

1893.

—
VICTORIA.

FACTORIES ACT INQUIRY BOARD.

FIRST PROGRESS REPORT

OF THE

BOARD APPOINTED TO INQUIRE AND REPORT AS TO THE WORKING OF THE "FACTORIES AND SHOPS ACT 1890" WITH REGARD TO THE ALLEGED EXISTENCE OF THE PRACTICE KNOWN AS "SWEATING" AND THE ALLEGED INSANITARY CONDITION OF FACTORIES AND WORK-ROOMS.

PRESENTED TO BOTH HOUSES OF PARLIAMENT BY HIS EXCELLENCY'S COMMAND,

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PROGRESS REPORT.

To His Excellency the Governor in Council.

MAY IT PLEASE YOUR EXCELLENCY :

The Board appointed on 1st June, 1893, "To inquire and report as to the working of the *Factories and Shops Act* 1890, with regard to the alleged existence of the practice known as 'sweating' and the alleged insanitary condition of factories and work-rooms," have the honour to submit the following Progress Report :—

1. A preliminary meeting of the Board was held at Parliament House on Tuesday, 6th June, 1893. Up to the date of this Report altogether 22 meetings have been held, and 50 witnesses have been examined.

2. We desire to acknowledge the courtesy of the Honorable the Speaker of the Legislative Assembly in placing at our disposal a room for the conduct of business in. This concession is a valuable one, as it enables the Board to accommodate the large number of witnesses, as well as the public who desire to be present at the proceedings, with the maximum of convenience, and without cost to the country.

3. The information laid before the Board will be found in detail in the official minutes of the evidence taken. The witnesses examined comprise representatives of every class of persons connected directly or indirectly with the clothing trade, and include warehousemen, importers, manufacturers, factory managers, tailors, shirtmakers, factory hands, and many outside workers.

As a rule the examination of witnesses was conducted upon oath in open court, but in exceptional cases, and in response to many urgent requests, this course was sometimes departed from. Private sittings were held, a proceeding that was alleged to be rendered necessary as affording protection to a certain class of witnesses, who stated that without such privacy they were practically debarred from giving evidence, on the plea that the information they laid before the Board might, if made public, prejudice their employers against them, and possibly result in loss of their employment.

4. Many letters have been received from persons engaged in various industries, principally dealing with the alleged existence of "sweating" in their several callings. The greater number of these communications were from those connected with the clothing trade and the manufacture of articles of apparel generally, including that of boots and shoes. In addition, urgent complaints were made by cabinetmakers and others engaged in the making of furniture, as to the condition of their trade, which it was alleged was seriously interfered with and its existence threatened through the undue competition of Chinese, who, by evasion of the *Factories Act*, their poor way of living, long hours of labour, and acceptance of low wages, had almost driven the European artisans out of this leading and important industry. They also contended that the Chinese worked under insanitary conditions which should not be allowed, and urged the Board to make a searching inquiry into the effects produced by alien labour, which had brought about an intolerable competition of such a disastrous character.

5. Feeling, however, that the alleged abuses which the Board were appointed to inquire into are more particularly connected with the manufacture of clothing, and that the allegations of "sweating" in connexion therewith cover a large extent of ground and involve considerations affecting the more helpless class of workers in the community, we considered it advisable to commence our labours by the investigation of this branch of our inquiry before dealing with the other important channels of industry which our commission empowered us to report upon. In the meantime inquiries were initiated so as to place us in possession of data to enable us to deal exhaustively with the question of alien labour and its alleged evil consequences. This will furnish the subject-matter of the next Report to be submitted.

6. So that the inquiry might have the broadest scope, and be of a thoroughly searching character, one of our first communications was addressed to the Trades Hall Council, stating therein our desire of affording every facility to the trades affected to bring forward evidence, to which response was made, thanking us for the communication and stating that the Council would undertake to correspond with representatives of the trades interested. A similar letter was forwarded to the Chamber of Manufactures, but the reply received from that body was that the chamber were unable to submit any evidence, as they had no knowledge that the practice of "sweating" was in existence so far as the industries in which they were interested were concerned. Publicity was also given through the press of our willingness to examine any one desirous of affording information with regard to the questions remitted to us for investigation.

INTRODUCTORY.

7. A study of the history of the English factory laws will make it clear that the whole course of legislation has been, primarily, the enactment and continued extension of sanitary provisions, protection of employes from accidents by machinery, limitation of the hours during which any child, young person, or woman may be employed, regulation of the hours for meals, and the observance of certain holidays. More recently amendments in the Act have been made with the object of bringing the homes of outside workers under the supervision of the Factories Inspectors.

8. It will be seen from the earliest English Factory Acts—46 George III., cap. 73, down to the latest, 54 and 55 Victoria, cap. 75, known as the *Factories and Workshops Act* 1891—continuous efforts have been made by legislation to ameliorate the condition of employes, by prohibiting excessive hours of labour, providing for sanitary reform, protecting young persons, and requiring that their educational wants be regarded as of primary importance.

The earlier Acts were, from their nature, largely experimental, and it was not until mechanical power began to be employed, and more particularly in textile factories, that it was found necessary to deal with conditions that had become painfully evident, especially those in regard to excessive hours of labour.

9. There appears to have always been some difficulty in defining the difference between a "factory" and a "workshop," but in 1875 a Royal Commission was appointed in England to take evidence and submit a proposition for bringing into harmony the numerous laws then existing on the subject. That report laid before the Imperial Parliament in 1876, dealt extensively with the question, traced clearly the course of legislation, pointed out the cases of the differences in regulations of the various trades, and, by a series of resolutions laid down the groundwork for the consolidation of the various Acts, which was accomplished under 41 Victoria, cap. 16, passed 27th May, 1878, and which now forms the Principal Act, dealing with factories and workshops, with amendments made as late as 1891.

10. The English Act of 1878 is to a large extent embodied in the present Act relating to factories in Victoria, which has not, so far, received the benefits of amendments of an important character similar to those enacted in the mother country two years ago. These refer again almost exclusively to sanitary matters, bringing places where work is performed more thoroughly under supervision, and vesting Her Majesty's Secretary of State with large discretionary powers in dealing with so important a question as the health and well-being of, perhaps, the largest portion of the population, requiring more than any other the protection of the law.

11. The present Victorian Factories Act does not separately define the terms "factory" and "workshop" or "work-room," but treats them as synonymous, while the English Act draws a clear distinction between them, separating them into five different classes.

Dealing with the Imperial legislation, it will be seen that a "factory" is defined as a place in which machinery is moved by the aid of steam, water, or other mechanical power. Furthermore, "factories" are subdivided into two classes, viz., "textile factories" and "non-textile factories."

A "workshop" is defined as a place in which no motive-power is used. "Workshops" are also classified into three subdivisions, viz.:—1, Workshops; 2, Workshops in which neither children nor young persons are employed; and 3, Domestic workshops, which are defined as private houses, rooms, or places in which the only persons employed are members of the same family dwelling therein.

12. The requirements of the law vary considerably in their application, according to the different kinds of factories or workshops; but the sanitary condition of all is, with a few exceptions, under the supervision of the local authorities. These exceptions refer to places in which occupations of a lighter character are carried on in dwellings by the families living therein, others to which the Secretary of State may extend exemption, and dwelling houses in which work is carried on by families at irregular intervals and which work does not furnish the principal means of living of the occupants.

13. The objects sought to be attained by the present Victorian Factories Act may be summed up briefly thus:—1. To insure good wholesome work-rooms in factories. 2. To prevent young persons under sixteen and women being worked too long in factories. 3. To protect young persons against being employed at work which may be injurious to them. 4. To provide for the proper protection of workmen engaged in connexion with dangerous machinery, and to guard against incompetent persons being placed in charge of steam-engines and boilers used in connexion with factories or work-rooms; and 5. To provide for the early closing of shops. A factory under the Act is defined as any place in which six or more persons are engaged working for hire in any handicraft or manufacture, or in which Chinese are engaged in a similar way, or in which steam or mechanical power is used. The Act, however, is limited in its operations to dealing with establishments situated within any city, town, or borough, but provision is made for extending it to shires under certain conditions.

The amendments made in the English Factories Act in 1891 are principally for the purpose of rendering the inspection of workshops more efficient, especially as regards sanitation, and for a more thorough protection of machinery used in factories.

With these few introductory remarks, we now proceed to deal with "The alleged insanitary condition of factories and work-rooms."

SANITATION.

