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1901-06-28

House of Representatives

Mr. Speaker took the chair at 2.30 p.m.) and read prayers.

#### PRINTING COMMITTEE

' Mr. POYNTON (South Australia).- Some little time ago a Printing Committee was appointed, of which I am a member. I wish to know when there is likely to be a meeting, and who is responsible for calling a meeting of that committee.

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Mr SPEAK T0R

- I can reply to the honorable member. Only two papers have yet been laid on the table. Hence a meeting of the committee has not been called, but one will be called next week.

#### PERSONAL EXPLANATION

Mr BATCHELOR

- I desire to make a personal explanation. In the Argus ' newspaper of Wednesday last there was a reference to the members of the labour party as having been entirely absent during the debates on the Public Service Bill.

Mr Deakin

- The Bill would have been through in half the time if they had been absent.

Mr BATCHELOR

- It was stated in the Argus that there was a disinclination on the part of the committee to consider the details of the- measure - I think the Attorney-General will not agree with that statement - and, that not .one of the labour members remained. The statement went, cm that probably' there was a powerful attraction in a debate elsewhere which kept the labour members away. That statement was incorrect, and was probably a mistake and unintentional. At any rate, it was entirely incorrect and ought not to have been made. To my personal knowledge there were at least seven members of the labour party present and taking part in the debate on the business of the House.

#### QUESTIONS

##### AFGHANS IN WESTERN AUSTRALIA

Mr MAHON

asked the Prime Minister, upon notice -

Whether he has inquired into the truth or otherwise of the reports that Afghan cameldrivers frequently take forcible possession of the wells in remote portions of Western Australia; that they by force exclude white men from the only available waters in such regions ; and that they are in the habit of polluting the water-holes by washing their clothes and persons therein:

Whether his attention has been drawn to the serious breaches of tho peace following these and other alleged acts of aggression on the part of Afghans, and to the allegation that adequate protection to life is impossible owing to the enormous areas requiring to be patrolled.

If on inquiry he is satisfied that law and order arc menaced, or the well-being of the white inhabitants of the Western Australian gold-fields endangered by Afghans or other aliens, will he provide for the absolute exclusion by law of such immigrants, aud for the early deportation of those now residing in Western Australia ?

Minister for External Affairs

Mr BARTON

- As to questions Nos. 1 and 2, I am inquiring into the matter mentioned. The subject adverted to in question No. 3 has received attention in framing the Immigration Restriction Bill.

#### COMMONWEALTH PARLIAMENT ELECTIONS

Motion (by Mr. CHANTER for Mr. McCay) proposed -

That there be laid before this House a detailed return giving all available information relating to the votes recorded at the recent elections for the Commonwealth Parliament in the State of Tasmania, including the position at each count of the candidates for the Senate and the House of Representatives respectively.

&lt;

Mr POYNTON

- I understood yesterday when notice was given of this motion that it was intended to broaden its operation, and to have complete returns from all the States in connexion with the federal elections.

Mr Barton

- The Minister for Home Affairs has undertaken that in this information he will include all States.

Question resolved in the affirmative.

#### RATE OF WAGE : HOURS OF LABOUR

Debate resumed (from 7th June, vide page 826) on motion by Mr. Mauger : -

That, in the opinion of this House, it is the duty of the Government to make provision in all its contracts for the payment of a minimum rate of wage, and for the fixing of a maximum number of hours of labour.

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Mr SALMON

- This, matter is one of vast importance which cannot be better dealt with than at the present juncture,' though I very much regret that the time at our disposal will not allow of anything like the debate that the importance of it demands. I myself feel so impressed with the magnitude of the question that I should like to address myself to it at length, but the object I have in view would be defeated if I were to attempt to do that. Under the circumstances, I shall content myself with very briefly referring to one or two reasons why I think this principle should be favoured by this House. I have already said that I think the time is most opportune. There is no doubt that the Commonwealth, in a very little while, will be entering into contracts of various sorts, and will have to consider, other matters connected, for instance, with the establishment of the federal capital. It will be well, therefore, that we should, at the very outset, affirm a principle which I believe to be right and proper, and thereby save, probably, a great deal of trouble in the future.

I hope that the Commonwealth Government in Parliament will show an example to outside employers throughout the length and breadth of the continent. The practice in the other parts of the empire I need not more than briefly refer to. In the House of Commons, in 1891, a motion was proposed by Sir John Gorst, which had reference more particularly to the naval establishment. The motion was in the following terms : -

No person shall, in Her Majesty's naval establishment, be engaged at wages insufficient for the proper maintenance, and the conditions of labour in regard to hours, wages, and other matters shall be such as will afford an example to private employers.

That motion was accepted by the Government, and carried. In our own State of Victoria there was a proposal made as an amendment on a direct motion, which was similar to the motion submitted by the honorable member for Melbourne Ports. That was in 1894, and in June or July of that year, three sittings of the State Parliament were occupied in debating the question. No final decision was arrived at, the main reason being the condition of the labour market at that time. We were then at the very depth of our depression, and the question was not so much one of minimum wage as of any wage at all. Such a large number of people were out of employment that it was thought by some of those who were favorable to the idea that it would be better not to interfere at that juncture. But, in January, 1895, virtually the same motion as we have before us to-day was proposed and debated, and carried unanimously by the State Legislative Assembly. The principle has been in operation ever since in the State of Victoria, with the very happiest results, one of the first of which was the abolition of the subletting of contracts which, in the past, had been so detrimental to the interests of the workers. The London County Council have also adopted this principle, and they find that the work done by the workmen under better conditions is far superior to anything the workmen did under the old conditions. There are one or two objections that may be urged against the motion. We have heard it said that the minimum wage may become the maximum wage. ' But experience has shown that we need have no fear on that score, because expert labour will always command an addition to the minimum wage. What we desire to do is to fix such a minimum that no man who is employed will be outside the possibility of not only living decently, but living in comfort with those who may be dependent on him. We have been told that wages outside may be brought down to the minimum given under Government contracts. But that is not so, or should not be so, because the minimum fixed should be such, as in the terms of the motion passed by the House of Commons, will be an example to outside employers. In the State of Victoria it has been found necessary to raise the minimum from time to time, not on the initiative of the Government, but because outside employers have

had to pay higher wages. That has been found a very safe proceeding, and has attracted to the Government service the very best workmen in the various departments of labour that are to be found in the State. The introduction and perfection of machinery, we were also told, would result in the annihilation of the workmen ; but it has not done so. The introduction of machinery has, however, resulted in ' decreased muscular effort, and in a greater demand on the intellectual and moral capacities of the workmen. In order that their intellectual and moral capacities may be the more fully developed, leisure must be given to the workmen. That is why the second part of the motion is necessary. We must have such conditions observed in regard to the hours of labour that men shall not be employed morning, noon, and night, but shall have sufficient time at their disposal to develop that intellectual capacity which is so necessary now, when we have those higher forms of labor appliances. It is only by doing so that we can hope to have the whole of our people employed at such a wage as will put them in the position we hope to see them occupy. With regard to leisure, we know that in Australia it is often said with a sneer that our people are too fond of sport - that they employ all their leisure in attending race meetings and other gatherings which do not altogether have a good effect. But we have only to look at our Working Men's Colleges and the technical institutions which have been established in various parts of the Commonwealth, to see how these workmen are -occupying their spare time. We find them engaged in getting instruction and information which tend in the direction of bettering their condition, and also bettering production, and improving the output of the various manufactories established in our midst. In the State of Victoria the Public Library has lately started a lending branch, and it .is instructive to see the class of literature which is taken out by the working men for the use of their families. Honorable members would be astonished if they saw the titles of the books which are taken out by the employes in the various factories and foundries in Melbourne, the majority of. them having a tendency to elevate and give a higher and better view of life. They are also books which assist a working man to attain a better position in the particular industry in which he is engaged. We have been told that if the men receive these benefits the country will suffer from the outside competition of those whose hours are longer, and who are sweated. Gunting an American economist, pointed out when the Tariff was proposed in America, that it was proposed not to shut out the products of the 13-hour or 16-hour labour of the Continent of Europe, but to shut out the pro-, ducts of Great Britain where the people work under better conditions, have shorter hours of labour and are paid higher wages. Gunting said that America could always compete against the products of the sweated labour of the continent, but could not compete without protection against the higher class articles produced by better paid labour working under better conditions in the United Kingdom and Ireland. That does away absolutely with the argument that we would be placing our workmen in a disadvantageous position, and I hope to see the principle extended to the State employes, and to every employee throughout the length and breadth of the Commonwealth. I should like to see the whole of the men who work in our factories - which I trust will have that modicum of protection necessary to their firm establishment and retention amongst us - enjoying the privileges now proposed, so that, in regard to hours of labour and the sanitary conditions under which they carry on their callings, and also in regard to the wages they are paid, they will be an example to the rest of the world.

