—

“It is not, of course, intended that this line should stop at Yarra Junction; it must, when the prospects warrant, be extended through Warburton to the district beyond. Reference has been made to an extension to Wood's Point, which is about 60 miles from Yarra Junction. Such an extension, if it were decided on, would traverse very hilly and difficult country, and this fact must not be lost sight of in fixing the gauge for the section to Yarra Junction.”

I am not aware that this matter was very fully considered by another place when they took evidence with regard to whether this should be a broad-gauge or a narrow-gauge line. Supposing if it were not considered and dealt with—if they had gone into that matter it might have altered their views with regard to what ought to be done. The committee say—

“After considering the further question remitted to it, the committee has decided to adhere to its former recommendation, viz. :—That the committee approves of the construction of a 2-ft. narrow-gauge line from Lilydale to Yarra Junction, at a cost not exceeding £2,000 per mile, exclusive of the cost of engines and rolling-stock.”

So that we have now arrived at a position of dead-lock. It is evident from the discussion which has taken place in another Chamber, and so far as I have been able to ascertain, that there is no probability of their altering their views with regard to the question of broad or narrow gauge. It is an important question. It is not as if we were constructing a new line. Here we are carrying on a branch from an existing line, which is a broad-gauge line. And then, on the other hand, there is a larger question to be kept in mind—that ultimately this line may have to be extended a very long distance, and if we once start with a broad gauge we will in all probability have to continue it, whereas if we start with a narrow gauge, we shall of course continue the narrow-gauge line, when we think it necessary to do so. Under all the circumstances, I have come to the conclusion that it is a matter which we at the present time are not able finally and satisfactorily to settle. Looking at it from this point of view, and considering what might arise in connexion with this matter, I think the wiser course is to allow it to remain in abeyance until it can be further considered. We cannot fully consider it at this stage of the session, but as we shall be here again in four weeks' time, the

Government will then take care that this question is in some form for the consideration of the Railways Standing Committee. Under all the circumstances of the case, and remembering also that the Standing Committee will then have more time at their disposal to give to the matter, I think the wiser course will be simply to postpone the further discussion of the question now, and then at the beginning of next session we shall be in a better position to refer the matter to the Standing Committee, and be able to deal with it in a more satisfactory way than we could do at the present time. I feel that there is no hope of obtaining what we want, and with all the facts before us it would be difficult to induce this House to abandon the position they have taken up with regard to the construction of a narrow-gauge line.

Mr. CARTER.—Could we settle it by the referendum?

Sir GEORGE TURNER.—I think that if we referred the matter to my honorable friend for his consideration, it might keep him out of mischief for the next few weeks. The department in the meantime will have an opportunity of getting an official report with regard to this proposed extension. I have come to the conclusion, as I have said before, that we cannot satisfactorily deal with the matter now, and that it is far better to allow it to remain in abeyance. With this object, I now beg to move that the order of the day for the further consideration of the Council's amendments in this Bill be postponed until Tuesday next.

Mr. CAMERON.—Sir, I desire to thank the Premier for the very pleasant way in which he has placed this question before the House. It could not have been put in a fairer manner. The Premier has explained the views of the committee as expressed in their report most admirably, and I am not going to read any more from the document. This question has been discussed on more than one occasion on the floor of this House, and the principle of the Bill as it left this Chamber has been carried by a large majority. I thought that the Premier would see his way clear to ask the other House to withdraw from the stand they took up with regard to the narrow gauge. I hoped that for this reason—Some six or seven years ago, in 1890, the estimate of the Railway department for a broad-gauge line in this district was £13,833 per mile. Subsequently, when they were asked by the then

Minister to give another estimate, they gave one at £8,106 per mile. Then when the Railways Standing Committee came into existence they were asked to say whether in their opinion it was desirable to have a broad-gauge line at all. They came to the conclusion that it was desirable, but that in sparsely-populated districts the lines constructed should be of a cheaper kind. Then this House asked the committee to select several districts in which it was desirable to construct narrow-gauge railways, and the committee selected this as the first of three districts. The House adopted that suggestion, and the committee were asked subsequently to inquire into the case and to say whether they still approved of a narrow-gauge line being constructed from Lilydale to Yarra Junction. The committee decided that it is desirable, and they gave their opinion not a month ago in a report submitted to this House. In that report they said that they considered that a narrow-gauge line should be constructed at a cost of £2,000 per mile. Although they are not experts, they are perhaps in as good a position as other people to judge evidence, and they had ample evidence that in other countries railways could be constructed on the narrow gauge for one-fifth of the cost of the broad gauge. As far as my view is concerned, I believe that if the Railways Standing Committee had been told in the first instance that a broad-gauge line could be constructed for £3,000 a mile, probably they would have adopted a broad gauge, but that evidence was not before the committee. Now, I wish to point out that it is through the perseverance of the various Railways Standing Committees, and especially of the present one, that the engineers of the Railway department have reduced their estimates of the cost of railway construction, step by step, until they have come down from £13,000, £14,000, and even £15,000 a mile to £3,000 a mile. They classify the railways under the different estimates. They state that this line, at £3,000 per mile, would be a 3rd class line. We do not exactly know what stability it would have, but if it would answer the purpose we should be satisfied. We reported to this House on more than one occasion that it was desirable to have a narrow-gauge line constructed in this locality, but we had never heard before that a broad gauge could be built for £3,000 a mile. Hence

Mr. Cameron.

the difficulty the committee have had with the department on more matters than this. Although I am very sorry that this line is to be dropped for the present, I trust that whoever returns as leader of this House—I know the Premier will—will earnestly say that justice shall be done to this district, which is deserving of a line of railway, I will not say at any cost, but at a moderate cost.

Sir GEORGE TURNER.—In my opinion, under the circumstances, this ought to be the first line referred to the new committee.

Mr. CAMERON.—Hear, hear. Although I feel greatly disappointed that this line should be shelved, because the people of the district have looked to Parliament and looked to me for a line of railway for many years past, I am not blaming the Government or the Premier. I am sure that the Premier has done all that lies in his power just now, and I reluctantly submit to the decision of the Government.

Mr. LONGMORE.—Sir, I would almost hope that the Premier would not persevere with the motion, because the district that was to be served by this line has been expecting a railway for such a length of time. Now, just as they thought it was within their grasp, they are blocked, I am afraid, by another place, under instructions from a gentleman who has opposed the narrow-gauge system from its inception. The department did not attempt to bring evidence that a narrow-gauge line in this district would pay very much better than a wide-gauge railway, although everybody knows that it will. They did not bring evidence to prove that a narrow-gauge line can be built for about one-half of what it would cost to construct a broad-gauge line, although in that district it can. The present engineer started with estimates of £13,000 a mile and upwards, but under the pressure of the committee he brought down his estimate to £8,000 per mile.

Mr. H. R. WILLIAMS.—Those estimates were not Mr. Rennick's estimates.

Mr. LONGMORE.—They were the estimates of the department.

Mr. H. R. WILLIAMS.—Of Mr. Rennick's predecessors.

Mr. LONGMORE.—Mr. Rennick made an estimate of £8,000 per mile.