14. We note that, as far back as 1884, a Royal Commission was appointed to inquire into the subject of employes in shops and the operations of the then existing Victorian Factories Act, by which body a large amount of evidence was taken, dealing almost identically with matters now referred to us for investigation. Many important recommendations made by that Royal Commission were not submitted to Parliament, and consequently have not been embodied in *The Factories and Shops Act 1885*, now known through the consolidation of the Statutes as the *Factories and Shops Act 1890*. Experience since gained has shown that this omission has proved detrimental to employes in factories—including those known as "apprentices"—and outside workers connected with such establishments, and has been one of the main causes of the public agitation resulting in the present inquiry.

15. Furthermore, we find that although the Chief Inspector of Factories has, in accordance with the Act, reported upon its operation annually since 1886, making repeated recommendations with regard to the more efficient supervision of factories and workshops, particularly in connexion with sanitation, no legislation has been effected,

except an amendment of the Act in 1887, consisting of a few clauses, defining as a factory under the Act any place in which Chinese are engaged in working for hire in any handicraft or manufacturing industry.

16. It is a pleasing feature to note that the evidence adduced points to a very marked improvement in sanitary matters connected with factories having resulted since the passing of the Act referred to, and that factories generally which have come under its supervision are, as a rule, in a thoroughly healthy condition. In a few instances, however, causes for complaint have arisen, and these are dealt with in a later portion of this Report.

It is impossible to say whether the smaller factories, which employ less than the statutory number of six hands, are in a similarly satisfactory state, as the limitation of the law in this particular removes a very large number of establishments from the operations of the Act, and consequently from the supervision of inspectors. There are at present no means of knowing how many factories are in existence employing a lesser number than six hands, or of ascertaining the whereabouts of such establishments, which we consider will be found to largely exceed the number of registered premises.

17. Complaints have been made that small back premises of large tailoring establishments—altogether unsuitable for the purpose, being badly ventilated, and so ill-lighted as to necessitate the use of gas as an illuminant all day—are frequently used as work-rooms, to the detriment of employes. Inquiries made by the Board have proved these complaints to be well founded, and have satisfied us that many places that are in reality factories, but which do not come under the provisions of the Act owing to the workers employed therein being below the statutory number, are to be found in connexion with retail shops in leading thoroughfares. The workers are frequently employed under conditions that would not be permitted were such establishments brought under the supervision of inspectors by an amendment of the law. We are strongly of opinion that the limitation of the Factories Act to places in which six or more persons are employed is a distinct defect in its provisions, and it is confidently anticipated that a reduction of the number that in future shall constitute a factory, as herein recommended, will add a very large number of establishments to the existing list of factories that come under proper supervision.

18. While the sanitary condition of registered factories appears on the whole to be of a satisfactory character, the evidence also shows that the same may be said of the close and efficient supervision exercised by the inspectors. Some special instances, however, which had been matters of complaint in the public press, were brought under our notice of portions of buildings having been improperly used as factories. These had been closed before the date of our appointment, and an explanation of the circumstances has been received from the inspectors in whose districts the buildings are situated.

Another complaint was as to the unsatisfactory condition of some factories, in connexion with the necessary sanitary conveniences required in places where numbers of workers of both sexes are employed; and also in regard to undesirable approaches to factories which have no access to main thoroughfares, the entrances being by rights-of-way, which necessitate female employes having to pass in close proximity to old and dilapidated premises, occupied by persons of undesirable character, situate at the rear of extensive buildings used for factory purposes.

19. We considered it necessary to personally investigate the cases thus brought prominently under notice, and on visiting one of the establishments that was particularly indicated found it to consist of a well-built factory of modern construction. The access for employes is through a yard, the rear of which is occupied by three small and very old tenements, probably built 40 or 50 years ago, evidently before the existence of building regulations. The approach to the factory for employes is not, in our opinion, satisfactory, as its suitability depends entirely upon the character of the individuals occupying these cottages, which are the property of the person owning the building in which the factory operations are carried on.

20. Other premises forming a subject of complaint, as being unsuitable for factory purposes, are situate on low-lying land within the city of South Melbourne. In this municipality we find that no by-laws exist regulating the construction of buildings other than one relating to drainage. About 50 hands are at present engaged in the factory in question, in which as many as 120 have sometimes been employed. The employées, who are mostly females, do their work in one very large room, a small portion thereof being subdivided by wooden partitions about 8 feet in height. The ground all round this factory, including the street frontages, has been filled up several feet, in conformity with the conditions that attach to leases granted of Crown lands in this part of the city. The basement of this building, which is immediately under that portion where the manufacturing operations are carried on, is at present unoccupied, but is, we believe, intended for use for storage purposes. The floor is laid on the original surface ground, which is now several feet below the level of the street, owing to the "filling-up" process before referred to. The result is that the drainage finds its way under the foundations of the brick walls, about 10 feet high, upon which the iron superstructure constituting the factory is principally supported, and rises through the floor, loosely paved with brick tiles, which appears to be always in a wet sodden condition. Drainage is partially accomplished by means of a pump, which discharges the water into the street channels from an excavation or well, provided so as to receive a number of small drains conducted thereto from all parts of the tiled floor. At the time of our visit extensive alterations were in progress, apparently with the view of more effectively ventilating this cellar. Taking into consideration the locality in which the factory is situate, there appears to have been a fair attempt to cope with the drainage difficulty that must always attach more or less to lands in this low-lying locality. In our opinion, however, this would have been better accomplished had the floor been covered with concrete or asphalt and the foundations of the brick retaining walls rendered water-tight by cement.

One objectionable feature appertaining to lands in this vicinity is the unsatisfactory arrangement made for the disposal of drainage generally, principally that from the contiguous portions, and more especially from those situate at the rear of the extensive pile of buildings in St. Kilda-road known as the Victoria Barracks. Large pools of water are to be found here, and where drainage has been attempted by open sewers the fall appears so inadequate that the water seems almost to stagnate. One drain some short distance to the south of this factory was in a very bad condition, containing noisome and feculent matter, emitting odours which must be highly dangerous to the health of persons compelled to pass many hours in proximity to it. The main building of the factory in question is constructed of corrugated iron, fixed on wooden uprights and rafters. There is no ceiling, nor is the building lined, which must subject the employées to extremes of heat in summer and cold in winter. These premises, however, have been passed by the Council of South Melbourne, which body has jurisdiction in questions involving their fitness for factory purposes and the employment of labour therein. The Chief Inspector of Factories, upon buildings being passed by the local health officer, in accordance with the regulations made under section 8 of the Act, has no option but to register the same as properly-constituted factories.

So far as other arrangements in this factory are concerned, including those of decency and convenience, there can be no fair cause of complaint, but we think that the insanitary surroundings that obtain in the locality should receive immediate attention from the Board of Health.

21. No communications have been received from any worker or person connected with work-rooms complaining of the insanitary condition thereof. This applies also to the dwelling-houses of "outside" or "home" workers, where articles of apparel are being made up or finished for factories. The evidence shows that these places, with a certain number of exceptions, are generally in a clean and wholesome condition. The workers are described as healthy, their general respectability and honesty is undoubted, and they are referred to in those terms by the great majority of witnesses examined. Very few garments fail to be returned to the factories by these outside employées, one witness stating that he had been 33 years carrying on an extensive business, often turning out 1,200 coats, vests, or trousers

per week, and that during the whole of his experience his loss had not exceeded 20 articles. This is corroborated by the late manager of a factory recently carried on by a large wholesale firm, who stated in evidence that in his seven years' experience he had not lost one garment a year.

22. The importance of bringing all work-rooms where labour is hired under the Act was strongly advocated by far the larger number of the witnesses examined, some going so far as to propose that all places where textile materials are made up, including purely domestic work-rooms where none but the members of a family are employed, should be brought within the jurisdiction of the Factories laws.

23. In pursuing our investigations into the sanitary condition of factories generally attention was directed to the provisions of section 4 of the Act, with reference to the application thereof to such places only as are situate within any city, town, or borough. The Governor in Council is therein empowered to extend the provisions of the Act to shires, or portions thereof, "if the shire council have passed a resolution praying that such an order may be made." The evidence shows that no council has ever passed such a resolution, which has, therefore, prevented the extension of the Act in cases where it is clearly to the public advantage that such a course should have been adopted. An instance illustrating this is shown in connexion with two of the northern suburbs, one a town, and therefore coming under the provisions of the Act, and the other a shire exempted therefrom, a main thoroughfare being the boundary line. The case cited is that of Brunswick (a town), separated from Coburg (a shire) by the Moreland-road. On the one side the Act is in force; on the other unregistered factories exist but a short distance from the town side, where all are compelled to register. We are of opinion that the Governor in Council should be empowered upon the report of the Chief Inspector to extend the provisions of the Act to any portion of the colony, without reference to any local authority.