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Mr FOWLER

- I should probably have contented myself with recording, if necessary, my vote in favour of this motion if the honorable member who introduced it had not gone out of his way to sneer at the alleged illogical position of free-traders in presuming to support a proposition of this kind. Of course the people of Victoria are very much accustomed to hearing that sort of tiling, and they take it for granted that such a sneer is thoroughly justified. But I can assure the honorable member for Melbourne Ports that, so far as this House is concerned, it certainly ought not to be allowed to pass without comment. We are told that, because we are in favour of freedom of, trade, we necessarily ought to be in favour of freedom of contract. The honorable member frequently refers to logic to support his arguments, but I will once more refer him to that science, and if he cares to read up one of the elementary manuals of logic, he will probably find that his attempt to associate freedom of trade and freedom of contract together is what is known in logic as a rumsequitir. It would be just as reasonable for some one to accuse the honorable member of being in favour of restriction of speech because he is in favour of restriction of trade. I must protest against the assumption that legislation of this kind is necessarily a part of the work of a

protectionist Government. I think that history will show that in the case of Great Britain, the very first attempt made in modern times to secure something of this nature was made in the case of the Factory Acts by a free-trade movement. In the same way we find that in London and other cities of Great Britain this same principle has been heartily adopted by people who believe in freetrade. I may also remind the honorable member that a gentleman whom he frequently quotes with approval - -Mr. Sydney Webb - perhaps one of the best authorities on economic matters in the world at the present time - furnished an article to a Melbourne paper not long ago in which he indicated a- very large . number of reforms that were necessary in the interests of the workers. He went quite as far as I have ever heard- the honorable member intimate his anxiety to proceed, and I need not remind the honorable member that that gentleman is an out-and-out free-trader. I do not take up the position that the fiscal question is of the overwhelming importance that many people consider it to be. But so far as the fiscal question is concerned, I believe in the principle of free-trade and believing that, and at the same time professing to be as sincere in my desire to improve the condition of the masses as is the honorable member for Melbourne Ports, I wish heartily to support the motion that he has put before this House.

Minister for External Affairs

Mr BARTON

. - I have no desire to take up the time of the House at any length upon this question. I think that perhaps the motion is in a form in which it is undesirable for the Government to accept it, although the principle of the' motion may be accepted. I do not pretend to say that the Government can, in all its contracts, make provision for the payment of one minimum rate of wage j and I do not suppose that the honorable member who brought forward this motion thinks that that is practicable.

Mr Mauger

- Not at all.

Mr BARTON

- The fixing of a dead level for a minimum wage has perhaps in .some cases led to certain evils with regard to employes and persons earning their living by wages which might have been avoided by some system of gradation. That is a matter, however, for future consideration. If I understand that the principle is simply laid down in broad terms in the motion, so that there is no attempt to direct the Government as to what it .shall do in all its contracts, I think I can accept it with a little modification. If the motion were altered to read - " That in the opinion of this House provision should be' made in all Government contracts for the payment of a minimum rate of wage, and for the fixing of a maximum number of the hours of labour" - it would not bind the Government to any specific minimum wage, or to any maximum number of hours of labour. A great many of these things vary, according to the nature of the contract and the subject matter of the contract. Of course, we know that it is not every contract that it is possible to carry out by day labour. Wherever it is possible it may be a desirable principle-

Sir William MCMILLAN

- The right honorable gentleman had better put in the words " wherever it is possible."

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Mr BARTON

- I do not think that is necessary so long as the House understands the terms on which the Government accepts the motion. My present impression is, that if this motion were amended in the way I have suggested - and I think my honorable friend would be content to see it amended in that way - then the Government could support it. I do not consider that in the form which I have indicated the motion could be so absolutely restrictive as to prevent the Government from assenting to it. At the same time, it must be recollected that we assent to it on the terms that the Government honorably carry out the spirit of it. I move -

That the words " it is the duty of the Government to make " be omitted : that after the word "provision," the words "should be made "-be inserted; and that the word "its" be omitted,with a view to insert in lieu thereof the word. " Government."

Mr. BATCHELOR(South Australia).I do not want to take up the time of the House' by arguing this question. The principle is so generally conceded to be right that it is hardly worth one's while to discuss it. The mere fact that we have before us a Public Service Bill, in which we have taken care to lay down the conditions under which men who work for the Government shall be employed, argues at once that we

shall follow up that action by seeing, when we let Government contracts, that the men who do the work are employed under proper conditions. The whole advantage of this principle depends upon the way in which it is administered. It is- the usual practice to have a minimum rate of wage and a maximum number of hours of labour inserted in Government contracts in most, if not in all, of the States. But I repeat that the advantage to the workmen depends upon the way in which this provision is administered. Many attempts are made by contractors to obviate the necessity for carrying out the conditions imposed. One plan of getting over the necessity for carrying out these conditions is by associating the men who are to be employed under the contract, as sub-contractors. That is one scheme which is adopted, and it has been very successful in the case of - railway contracts. Then, again, very great care has to be exercised in the preparation of the schedule so far as clothing factories are concerned. Of course a good part of the contracts of the Government - I mean factory contracts - will relate to the manufacture of clothing - the supply of uniforms for the postal officials and for the Defence department. . An Honorable Member. - That will be a detail.

Mr BATCHELOR

- I have already said that as far as the principle is concerned I would not take up the time of the House by arguing it. It is upon the way in which the details are carried out that the whole success or failure of this scheme depends. Unless the details are observed the motion will not be worth the paper upon which it is printed. It is so in some of the States to-day. There is a provision exactly similar to this inserted in all Government contracts in South Australia, but so far as the clothing contracts are concerned it is not worth the paper on which it is printed. I know from my own personal knowledge that the rates are not paid. The difficulty arises from insufficient care being exercised in the preparation of the schedule, and from failure to see that the provisions of the schedule are actually carried out. The minimum rate which the girls should receive for doing certain work is divided amongst a number of branches of the clothing trade. Let us suppose that there is a certain amount fixed for a given uniform ; that amount is paid to the workmen, but it is divided up amongst the cutters, and for supervision, machining, dressing, making, etc. It has been clearly proved that notwithstanding the conditions > imposed, the girls have \* been sweated Over and over again by having their earnings reduced under the same Government contract. The way in which this is done is either by increasing -the amount paid to the cutter - who, as often as not, is in some sense a member of the firm - or the amount paid for supervision, and thus the whole object of the provision is defeated. I draw the attention of the Prime Minister to this case, because upon the care with which the schedule is prepared depends the whole success of the principle.

Mr. RONALD(Southern Melbourne).I regret very much that the element of discord has been introduced into the discussion of this question by raising the fiscal issue. I quite believe that if it were proposed to send out an expedition for the annexation of the moon some one would be found to argue that the" question of free-trade versus protection was involved. It is to be deplored that the representatives of labour should find themselves on opposite sides in connexion with any aspect of this matter, but as the illogical corner is a very uncomfortable place to sit in, I hope that those who find themselves in that position will ultimately change. At any rate, I am not going to twit those who happen to think differently from myself on the fiscal question with being insincere. I look upon this subject as one upon which all true democrats should be united, and that we should join in trying to define the .minimum wage - a somewhat difficult matter. There is one thing we should guard against, and I think the amendment proposed by the Prime Minister will serve the purpose - that is that the minimum wage should not become the maximum wage. We know that whatever is demanded by law will be paid, but not one farthing more, and consequently the Government should make provision that in all Government contracts the minimum rate of wage should be fixed and paid. That, of course,, will involve a schedule and supervision will be required to see that that is complied with. And, further, it will be our duty to watch that schedule and .see that in affirming a minimum wage the minimum shall not become a maximum, but that the work shall be paid for according to its value.. As to the other part of the motion - the maximum number, of working hours - that is a very important matter, and we should certainly try as far as possible to see that the Government of the Commonwealth uphold the' principle of fixing the limits beyond which no man should be required to work. I hear with delight the fact that the Prime Minister has given his assent to this and I am also glad that those who are opposed to us on the great fiscal issue have joined us in affirming the principles that are now being laid down. In doing this we shall act as exemplar to the outside world, so

that we may be followed in this as in other cases in which we have acted in the direction of ameliorating the condition of the working classes by raising wages, minimizing the hours of labour, and bettering the conditions all round.