Mr. H. R. WILLIAMS.—No, not Mr. Rennick.

Mr. LONGMORE.—That estimate of the department was brought down under

pressure of the Railways Standing Committee to the amount which has been mentioned as the probable cost of this line. There is, perhaps, not the quantity of goods and passenger traffic to be expected from this district that would justify the construction of a broad-gauge railway for many years. That fact ought to be taken into consideration. Moreover, a narrow-gauge line, say, a 2-ft. line with a 2 chains radius in the sharpest curve, could be built for half the money it would cost to construct a broad-gauge line. In the early days we paid £42,000 per mile for the construction of a railway line to Bendigo, although the Queensland Government were building a 3ft. 6in. gauge through very much worse country for £14,000 per mile at the same time, and a narrow-gauge line could be built for very much less than that in proportion. I think it is hardly treating the Railways Standing Committee right to remit this question back to them. The committee have used every effort to ascertain the whole circumstances of the case, and we know that the engineering branch of the Railway department has opposed the committee at every point. The engineers have tried to make lines as expensive as they possibly could, because such lines reflect credit on them as builders. But we want a line built that will suit the country to be served—a line that will carry all the goods and passengers at the smallest possible cost, and that will pay interest on the cost of construction and working expenses. It is not creditable to this House that the people settled in a district within 25 miles of Melbourne have the greatest difficulty in getting into the metropolis. There is another point of view. That district is rough country, and several creeks and gullies come in from one side. Narrow-gauge railways could be constructed along those gullies to join this line, with great advantage to the settlers. The traffic along those lines could be brought over this railway and transhipped to the broad gauge at Lilydale. The cost of transshipment would not be more than about 3d. per ton. It might be better to have a 5ft. 3in. gauge railway for the people to be served by the first 6 or 7 miles of this line, but if we take into consideration that this railway has to be carried right through the mountains to Wood's Point, over a route where a 5ft. 3in. gauge could not be built at all, the suggestion that 6 or 7 miles

of the beginning of this line should be built on the broad-gauge system ought not to be entertained for a moment. I am sorry that the Premier intends to pass over this railway, because everything is ready for putting the work in hand. Railway communication is badly needed by the people of the district, and there is a great want of employment amongst the labouring classes of the colony at the present time. It is a part of the country that ought to have railway accommodation, because it is covered with orchards and vineyards. If the members of another place knew that this line was intended to be carried to Wood's Point I am sure they would waive their desire for a broad-gauge line and agree to the recommendation of the Railways Standing Committee. Under the circumstances, I ask the Premier, would it not be better to send the line back to the Council and give them another opportunity of reconsidering their decision?

MR. T. SMITH.—When would they do it?

MR. LONGMORE.—They could do it within the next hour.

MR. T. SMITH.—But they will not.

MR. LONGMORE.—It is their duty to do it, and it is our duty to give them another chance, seeing that it is probable that the idea that this line is only the beginning of a narrow-gauge line into a mountainous district was not put before them when they were considering the Bill.

MR. H. R. WILLIAMS.—Sir, I wish to remove from the mind of the honorable member for Dandenong the impression that he seems to have that Mr. Rennick is responsible for the very high estimates he alluded to. Mr. Rennick takes credit for being the first engineer in the Victorian Railway department to bring down the cost of the broad-gauge lines enormously. And there is not the slightest doubt he has done that. It is therefore necessary that I should make this explanation, because there seems to be an impression that the estimates which have been compared with Mr. Rennick's estimates of to-day were estimates prepared by Mr. Rennick years ago. That is not so, because the estimates of years ago were not Mr. Rennick's estimates.

MR. LONGMORE.—He has opposed the narrow-gauge system throughout.

MR. H. R. WILLIAMS.—He is known to be theoretically opposed to the break of gauge. Every honorable member knows that, but when I read paragraph 9 of the committee's report I said to the

Premier that that is in itself sufficient to justify the postponement of the construction of this line, because if this railway can be constructed to Wood's Point, which is its ultimate destination, at a cost of £3,000 or £3,100 per mile, I am sure that the committee will agree with me that there is no justification whatever for breaking the gauge of this line. Narrow-gauge lines are advocated because they are supposed to cost very much less than the broad-gauge lines. If the Premier's proposal is agreed to, I will inspect the country beyond Yarra Junction, get an estimate of the cost of constructing the line, and then refer the whole question to the Railways Standing Committee.

The motion was agreed to.

FACTORIES AND SHOPS ACTS AMENDMENT BILL.

The amendments made by the Legislative Council in this Bill were taken into consideration.

Mr. PEACOCK said that about a fortnight ago this Bill was passed by the Legislative Assembly and sent to another place. It dealt with a difficulty which had arisen. Shortly stated, it was this: The boards appointed to deal with certain trades met and fixed the rates to be paid to male and female operatives. They were under the impression, and it was also the impression of Parliament, that they had the power to do this. It was, however, found, on consultation with the Crown Law department, that the principal Act did not give them power to differentiate the rates of payment. The boards went on with their work as if they had this power, and, in some cases, the determinations to which they came had been gazetted. The Bill was intended to validate what had already been done by the boards, and to give the power to which he had referred to them. The desire of Parliament was that the minimum rate of wage should be such as would enable the operatives to live, so that they might not be sweated as they had been in the past. Every one recognised that the same rates should not be paid to the female operatives as to the male operatives. There was the danger that if the boards fixed a rate that would be applicable to the male operatives, the female operatives would be thrown out of employment. On the other hand, if they fixed a rate that would be applicable to the female operatives, the wages paid to the male

operatives might be reduced. This Bill, as it was passed by the House, legalized what had already been done by the boards. The determination arrived at by the Clothing Board was published at about that time, and certain of the master tailors felt that the rates of pay as fixed would unduly press upon their trade. They objected particularly to one item, for which the rate was raised from 10d. to 11d. Another place referred the Bill to a select committee. That committee met, and the results of their labours were embodied in the amendments that had been made in the Bill. Some of the amendments were merely formal. There were three that were important, and he would explain the scope of them. Amendments numbered 3, 6, and 7 provided for the insertion in clause 3, after "age," of the word "capacity." Section 15 of the original Act provided that the board should take into consideration the mode and the manner in which the work was to be done. The impression Parliament had was that that would cover the question of the sex and the age of the workers. This was not so, and in the amending Bill it was proposed to insert the words "the age and the sex of the workers." To this another place had added "capacity." He intended to ask the House to disagree with this amendment. He had seen the chairman and another member of the select committee that was appointed by the Legislative Council, and he had shown to them that the effect of this amendment would be to re-open the whole question of the work of the boards. That was not the desire of the committee. Therefore, as it would involve everything that had been done and all the work of the boards being cast aside and compelling them to start again, and would consequently involve delay, which was not the intention of any one, he proposed to ask the House to disagree with the amendment. Then the other amendments were in the form of the new clauses which the Legislative Council proposed. These were new clauses A and B. With regard to new clause A, if honorable members read it they would see that the effect of it, if it were incorporated in the statute-book, would be to place a tremendous power in the hands of the Chief Secretary as adviser of the Governor in Council for the time being. It was a power that he would not like to have thrust upon him. What Parliament endeavoured to do