24. Although by far the greater number of occupiers of factories and workshops evince a loyal co-operation with the inspectors with regard to sanitary requirements and a desire for the health and comfort of their employes, yet cases have occurred where persons have deliberately taken the course of reducing their hands below the statutory number of six, so as to escape the provisions of this law, rather than incur the expenses of complying with the sections under Part IV. relating to proper and periodical cleansing, including lime-washing and painting or varnishing. It should be in the power of the inspectors to insist upon the maintenance of a constant and ample supply of disinfectants, and the provisions of sections 19 and 21 so amended, should apply to all factories or work-rooms and their appurtenances. The cleansing of floors, doors, and windows should be added to the provisions of section 21.

We are also of opinion that the Chief Inspector of Factories should be empowered to cause action to be taken in the event of any infringement of section 19, without reference to the local authority, which course is at present imperative.

25. The important and salutary provision set forth in section 8 of the *Factories and Shops Act* 1890, to the effect that no building or place which is about to be used as a factory or work-room for the first time shall be registered until the local council has on receipt of a complete plan of such building, together with other necessary information, expressed its approval of the same in writing, will be at once recognised, when it is considered that up to this point the sole jurisdiction is in the hands of the local authorities. When once registered as a factory, unless there be a breach of the Health Act in the opinion of the Chief Inspector of Factories, which he is obliged to bring under the notice of the council interested, the registration fee must be taken initially when tendered. The *Factories and Shops Act* 1885, which came into force on the 1st March, 1886, exempted all factories or work-rooms then existing without reference to their condition. Thus a building may be wholly unfitted for factory work, and yet be without the purview of the local authorities.

Many factories of this class still exist, and it can be easily understood that certain conditions might arise with reference to them which would not technically be breaches of the Health Act, but which it might be very desirable to the employes and also to the employer, especially where the latter is a tenant, to have altered and improved in conformity with the spirit and intention of the Act.

26. The attention of the Board was drawn by the Chief Inspector to the existence of several Chinese factories in the centre of the city, registered many years ago, and which are now in an insanitary state. These have been condemned by the Melbourne City Council; but the Chief Inspector can take no action to compel the occupiers to vacate the premises. Probably in time such places may be closed or improved under the provisions of the Health Act; but it is manifestly undesirable that any factory should be allowed to get into such a condition as to be pronounced as "unfit for human habitation," which is the necessary proviso of condemnation under the Health Act. A further instance is cited of a factory situate in a country town, which the local inspector reported was not in a proper condition. The council's officer however considered it was not a matter that could be dealt with under the Health Act. It appears, then, that there is no provision under which the owner of premises that are gradually drifting into a dilapidated and unwholesome condition may be compelled to adopt measures to bring about a better state of affairs. The premises must be pronounced "unfit for human habitation" before any action can be taken under the Act, while in the meantime numbers of persons may have their health impaired by working therein up to the point when the final declaration of "unfitness" is certified. This state of affairs discloses a divided authority between the local councils in their dealing with the matters pertaining to health and those who administer the Factories Act, and this, taking into consideration that the Factories Act is mainly and essentially a sanitary law, may often cause delays in remedying insanitary conditions of a highly dangerous character.

27. We are therefore of opinion that the carrying out and enforcing of sanitary regulations should be left more directly in the hands of the inspectors, who should be enabled upon report to the Minister to obtain, after due notice to the occupier, an order suspending or cancelling the certificate of registration; so that the factory or work-room complained of must be submitted again to the local authority for approval in accordance with the sanitary regulations of the Act, before such suspension or cancellation order be rescinded. Though the exercise of this power may appear severe, yet it will be a valuable provision, available to meet special cases where persons by a policy of inactivity or neglect are virtually evading the responsibilities that attach to those using buildings in which large numbers of workers are employed, many of whom, moreover, would probably be prevented by their position from making complaints. It would not be necessary in cases of this kind that two registration fees should be paid, as it could be provided that no factory should be called upon to pay more than one such fee in each year. We think that the factory inspectors, from the nature of their office and the experience gained by constantly visiting the various places controlled by the Act, are fully competent to carry out any regulations made by the Department of Public Health. In England, where the provisions for carrying out sanitary regulations in workshops are left in the first instance with the local authority, summary powers are conferred upon the inspectors, in the event of the former not taking action within a reasonable time, after a breach of the regulations has been reported.

28. An instance showing the great delay involved in matters of this description was made apparent upon our visiting a large factory carried on in connexion with an extensive clothing business in the heart of the city. Representations as to the insanitary condition of portions of this establishment had been lodged by the inspector of factories several times during a period dating back three years, but we found that the necessity for a radical improvement was still urgent, and the objectionable features reported upon by the inspector appeared to be as far off reform as ever. It is only fair to state, however, that we were informed that an alteration was about to be effected. Similar promises appear to have been repeatedly made, but up to the present they have not been fulfilled. The inspector having failed to obtain a response to his complaints made to the City Council within a reasonable time, took the only other course open to him of appealing through the Minister to the Board of Health. That body, however, remitted the subject again to the City Council, where the matter still rests. If the inspector had been invested with the power before referred to, of suspending the certificate of registration, such a state of things could not have existed for a month after lodging his complaint with the Minister.

It is admitted that instances of the kind cited above are exceptional, the authorities of the City of Melbourne having generally supported the inspectors by dealing promptly and effectively with complaints referring to breaches of sanitary regulations that have come under notice.

29. While the provision under section 8 regarding the production of plans is worthy of general commendation, as applied to the larger factories, yet the trouble and expense of providing them in all cases appear to operate as restricting in some degree the extension of the lesser workshops where it is desired to accommodate a comparatively small increase in the number of hands. This procedure might be much simplified and rendered less expensive if the occupier were only required at first to hand to the local authority a written description of the premises explaining the proposed additions or alterations, upon which discretion could be exercised as to whether in such a case plans of an elaborate kind might not be dispensed with.

THE "SWEATING" QUESTION.

30. The importance of the investigation into the alleged existence of "sweating" in the clothing trade made it necessary that the evidence taken should be of an exhaustive character, and consequently, as will be seen on a perusal of the Minutes of Evidence, the number of witnesses examined in this connexion is very large.

The question of "sweating" is inseparable from that of "wages" generally, and an inquiry into the former naturally opens up the whole subject of the remuneration paid to operatives, and the present condition of the various branches connected with the industry of clothing manufacture.

31. The number of definitions of the term "sweating," as laid before us, are many and very often conflicting, and great difficulty was experienced in obtaining from witnesses a clear explanation of what, in their opinion, constituted a "sweater." The Select Committee of the House of Lords, appointed in 1890 to inquire into the evil as it then existed in England, appear to have met with a similar difficulty, for their Report refers to the varied and sometimes contradictory nature of the evidence on this point, and the difficulty in arriving at a clear and consistent definition of the term. While some witnesses examined by us defined a "sweater" as one who, having no practical knowledge whatever of the trade, sets up as a manufacturer, and, doing no work himself, obtains his living out of the labour of those employed by him; others alleged that he (the "sweater") was a person working inordinate hours himself and squeezing the utmost amount of work out of his employes, indoor and outdoor. Again, it was asserted by some that "sweating" was unknown in factories; but this was controverted by others contending that the practice was encouraged by many factory-owners, who, by compelling their hands to take work home, thus evaded the spirit and intention of the Act, which limits the working hours of women and young persons to 48 per week. By this means, although only the ordinary hours were kept in the factory, yet the employes were "sweated," as the wages earned were represented by labour covering much more than the statutory eight hours per day. In England it was considered that the shortest and most expressive definition of "sweating" was that furnished by one witness who described it as "grinding the faces of the poor"—taking advantages of their necessities to impose almost any terms, and reducing the remuneration paid for the work to an amount so low that the worker could scarcely exist thereon.

The following definitions were given in evidence as the various interpretations of the terms "sweating" and "sweater":—

Late Chief Inspector of Factories.—"Taking advantage of the necessities of the poorer and more helpless class of workers, either by forcing them to work too hard or too long, or under insanitary conditions, or for starvation wages, or extracting undue profit out of their labour.—Where advantage is taken of the necessities of the worker to enforce a rate of wages which is below the current price, disproportionate to the work, and which compels inordinate hours of labour."