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Mr MANIFOLD

- I had intended to speak at some length in support of the motion, but as the Government have seen ' fit to support the proposal, perhaps in a modified form, it seems unnecessary to debate the matter any further.. There is one question that I wish to direct particular attention to, and that is the necessity for seeing that our men are properly paid, and that they only work a certain number of hours per week. We do not want to be parties to anything like what is known as sweating, and it seems to me that the great danger of introducing or encouraging the evil arises from subletting. I do not think the ordinary large contractor does sweat his men, but, on the other hand, it appears that he is generally prepared to pay them a good wage and work the men a moderate number of hours, expecting from them in return a fair amount of work. That is what generally prevails between the good employer and his workmen, but in connexion with contracts that are sublet the same happy conditions do not prevail, because it is the small contractor who has to grind his men down. The large contractor gets a certain amount of money for a certain amount of work, and he endeavours to let his work to the smaller man.

Mr Fisher

- Then why does he sublet 1

Mr MANIFOLD

- The reason he sublets is that it enables him to make a certain large amount of profit, and the subcontractor has to sweat his men in order to do the work at a lower price than that provided for in the original contract. There is no use in talking of having a minimum wage if we allow subletting, - and I trust that the Commonwealth Government will see that no subletting is done in connexion with its contracts.

Mr KIRWAN

- I would suggest to the Prime Minister that a slight alteration might be made in the wording of the motion, in order to render it more explicit. After the words "minimum rate of wage" the words "such rate of wage to be in accordance with the ruling rate of wage in the district in which the work is to be carried out " might be inserted. The rates of wages vary all over the Commonwealth, and it would be only right that the minimum rate of wage should be fixed with due regard to the rates ruling in the district in which the work is to be carried out. Then, again, in connexion with the fixing of the maximum number of hours of labour, the . motion might be made to specify that the maximum number of hours should be fixed with due regard to the principle of eight hours' work, which is recognised all over the Commonwealth. I think it would be very, much better if these two principles were embodied in the motion by the addition of a few words.

Mr POYNTON

- I should not have spoken on this question if it had not been for the sneer that accompanied the opening remarks of the mover of the motion, when he mentioned that he could not look for much support or sympathy from those on this side of the House. The assumed virtue of the honorable member is really amusing. He is putting himself up as the embodiment of all that is good ' in matters pertaining to democracy, and sneeringly refers to others holding somewhat different fiscal views to himself. This appears very presumptuous when one thinks of Burns, and other prominent leaders and members on this side of the House, who were associated with democracy and the forward movement in connexion with labour long before some of the people on the other side were ever heard of. Without saying anything further on that point, I would advise the honorable member to be charitable in his view's with regard to others'. When he has voted as many times in the interests of democratic legislation, and in support of some of the most advanced reforms that have been carried in Australia, as some honorable members on this side of the House, it will be time enough for him to put himself up as a critic of other people. ' I support the motion with pleasure, and I wish to impress upon the Government that, although we are affirming the principle, it may be carried out for weal or woe just in accordance with the wishes of the Ministry. It will depend very much upon the administration, and there are so many phases in connexion with the different contracts that the interests of the workers will have to be ' very carefully safeguarded. The point raised by the honorable member for Corangamite was a very important one, and we should see that the intentions of the Government are not evaded by the contractor being allowed to shunt his

responsibilities on to a sub-contractor. I trust that in connexion with the federal contracts we shall not have any sweating done, such as has occurred under many State contracts in the past.

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Bay

Mr FISHER

- I differ on principle from the remarks of most of the speakers. One honorable member indicated that the Government would very shortly have a large number of contracts to undertake, but I hope that the Commonwealth Government will let as few contracts as possible, and deal with the work directly. It has been proved by experience that work done by day labour is much cheaper and better in every sense than work let by contract, and there is no reason why this, the first Parliament of Australia, should not take a lead in this great matter as well as in many of the other radical reforms which are now being initiated. I submit that this phase of the question should not be lost sight of, and I shall be quite content to trust myself to the leadership of the Government if they will undertake some of the work that they have indicated their intention to carry out ; and if they will add this to the promises they have already made they will earn the good wishes and respect of every worker in Australia.

Mr O'MALLEY

- I feel very pleased at the position the honorable mover of this motion has taken up. We must provide for strong, healthy, and faithful supervision of our future contracts, and adequate provision in this direction will prove no small matter in fostering the vigorous life of the Commonwealth. I would like to assure honorable members on the other side of the House, that my honorable friend, the mover of the motion, had no intention of hurting their feelings at all.

Mr TUDOR

- There is one phase of the question to which attention has not yet been drawn. Where a contract is let and the minimum rate of wage is specified, the rate of wage and the conditions of labour generally should be posted up at the works. This is done in connexion with the Wages Boards' determinations under the Victorian Factories Act, and the workmen know exactly the conditions and the rate of wages that they are to receive. It would be a step in the right direction if we provided for a similar practice, and I hope that when the regulations are drawn up, attention will be given to this matter as a means of preventing unscrupulous contractors from evading the carrying out of the principles laid down by the Government. Amendments agreed to. .

Mr. BARTON(Hunter- Minister for External Affairs). - Having the conduct of this matter for the Government, I simply desire now to say that I shall be pleased to assent to the inclusion in the motion of the words suggested by the honorable member for Kalgoorlie, because I think it is the right principle to lay down.

Mr MAHON

- The honorable member is not here just now. I move -

That after the word "wage," the words "such rate to be equal to that paid for similar work in the same locality," be inserted.

Mr Barton

- The honorable member for Kalgoorlie proposed to insert after the word "wage" the words " in accord with the ruling wage for the district in which the work is carried on."

Mr MAHON

-Very well; I am not committed to any particular words, although I had already prepared an amendment in this direction. I will, therefore, move -

That the words ' ' such rate to be in accord with the ruling rate of wage in the district in which the work is to be carried out " be inserted after the word " wage."

I do not think there is very much difference between the words and those first suggested by me.

Mr Barton

- I should like to see the words "ruling rate" inserted, because they give us some guide.

Mr MAHON

- After what the Prime Minister has said, I do not think any argument is necessary in support of the insertion of these words.

Amendment agreed to.

Mr MAUGER

- I only want to say a word or two. I am sorry that a remark I made has been taken . in the form of a sneer. I never intended that for one moment. An undoubted authority, Professor Marshall-Hall--

Sir William McMillan

- That is quite accurate enough for a protectionist.

Mr MAUGER

- I meant to say Professor Marshall, admittedly one of the most able of modern economists, has said that free-trade in its last resort subordinates every other consideration to a material consideration.

Sir William McMillan

- Has not the honorable member omitted part of the context?

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Mr MAUGER

- I think not. It was that idea which I elaborated in an interjection. I quite recognise that there are<sup>1</sup> just as sincere and earnest free-traders anxious to help the working classes as there are protectionists, and I thank my honorable friends for the help they have given me.

Question, as amended, resolved in the affirmative.

"WAGES, HOURS, AND CONDITIONS OF LABOUR.

Mr HIGGINS

- I move - m

That in the opinion of this House it is expedient "for the Parliament of the Commonwealth to acquire (if the State Parliaments see fit to grant it, under section 51, sub-section (37) of the Constitution Act) full power to make laws for Australia as to wages and hours and conditions of labour.