in this experimental legislation was this. In these trades the remuneration, as every one admitted and as the figures showed, was altogether too low, and Parliament in its wisdom decided that there should be a board, constituted from the employers and employes, who should meet together to fix a log of prices after hearing the evidence. The members of the board being persons intimately acquainted with the trades, they could fix upon a determination of the price to be paid for the manufacture of the particular articles concerned. According to the law as passed by Parliament, the determination of the board was to be sent to the Chief Secretary, who had to gazette it, and the rates thus fixed had to be paid in factories and to persons taking work home. But if this amendment were accepted it would place the Chief Secretary, as the adviser of the Governor in Council, in this position—that he would have power under the proposed new clause A to suspend from time to time for a period not exceeding six months, and when that period of six months had elapsed, to suspend again, the determination of the board; or, in other words, the Chief Secretary might be in the position that after the determination of the board had been placed in his hands one side or the other would be satisfied with the determination arrived at, representations would be made by the dissatisfied section, and pressure would be brought to bear upon him to suspend the determination of the board. That would be placing the Chief Secretary in the position of being a judge, and he would have to be acquainted with the technicalities of the trade to a degree that it would be impossible for him to be cognisant of those technicalities. He could postpone the determination of the board from time to time and render nugatory the whole of the work which Parliament had done. Then, again, under this amending clause, it was proposed that the Governor in Council, after the Chief Secretary had suspended the determination of the board, should send to the board the protests he received or the views that seemed to him to be correct, so that the board could reconsider the question. After that had been done the amendments made by the board were to be published in the *Government Gazette* by order of the Governor in Council. This was bringing the Governor in Council into the question a second time. In his (Mr. Peacock's)

opinion, it was not right that the Governor in Council should be brought into the consideration of the question at all, because the Chief Secretary, as the adviser of the Governor in Council, was not a person who was competent to judge and decide a matter of this technical character. The provision that the Chief Secretary for the time being might suspend the operation of the determination of the board for a lengthened period was not right. He might explain what had been done with regard to the working of the Act in this respect. When a determination of a board came into the Chief Secretary's department, what he had done was to notify through the press that he had received the board's report. The publication of this information in the press enabled protests to be made to him. He had referred these protests back to the boards, and had asked them to reconsider the question in order to see if the statements made to him had any foundation in them. The result had been that several boards had reconsidered the matters brought before them, and they, being experts, had been fully competent to arrive at a satisfactory determination. Before he explained what he proposed to ask the House to do, he wished to disabuse the minds of honorable members from any idea that there was an intention on the part of the committee of another place to unfairly interfere with the Act. The gentlemen who constituted the committee, and the chairman particularly, saw him before he went to attend the meeting of the Federal Convention in Sydney, and he was satisfied that they did not desire to thwart the operation of the Factories and Shops Act. What he proposed to do was to ask the House to disagree with the proposed new clause A, or rather to make limitations in it. He proposed to make sub-section (1) read as follows:—

“Notwithstanding anything contained in the Factories and Shops Acts, the Governor in Council may at any time, and from time to time, for such period as he thinks fit, not exceeding six months in the whole, by order published in the *Government Gazette*, suspend the operation of the determination of any special board within the meaning of section 15 of the Factories and Shops Act 1896, whether appointed with or without previous election. When the operation of any determination (whether published in the *Government Gazette* or not) is so suspended it shall be the duty of such special board to forthwith hear, receive, and examine evidence as to such determination, and thereupon such special board may either adhere to the said determination or may make such amendments therein as to such board seems proper.”

Then with regard to sub-section (2), which was as follows :—

“In the event of such special board making any such amendments, such determination as so amended shall, if so ordered by the Governor in Council, forthwith be published in the *Government Gazette*, and shall for all purposes be deemed and taken to be the determination of such special board, and shall from such date as may be fixed in such amended determination apply to every city and town, and also to any borough or shire or part of a shire to which such determination may be expressly applied by the Governor in Council by a notification in the *Government Gazette*; and the suspended determination shall thereupon have no further force or effect,”

he proposed that the words “if so ordered by the Governor in Council” should be omitted. Then he proposed to make sub-section (3) read as follows :—

“In the event of such special board notifying the Minister that such board adheres to its determination without amendment, such determination shall, by Order in Council published in the *Government Gazette*, be revoked from such date, not later than fourteen days, as may be fixed in such order.”

This would have the effect of omitting the part of the proposed amendment which provided for the Governor in Council, by order in the *Government Gazette*, revoking the suspension of the operation of the determination of the board. Statements had been made to the select committee of another place that if the determination of the board were carried into effect, the result would be an interference with trade to such an extent that the export trade might be lost to the country, and that, in consequence, employé's might be thrown out of employment. That was a matter which the Governor in Council could not be sufficiently advised upon. It was a matter which honorable members themselves would not be able to have sufficient information about. What the Government had to say was that when the determination of the board was sent in, if the Chief Secretary advised that there was something in the protests received, the Governor in Council might suspend for a period not exceeding six months giving effect to the determination. He might grant a suspension for a week or for a month, but for no period longer than six months, and would have power to compel the board to hear evidence as to the complaints that had been brought under his notice by those affected adversely by the determination of the board. As the board was constituted in the interests of the workers

as well as in the interests of the employers, it was most probable that it would endeavour to do justice to all parties concerned. The board might, however, through the manufacturers being against the workers, and the chairman being sympathetic towards the manufacturers, fix the rate too low, and the Chief Secretary should have power to remit the determination to the board for reconsideration and the taking of evidence. If, then, the board were still of opinion that their original determination was a right one, or if they thought it ought to be amended, the Chief Secretary might, after they had come to that determination, after reconsideration, gazette their decision. With regard to proposed new clause B, it was rather an important amendment, particularly as affecting the clothing trade. Honorable members were aware that Parliament and the public outside desired particularly to protect the employé's of the clothing trade. The evidence brought before the board which inquired into the condition of the workers in factories, and the evidence adduced in the House, evoked sympathy all round for the operatives in this trade, and that sympathy was felt by both Houses of Parliament, who endeavoured to help the employé's in that trade. Now, the amendment proposed by another place provided that there should be two boards, one to deal with order work, and the other to deal with slop work. It was only right that upon this subject he should mention that the Government fully considered this question when they brought in the Bill originally, and he remembered very well that he had to meet with some opposition from the fact that they provided in the Act that the board should be a nominee board. It was said to be curious that a liberal Government should provide for the establishment of a nominee board. The reason that actuated the Government in deciding upon that mode of election was that the Governor in Council, being responsible to Parliament, would necessarily select the representatives of the workers and of the manufacturers from those who were well informed in regard to different branches of the trade; but they thought that by process of election there would be a danger of the smaller manufacturers, being in the majority, out-voting those who had a much greater interest in the business. In another place the Bill was referred to a select committee, and it would be remembered