Acting Chief Inspector of Factories.—"Working a person inordinate hours, and getting the work done at a lower rate of wage than the current wage.—Getting similar work to that done in the factories at a much lower rate."

Inspector of Factories.—“A man who takes a large quantity of work from a factory, and, without putting any labour upon it himself, lets it out to different people at the lowest possible price.—The middleman.”

Manager of Messrs. Beath and Schiess' Factory.—“Any manufacturer who sublets work at a price which will allow the middleman a second profit on the same goods may be regarded as a sweater.”

A Presser.—“Exacting an inordinate amount of exertion in return for inadequate wage.”

Representative of Messrs. Banks and Co.—“To extort a lot of labour for a very low remuneration.”

Factory Owner.—“A man who takes a contract and re-lets it at a profit, not working himself.”

Another Factory Owner.—“A middleman who takes out work and passes it on to others.”

Trousers Manufacturer.—“A person taking out work from any house of business and re-letting the same at such a price that people cannot live fairly by it. Also employing numbers of apprentices to do the majority of work under the superintendence of skilled hands, and dismissing them when they demand higher pay and substituting in their place a fresh lot.”

Secretary Tailoresses Union.—“Paying a lower price than the ruling wages.”

A Shirtmaker.—“Middlemen putting no labour in work but sub-letting.”

A Tailor.—“People that give out work and do not work themselves.”

32. Operatives engaged in the clothing trade may be classified under two divisions, viz., those who are engaged in factories or work-rooms, and those who carry on their work in their own homes. The former are known as factory hands or “indoor” workers, and the latter as “outside” workers.

Factory employes comprise two classes—“order” workers, and “slop” or “slop” workers. It is generally acknowledged that those engaged upon “order” work are fairly remunerated, and that it is in the “slop” work that the practice of “sweating” is more prevalent. The evidence on the whole, however, went to show that beyond the common grievance of slackness in the clothing manufacturing trade generally, those employed in factories had little to complain of in the matter of wages. It was amongst the “outside” workers—the “unskilled labour”—that the rate of wages ruling was lowest, and that the cry for protection against the “sweater” had been raised.

33. The terms “skilled” and “unskilled” labour as used by the trade appear to be somewhat misleading. The “unskilled” operatives are generally recognised as those who are engaged in “finishing” garments after they have been manufactured up to a certain point. To call them “unskilled” is not quite correct, for the work of “finishing” often requires the possession of expertness and ability on the part of the operative which can only be acquired after long practice. “Finishers” frequently get their work through the medium of “middlemen,” and are therefore amongst the poorest paid workers of the community. They are almost invariably “outdoor” workers.

34. The supply of “outdoor” labour consequent upon the depression which unfortunately exists in all branches of industry at present is greatly in excess of the demand, and thus prices are forced down by keen competition amongst the workers themselves, aggravated no doubt by the “cutting down” process which prevails amongst the smaller manufacturers or “middlemen,” many of whom carry on operations outside the control of the Factories Act, and by employing “outside” or “home” labour relieve themselves from the charges of rent, light, fuel, machinery, and in many cases “sewings,” which they would otherwise have to provide for did they conduct their business in factories.

35. Two distinct classes of “outdoor” workers combine from entirely different standpoints to reduce prices. The one class consists of those who do not depend upon work for their livelihood, but who take it out simply with the view of supplementing the earnings of their parents or relatives or for the purpose of obtaining “pocket money.”

The other class comprises those who are obliged to take work out in order to live. The necessities of this class are so keen, and the supply of workers of this kind so greatly in excess of the demand, that the competition forces them to accept any price for their labour that may be offered them. One witness stated that out of 35 outdoor workers he employed, he considered 34 were of the former class. We think, however, that employers cannot accurately draw a hard and fast line between the two classes, more particularly at the present juncture, when misfortune attributable to the great depression, coupled with the financial disasters have overtaken vast numbers of our population, and when many persons are really obliged to work, though their appearances may not indicate their necessities and present unfortunate position.

36. The chief complaint at present is the great scarcity and shrinkage in the volume of employment, and generally this condition has existed for a considerable time. The output of clothing factories has been very much reduced during the past two years, and the number of employes has proportionately fallen off. The capacity of the factories is estimated by various witnesses to be equal to the accommodation of at least five times the present number of indoor workers. Nearly every factory employs a number of outside hands, who, in some instances, comprise what is known as the "middlemen." These latter take out large quantities of work, giving much of it to persons who work in their own homes, the remainder being made up in buildings some of which only are registered. This tendency to work outside, notwithstanding the protection afforded by the Factories Act to workers in registered factories by the supervision over sanitary arrangements, is very largely on the increase. The proportion of outdoor workers to those working in factories is much greater now than a few years ago. In many cases factories have been entirely closed, one notable instance being that of a building erected for the purpose of manufacturing clothing by one of the largest wholesale soft-goods houses in the city.

This firm, upon the adoption of a protectionist policy in Victoria, became extensive manufacturers in 1867, and rented premises for the purpose of carrying on this new business, which involved the employment of a large number of hands. Eight years ago they erected a factory of their own in Carlton capable of accommodating at least 300 employes. In the beginning of the present year it was found necessary, in the face of competition that had grown up, and which had enabled other manufacturers to undersell them, to close this factory they had built at a great cost, and to rely upon their operations being carried on in future by a number of contracting firms, who were able to manufacture garments for them at a much lower price than that hitherto paid when the work was carried out under the supervision and control of their own manager on their own premises.

37. The reason given for this important change was clearly stated in evidence by a member of the firm referred to, to be that the practice of giving out work had been so generally adopted by others in the same business, and prices had been brought down in consequence to so low a rate that they were no longer able to compete with any degree of success. The factory building, now unoccupied except for storage purposes, was erected at a cost of £10,000, and was supplied with every modern appliance, including motive power for working the sewing machines. Notwithstanding these advantages, the firm have been compelled to discontinue operations in this building, and now employ nine outside firms or contractors instead, who take the material away from the warehouse in the piece, returning the cloth in the finished condition of completely made-up garments. It is significant, as indicating the complete change that has taken place in carrying out the manufacturing operations of the firm alluded to, that their late factory manager is now the proprietor of an unregistered work-room, employing 5 hands inside and 35 out-workers. He receives work from his former employers, which, by his new position as a contractor, is now done at a price fully 20 per cent. lower than it cost to have performed in the factory that has been closed. The firm, as a necessary consequence, have ceased to be classed as occupying a factory, though they still have their name in the list of "manufacturers." None of the work is performed at the warehouse, nor in any building over which the firm have control, being, as before stated, wholly done by "middlemen."

38. A similar course has been followed also by other large firms, importers of soft goods, who had at one time factories in connexion with their businesses, but who now almost wholly get their work done by the same process as that referred to.

39. This reduction of prices, and the want of any understanding or compact as to the amount that should be paid all round, is not attributable to any action by the firms in question, who have always borne the highest reputation as to their desire and willingness to pay prices that would be a fair remuneration for every description of work. The system of subcontracting has really supplanted and destroyed these larger factories, and coupled with the absence of combination more particularly amongst the out-workers, has paved the way for the operations of persons who have thus obtained the opportunity of preying upon the necessity and poverty of their poorer employés, more especially upon those classed as supplying "unskilled" labour.

40. The tendency to close factories is attributable to the high cost of management, which includes heavy rent, payment of high salary to the manager, wages of leading hands, and supply of machinery. The contractors, on the contrary, who take out cloth in the piece from the warehouses, simply employ a few hands for cutting out, and send the garments to be made up in the homes of the workers, thus saving the expense of a costly establishment. It is stated to be impossible, in the present depressed condition of the industry, that the factory-owners can stand against this competition.

41. An effort to arrest the continuation of the downward tendency in prices paid for making up garments appears to have been tried a few years ago, for we are informed that an attempt was then made, by the manufacturers taking out work from warehouses, to bring about a combination for the purpose of arriving at a scheduled list of prices at which goods should be manufactured. An association was proposed with this object, and a sub-committee of manufacturers was appointed to draw up a schedule of prices below which none of the members would be allowed to manufacture garments under a heavy money penalty. The warehousemen were indirectly approached on the subject, and it was fully understood that they would welcome the proposition and fall in with it. It was found at the outset, however, that some of the manufacturers desired exemptions in favour of a particular article they were making, and this resulted in the idea of a combination of employers being abandoned. Had it been successfully carried out, there is no doubt that the members of the association would have been enabled to pay their employés a standard rate of wages, regulated by a log of fixed prices, ascertained by experience as affording fair remuneration for the work.