This, I think, was the first motion entered by a private member upon the notice-paper of this Parliament. It contains a very important principle, and I am sure that I shall not have much trouble in explaining to the House what I am aiming at. I desire to affirm, by resolution of the House, that we consider it expedient, if the State Parliaments think fit to grant it, that we should have power to make uniform factory legislation for Australia. I want to make use of section 51 sub-section (37) of the Constitution Act. I sincerely hope that this motion will be affirmed this afternoon. Honorable members know thoroughly well what it means, and I am quite sure they will make up their minds speedily as to whether they should vote for it or not.. It is a matter which has been discussed among employers and employed in all the States for some time. In this Parliament we have the responsibility of dealing with the Tariff for Australia. We have the responsibility of dealing with trade and commerce with other countries- and between the States, and we have the responsibility of dealing with the influx of alien coloured races. We feel that these problems, especially the problems of the Tariff are so inextricably intertwined with legislative attempts to regulate wages, hours, and conditions of labour, that we cannot properly fulfil our functions in the one respect without having power to deal with the other. With freetrade between the States it will not work well to let one State have one set of laws regulating the wages, hours, and conditions of labour in that State, and to allow another State to have another set of laws dealing with those subjects within its boundaries. It will not do with free-trade between the States to insist that in Victoria tailoresses and shoemakers shall not get less than £1 per week, while at the same time in an adjoining State tailoresses and shoemakers get 12s. 6d. a week. That is obvious. It will not do when we have free-trade between these States to allow coloured or black labour, paid at the rate of £6 a year, probably with food and shelter, in one State, and to have another State prohibited from employing that kind of cheap labour. These two problems are exactly on the same level. I desire to prohibit the cheap labour of coloured persons and the cheap labour of white persons. Therefore, I say that with free-trade between the States, it will not do to allow employers in the one State to employ labour at sweating rates, and then to oust in competition employers in another State which prohibits sweating rates and enforces a reasonable wage. As long as there was more than one Tariff between the States there was no need of this. I do not wish to be misunderstood. I do not say that we personally are better qualified to deal with factory legislation than members of the State Houses. I know, from my own experience, that the members of the State Houses are quite as well qualified as we are, and even better perhaps, from their knowledge of local circumstances ; but we are more qualified to deal with factory legislation in this respect, that we can legislate for all Australia, and they can only legislate for a fraction of Australia.



Mr KIRWAN

- Would the wages have to be uniform throughout the Commonwealth 1

Mr HIGGINS

- That would depend upon the Federal Parliament. We would be able to make a factory law for Australia ; but there is nothing to compel the Federal Parliament to make wages absolutely uniform throughout the Commonwealth.

Mr KIRWAN

- What about section 102 of the Constitution Act ?

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Mr HIGGINS

- I will deal with that afterwards. If we affirm this principle, and if we do get the power to deal with wages, hours, and conditions of labour, it will not mean that we shall get power to deal with wages, hours, and conditions of labour upon absolutely rigid lines. It will simply mean that we shall have power to deal with them, and' that it will be for the wisdom of the Federal Parliament to say how the matter shall be dealt with. The only ground on which I think we ought to have this power is that in the Victorian Parliament they can only deal with Victorian conditions ; that in the New South Wales Parliament they can only deal with New South Wales conditions, and that it is impossible, therefore, with a uniform Tariff all round, to do fair play to all the States unless through the Federal Parliament. There are some who have said - " Let us stick to our own r61e. We have certain powers under the Constitution which will keep lis busy, and we should exercise them. Let the State Parliament stick to their work, and let the Federal Parliament attend to their own business." I agree with that principle, but the same Constitution which gives the Federal Parliament the power to deal with old-age pensions, with conciliation and arbitration in labour disputes, and with marriage and divorce laws, gives the Federal Parliament power to deal with factory legislation with the consent of the States.

An Honorable Member. - We must have the consent of the States.

Mr HIGGINS

- Yes, it is for the States to say whether it is right or not. It seems to me, however, that it could do no harm for us to say that, while we do not attempt to dictate to the State Parliaments, we find ourselves face to face with a difficult problem, and believe it almost impossible to deal with it without dealing with other matters at the same time. Each part of the Constitution is sacred, and it is quite as much a part of the Constitution for us to take up factory legislation, if the States consent, as it is for the States Legislatures to have factory legislation if they do not consent. There is certain legislation with regard to the closing of shops which perhaps the State legislators may see fit to reserve to themselves. Shops are a matter of local- trade. They relate to local trade, and do not affect Inter-State trade in the least. Therefore I could quite understand the State Parliament saying - "You can have power to have wages boards and to regulate the minimum wage, but we will not give over to you the question of the closing of shops." I could also understand the State legislators saying - " Yes, we will allow you to make regulations as to wages, but as Australia is such a big place, and as the conditions of life are so different in the north of Queensland to what they are in the south of Tasmania, we will reserve to ourselves for example the power to deal with the number of cubic feet of air to be provided for in each factory."

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Mr PIESSE

- And the living wage is different in the two States.

Mr. HIGGINS - It may be so, but that need not be prejudged just now. What I desire is that the hands of the Federal Parliament shall be free to make factory legislation, strictly within such limitations as the State- legislators think fit, for all Australia. I hope that honorable members will not oppose this motion on the ground that they are opposed to factory legislation. That is not the question. There is a great deal of genuine feeling against all these interferences with labour conditions, and we ought to recognise it. At the same time, if there is one thing certain, it is that the people of Australia have made up their minds to try experimental legislation, rightly or wrongly. If we are to make the experiment we ought to give it fair play; we ought to make it under fair conditions, and give every opportunity for it to be watched under reasonable conditions. Australia, by having one Tariff, will be practically made one economic area, and, being one economic area, we ought to apply such legislation as we enact to the whole area. Personally, I

am strongly in favour of factory legislation, the results of which in Victoria I have been surprised at. I certainly thought there would be far more flaws found in the Victorian Factories Act than there have been, and, though I voted for the measure, I expected to have a new measure every year. I have been amazed at the results. Although there was a great deal, d priori, to be argued against such an experiment, I must confess that there appear to me indications that we are able by experiment - by patient, painstaking ' experiment, after a series of blunders, perhaps - to succeed in easing the conditions of life of the masses of the people. I feel that we have got hold of the idea that human life is too valuable an asset to be made the football of rival competitive teams. We must throw competition - because there will always be competition - on plan, on method, on system, on anything else but human life, which is the most valuable asset Australia has. I hope that before honorable members criticise the motion they will look at the exact terms, which are the mildest and most courteous possible. I feel we are coming near dangerous ground, and I do not want to have conflict with the State Legislatures but to simply indicate that in our opinion, as we are face to face with the problem of the Tariff and have to deal with coloured and alien races, we cannot satisfactorily deal with these matters unless within certain limits we have given to us by the State Legislatures a power to make laws for Australia as to wages, hours, and conditions of labour.

Sir WILLIAM McMILLAN

- Since we met in the Federal Convention, which framed this Commonwealth Constitution, there has been a very considerable evolution of thought with regard to certain matters that were then discussed. I confess myself that by reflection, and by listening to arguments to be more convinced than previously of the necessity of including certain powers in the Commonwealth which we decided to leave in the States. I hold generally that everything that affects the rights and liberties - especially the industrial life of the community - ought to be in the hands of the national Parliament. I have seen, since that Convention certain attempts at legislation in some of the local Parliaments. I am not going to say whether that legislation is sound or not, but it certainly is of such a far-reaching character with regard to the liberties of the people in their industrial life - and after all Australia is an industrial community - that I do not think those great subjects should be settled except by a national Parliament. I regret that the motion of the honorable member for Northern Melbourne is not couched in more general language. It seems to me that the motion ought not to commit us, even to the principle of regulating the hours of labour.

Mr Higgins

- The motion does not do so.

Sir WILLIAM McMILLAN

- To a large extent the motion implies that it does so. What I mean is that my old friend, the honorable member for Northern Melbourne, with his illimitable command of language, and the finesse which arises out of his profession, might have couched the motion in terms which would have been more agreeable to those who desire less restriction and less interference on the part of the State than the particular party he may represent. For instance, if the honorable member had confined the motion simply to factory legislation-

Mr Higgins

- That would have been too wide.

Sir WILLIAM McMILLAN

- Why?

Mr Higgins

- Because that might have included shops, and I wanted to restrict the motion to hours, wages, and conditions of labour.

Sir WILLIAM McMILLAN

- I see there is great difficulty. I do not want to cavil if the honorable member tells me, and I accept him as an authority on language and drafting, that the motion does not imply an absolute committal of this House to a particular policy, but that it simply means that all legislation of this character shall be given to us by the States in order to repair the initial fault which we made when framing this Constitution, and when we ought to have taken those powers to our- . selves. I am satisfied that many things, such as old-age pensions - if old-age pensions are proper things - should have been placed under the Commonwealth Constitution and not left to the States. At the same time we must recollect that the one principle of our Commonwealth Constitution, is the principle of national life. Anything that enters into the national life - the

industrial life of the individual - anything that may affect a man's liberty or his industrial interests, ought to be relegated to this Parliament. On that understanding - and I think that is the understanding of the honorable and learned member for Northern Melbourne - I hail with delight this motion ; and I trust the Government will have sufficient influence to get the State to surrender powers which they have now, so that we may deal with those great and far-reaching subjects.