that evidence was given in favour of the principle of election. The Bill was consequently amended, so far as those provisions were concerned, providing for the election of the members of the board by both sides. The consequence in the clothing trade had been that, owing to the election system, four out of five members of the board belonged to the order trade, and only one was representative of the slop trade. There was no board that had devoted so much time and attention and labour to the work as this one. Its labours had occupied seven months, the board sitting two days a week as well as for several nights in the week. The members of the board represented both sides, and had given a great deal of time to the consideration of the business brought before them. He would admit that he would have preferred the board to be elected on the nominee system. The Government could not hurry the board, and he (Mr. Peacock) could not complain of the board having taken seven months to conclude its labours; and he had much pleasure in saying, as far as the order trade was concerned, that the result of the new legislation had been to give the operatives a somewhat better footing than they had had in the past, and they now felt that they were amply protected. But they desired to share the shelter which the legislation gave to them with the less fortunate people who were engaged in the "slop" trade, and they said that if there were two boards the result would be that the whole of the good work which had been done by the board would be cast aside, and many months would have to elapse before a new log was prepared. The consequence of this would be that some manufacturers—and he was glad to say that they were few in number—would take advantage of the delay which would necessarily occur before the two boards could finish their work and would fill up with stock, so that when the determination of the two boards finally came out these employés would be in a worse position than they were without any amended factory legislation at all. He proposed, therefore, to ask the House to disagree with proposed new clause Bentirely, for the reasons he had given, and most of all because the adoption of the clause would involve delay. He might inform honorable members that, as a result of the log which had been prepared by the board, the same rates of pay which had been made for

several years during the period of depression by one of the leading firms in Melbourne was to be paid, showing that the rate fixed by the board was only a reasonable one. And when he told honorable members that the minimum rate of pay to a person who had been apprenticed for five years to the trade was only 20s. per week, they would see that it would be a very great pity indeed if through any delay some manufacturers were able to bring this rate down lower. Twenty shillings per week, honorable members would agree, was little enough for any one of these persons, who had to serve a long period at the trade, to enable them to live decently and to keep their heads above water. The determination of the board only remained in force until revoked by the Governor in Council, and there was power under the original Act to remove any board if there was any determination which was unjust, or if the effect of a determination were to injure the workers of the trade; because every one of them must remember that while it was desirable to help the workers, yet, at the same time, no one wanted to injure the trade. What was wanted was to protect those fair and honest manufacturers who had been paying reasonable rates of wages from the unfair competition of others who made a profit out of sweating their employés. He had thought it best to make this explanation so that honorable members could well understand what the amendments proposed by the Legislative Council were, and he would be prepared to give any further explanation which honorable members wished to have when the particular amendments came to be dealt with in detail.

Mr. CARTER said he quite agreed with the Chief Secretary that they all had one object in view, and that was to raise the position of the workers. The only question was how that object might be attained. What he did not understand the Chief Secretary to explain was why the House should object to the appointment of two boards, one to deal with the "slop" workers' wages and the other to deal with the "bespoke" trade. Why should they not either have two boards or give one board power to fix two distinct rates of wages? (Mr. Peacock—"Should not that point have been raised seven months ago, before the board was appointed?") This was, he believed, the third amending Bill which had been brought before Parliament

with regard to the Factories and Shops Act, and, therefore, he might reasonably have said that the Government should have considered this particular point before. (Sir George Turner—"The Government could not know of these technical matters.") Neither could the House be expected to know. They were only groping in the dark. He was not opposing the present measure—he was merely wishing to get some reasonableness with regard to the amendments proposed. Neither himself nor the Chief Secretary, nor anybody who was not actually engaged in the business, was capable of understanding the technicalities in connexion with it. But they knew enough of the subject to be aware that if they took a piece of material which was to be cut up into trousers, and a machine came down and cut dozens of pieces of cloth at once, that must necessarily be a cheaper mode of operation than cutting with a pair of shears worked by hand. If an honorable member went and bought a suit of clothes which was made by hand, he was well aware that there was a great deal of difference between that and buying a pair of trousers which were cut out by a machine and made by a sewing machine. To say that the same rate must be paid for the garments that were made by hand as was paid for the garments made by machinery was inconsistent. (Sir George Turner—"The Act says they shall take into consideration the mode and manner of manufacture.") As he understood the subject—and he spoke with great diffidence, because he had no technical knowledge—these amendments were intended to make the Act work more smoothly, and to do so without injuring any particular class of the trade. Seeing that the machine-cut (and the machine-put-together) material was chiefly used for export to the other colonies—mainly, he believed, to Western Australia—if they left the law as it was, it would, he was informed, simply mean that the work would be taken to be done in Sydney instead of being done in Melbourne. Manufactures of this class would be shifted to Sydney, and that simply meant that the workers at present employed would be thrown out altogether.

Mr. PEACOCK.—If that statement is true, yes; but the fact is, wages as high as are proposed to be paid have been paid by some factories which have been shipping goods to Western Australia ever since the trade developed.

Mr. CARTER remarked that they could all understand that there was a difference between machine-made and hand-made work. (Mr. Peacock—"That is provided for.") He was asking for information. He was informed that there were some old men in the tailoring trade who were amongst the best workmen in the city, but they could not work as fast as the young men could. (Mr. Peacock—"The little Bill that went through the other night provides for them.") The word "capacity," which it was proposed to insert, would enable the case of these old men to be taken into consideration, because the "capacity" of the workers generally could be taken into consideration. (Sir George Turner—"What is the meaning of the word 'capacity' as used here?") They might call it "ability," or "power," or whatever they liked, the meaning was just the same. (Mr. McLellan—"It means skill.") The word "skill," as the honorable member for Ararat suggested, might be used. As he had already said, it was stated that some of the best men in the tailoring trade were old men, but it took them more time to make a coat than it took a young man, and, consequently, they could not earn as much, although their work was better. If he (Mr. Carter) was prepared to pay a workman by the hour, and a young man could do more work in the hour than an old man, the chances were that the old man would not be employed. The best way was to take into consideration the capacity or ability of the workmen. But he desired to say that, in his humble opinion, all these attempts to interfere with natural laws were a mistake. (Mr. Hancock—"Unnatural laws.") He said natural laws. All these attempts to fix prices and rates of wages would be found, ultimately, to be mistaken. They might just as well talk of trying to fix the price of wheat or the price of wool as the price of labour. The price must be regulated by what it would fetch.

Mr. T. SMITH.—But we have had a fixed rate in regard to miners for years past.

Mr. PEACOCK.—Hear, hear; and it has worked well for a good many years.

Mr. CARTER stated that that was so, but there were a large number of unfortunate men who had been miners all their lives, but who were not so strong as they formerly were, and they found that they could not get employment. Parliament was making laws which excluded from employment both the young and the aged.