42. In 1883 a dispute as to the amount that should be paid to the large number of employés known as tailoresses led to a strike, which was terminated by the adoption of a log fixing prices. This was followed by the institution of a society or union amongst these employés, whose numbers reached nearly 2,000 shortly afterwards. A committee was appointed and rules were adopted constituting a union of a character similar to the ordinary trades associations, with other benefits attached thereto, including sick pay and medical attendance. Although the weekly payment was made as low as 2d., this society has experienced constantly diminishing numbers, and now the secretary reported in his evidence to the Board that but 130 remained members of it. Funds amounting to £500 were in hand, the union had a valuable site of land and building thereon, but was practically defunct. The collapse and failure of this combination has most materially aided in the present low prices.

While at the inception of the Tailoresses Union many manufacturing firms gave their adhesion to the log, yet there has been a falling off, at first a gradual one, but latterly a wholesale departure has taken place. Witnesses representing the employers have plainly indicated that the rules which the Union had adopted with regard to prices were proving more and more irksome to them, and no later than a few weeks ago a final stroke at the organization was given by a large firm who had been one of the first in affording their adhesion and support to it, and the objects sought to be attained thereby.

43. It is alleged that one of the principal causes of the depression in the clothing trade is the large increase imposed about a year ago on the duties levied upon all classes of woollen goods imported into the colony. It is stated by several witnesses that these extra duties, more particularly those levied on low-priced materials, have seriously interfered with the clothing industry, and have

had a very detrimental effect, especially upon what was once an extensive intercolonial trade. The manager of one of the largest factories in the city, employing over 500 hands, stated, in answer to a question as to what suggestions he could make to improve the condition of the outside workers, that he would increase the demand for clothing by placing it more within the reach of people of limited means. Too high duties were levied on certain materials, including woollens. He asserted that not 10 per cent. of the mantles worn in the colony were made here. The material for mantle-making was not made in Victoria, and if it were admitted free of duty his firm would not import any more ready-made mantles, but would manufacture them all here. This would enable them to employ 100 per cent. more hands than they now had engaged in mantle-making.

44. Upon further inquiry we find that the mantle cloths referred to, and which are imported mostly made up into mantles—a very large demand existing for goods of this kind—are known to the trade as astrakhan, buffalo, polar bear, olympian, plain, ribbed, and hopsack serges, thibet, tweed ulsterings, and different kinds of meltons, all from 50 to 54 inches in width, and invoiced at 1s. 2d., 1s. 6d., 1s. 11d., 2s., 2s. 2d., 2s. 6d., 3s., 4s. 6d., 5s., and as high as 6s. per yard for what are called black broche cloths. The evidence shows that there is no substitute for these materials made in the colony; and further that, owing to the frequent changes of fashion, a lasting or durable cloth is not so much required, and the garment must necessarily be turned out cheaply, as it is very often used for one season only. One witness stated that his firm employed 70 hands at mantle-making at present, and would be able to double that number if the duty, which afforded no protection to any local manufacture of cloths, were remitted or largely reduced. The present amount levied thereon is 44 per cent.

45. Statements with reference to low-class tweeds, and the advantage it would be to the manufacturing industry to have the duties remitted or reduced, was dwelt upon by other witnesses. Samples of such tweeds were supplied to the Board, the prices of which were from 8d. to 16d. per yard, by far the greater number ranging about 1s. or a little under. These materials, it is alleged, were at one time very largely used in the manufacture of the cheaper description of clothing, principally intended for the intercolonial trade—a very considerable amount of labour being employed in connexion therewith. In response to applications made, samples of tweeds turned out of the woollen mills at Ballarat and Geelong were forwarded to the Board, in order that these statements might be more closely examined. At the same time information was conveyed that no tweeds were manufactured at a lower price than 1s. 9d. per yard, the prices quoted being 1s. 9d., 1s. 10½d., 2s., 2s. 2d., 2s. 3d., 2s. 4d., 2s. 6d., 2s. 7d., 2s. 8d., 2s. 9d., 2s. 11d., 3s., 3s. 1d., 3s. 3d., 3s. 4d., 3s. 6d., 3s. 8d., 4s., and 4s. 6d. It is contended that the Victorian woollen mills make no substitute for the low-priced goods above referred to, and that, as raw material used in manufacturing, they should consequently be admitted duty free or at a very light impost.

46. One of the expert witnesses, dealing with this subject, states—"I find that the greater the amount of duty put on the woollens so the greater the reduction in the price for manufacturing. People will have a suit at a certain price, and you have put an excessive duty of 45 per cent. on the imported tweeds, which make the good strong suit that the working man wants. When that material came in at a fair duty some years ago, we could turn out a good cheap suit. There is a high duty now, and the working men expect to get the suit at the same price, and the retailer the same, so the price has to be cut off the manufacturer." He also stated that the colonial tweed was of a higher class than the English made material under review. If a duty were only put on the former class goods he would not object, but it was levied on cloth that could not be made in Victoria. The result of this brought down wages of employés. To again use his own words—"When you come to the clothing manufacture there is an excessive duty on the cloth, and the colonial manufacturers raise their price; the retailer does not want to pay more, and therefore the price must come off the manufacturing, and that is why, outside our own factory, the workpeople are suffering from reduced prices." The witness also contended that the duties could be reduced without any infringement of the protectionist policy of the country. Low-priced tweeds that could not possibly be manufactured here should be admitted at a lower duty. This would not interfere with the woollen industry. While people

wearing garments made of high-priced cloth might easily afford to pay the 45 per cent. duty, that inuport, it was pointed out, must become vexatious when levied on materials used in the manufacture of clothing to be sold at a price within the reach of the working classes. In the slop clothing, suits had been sold for 20s. or 22s. 6d., made from a material composed of cotton and wool, the former predominating. Materials of this sort made a good strong tweed, and if admitted into the colony without an excessive duty the working man could have a cheap, strong, suit, which the warehousemen could afford to manufacture and pay fair prices for making up.

47. Additional testimony as to the injurious manner in which some of the duties affected the clothing industry was given by a manufacturer, who alleged that he was severely handicapped by having to pay high duties on the materials he imported for manufacturing purposes, none of which were made in the colony. He explained he did not object to duties being imposed on similar material to the colonial tweeds, but to the duties on cloth that is not made here.

The following is extracted from his evidence :—

In our cap manufacturing it is a different class of material altogether. The greater portion of the material connected with it is the camel-hair cloth with a wide brown stripe, fit only for cap manufacturing. We have 8s. duty on caps, and cannot manufacture this tweed here, and have to import all our tweed, and have to pay 45 per cent. on the material, and pay 25 and 35 per cent. on the minor articles—the silk for linings and silk bands. That really is not protection. I am a protectionist. But that is spoiling an industry here that is growing.

In the course of examination this witness also alleged that there was no colonial substitute for the material used by him in cap making, as it would not pay the expense of manufacture here. As a protectionist he claimed that, no proper substitute being obtainable here, cloth, linings, &c., used in his trade should be treated as virtually raw material, and that little or no duty therefore should be imposed thereon if they were used for no other purpose than that of hat and cap manufacturing. If this were so, he could employ more labour, and could compete with the imported article.

48. The evidence of the warehousemen who are also manufacturers went to corroborate the above statements, more directly in connexion with the high duties on woollens, which it was contended had interfered with the manufacture of clothing to a large extent, and had lessened the number of employés, especially those engaged in the "order" trade. The effect had been severely felt in the intercolonial trade, which was at the present time almost lost to Victoria. A reduction of the duties would enable the wholesale houses to import the lower grade of tweeds not made in the colony and resume manufacturing. This would be a relief to a congested labour market, and, while affording more employment to clothing operatives, would not affect colonial tweed manufacturing, but on the contrary the woollen mills would benefit by the impetus given to the industry through resumption of the intercolonial trade.

Further evidence was received on this subject from the workers' point of view, to the effect that the high duties on certain goods were oppressive, and were one of the predominant causes of "sweating." High duties on all kinds of clothing material levied indiscriminately, it was alleged, was an important factor in reducing the prices paid to workers. The unfortunate operatives were the chief sufferers by the imposition of excessive duties, because, owing to the lowness of prices and the keen and often excessive competition ruling in the trade, labour was the only commodity which could be reduced. Accordingly, manufacturers endeavoured to meet the new duties by reducing the wages of employés, and of these latter the outside workers suffered more severely, as they were least able to assist themselves.