Mr. BARTON(Hunter- Minister of External Affairs). - I had doubts, when this motion was first put on the notice-paper, as to whether it would be advisable for the House to accept the proposal in anything like its present form. But I must admit that the more I have considered the subject, the less my doubts have impressed me, and the more I am inclined to agree with the principle. I would suggest one alteration, and a very slight one - the alteration of a word. Honorable members will see that if it is desirable to acquire a power of this kind, it may be a very dangerous thing to couch our declaration of willingness to acquire it in such a form as may in any way give the slightest irritation. I am inclined to mildly quarrel with the word "acquire," if my honorable and learned friend will allow me to do so. I suggest that the word "accept" should be used, and I shall move that that word be substituted, so as to make our intention clear to the States.

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Mr Higgins

- I have no objection to accepting that word.

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Mr BARTON

- This will make it clear to the States that we are simply declaring our willingness to accept this power if they grant it - not that we set about acquiring it in any sense that we wish to wrest the power away from them. It is absolutely necessary in our early dealings - and, in fact, in all our dealings with the States of the Union - that whatever treatment we may experience ourselves, we shall behave in the most conciliatory way to the States. I hope it will be seen that I have endeavoured to act on that principle from the beginning, and it is in accordance with that principle that I think we should make the alteration I have suggested, so as to let the States understand, when this motion is carried and becomes public, that we are not making any application to them to surrender the power, but merely declaring our willingness to accept that power, if they will grant it for the general good of Australia. That there ought to be, such\* a power exercised, I am now convinced, and for this reason : That the grant of Inter-State free-trade, which follows the adoption of a uniform Tariff is likely, in many respects, to be crippled, unless the Commonwealth has power to deal uniformly with the conditions of employment throughout Australia. The conditions of employment, and the price of articles are inseparably interwoven, and those conditions and prices are also inseparable from the nature of the Tariff, whether, it operates externally only, or externally and internally among the States. Matters of this kind are also so interlaced, one with another, that it seems to me that the authority which declares Inter-State freetrade might be wisely intrusted by the several States, with the power to make the grant of Inter-State free-trade effective in such a way as to place the citizens of the Commonwealth on an equality. That is, I think, what should be the result of the grant of this power, and I accept what the honorable and learned member for Northern Melbourne has said, that it is a power, which it may not be necessary to exercise at once. Under certain circumstances, it might not be necessary to exercise the power at all, because it will be a concurrent power, and the States themselves might see fit so to legislate as to render it unnecessary for the Commonwealth to exercise the power. That this grant, of the power should be made to enable us to meet inequalities of condition which ought not to occur amongst an equal people, I have, on full investigation of this motion, convinced myself. It is only fair for me to admit, having approached this motion at the beginning in a somewhat antagonistic spirit, that I shall be found probably as willing not only that the power should be granted, but that it should in case of need be exercised, as my honorable and learned friend can be. At any rate there is no harm in passing the motion. It is a friendly declaration to the sisterhood of States, that difficulties which may otherwise exist between them, and which may be accentuated and open up grave contention maybe removed, if they will place confidence in the central Government. I hope that the confidence in the central Government will increase from day to day, and from session to session. Holding that belief I think that this motion, with the amendment I have suggested, is one which the Government and the whole House can very well accept. I move -

That the word "acquire" be omitted with a view to insert in lieu thereof the word "accept".

Mr. SALMON(Laanecoorie). - I am not going to oppose the amendment, although we must not lose sight of the danger that will undoubtedly exist in the future with regard to the willingness of the various States to hand over the power they now possess in this particular direction. Mankind is selfish, and it cannot be denied that this selfishness often blinds men to their own advantage. We do not find all employers of labour recognising as fully as that American, whom I recently quoted on. another matter, that in order to secure the best articles you must employ the working man under such conditions, and pay them Such wages and work them at such hours as will result in the production of the very best articles. That is the only means whereby we may expect to compete fairly with our neighbours. Under federation there will undoubtedly be a desire to defeat Inter-State free-trade by securing advantages for the different States, which advantages will result in the output of a greater quantity of material from those States, and the blindness, to which I have already alluded, may lead some of the employers there to view with mistrust and suspicion, and possibly with absolute opposition, any desire or action on the part of the local Legislature to hand over to the Federal Parliament the power which is desired under this motion. I think that the amendment rather weakens the motion, although, as I said before, I am not going to oppose the alteration. To me, as an outsider who has taken considerable interest in federal matters, it is exhilarating to know that three members of the Federal Convention agree, with a certain amount of timidity, that this question should have been dealt with during the time that the Constitution was under consideration.

Sir William McMillan

- Would the honorable member call it timidity 1

Mr SALMON

- Perhaps I am using the wrong term ; but I have a vivid recollection of the occasion upon which the Honorable J. H. Howe, of South Australia, got added to the list of subjects .upon which the Commonwealth Parliament may legislate, the question of old-age pensions. That was done almost fit the last moment, and against the will of a number of members who to-day would be found strongly advocating the inclusion of it in the Constitution. But happily, owing to the foresight of those who framed sub-section (37) of section 51, we have an opportunity of acquiring from the States the power to do this very necessary work. As one who, like the mover of the motion, assisted, with a feeling of hesitation on some occasions, in the establishment of factory legislation in "Victoria,. I can sa)' that the good that has resulted from it has far exceeded my anticipations. I believe that, as with the old-age pension scheme, we must have uniform factory legislation. We are to have a uniform Tariff, and we must have uniform factory legislation. I regret that the honorable member for Northern Melbourne stated that he was prepared to concede to the States the right to exercise control over sanitary conditions. He mentioned the number of cubic feet of air that should be allowed to workmen. I sincerely hope that the Commonwealth. Government will do nothing of the sort. We can easily introduce a zone system, which will be fair and equitable to all the States. I trust that one of the first things done will be to secure to the workmen engaged in all trades proper sanitary conditions.

Sir William McMillan

- -Did the honorable member say an "ozone" system?

Mr SALMON

- The honorable member for Wentworth, with a nimbleness of mind which we would scarcely expect after a week's hard work, has suggested that it should be called the " ozone " system. It would be a very good title indeed. The system most in use before the initiation of factory legislation was the carbonic acid system, whereby workmen were done to death in many cases owing to a desire on the part of employers to escape what, after all, was a very small amount of expense. I have very much pleasure in supporting the motion, and I hope, that the Government will take note that the health of workmen is just as- important as are the hours of labour and the rates of wages. As the honorable member for Tasmania, Mr. O'Malley, would say - " What is the use of wages to a man when his wife is a widow " 1

Amendment agreed to.

Mr. PIESSE(Tasmania).- I have not heard from those who have spoken upon this motion how they intend to proceed further in order to attain their object. It is all very well to pass an abstract proposition of this kind, but I do not notice that its advocates intend to communicate it in any way to the. State Legislatures, or indeed that they com template doing more than merely placing it upon the records of the. House. I

presume that they have some further intention. I rise chiefly to point out that it will require a great deal ' of advocacy to induce some of the States to accept the terms of this motion. I would also like to say that although, those who have tried factory legislation in Victoria are to some extent satisfied with it, it can only be regarded as being at present upon its trial.

Mr Mauger

- Is not that the case with all legislation 1

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Mr PIESSE

- Not to the same degree. One consideration seems to have been overlooked by the advocates of this class of legislation. They speak of factory legislation. But there are a great many more people who have J» earn their living outside of factories than there are inside, and . I am not so sure that in attempting to alleviate the conditions in factories we are not throwing a greater burden upon those outside. I would like to see this question taken up in a very broad spirit. We may be able to lay down the minimum rate of wages and the maximum number of the hours of labour for those who are earning wages in factories, but how are we to deal with that large class of the community who work for themselves- - the farmers and orchardists who carry on their businesses upon their own account 1

Mr POYNTON

- They are to be benefited by protection.

Mr PIESSE

- It is a very wide subject indeed. I desire to alleviate the conditions of life as far as it may be done, but let us not forget that we must do so broadly, and bring all that we possibly can within the purview of those improved conditions.