A man in this country when he came to be 60 years of age found that it was almost impossible to get employment. If a man was young it was sought to exclude him from employment, because it was said he interfered with the employment of older men, and when he became old he was excluded from employment because he was too aged. He really would not be surprised if in a few years it was proposed to poll-axe a man who attained the age of 60, and so get rid of him. The men who were now objecting to the employment of aged men would when they became old find themselves excluded from employment in precisely the same way. Parliament could make what laws it chose, but people would only pay for a commodity, whether it was labour or material, the price at which they could make a profit by the purchase. (Mr. Hancock—"That shows the curse of individualism.") But the curse of labour had existed from the very creation. They had it still, and they could not alter it. But it was a cruelty to seek to exclude from employment the very young and the very old; and Parliament, pursuing that mistaken course, was seeking to lay down the law that only those between twenty and fifty years of age should have any right to have a livelihood in Victoria if they were workers. Of course, if they got into Parliament it was different. A man could get into Parliament at the age of 21, and remain there as long as his constituents would allow him to do so. It was proposed that a man should be able to get into the Federal Parliament at the age of 21. The consequence of these artificial laws was to narrow down the opportunities for employment. If the intention of the amendment proposed by the Legislative Council for putting in the word "capacity" was understood aright by him, he maintained that it was absolutely necessary that there should be some provision of that kind. He was pleading on behalf of the old, and desired to impress upon honorable members that because a man could not work so fast as he could in his youth, he should not be excluded from the labour market. It was all very well for young men like the honorable member for Footscray to laugh and jeer. He hoped that that honorable member and those like him would live to become old, and when they did so, if they took it into their heads to do something in the way of work, he trusted that they would not find

themselves excluded from employment on the ground of their age. He rose, first of all, for the object of asking the Chief Secretary if he would explain what was the objection to the introduction of the word "capacity"? And, secondly, with regard to the appointment of two boards, he wanted to know whether if that proposal were not acceptable it would not be possible to allow the one board to prepare two rates of wages? (Mr. Peacock—"I do not think it would be right for Parliament to delay the matter.") He did not want to cause any delay, which the Chief Secretary seemed to fear would be the consequence of this proposal. He understood that the objection to having two boards would be that there would be delay. Could not the one board have power to make a distinction between old men and young? (Mr. Sangster—"So they have.") If that were so there was no need for this amendment. If the Chief Secretary would show him what was the objection to taking skilled capacity into consideration, he (Mr. Carter) would support the honorable gentleman at once. He did not wish to offer any factious opposition to the Government proposal. He could assure the Chief Secretary that he was just as sincere in his desire to see sweating done away with as himself or any other honorable member, and just as anxious to see the highest wages paid that could be paid, because high wages meant prosperity to the country—provided the people who paid those high wages could get the money back from somebody. If they did not get it back, of course, they had to "go broke," as one of the oldest foundries in the colony did only the other day. (Mr. Sangster—"Through the expensive management of the directors.") The honorable member for Port Melbourne was too intelligent not to know that if he were to take the whole of the directors' expenses for a year, and divide into so much per day, it would not amount to the wages of a boy in the place. The honorable member knew that the directors' fees were a mere nothing. It was the many who were employed, and not the few, who made or marred the prosperity of an institution. He (Mr. Carter) was very anxious to see this or a similar arrangement carried out, because the only object of the Council's amendment was to remove friction in the working of the Act. (Mr. Peacock—"The effect of the word 'capacity' would be to throw back the work of the boards for

a period of six months.") It would not make the provision retrospective. (Sir George Turner—"The whole clause is retrospective—to validate something that has been done.") The Premier and the Chief Secretary must see that if no such provision was inserted it would simply mean good-bye to work for the old and infirm. (Mr. Peacock—"I have promised honorable members of another place that this question of capacity shall be considered in framing the next amending Bill.") As all candidates for parliamentary honours were promising to become supporters of the Turner Government, the Government would be in a position to put the matter right next session, and, as this was only a tentative measure, that promise of the Chief Secretary would remove a great deal of the objection at present entertained. Old members and new candidates were all supporters of the Turner Government, and, therefore, the Government would have the power to fulfil their promise, unlike some other Governments, who had made promises which they were afterwards unable to fulfil. If the Chief Secretary assured him that the Government would endeavour to deal with this matter in such a way as to carry out the intention another place had in view, he had no more to say on the subject.

Mr. PEACOCK.—I have promised that the question of capacity shall be considered in framing the next Bill.

Mr. GURR said the honorable member for Melbourne made a mistake in supposing that old men who were tailors would be deprived of work if the log prices were carried out. (Mr. Carter—"I did not say anything about 'log' prices.") A certain number of hours were allotted for each garment, and the payment was so much per hour for that number of hours. For instance, 30 hours might be allowed as reasonable to make a frock coat, and at 1s. an hour the payment would amount to 30s. An old man might not, possibly, do the work in less than 40 hours, but, still, he would only be paid 30s. (Mr. Carter—"That is contrary to my impression.") But that was the way the log price was fixed, so that really this would not affect the old people at all.

Mr. ZOX remarked that he desired to point out that while it might be perfectly true, as the honorable member for Geelong (Mr. Gurr) had stated, that a man who took a greater number of hours to make a particular garment got exactly

the same amount of remuneration for making it as the man who did the work in so many fewer hours, if a suit of clothes was wanted at short notice the work would certainly be given to the man who could do it within the time specified, so that the man who had fallen into the sere and yellow leaf, although equally as good a workman, but requiring a longer time to do the work, would be deprived of such jobs. (Mr. Sangster—"The Factories Act has nothing to do with that.") It had. It would operate in the way he had suggested in the case of men who had arrived at a certain age, and many of them would probably be thrown on the charitable institutions. Men of that class were quite content to receive the value of their labour. (Mr. Peacock—"They will be able to do work under this log.") He gave the Chief Secretary a great amount of credit for the good he and his Government intended to do. (Mr. Sangster—"But you are trying to block the Bill.") No, he yielded to no man in his desire to benefit the workers of the colony. (Sir George Turner—"But another place is waiting for this Bill.") Still, he was not going to see a number of people in this colony deprived of the means of livelihood because the Government at the last moment brought down a Bill containing such drastic provisions. (Sir George Turner—"Our Bill is simply to validate what has been done; we are perfectly satisfied without any of these amendments.") But if another place saw evils in the Government Bill which honorable members' common sense would cause them also to see, it was within the power and functions of the other Chamber to amend the measure with a view to its more mature consideration. The honorable member for Port Melbourne interjected that a certain foundry had recently got into difficulties through expensive management. (Mr. Sangster—"I never mentioned directors' fees; I said the directors.") Now, he was one of the directors of that company, and could testify that the board carried out their duties conscientiously for the benefit of the shareholders. Honorable members in the Ministerial corner—the members of the labour party, as they called themselves—had done more injury to the class of people they should have endeavoured to do good to than all the members on the opposition side of the chamber. (Mr. Hancock—"This from our own member.") He admitted that he represented the Trades Hall, and he was very

pleased to be their member, although he did not know what support he would get from them at the next election. He could assure the House that it was the wages they had to pay that caused the trouble. It was the minimum wage that brought about that result. If the directors could have exercised their own discrimination that foundry would have been in operation at the present time, and 500 men would have been employed there. The House ought to give the amendments of another place the most serious consideration. His own experience as an old manufacturer, who had engaged any number of hands, constrained him to say that the Factories Act was doing more harm than the Government were aware of, and, with all their good intentions, the Chief Secretary and his colleagues would find that the provisions of this Bill, when they were thoroughly worked out in their entirety, instead of being a benefit, would do a great amount of harm to the class whose condition they were intended to improve.