49. The evidence of the operatives discloses a condition of affairs which is very unsatisfactory. The demand for labour has been gradually declining for the last few years, until now there is comparatively little doing. Wages, which were never at a high level, are now at a very low ebb, and many people are earning only a bare pittance after working very long hours. The workers themselves are far from unanimous as to the reasons which have caused the present stagnation in the trade. Those employed in factories blame the "outside" hands for cutting down prices; while the latter contend that the competition amongst the manufacturers is the cause of the low wages. It is apparent that the present condition is undoubtedly due in a great measure to the keen competition amongst workers, arising from an excessive supply of labour in comparison with the demand for it, and this is particularly the case in regard to "outside" operatives or "home" workers.

50. Some of the witnesses, while admitting the existence of "sweating," asserted that the statements made in the press and elsewhere were exaggerated in their character, and the evidence certainly discloses nothing which leads us to the conclusion that the condition of affairs here is fairly comparable with that which unfortunately obtains in the mother country. The fall of prices in this colony, however, has been most marked, more particularly in regard to certain classes of work. The evidence of a representative of one of our leading wholesale houses is especially interesting, as allowing us to draw a comparison between the prices ruling now and what were paid for similar work in the past. Thirty years ago his firm paid 14s. a dozen for making undershirts. Before they closed their factory, at the beginning of the present year, the price paid was 4s. 6d., but now the work is being done by contractors for 3s. 6d. The factory rate paid for making a sac suit was 10s., and for a pair of tweed trousers 1s. 10d. Now the firm get the work done for 7s. 6d. and 1s. 5d. respectively.

51. The prices paid by warehousemen and their manufacturers, however, afford us no standard by which to gauge the state of the labour market in the clothing trade generally, for, as stated previously, the rate of remuneration in registered factories is, as a rule, fairly good. The condition of affairs amongst outside workers is very different. Considerable difficulty was experienced in eliciting definite information on this point, as many of the poorer-paid employes showed a disinclination to come forward, and the work of obtaining such testimony was consequently much increased. Ultimately we had to promise protection to those unwilling to give evidence publicly, and several meetings were accordingly held in private, at which a number of witnesses who preferred not to disclose their identity were examined. A general summary of the information gained thereby will be found set out in another portion of this Report.

52. The branch of the clothing industry in which the lowest wages are paid appears to be "shirt-making," upon which female labour is almost exclusively employed. The warehouses give the material out in the piece to the manufacturers or contractors, who cut out and have the machining done on their own premises. The shirts are then sent out to be finished in the homes of workers at so much per dozen. This appears to be the general practice amongst shirt manufacturers. "Finishing" is said to be unskilled labour, and is consequently very poorly paid. The ruling price paid by warehousemen for manufacturing the common cotton shirt used by the working classes is 3s. 6d. per dozen; this allows a very small margin to the manufacturer who is very often only a "middleman"—a sub-contractor—out of which to pay his workers and make a profit himself; and it is not surprising, therefore, that it is in connexion with shirt-making that the allegations of "sweating" are very frequent. One manufacturer stated that the "outside" price for the class of shirt alluded to was 2s. 10d. a dozen, out of which the workers had to provide their own machines and "sewings," besides paying carriage to and from the factory. This allowed a profit to the middleman of 8d. per dozen.

53. In many instances brought under notice the "middleman" was the head of a family, who utilized the services of his wife and daughters to do the machining and cutting out, the "finishing" being given to outside workers. The rate paid for machining was stated to be about 2s. per dozen, and for finishing 10d., 9d., 8d., and even down to 7d. per dozen for men's shirts, while 6d. per dozen was quoted for boys' shirts, the workers in nearly all cases finding their own "sewings." As to the wages that can be earned at the prices stated, the evidence of one manufacturer was to the effect that some machinists could make from 20s. to 25s. per week, while others could only earn 5s.; but in the case of those working at "finishing," at 8d. and 10d. a dozen, it would take a very good hand to earn 2s. 6d. a day, the ordinary worker only averaging 2s. Another manufacturer gave the average wages of a machinist, working eight hours a day, at £1 a week, and stated that 5s. or 6s. a week were good wages for a "finisher." Working constantly they might make 8s. to 10s. a week. Instances of the hardships entailed on women engaged in shirt-making were also brought before us, but it is hardly necessary to recapitulate them, as the list of prices just quoted is eloquence itself on this point. Allegations were likewise made that a new class of "middlemen" had sprung into existence, viz., Indian and Syrian sub-contractors, and evidence was given to show that shirts and women's under-linen were being made through the instrumentality of these aliens at just half the factory rates.

54. With regard to tailoring generally, prices in the "stock" or "slop" trade appear to have been reduced to a very low rate. We were astonished to receive evidence from a manufacturer that the price he paid for labour in making a "stock" sac suit was only 2s. 7d., viz., 1s. 3d. for coats, 8d. for trousers, and a similar amount for vests. He explained that, in addition to the price paid for "making" the suit, he had to provide sleeve linings, canvas, pockets, and buttons, and besides had to pay for cutting, pressing, and trimming. The price paid by the warehouseman for making the suit in question was stated to be 7s. 6d. In this connexion one witness, formerly factory manager for a well-known wholesale firm, and who is now proprietor of an unregistered clothing factory, asserted that no tailor, however smart, could make coats at 1s. 3d. each to pay him. He further stated that prices were "on the bed rock," and could not go much lower, instancing in support of his statement the fact that trousers were now being made for 6d. a pair, the long price for which ten years ago was 1s. 3d. A perusal of the evidence received by us in private corroborates this distressing state of affairs, for it is therein set out by a practical tailor that a factory owner on a large scale was getting men's suits, that were sold retail at from 36s. to 42s., made complete for 2s. He was making trousers for this person's factory at 1s. a pair—getting the cloth in the piece and returning the garments complete.

55. Another branch of the clothing trade in which low prices prevail is said to be the manufacture of knickerbocker suits. One well-known manufacturer stated that 5½d. was a fair price for making boys' knicker trousers. The prices, however, had been cut down by persons going to the warehouses and offering to do the work for less. Now only 3d. was being paid. These garments, it was explained, could only be made for 3d. by taking advantage of the necessities of a poor class of workers who are reduced to such straits that they are obliged to take almost anything that may be offered. Persons who were engaged in this work seemed to only have two courses open to them, either to accept the starvation price or appeal to charity; and they preferred the former.

56. Interesting evidence with regard to making moleskin trousers was given by a manufacturer who had been engaged in the clothing trade for 33 years. He turned out, on an average, 1,200 garments a week, and during the past seventeen years there had been no reduction in the price paid him by the warehouse for which he was working, viz., 16s. 6d. a dozen for coloured and 20s. for white moles. All the work inside the factory was piece-work, at so much per dozen. Two hands worked together in partnership, one being a machinist and the other a tacker. They earned, on the average, from 4s. 10d. to 5s. each per day of eight hours, without taking any work off the premises. The button-hole hands earned about 4s. a day. The worst paid branch in the whole trade was "finishing," which was given to outside hands, the price paid being 3½d. a pair, the workers finding their own sewings. "Finishing" in his factory consisted of sewing the buttons on the bands, felling the band linings, felling the bottoms and linings, putting the pocket-tacks in, and the same on the front portion of the garments. In some establishments "finishing" almost consisted of "making" the trousers, as all the fittings, which were put on in his factory, were generally given to the outside worker to do, including button-holes. This made a difference of 2s. a dozen. His "finishers" averaged not less than 9s. or 10s. a week, the time occupied in "finishing" a pair being about an hour and a quarter. Ninety-five per cent. of persons taking out this kind of work were married women with families—a very respectable class of people as a rule. He complained of the undue competition of other manufacturers in the trade, who employed a number of apprentices to do most of the work, with one or two skilled persons to supervise and teach them. They paid the girls 2s. 6d. a week for three months, 5s. for the second three months, and from that to 7s. 6d. a week; but in by far the greater number of instances the girls were turned adrift when they asked for higher wages, and fresh hands were taken on. This practice was very prejudicial to him, because if it did not exist he would get a better price for his work, and would, consequently, be enabled to give his employes better pay. Any intelligent girl with the slightest knowledge of machining could be taught to make mole trousers in a fortnight or a month.