Mr Tudor

- The motion does not refer to factories.

Mr PIESSE

- No : but in all the arguments that have been used the word " factory " has been employed, and the only guide that we at present have in regard to the principle advocated is provided by the factory legislation of one State. If the supporters of this motion are . in earnest, they have a very considerable task before them.

Mr'. MAUGER(Melbourne Ports).- I would like to assure the honorable member for Tasmania, Mr. Piesse, that we are thoroughly in earnest in . regard to this matter. I also desire to point out that the effect of the legislation to which he alludes is not so limited as he appears to think. At the present time we have 29 wages boards in Victoria, affecting 33,000 industrial workers. Surely that is a very great step in advance, considering that, according to his dictum, this is experimental legislation. We must make a beginning somewhere, and if we have succeeded, as we think we have, in benefiting the industrial workers to the number I have .indicated, we have done a very great deal in a short time. -But I want to impress . upon the House that we feel that, if there is to be justice, this factory legislation should be made something like uniform. If we take the maximum wage paid in one state - I will not mention the name of the state, because ^1 do not want to introduce the fiscal question at all-

Sir William McMillan

- The honorable member has had a lesson.

Mr MAUGER

- No; when the honorable member for Wentworth knows me a little better he will think differently. The sting is in the truth, and as there was no truth in the free-trade arguments, there was no sting.

Sir William McMillan

- Do not be unnecessarily harsh, because we are sensitive.

Mr MAUGER

- I will try and not be. I was about to point out that in one trade alone, in which there are 2,000 workers, there is a difference between the total of the maximum wage paid in one State, and the total of the minimum wage paid in another of .£26,000. It is impossible to compete on such unequal terms, and the State that is compelled to pay must suffer in the long run, whilst the trade must be diverted to the State which is not compelled to pay.' Hence, in the interests of fairness, this excellent principle should be adopted.

Mr CROUCH

- I think the objection raised to this motion by the honorable member for Tasmania, Mr. Piesse, that no machinery is provided for carrying it into effect, can be easily obviated. The House has a leader, and when we pass a motion, I take it, that the leader of the House will see that it does not become inoperative, but is transmitted to the various States to which we desire it to be sent. I am. rather sorry that a weaker word than "acquired" has been accepted. I think we want a stronger word, because I do not believe that the States will accede to this request, and it will, perhaps be necessary for us at a later stage, to "use stronger methods than those provided in the Constitution for its own amendment. Some States may be very willing to give us this power, but other States by their present attitude show that they would be glad to defeat any proposition that would tend to belittle their own position in regard to legislation. Only last Saturday night I heard a member of the State Parliament saying that the Commonwealth Parliament had quite enough powers, and he would see that there was no extension of those powers at the expense of the State Legislature.

Mr Barton

- That is a big word.

Mr CROUCH

- It is a big word, but unfortunately that is a feeling that is too common amongst members of the State Parliament. Therefore it is just as well to remind them-

Mr POYNTON

-That is not the way to help this motion.

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Mr CROUCH

- I repeat that it is just as well to remind them' that the Constitution provides other powers. If sub-section '(37) of section 51 is' not effective, there is a provision at the end of the Constitution by which we can appeal to the people of the States, and I think that the people themselves would support the Commonwealth in this matter. I would like those honorable members who have given a great deal of study to our Constitution to consider the effect of sub-section (37). Any law made upon a matter concerning which the legislative' power has been referred to the Commonwealth Parliament by the States only applies to those States which so referred it,' and which adopt' that law. I should like to know if a State which adopts such a law cannot afterwards withdraw its assent to it in just the same way as there was power in the States which formed the Federal Council at Hobart to withdraw subsequently from the legislation which that council passed. . I do think that sub-section (37) is capable of a reading by which this motion - even if it were passed .by the whole of the States - might prove ineffectual and inoperative. If honorable members see that, they will see that the power which create may also destroy. I shall be very glad if the motion is passed, and still more glad if the Commonwealth has this power granted to- it by the States. I think that if the States do not pass the laws indicated quickly the motion will lose its effect. I do not know what time the mover of the motion is proposing to allow before he asks the Commonwealth Government to exercise other powers. A uniform Tariff will be disastrous to some of the industries in the States where factory legislation is most advanced unless the statutes on that particular subject are also made uniform. I would ask the honorable member in charge of the motion, therefore, to do his best to see that this" motion, if passed, is carried into effect almost immediately - that it is communicated to the States. I would almost like some time limit fixed.

Mr Barton

- That would be the very best way of getting nothing done.

Mr CROUCH

- If the States do not move, the Commonwealth - recognising that 'this is a national question, affecting something more than individual States, and recognising that it is the duty of the Commonwealth to look beyond the interest of one State as contrasted with that of another, to disregard the selfishness and jealousy of' the various States - should take the matter up as a national question.

Mr SAWERS

am satisfied that it is the intention of the House to carry it. However, in my short parliamentary experience I have found that- motions of this1' character may be carried by the score, and yet simply end as barren resolutions which the Government are not forced to act upon. I would therefore 'have preferred it if the

honorable and learned member had added to the motion words to the effect that it should be transmitted to the Governments of the States.

Mr HIGGINS

- That would be' most dangerous.

Mr SAWERS

- Upon second thoughts, however, I felt that that would not do, and I have no desire to enforce that idea ; still, I think we might have a statement from the Prime Minister to the effect that he will not allow this resolution, to remain ; a barren and formal one, and that the Ministry will take some action to induce, as far as they can, in a courteous Way, the various Governments to fall into line with the desire of this Chamber. Honorable members must know that this question far transcends any mere matter of the Factories Acts. We know that in the various States, particularly in New South Wales, perhaps the most burning question, and one of the greatest interest, is the adoption of compulsory conciliation and arbitration legislation on the lines proposed by the Attorney-General of New South Wales. I think it is deplorable that we should have different Conciliation and Arbitration Acts in all the States, and perhaps one also for the Commonwealth, because "I am afraid that the effect will- be confusion worse confounded. I have always regarded it as a misfortune that the Constitution Act did not provide that the question of conciliation and arbitration, and the regulation of wages and conditions of labour generally, should be left as matters for the sole control of the Federal Parliament.

Sir William McMillan

- It was a great mistake.

Mr SAWERS

- I would appeal to the Prime Minister to give us a pledge that the Government will regard this matter as one of extreme importance and of great urgency, and that they will immediately place themselves in communication with the various Governments of Australia.

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Mr Barton

- I will place myself in communication with the various State Governments, but I must not do anything that would bear the appearance of unduly pressing them.

Mr. POYNTON(South Australia).- The best way to support this proposal is to be brief in speaking upon it. I am in hearty sympathy with it, and I may just state one reason for that attitude. I am quite prepared to trust the other Parliaments in this matter, and I would deprecate any attempt to take anything from them. I believe that they will very quickly see that it is necessary to have uniform legislation, as otherwise the result will be that the State which is prepared to deal most humanely with its people will be penalized under the conditions of free-trade within the States. There must be uniformity not only with regard to the factory laws, but in reference to arbitration and conciliation and other cognate matters. I therefore give the motion my hearty support.

Mr.KIRWAN (Kalgoorlie).- I would like to ask the honorable and learned member who moved this motion a question that has exercised the minds of some of us in connexion with this matter. Under clause 99 of the Constitution it is provided that the Commonwealth shall not by any law or regulation of trade, commerce, or revenue give preference to one State, or any part thereof, over another State, or any part thereof. The question is, whether, if this resolution be carried, and the necessary power be given to the Commonwealth by the various States to fix wages, through the various boards that would have- to be appointed for the purpose, the fixing of the wages would amount to a regulation made by the Commonwealth. I wish to know whether it will be necessary for the boards to fix a uniform rate of wage all over Australia. To my mind, a uniform rate of wage for the whole of the Commonwealth would operate unjustly, and I would like to have it made clear as to whether it would be possible to discriminate between the various States or parts of the States, or whether it would be absolutely necessary to make the wages uniform. This is a point that ought to be cleared up before the matter is considered by the various State Parliaments.