Mr. PEACOCK.—If it cannot do them any good it cannot do them any harm, and they have been treated badly enough for years.

Dr. MALONEY.—Do you want people to work for 3s. a week? If you will go to Josephs he will tell you that you are talking rot.

Mr. ZOX said that the honorable member had better stick to his physis, for evidently he did not know anything about this matter.

The DEPUTY SPEAKER.—I do not intend to allow these interjections, and I shall expect the House to support me in my endeavours to repress them.

Mr. ZOX remarked that the select committee of another place took the evidence of a number of gentlemen whose judgment on matters of this kind was comparatively undisputed, and they submitted facts and figures which showed that if the Government Bill became law without amendment they would lose nearly the whole of their intercolonial trade. They could not compete in the other colonies if handicapped by drastic legislation of this kind. In saying this he was speaking on behalf of the working men. (Mr. Beazley—"You say so, but you do not mean it.") He meant it in all sincerity, and he wished that honorable members in the Ministerial corner were equally as truthful in their statements. He spoke from experience, and they did not.

Mr. PEACOCK.—Will you answer me this question? How is it that one firm has been paying the log here set forth for years past, and has not lost its export trade?

Mr. ZOX observed that the Chief Secretary was taking the case of one firm only, but he (Mr. Zox) was speaking of the general exports from the colony in this line. Personally, he would rather see two boards appointed. Honorable members who were not conversant with the trade could have no idea of the great difference there was between the "slop" and the "bespoke" trade, which rendered two boards necessary. He would be the last man in the world to lower the wages of the working classes in this community, but he was afraid that, with the best intentions, the Chief Secretary and the Premier, instead of benefiting the workers, would really do them harm, by passing legislation of this sort. (Mr. Peacock—"Are the rates paid so high that they will ruin the trade?") He did not say that they would ruin the trade, but that they would lessen it materially. That was the evidence of Mr. Butler, of Messrs. Sargood, Butler, and Nichol, than whom there was no better authority on the subject, and his evidence was corroborated by a number of other gentlemen of good standing in the trade. He was only pointing out the evil of the Government proposal. The Chief Secretary had informed the House that next session the Government intended to submit another amending Bill. (Mr. Peacock—"We are going to amend the Act whenever it is considered necessary through experience to try and improve the condition of the workers.") This Bill required amending before it was passed.

Mr. HANCOCK said he challenged the right of any honorable member to speak with greater authority on this question than honorable members in the Ministerial corner, who supported the Government in their endeavour to comply with the wishes and requirements of the working classes. The honorable member for Melbourne East (Mr. Zox) and the honorable member for Melbourne stated that the Government proposal would prevent the old men from getting employment. Now, he could assure the House that there was no greater fallacy than to suppose that the old men in Melbourne working in this particular trade were opposed to the Bill. Those men recognised the fact that they would only get work when they were selected, but that then they would get a fair price for their labour. They would not be

taken on as an act of charity. The Sweating Board discovered that old men and women were subjected to the sweating process in cases where work was alleged to be given out to them as a matter of charity. The manufacturers said to the old people—"We will allow you to make so many dozens of this or that article, although we do not want them, seeing that you have no other means of earning a livelihood." But they paid such miserable prices as to be guilty of sweating of the worst kind. It became absolutely necessary for the Government to step in. A board of male and female experts, with an independent chairman, was appointed to frame a just and equitable list of prices. It would be most unwise to attempt to introduce the question of capacity at the present time. Supposing that question was introduced in regard to membership of this Chamber. (Mr. Zox—"Where would you be then?") Age and sex were provided for by the law, but not capacity, for membership of the Legislative Assembly. If capacity was introduced, how many honorable members now in opposition would remain in this Chamber? It was a most ridiculous thing to introduce. Who was to be the judge of this capacity? The object of introducing it was to provide that the men or the women who were willing to give the largest amount of work for the smallest amount of wages should get the employment. They had been told that the minimum wage would become the maximum, but that was not the fault of the workers, but of the employers. Talk about losing the export trade in this line of business—why it would be a good thing for the workers of the colony if the whole of the export trade was lost rather than that they should perpetuate the sweating which had been brought into existence during the last two or three years by this cut-throat competition. If the employers could not pay their work-people a fair price, let the export trade go, and let those people turn to some other means of obtaining a livelihood. In making these remarks he was not imputing motives to the honorable member for Melbourne East (Mr. Zox), because they all knew his kindly nature; but if the old men had a grievance against the Bill which the Government had brought in, they would surely have found out the labour representatives in Parliament, and so would the women. (Mr. Peacock—"Three hundred of them found me out this morning.")

Mr. Hancock.

And they would support the Chief Secretary in refusing to lose, by a little tinkering amendment, the principle which had been fought for, and which the country had been stumped to obtain. It would be a very bad thing for this House if they did not unanimously pass the Chief Secretary's proposal for rejecting the Council's amendments. If the old men, and the poor widows, and others for whom such sympathy had been expressed, were asked their opinion, it would be found that they were ready to support any Government that would do everything they could to prevent the possibility of their being sweated in the future as they had been in the past. He was sure that there would be no opposition on that point from any part of the Chamber, because the honorable member for Melbourne had stated that he was as anxious as any honorable member to prevent the sweating evil. Honorable members should give the representatives of the labouring classes in this House credit for a little bit of knowledge on this subject. They were brought up in its midst, and in every-day life met the people who were concerned. On questions of farming they would give way to the farmers in the Chamber, but they could not yield to them on questions affecting labour. The people interested in this Bill had told them that they wanted the decision of the board to be passed into law, and the Government were endeavouring to carry out their wishes. For this reason he sincerely hoped that the proposal of the Chief Secretary would be carried unanimously.

Sir JOHN MCINTYRE said he presumed it was the desire and intention of the House to pass this measure at the present sitting. Notwithstanding what had been said, honorable members on the opposition side of the chamber were most anxious to help the Government to pass the Bill. The feeling all round was that the Factories Act should be given full effect to. The honorable member for Geelong (Mr. Gurr) had made a statement which it was desirable should be cleared up. The honorable member said that if an article of clothing should be made in 30 hours at 1s. per hour, and an out-worker who got the job took 40 hours to do it, he would only get 30s., although the log was 1s. per hour. (Mr. Peacock—"He will get so much for the work.") Then if they were going to allow old and infirm people to take 60 hours for a job

that should only take 30 hours, and then pay them 30s., the old people could not suffer at all.