57. The following summary of the evidence taken privately by the Board may be read in connexion with the foregoing, as further illustrating the very low rates of

remuneration at present prevailing in the clothing trade, and instancing the disabilities which it is alleged the poorer class of workers labour under:—

(a) A "trousers hand" who had twenty years' experience in factory work stated—The factory managers force all the hands to take work home, and thus infringe the Act by which the working hours of women and young persons in factories are limited to 48 hours per week; they make the employés do a certain amount of work per week, otherwise they will discharge them. If the hands could finish the work allotted to them well and good, if not they had to take the work home. This was the rule. She could earn £1 per week at present factory prices by taking home garments and working perhaps four hours extra a night, making 68 hours work per week. Working factory hours only her earnings would average about 12s. per week. She had sometimes to work sixteen and eighteen hours a day. The last factory she was working in the prices paid for making "stock" trousers were 1s. a pair for tweeds, 1s. 2d. for worsteds, and 1s. 4d. for Bedford cloth. "Order" trousers were 2s. a pair. In the better class of tailors' shops they pay 4s. 9d., 5s., to 6s. for making the same kinds of trousers that factories pay 1s. for. The price paid for machining "stock" trousers in factories is $2\frac{1}{2}$ d., $3\frac{1}{2}$ d., and 4d. per pair. "Sweating" by employing "outside" workers has been the ruin of "inside" workers. The "middlemen" take work from the large factories and employ a few hands in their own houses machining, sending the garments out to women to finish. As a comparison between the remuneration paid for "inside" and that for "outside" labour witness alleged that trousers' hands in factories are paid 1s. per pair, which excludes machining and pressing; while outdoor workers will make the same garment, including pressing, machining, and finding their own sewing, for the same price. The prices paid in good factories for the last five years show very little alteration. Trousers are about the same, coats being lowered from 2s. 9d. to 2s. for men's sacs. In some cases, trousers are given out to be made right through, including pressings and sewings, for 7s. 6d. per dozen. Factories are now only working half-time. The trade is spoiled by wives whose husbands get good wages taking out work from factories at any price. This increase of outside work results in girls being kept idle in factories while work is being sent out. Managers sometimes lock the doors of factories to keep the girls in until they have finished certain work they are engaged on. With regard to apprentices, in certain places girls were taken on at 2s. 6d. a week, and when they asked for a rise they were discharged and fresh hands engaged. These girls did not learn anything about their trade. Witness' position as a prominent member of the Tailoresses' Union entailed a "black mark" against her, and in consequence she had not been in any employment for a long period. The real "sweater" was the person who took work out and employed "outside" hands. The remedy suggested for this was to register every one taking out work from factories; compel the same prices to be paid for outside work as for that done in factories; issue of special permits to work at home to those persons not able to go into factories; no more work to be given to outside workers than they could fairly do in a week; and no work to be given out to a man whose wife, sons, and daughters were working with him.

(b) A "tailoress" corroborated the last witness' evidence. She stated further—She had worked for a "sweater," who employed ten other hands called "improvers" at wages ranging from 2s. 6d. to 7s. 6d. per week. Her wage then, as an expert machinist, was 27s. 6d. per week. This man made a heavy profit without working himself. She knew "outside" trousers' finishers only making 5s. a week, after working 10 and 12 hours a day. The price paid for this work was $2\frac{1}{2}$ d. per pair. A quick hand would finish a pair in two hours. The average wages earned during her comparatively recent experience, when working for a first-class shop, were as follows:—Coat hands, 30s. to 35s. a week; trousers and vest hands, 22s. 6d. to 25s., working full time. Her own average earnings for the last five years, as an expert machinist, were not more than £1 a week.

(c) A "coat hand" stated she had been employed on "order" work for 27 years in one factory, which had recently closed owing to the competition of "outside" labour. For the last five or six years she had earned not more than 14s. or 15s. a week, with "stock" work sometimes to fall back upon, owing to the latter being nearly all given out. When in full work, she made from 20s. to 27s. 6d. per week, being a quick worker. The factory prices paid for a "stock" sac-coat were 2s. 9d. and 3s. 6d. Youths' coats, which used to be paid for in the factory at 1s. 9d. and 1s. 10d.,

were now made outside for 6d. She also knew of coats being made outside for 1s. 3d., men's trousers for 7½d., and vests for 6d. and 7d. As a remedy for "sweating," she suggested that every place where work was done in should be registered; that work should only be given out to persons by a system of "permits"; and that the prices for outside work should be the same as those paid in factories. She also advocated the appointment of women inspectors.

(d) A "shirt finisher" referred to the great injustice which would be done by interfering with "outside" work. She had a husband 73 years of age, who was incapable of earning anything, and it would be very hard to prevent her taking work home. If she went into a factory she would be neglecting her own home and family. She had worked at shirt finishing for 1s. and for 10d. a dozen, but could not do more than a dozen a day, working until midnight. She had also worked for a factory on "stock" trousers. The stock hands, working from half-past eight o'clock in the morning until twelve at night, could earn from 10s. to 12s. a week. Her own earnings at this work were from 7s. to 8s. a week.

(e) A "presser" gave evidence that a great reduction in prices had taken place within the last two or three years. The prices paid now were 3d. for coats and 1½d. for trousers and vests. A quick worker at those prices might make £2 15s. per week, but the ordinary hands could not earn more than 30s. or 35s. The log price for slop trousers was 2d. per pair, but in some factories only 1¼d. was paid. At one factory he was paid £2 5s. per week, but for this he had to do £3 5s. worth of work, according to the log. For the last eighteen months factories had been paying less than the log price, and getting big boys to do the work in place of men, who were consequently deprived of employment. The remedy he proposed was the appointment of a board, composed of employers and employés, to fix upon a log of prices.

(f) Another "presser" gave corroborative evidence. He had recently been working at a factory for 30s. a week, and doing £3 worth of work per week according to the log prices.

(g) A "practical tailor," who had served five years' apprenticeship to his trade, asserted that the factory for which he was working formerly used to pay him from 2s. to 2s. 6d. for making a coat. A reduction was then made to 1s. 6d., and now he was only paid 1s. for the same work. The factory supplied the cloth, and he had to cut it out and complete the coat, machining and all, for 1s. Working eight hours a day he could make fifteen coats per week, consequently his weekly wages came to 15s. He with some relatives who were also practical tailors (having all served an apprenticeship of five years to the trade) worked together, otherwise they could not have lived at the prices now paid. Before the reduction in prices he could earn from £2 10s. to £3 per week, whereas now 15s. per week was the utmost he could make. The factory owner employing him was being paid a good price by the warehouse he was contracting for. A full suit, for portion of which he was paid 1s., would be made for 2s. Trimmings, lining, and buttons would cost another 1s. The whole would be sold from 36s. to 42s., and he and other workers were "sweated." There was ample margin for the workers to be paid well, because the public always paid a fair price. Notwithstanding the reduction in the amount paid to the workers the public did not get the suit any cheaper. Before he left for Australia he was earning from 36s. to 38s. a week in London, working from 7 a.m. till 8 p.m. with an hour and a half for meals, but here he could only make 15s. a week.

(h) Another "tailor" corroborated this evidence. He also stated that a well-known tailoring firm in the city were at present paying 1s. 6d. to 2s. for making "stock" coats, made up the same as "order" coats, and that better prices were paid in England than in Melbourne.

(i) An "ex-presser" quoted the following prices as being now paid for work done:—Trousers, made complete, for 6d. and 7½d.; shirts, ditto, for 2s. a dozen. For the same class of shirt a warehouseman's factory used to pay 3s., 3s. 3d., and 3s. 6d. a dozen.

(j) A "tailor" employing eight hands stated he was sub-tenant of a clothing factory for which he did work. He was paid 1s. 3d. for a "stock" coat, and had to supply cotton and everything. The factory price for the same coat was formerly 2s. 9d. The firm he rented the premises from, and for whom he worked, could not afford to pay him more, as the competition was so great. He worked hard himself, and could not make more than £2 10s. to £3 per week, out of which he had to pay 15s. factory rent

per week, besides gas, firing, cotton, &c. When his expenses were paid he would make about 25s. Owing to slackness of work his factory had been closed for a considerable time. About eight years ago he used to be paid 2s. 3d. and 2s. 6d. for making coats. Witness also stated that he had sometimes to allow certain girls working for him 12s. or 15s. a week to enable them to live. "For a long time they were nearly starving, and I have to give them something to do."