Mr. HIGGINS(Northern Melbourne).I had not intended to reply, but there are two reasons why I should. One is, that the honorable member for Kalgoorlie has asked a question; and the other is, that my honorable friend, the member for Corio, has made some statements which, if allowed to pass unquestioned, would do incalculable harm to my object. He has spoken with the best intentions no doubt,

but I disclaim any sympathy with his idea of holding a whip over the State Legislatures, or doing anything more than the motion expresses. The motion conveys that we feel ourselves face to face with a grave responsibility which we cannot discharge to our own satisfaction unless the State Legislatures see fit in their discretion and in their wisdom to assist us, and I may say in this connexion that I shall not ask the Prime Minister for any promise that he will push this matter before the State Legislatures. The worst tiling we could do would be to push the matter, because we are in - a delicate position. I know personally a great many members of the State Legislatures in at least three of the States, and I know that they are as anxious to do good as we are, but I know also that there is nothing that would more dispose them to oppose this movement than for us to push the various States. We are simply indicating that we would accept, if they see fit to give, and it would not be advisable to ask for any official communication from them. I am quite sure that the Prime Minister knows exactly how the matter stands, and that it needs tact and care and' cautious approaches.

Mr Crouch

- It needs expedition too.

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Mr HIGGINS

- Yes ; but our efforts would be perfectly useless if we approached the State Legislatures with a whip in our hands. I am one of those who opposed the passing of the Constitution Act, because I did not regard it as sufficiently flexible to enable it to be corrected where it was at fault; but I am willing to give it a fair trial within the bounds of the Constitution. With regard to the question of the honorable member for Kalgoorlie, he wants to know whether, supposing the Federal Parliament had the power to enact factory laws, such factory laws must prescribe a uniform wage for the whole of the Commonwealth. I should certainly say no; and if the honorable member looks more closely at section 99 of the Constitution Act he will see that it refers to laws and regulations relating to commerce, trade, or revenue. The only kind of law with regard to trade and commerce that we could enact would relate to trade or commerce between the States or with foreign countries, because we have no power to enact laws which bear upon industry or trade within any State.' It is in making laws or regulations with regard to this inter-State commerce or trade that we must not give preference to one State over the other. The trade and commerce referred to is not all trade and commerce, but only trade and commerce between State and State or between Australia and foreign parts. As the honorable member for Bendigo says, an industry in a factory is not trade or commerce. Trade or commerce must be the giving of goods to some other man. As long as it is within a factory there is no trade or commerce. Speaking personally, I have no apprehension that section 99 will make it rigidly incumbent upon the Federal Parliament to provide absolute uniform conditions and wages for all the Commonwealth.

Question, as amended, resolved in the affirmative.

ACTS INTERPRETATION BILL

In Committee(consideration of Senate's amendments).

Attorney-General

Mr DEAKIN

. - Three amendments have been made by the Senate. In the first place they propose to omit the declaration which we inserted in the Bill, that an Act purporting to be printed by the Government Printer should be accepted as such. The other two amendments are practically one. The Senate prefers to speak of the Parliament of the United Kingdom as "the Parliament of the United Kingdom," and not as " the Imperial Parliament." They have accordingly amended the Bill in that direction. I do not think it is necessary to object to either of these amendments. I move -

That the committee agree to the amendments made by the Senate in this Bill.

Question resolved in the affirmative. Resolution reported and adopted.

NATIONAL DEPARTMENT OF AGRICULTURE

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Sir JOHN QUICK

- I move-

That, in the opinion of this House, a National Department of Agriculture and Productive Industries, on the same lines as that of the United ' States of America, ought to be organized and maintained in connexion



with the Government of the Commonwealth.

At this late hour of the sitting I cannot expect to make very much progress with this motion, but inasmuch as I have had to consent to its postponement on several occasions, I now desire to take the opportunity to advance it as much as possible within the limited time at my disposal. 'Honorable members will notice that this motion submits to their consideration a comparatively new field of federal power, which has hitherto not been properly or adequately explored either 'by federalists or public writers. I believe it is one which is destined to acquire in the course of a few years an amount of usefulness and attractiveness that will give great satisfaction to the best friends of this Constitution. I have been asked by several gentlemen who have interested themselves in this great and important matter where, within the four corners of the Constitution, there is to be found federal power over the question of agriculture. The reply is, that although the word "agriculture" does not occur within the Constitution itself in so many words, there is still to be found within the scope of several of the provisions of the Constitution implied power vested in the Federal Parliament to deal with the question of primary production. This is a matter which I had occasion to refer to frequently during the late elections for the Federal Parliament.. My electorate includes a considerable portion of the agricultural community. I was often asked what the farmers and producers of Victoria and Australia were going to gain by federation ; to what extent would they be benefited, and what power the Federal Government had to promote their interests 1' In common with other candidate.'; now honorable members of this House, I felt quite confident that the Constitution had a sufficient amount of power to do useful work for the advancement of the interests of the primary producers. I notice that my honorable and learned friend the Attorney-General had occasion to refer to the matter in Ballarat, when he stated that he was in favour of the establishment of a National Department of Agriculture. The honorable member for Darling Downs was also working on the same lines, quite unconsciously of what I and the Attorney-General were doing ; and my honorable friend the member for Gippsland was likewise working away in the same arena, promising that the farmers would receive consideration at the hands of the national Parliament.

Mr Deakin

- And .so was the honorable and learned member's neighbour, the honorable member for- Echuca.

Sir JOHN QUICK

- Yes. It would indeed be a fundamental blot- on our Constitution, if whilst we had power over trade and commerce, we had no power over production, which naturally precedes trade and: commerce.- How impotent would, be the power of our national Legislature in dealing with trade and commerce, Interstate and foreign, unless we could go to the very bed-rock upon which trade and commerce are founded, namely, the primary industries. Some- instructive information may be gathered in connexion with- this great question from the practice and experience of the -United States Government. That country, as honorable members are aware, is governed under a Constitution somewhat similar to our own: As a matter of fact, however, the Federal Government of the United States of America do not possess any actual grant giving, so much power over primary productions and agriculture as is possessed by the national Parliament of Australia.. Yet, notwithstanding, the fact that the .power over production and agriculture in that country depends rather upon an implication of power than an express grant of power; we -have the wonderful fact that the Congress of the United States has- done more for the development of agriculture within that country than has been done by any other Legislature on the face of the earth. Under- Congressional legislation a National Department of . Agriculture has been established, which has done an immense amount- of- good and useful work in the direction of developing the industries of the United States. As a matter of fact, at the present time Congress grants every year appropriations towards- the maintenance and support of -the National Department of Agriculture, amounting to about 1,900,000 dollars sterling. . In addition to that, Congress has\* agreed to . vast appropriations of. funds, arising from the sale of national lands, which have been applied as natural endowments for the maintenance of i agricultural colleges under the Morell Act of 1862. By a law passed in 1887, known\* as the Hatch-Act, a vast appropriation of federal money was also made for the establishment of what are known as experimental stations for agriculture. These experimental stations are associated with the agricultural, colleges, and form" what are regarded as a necessary means of acquiring higher agricultural education, than that which could be obtained in the colleges themselves. A sort of university education in' agriculture is to be acquired in- the experimental stations. So- much for.- actual grants of appropriations. By an 'Act

of 1862, known as the Organic Act, Congress established a Department of Agriculture; and endowed that department with the power of employing all necessary scientific men for the purpose of investigating matters essentially relating to primary industries. Of course a Department of National Agriculture would necessarily be based upon scientific knowledge, at any rate to a large extent. Thus we find the Department of Agriculture divided into so many scientific divisions, each division being told off to investigate different branches of agricultural knowledge and to collect agricultural intelligence. That knowledge and intelligence have to be formulated into popular works for distribution throughout the entire nation. In addition to that, a separate bureau has been established, called the Bureau of Animal Industry. To this bureau has been assigned the function of supervising the development of animal life so far as it forms a branch of industrial production useful and necessary for the support of man. Then, again, strange to say, although the Constitution of the United States contains no actual power to create a meteorological department, it has under the wonderful elasticity which is characteristic of the Federal Constitution

Mr Deakin

- Properly interpreted. -

Sir JOHN QUICK

-It has developed power to establish a weather bureau. One would, perhaps, be inclined to wonder how a weather bureau could possibly be implied by any process of construction out of power over trade and commerce; and yet our ingenious friends have held that a weather bureau may be used for the purpose of giving forecasts of storms, so as to warn people engaged in commerce to protect themselves against storms and change, and to assist in navigation.

Sir Malcolm McEACHARN

- I can speak from experience of that.