Mr. BROMLEY observed that honorable members on the opposition side of the chamber had evidently not gone into the scheme drawn up by the various boards, otherwise they would have found that the old and the young and the incapable persons were all well provided for in the schedule of rates that had been framed under this very excellent law. With reference to the export trade, he could fully indorse what the Minister had stated. Some firms in Melbourne who were doing a large export trade, and paid their work-people a fair rate of wages, were not affected by the Factories and Shops Act at all. He was acquainted with one firm which, since free-trade had been established in Sydney, had increased its business enormously, yet this firm was not affected in the slightest degree by the operation of the Factories and Shops Act. He agreed with the view that if the amendments of the Legislative Council were accepted it would be quite impossible to suppress the iniquitous sweating system which the Assembly almost unanimously resolved to put down by legislative enactment a few sessions ago. The intentions of the honorable member for Melbourne East (Mr. Zox) were good, but it was a strange thing that he always opposed measures of a philanthropic nature, that was to say, measures which were designed to improve the condition of the workers. If new clause A, proposed by the Legislative Council, were agreed to it would only perpetuate the old system of freedom of contract. The Act would be unworkable under it, and it would break down of its own weight. The provisions of the principal Act were quite sufficient to meet all the difficulties which had been named by honorable members on the opposition side of the House, and it was necessary to introduce some such amendments as those which had been proposed by the Chief Secretary to give effect to certain sections of the principal Act. He trusted that the House would pass the present proposals of the Chief Secretary with the same unanimity with which they passed the provisions of the principal Act in order to suppress the iniquitous system of sweating. The difficulty could not be met by any compromise of the kind suggested by another place. It was necessary to grasp the nettle and endeavour to uproot it, if

possible, otherwise the evil of sweating would flourish as it used to flourish years ago. There was not the slightest fear that the export trade would be injured. What he desired to do was to put the dishonest and unscrupulous employer in the same position as the honorable employer, and make him pay his work-people the same rate of wages. There had never been any difficulty as regarded honorable employers. If all employers were honorable there would be no necessity for legislation of this kind, but, unfortunately, they were not all honorable. When a manufacturer found that he had an honorable employer to compete against he often cut down his wages in order to undersell his rival, and he thus gained the market at the expense of the sweat and blood of his employés. It was the duty of every honorable member and of every honest man to endeavour to so frame the law as to secure the abolition of this iniquitous system of sweating. That was the intention of the principal Act, and it was also the intention of the amendment submitted by the Chief Secretary. He (Mr. Bromley) not only hoped that the boards would be made thorough and effective but that before long the operation of the Act would be extended to many other trades in which the sweating system existed almost to as great a degree as in the boot and clothing trades. When it was found that these boards operated effectually there would be a desire on the part of honorable members to place all trades on the same footing as those which were protected by the boards. A close study of the logs would show that they were all efficiently dealt with by a competent board of workers and manufacturers. He advised honorable members to pay very little heed to the select committee of another place which sat to examine witnesses, because the bulk of the evidence given before that committee was of a one-sided nature. He would ask honorable members rather to take into consideration the evidence given before the Sweating Board. He hoped that the Chief Secretary's amendments would be carried almost unanimously, with the object of validating the sections of the principal Act.

Mr. PEACOCK moved that the House agree with the Council's amendment in line 2 of clause 3, to insert, after the words "Act 1896," the words—

"For the words 'price or rate' wherever occurring there shall, as from the commencement

of the said Act, be deemed to have been substituted the words 'prices or rates'; after the word 'person' where first occurring there shall, as from the commencement of the said Act, be deemed to have been inserted the words 'or persons or classes of persons' and."

The amendment was agreed with.

Mr. PEACOCK moved that the Council's amendments to insert, after the word "age," wherever it occurred in clause 3, the word "capacity," be disagreed with.

The amendments were disagreed with.

Mr. PEACOCK moved that the Council's new clause A be amended so as to read as follows, and that it be then agreed with:—

"(1) Notwithstanding anything contained in the Factories and Shops Acts, the Governor in Council may, at any time and from time to time, for such period or periods as he thinks fit, not exceeding six months in the whole, by order published in the *Government Gazette*, suspend the operation of the determination of any special board within the meaning of section 15 of the Factories and Shops Act 1896, whether appointed with or without previous election. When the operation of any determination (whether published in the *Government Gazette* or not) is so suspended, it shall be the duty of such special board to forthwith hear, receive, and examine evidence as to such determination, and thereupon such special board may either adhere to the said determination, or may make such amendments therein as to such board seems proper.

"(2) In the event of such special board making any such amendments, such determination as so amended shall forthwith be published in the *Government Gazette*, and shall for all purposes be deemed and taken to be the determination of such special board, and shall from such date as may be fixed in such amended determination apply to every city and town, and also to any borough or shire, or part of a shire, to which such determination may be expressly applied by the Governor in Council by a notification in the *Government Gazette*; and the suspended determination shall thereupon have no further force or effect.

"(3) In the event of such special board notifying the Minister that such board adheres to its determination without amendment, such suspension of the operation of such determination shall, by an Order in Council published in the *Government Gazette*, be revoked from such date, not later than fourteen days, as may be fixed in such order."

Mr. LONGMORE.—Why not fix the limit of suspension at two months?

Mr. PEACOCK said that no matter what Minister was in office he could be challenged in Parliament if he suspended any log for an undue length of time.

Mr. WILKINS asked if the amendments referred to the boot trade? (Mr. Peacock—"They apply to all the boards.") It was undesirable to defer for a day any matter affecting the bootmakers.

Mr. PEACOCK.—As a matter of administration I have deferred all the questions until full inquiries can be made in the interests of the workers, because a protest may come in from them.

Mr. WILKINS observed that the operative bootmakers had been waiting for nearly twelve months, and every one knew the influence which the manufacturers could exercise. He hoped that honorable members would not agree to this deferring of the bringing into operation of the decision of the board at the earliest possible moment. (Mr. Peacock—"It will be done immediately.") If he had the assurance of the Chief Secretary that it would be done immediately he would be satisfied.

Mr. HANCOCK.—That will be done as long as the present Chief Secretary is in office.

Mr. SANGSTER moved the omission of "six" from the words "six months" in sub-section (1), with the view of inserting the word "three."

The House divided on the question that the word "six" proposed to be omitted stand part of the sub-section—

Ayes ...	...	...	...	37
Noes ...	...	...	...	15

Majority against the amendment	22
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AYES.

Mr. Baker,	Mr. McLean,
„ Burton,	„ McLellan,
„ Cameron,	„ McLeod,
„ Carter,	„ Murphy,
„ Duffus,	„ Murray,
„ Duffy,	„ O'Neill,
„ Duggan,	„ Outtrim,
„ Dyer,	„ Peacock,
„ Fink,	„ Salmon,
„ Foster,	„ Shiels,
„ Graham,	„ Staughton,
„ Gray,	Sir George Turner,
„ Harris,	Mr. Turner,
„ Kennedy,	„ A. W. H. White,
„ Langdon,	„ H. R. Williams,
„ Lazarus,	„ Zox.
„ Madden,	<i>Tellers.</i>
„ McColl,	Mr. Moule,
Sir John McIntyre,	„ Thomson.

NOES.

Mr. J. Anderson,	Dr. Maloney,
„ Barrett,	Mr. Sangster,
„ Bennett,	„ T. Smith,
„ Bromley,	„ A. L. Tucker,
„ Cook,	„ J. B. Tucker.
„ Gurr,	<i>Tellers.</i>
„ Hancock,	Mr. Beazley,
„ Longmore,	„ Wilkins.

The amendments proposed by Mr. Peacock were adopted, and the clause, as amended, was agreed with.

Mr. PEACOCK moved that the Council's new clause B, providing for the appointment of two boards in the clothing trade, be disagreed with.

The clause was disagreed with.

A message intimating the decision of the House was ordered to be sent to the Legislative Council.

YARRA PARK ROADS BILL.

This Bill was returned from the Legislative Council with a message intimating that they had agreed to the same with amendments.

Sir GEORGE TURNER moved that the Council's amendments be agreed with. He said that the amendments made were in the title of the Bill, and they were simply of a clerical nature.

The amendments were agreed with.

CLOSE OF THE SESSION.

Sir GEORGE TURNER moved that the House do now adjourn. He said that on Monday next it would be necessary to obtain the Royal assent to various Bills, but that, of course, would not require the attendance of honorable members, the Appropriation Bill having been already assented to. The dissolution would take place on Tuesday; so that, although the House would now adjourn until Tuesday, it would be unnecessary for honorable members to attend there for another three or four weeks.

Sir JOHN MCINTYRE stated that he had heard so many rumours as to when the general elections were to take place that he would like a definite statement from the Premier on the subject. When he was in England he was informed that the general elections were to take place on the 6th of October. Afterwards he heard that they were to take place on the 9th of October. When he arrived at Colombo he was told that the general elections had been fixed for the 29th. The other day they were informed in the press that the general elections would be on the 21st of October, but now it appeared that the date fixed was the 14th of October. Might he ask the Premier if the general elections were really fixed for the 14th prox.?

Sir GEORGE TURNER.—Yes.

Mr. STAUGHTON.—Cannot you make it a little sooner?

Sir GEORGE TURNER.—I tried very hard to do so, but I failed.

Dr. MALONEY remarked that he wished to bring under the Premier's notice, in order to induce the Government to do all

it could to help the destitute, the case of an old colonist who had sought assistance from the Ladies' Benevolent Society. She was an old woman 78 years of age, and had been in this country 49 years. She came to him, and he sent her to one of the ladies of the Benevolent Society, who said that she could not do anything for the old woman. He then wrote a letter to the wife of the dean, who said that she could not assist the old woman unless she brought a letter from the lady who assisted her before. That was on a Saturday. Thanks to some kind friends, she was assisted over to the Monday, when he wrote a letter to the dean's wife, who replied that she would be willing to assist the old woman if she brought a letter from the lady who had previously assisted her. Now, it should be borne in mind that this was a case of immediate need. He then wrote to Mrs. Turnbull, who gave the old woman a letter to Mrs. Jamieson, who sent her back with a letter to Mrs. Turnbull, by whom she was sent back to Mrs. Jamieson. Then Mrs. Jamieson sent her back to Mrs. Turnbull, by whom she was directed to Mrs. Jamieson, and then Mrs. Jamieson sent her to the dean's wife, who gave the old woman another letter to the lady whom he had first sent her to. Altogether it took nine days for this old woman to get a miserable pittance of 1s. 6d. to purchase the means of subsistence. If that was charity, a curse on the word, and on the people who distributed it. (Mr. Prendergast—"There is a bit too much respectability about the distribution of charity.") In the interests of those who might stand in need of assistance, he sincerely hoped that this humbugging system would be rendered unnecessary by some action on the part of the Government. Every word he had stated could be proved, and it seemed to him that the Ladies' Benevolent Institution only merited the contempt and contumely of the people of the colony. If old people were to be assisted, there should be some means of rendering them immediate assistance, and, if necessary, a policeman should be sent to inquire into each case.

Mr. CARTER observed that as this was the last meeting they were likely to have during the present Parliament, he desired to offer a few valedictory remarks. (Mr. Prendergast—"There will be a lot of us absent shortly.") Well, he did not know that. (Mr. O'Neill—"Let the honorable member speak for himself.") On behalf of the Opposition, he begged to thank

honorable members generally for the kind support they had had throughout the present Parliament, and he must also thank the Government for having given effect to so many of those measures which the late Government proposed and were unable to carry out. Of course, if the late Government had remained in office they would, perhaps, have proposed and carried those measures in a more satisfactory manner than they had been passed, but, at the same time, he thought it would be ungrateful if the Opposition did not acknowledge that the present Government had earned the support they had received from the opposition side of the chamber during the present Parliament, because they certainly had given effect to measures which the previous Government had hoped to carry into law. (Mr. Murray—"Yes; measures which you took as a legacy from the Shiels Government.") No, he did not think that the Shiels Government proposed the *Crédit Foncier* Bill, the Companies Act Amendment Bill, or the income tax. This Government, at all events, had proposed and carried measures which their predecessors had hoped to pass. He mentioned this because it was the reason why the Government had received such generous and straightforward support from the Opposition during the whole of this Parliament. Many people seemed to think that the Opposition was created simply to prevent the Government carrying on business. (Mr. Hancock—"This is the Trades Hall Government.") No, he did not think it was; and he thought that when they came back after the general elections it would probably be less of a Trades Hall Government than it was now. It was very probable that they might find him (Mr. Carter) sitting behind the Government instead of in opposition to them, if they conducted the business of the country as he hoped they would do. However, he thought it was only right that he should account for the reason why the Government had received such straightforward support from the Opposition throughout the present Parliament. As he was remarking when interrupted, some people thought that the duty of the

Opposition was to obstruct the Government, but he did not think so. The duty of the Opposition was to see that every question submitted to the House was properly considered before it was passed. He was quite sure that the Premier would say that the present Opposition had not exceeded that duty. He did not remember in all his parliamentary career a time when there had been a more generally harmonious House. There had been no bitterness of feeling either felt or expressed, and he believed that honorable members all parted excellent friends, and with a general wish that they should all meet again.

Sir GEORGE TURNER stated that he had not intended to say anything on the present occasion, because the remarks usually made at the close of the session were expressed some three weeks ago. (Mr. Carter—"But nobody was here to hear them then.") For the reason he had given, he submitted the motion for the adjournment of the House without making any valedictory observations. All he could say was, that while the late Government did, no doubt, try to carry out many measures that they would not allow the Shiels Government to carry out, unfortunately for the late Government, the country would not allow them, and the late Government were carried out instead of their measures. At the same time, any Government was always perfectly ready and willing to receive every assistance in carrying its measures, no matter from what side of the House that assistance might come. Of course, the present Government had been very pleased to receive the assistance of honorable members from all parts of the chamber, and, taking the last session, and, indeed, the present Parliament all through, they had had as harmonious a House as they could possibly expect, and they had done good and useful work. If the next Parliament worked as hard as the present Parliament—(Mr. Carter—"No more sweating.")—the people would have very little reason to complain.

The motion was agreed to.

The House adjourned at six minutes to eleven o'clock, until Tuesday, September 28.

DISSOLUTION OF THE LEGISLATIVE ASSEMBLY.

On Tuesday, September 28, a Proclamation by His Excellency the Acting Governor (Sir John Madden) was issued as a Supplement to the *Government Gazette* discharging the honorable members of the Legislative Council from their meeting and attendance on that date, and dissolving the Legislative Assembly.