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Sir JOHN QUICK

- We are not driven to such refined speculations, or to the necessity of resorting to such implied powers, in order to establish a Department of Agriculture. Under section 51, we have an express grant of power which will enable us to form the basis of what will in time, I hope, become a national department of agriculture and production, equally as great and equally as important in Australia as that of the great department of agriculture in the United States. Of course, I do not submit this motion, expecting the Federal Government, who are already engaged in the solution of very important problems, to be able to launch the scheme in the full splendour and magnificence one might conceive it possible for it to attain hereafter. I desire, however, to draw public attention and the attention of the Government to this power which rests in the Constitution, and to invite them to consider how it may be brought into operation gradually, with tentative steps, and as occasion may arise. I also wish it to be understood that in desiring to bring this power into operation I do not intend to cast any reflection upon existing State departments of Agriculture, nor do I desire to impair their usefulness and activity. There are certain great questions connected with agriculture and our primary industries in which the whole of the States of Australia are equally concerned. In regard to these Australian questions, in which all are equally concerned, I consider it is desirable that we should have one central department capable of supervising and watching the interests of the whole, and able to take action in the required direction. It is not fair that one State - either Victoria, New South Wales, or Tasmania - should be called upon to take pioneer action in scientific investigation, or to make experiments for the purpose of promoting agriculture, and that the other States should afterwards have the benefit of its individual action, without contributing towards the expense. What I desire to invite the attention of the Federal Government to is the desirability of creating the nucleus of a department, based on section 51, sub-section (3), of the Constitution Act. Indeed, as a matter of fact, it will be necessary, in my opinion, for steps to be taken in that direction simultaneously with the adoption of the uniform Tariff. On the adoption of the uniform Tariff the power and control over bounties and bonuses on the production or export of goods become vested exclusively in the Federal Government, subject to the reservation of rights acquired under pre-existing contracts. But with regard to bonuses and bounties generally, it will be necessary, immediately a uniform Tariff is adopted, for the Federal Government to organize some department, or some authority, which will take into consideration questions arising under the subsection relating to bounties, so as to be able to authoritatively submit proposals to this House that may be dealt with in a manner consistent, not only

with the interests of the State concerned, but also with the interests of the Commonwealth as a whole. Under the law of Victoria at the present time a large number of bounties are being offered by the Agriculture department. For instance, there are bounties on the cultivation of general vegetable products, the export of fruit, the export of fruit pulp, the manufacture of vegetable oil, and the manufacture of hemp and flax, while there are bonuses for wineries, for the export of tobacco, for the cultivation of fruit trees, and so on. I have not been able to get information in regard to systems of bonuses which may exist in the other States, but it may be that bonuses of a similar character are elsewhere being offered under State laws; and it will be necessary that some action should be taken in order to secure federal supervision over their operation. I mention this as showing the legal foundation, so to speak, on which a department of this kind might be established. But there are other matters of interest and importance relating to agriculture and primary industries which can be referred to an authority of the kind I contemplate. Some action ought immediately to be taken to construct an intelligence bureau - that is a department, or a division of a department, designed for the purpose of collecting all kinds of information relating to agriculture throughout Australia and throughout the world, the information so collected to be used for the benefit of Australian producers generally. I noticed recently that the Prime Minister had received from the Home Government a circular suggesting that some action should be taken to constitute some authority for the purpose of gathering information relating to trade and commerce in the Commonwealth, with a view to keeping up communication with the Department of Intelligence connected with the Board of Trade in England. That circular suggests the necessity for immediate action in the direction which I now advocate. Again, only this week a question was put to the Prime Minister by, I believe, the honorable member for Illawarra, with reference to the intentions of the Government as to appointing commercial agents in various parts of the world, charged with the duty of collecting information relating to manufactures, trade, and commerce, such information to be used for the benefit of Australian producers and Australian commercial men. Of such a scheme, -an intelligence division of the Agricultural department such as I now suggest would be a very important feature indeed. Such a bureau would discharge the function of collecting information relating to the latest developments of science in reference to agriculture and production, and the producers of Australia could be kept fully informed as to the latest investigations - and discoveries. We all now generally admit that every industry which hopes to succeed - must be equipped with the results of the latest scientific investigations and discoveries. If we hope to maintain our position - certainly if we desire to make any progress in the direction of the development of Australian industry - we ought to secure the very best and latest information in regard to production and cultivation, for the use of our producers and the men who are on the soil, and steps should be taken for placing that information at the disposal of these people at the very earliest opportunity. One direction amongst numerous others which I could mention in which such a department might promote the interests of producers is by offering a reward, open to the whole world, for the discovery of some scientific method of preserving fruit from decay, or preserving it in such a condition as to enable it to be transported over long distances, such as that from Australia to London. We know that scientists in various parts of the world are at present engaged in endeavouring to discover some scientific method such as I now suggest. Numerous men are engaged in this work, and only recently I read in the Times that a Mr. Drayton has been spending large sums of money upon such an investigation. By the same authority it was stated that it is believed science is on the eve of an important discovery which will lead to very great results. If by federal action we could

- \* encourage scientists to investigate for some scientific process for the preservation of perishable products, what a vast gain it would be to Australia. What a vast gain it would be if our fruits could be made available in the old land at a time when prices are high, and when there is a great demand for the productions of the southern hemisphere. There would be plenty of work in that direction for such a department as I suggest. I have noticed that of late years the American Department of Agriculture, to which I have already referred, have been working hard to establish better trade relationships with Great Britain, and they have succeeded in capturing Great Britain for the purchase of horses in America. This trade has been taken from Germany, and now upwards of 30,000 or 40,000 horses reared in America are sent across the Atlantic to the English market. I would like to know what action has been taken by the various agricultural departments of Australia with a view to promoting the breeding of Australian horses, and making them available for the great markets of the world. In this trade alone, it appears to me, a vast

amount of good might be done by having a forward, progressive, go-ahead department that would assist farmers and graziers by advising them as to the proper way to go about the production and export of horses. Our friends in New Zealand are more forward than we are in this- matter. I notice that Mr. Seddon has recently despatched a scientific expert for the purpose of taking steps to secure the best breeds of cattle and horses for New Zealand. Mr. Seddon has also been successful in getting a very big order from the Imperial Government for horses to supply remounts for the Imperial forces in South Africa. I have a vast amount of material with which I could take up time in elaborating this question, but I believe it is unnecessary for me to do so. I merely desire on the present occasion to launch the subject for the consideration of honorable members, knowing that there are those in the House who are capable of taking up and developing and improving the idea. I hope the proposal will be favorably considered by the Federal Government, because it will have to be considered sooner or later, and I hope the subject will be approached in a broad and national spirit. I hope the Government will not shirk a duty which is inevitable. The question will .have to be faced. One of the present Ministers, if a new Minister is not created, will have to be appointed to look after matters of this kind, which are fast becoming pressing, and in which undoubtedly the producers of Australia are intensely interested. I have cut my remarks somewhat short, and have hardly done that justice to the subject which I should like ; but I now submit the motion for the consideration of the House.

Mr ISAACS

- I have much pleasure in seconding the motion, and I move -  
That the debate be now adjourned.

Minister for External Affairs

Mr BARTON

. - I am very glad to consent to the adjournment of the debate, because I think that the honorable and learned member for Bendigo has given honorable members much food for thought. There may be some doubt as to the constitutional power to establish such a department ; but if there be that power, I think I may say the Government will be found to be wholly in favour of its establishment.

Motion agreed to ; debate adjourned.

TELEGRAPHIC RATES.

Mr MAHON

- The following motion stands on the notice-paper in my name ; -r

That this House, desiring that the people of the several States shall have equal facilities for obtaining information concerning the proceedings of the Commonwealth Parliament and Executive, is of opinion that the Government should immediately reduce Inter-State charges for the transmission of reports of parliamentary debates and establish a uniform rate for such messages.

As the usual hour for the adjournment of the House has arrived, I should like to postpone the motion, but as it is of very great importance, and large sums are being expended by the newspapers concerned, I hope the Prime Minister will make an explanation.

Mr. BARTON(Hunter- Minister for External Affairs). - This matter is receiving very close attention. I would advise the honorable member for Coolgardie to withdraw the motion, because he will find that some action in the direction he indicates will be shortly taken.

Motion, by leave, withdrawn.

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16:15:00

House adjourned at 4.15 p.m.