58. The allegations made by certain witnesses to the effect that "sweating" was practised in connexion with Government contracts for the supply of clothing for the Defence Forces were fully inquired into. The Controller of Naval and Military Stores and the Secretary of the Tender Board attended and explained the system adopted in calling for tenders. Complaints were made by witnesses that, owing to the keenness of the competition, contracts were taken at prices which did not admit of fair wages being paid to employes, and it was urged that the present system of tendering should be altered with the object of preventing this undesirable condition of affairs. One of the witnesses, a tailor, who took work out from one of the Government contractors, alleged he was paid 3s. for making military great coats, and that now he could not get the work to do, as it was being carried out for 2s. He had also made military jumpers for a well-known firm at 1s. 6d. each, but had to give it up as he could not make it pay. The assertion that military overcoats were being made for 2s. was denied by one of the Government contractors, who stated the price paid by him was 3s., viz., 2s. 3d. for making the coat and 9d. for the cape. The Controller of Stores showed that for the class of coat referred to the contractor got 29s. 6d., out of which he had to pay 20s. 5d. for the material, which was supplied by the Government. That left 9s. 1d. as the amount from which the contractor had to obtain his profit after paying for lining and making.

From the evidence submitted, we find that the Government pay good prices for the work contracted for. They supply all the material required at a certain specified rate; therefore the only competition must be in the labour employed in making up the garments, which consequently suffers in the struggle to obtain the contracts. In the Report of the Select Committee of the House of Lords before referred to the proposition that in Government and municipal contracts sub-letting should be prohibited is favoured. We are of opinion that in any future contracts for clothing entered into by Government a clause should be inserted not only prohibiting sub-letting but also making it compulsory that work should be carried out in the contractor's own factory or work-room. This would effectually meet the case of the overcoats mentioned in the last paragraph.

The suggestion was made by some witnesses that Government contracts for the supply of clothing should be divided instead of being let in one large tender. The Controller of Stores, however, thought that in connexion with military uniforms it would not be wise to divide any one class of garments amongst a number of contractors, but was not averse to the principle of taking one contract and dividing it into several classes of work, as, for instance, making one contract for coats and another for trousers.

59. In the evidence given by Mr. Ord, Acting Chief Inspector of Factories, attention is drawn to the high fee charged for a medical certificate, without which no young person under the age of sixteen is allowed to work in a factory. The fee is fixed by regulations framed by the Governor in Council at 5s., and has to be paid by the "person presented for examination, or by some person on his or her behalf, before the examination takes place." Mr. Ord refers to the pitiful complaints made by the parents or guardians of the children who are compelled to work for their living in factories. Many of these children earn nothing for two or three months, and to compel them to pay 5s. before they can enter for employment is very hard. Since the passing of the Factories Act in 1886, we find that 14,086 medical certificates have been granted to children, the aggregate fees for which total the large sum of £3,521 10s. Surely this is too great a tax on a class whose average weekly earnings will probably not exceed 2s. 6d. In England the issue of medical certificates only applies in a limited way, and is not required in connexion with young persons employed in work-rooms unless under special circumstances. The fee charged is 6d., and is paid by the occupier—not the child—who is entitled to deduct not more than 3d. from the wages of the person for whom the certificate is granted.

60. The question of the employment of female inspectors was mentioned by a number of witnesses. It was urged that, as the majority of operatives in the clothing trade are females, the supervision over sanitary arrangements in factories employing women would be better carried out by persons of the same sex. There was a natural delicacy, it was pointed out, felt by females in complaining to male inspectors of certain breaches of sanitary regulations. We think that, while under the present factories law the necessity for the appointment of female inspectors is not apparent, any amendment in the direction of extending the operations of the Act to include domestic work-rooms, in which the majority of the workers are women, will entirely alter the aspect of this question.

61. The advisableness of compelling manufacturers to put a trade-mark on the garments they turn out was referred to by several witnesses. The evidence disclosed that although some warehouses have ceased to manufacture articles of apparel in their own factories, and get their own work done at present through "middlemen," yet the garments are ticketed with the name of the warehousemen instead of the actual manufacturer. The cheaper kind of "slop" goods, as a rule, shows no indication of the maker's name on the ticket attached thereto. Where the factory-owner is the real manufacturer, the garment bears his ticket, but in cases where the manufacturer works for a warehouse, the name of the warehouseman is attached to the garment. Articles of apparel, therefore, may bear the name of a firm which has had nothing to do with their manufacture, nor any relation whatever with their real maker. We note that in the Report of the Royal Commission on Sweating, appointed in New Zealand in 1890, this subject is dealt with, and the following recommendation made:—"All manufacturers of goods for sale shall be required to procure a registered trade-mark, and all goods manufactured by them shall be stamped with their trade-mark."

62. A serious grievance, from the workers' point of view, brought under our notice was the want of an Apprentice Act. It was alleged that the system of taking on so-called apprentices was a fruitful source of "sweating," as employers were in the habit of engaging young boys or girls at a nominal rate of wage, and, after keeping them working for several months, turning them away and taking on a fresh number. Amongst all the employers examined only one had regularly indentured apprentices. In this case, the girls were bound for two years, and taught coat and vest making. They were paid 2s. 6d. a week for the first six months, advancing 2s. 6d. a week every six months. As soon as their time was up they were in a position to earn from 15s. to 18s. per week working full time. This witness stated that, in justice to both employers and employes, apprentices should be indentured. According to the evidence, the general practice appeared to be a system of verbal agreement, which bound neither employer nor employed. In some cases the learners were paid nothing for a month or so, then received 2s. 6d. a week, rising by small instalments at intervals of three months. Some cases were brought under our notice of girls having been in receipt of 2s. 6d. and 3s. 6d. a week for twelve months without any increase in their wages. One witness asserted that the so-called apprentice system was the curse of the tailoring trade and the original cause of "sweating" here. He related instances that had come under his notice of "apprentices" being taken on for three months for nothing, after which they received 2s. 6d. per week for a similar term, then they were turned adrift to make room for fresh hands. Those discharged then entered into engagements as improvers, and came into competition with adult operatives. Corroborative evidence on this point will also be found in paragraphs 56 and 57. On the other hand, some manufacturers complained that after they had taught their apprentices to be useful they left their employment. Indeed, one manufacturer stated he had lost £5 by every apprentice he had engaged, and that he would never have another. It is also contended that, with the present system of dividing labour, the necessity for having apprentices is dying out. In London, according to the Report of the House of Lords Committee, the labour involved in making a suit of clothes is divided amongst 25 persons, and we have it in evidence that as many as eight are employed here in producing one garment. It appears that the tendency is in the direction of still further subdividing labour in the tailoring trade, and that the work involved in "finishing" a garment is becoming less and less, and this is the labour upon which the worst paid workers are generally engaged. The old system,

wherein the master tailor was assisted by apprentices who were thoroughly taught their trade, seems almost to be a thing of the past. This is a grievance which was referred to by several witnesses, who complained that the tailoring trade was being destroyed by the system referred to.

SPECIAL EXAMINATION OF THE TARIFF ON TEXTILE MATERIALS RECOMMENDED.

63. The question so constantly raised by witnesses, and the information supplied by those whose long experience clearly qualifies them as experts, dealing with the subject of the alleged excessively high duties at present indiscriminately imposed on all classes of textile materials, as affecting one of our most important industries, and involving the employment of thousands of workers, are well worth serious consideration, and we should fail in our duty did we not bring the matter prominently under notice. While doing so, however, it should be clearly understood that we do not necessarily indorse the views set forth by the various witnesses upon these points, as the falling off in trade and consequent dearth of employment may be occasioned by many other influences, having no connexion with the tariff question.

It is stated that the duties on the more expensive class of goods are borne by persons who are in a position to make that contribution to the revenue, while at the same time they afford incidental protection to the woollen mills, which turn out goods of an excellent description, composed of materials of the best possible quality obtainable. Still the material that is used in the manufacture of low-price suits—composing in a large degree boys' and youths' clothing—that very often can only be worn for a few months, or a comparatively short time, because the young people rapidly grow out of them, are not produced in the colony. Cotton, it appears, enters largely into their manufacture, as nearly all the low-price tweeds are partially composed of this material—in some cases the proportion is from 50 to 70 per cent. of cotton. For the better class of apparel there is no material imported at the price of our own manufactured tweeds that can successfully compete with them. There may be greater varieties in the patterns of the imported material, yet the intrinsic value of the latter, as proved by wearing, is said to be, on the whole, not equal to that of the cloth of colonial manufacture of a similar price. But it has been pointed out that the purchaser has to consider the present means at his disposal, and although the investment in a suit of clothes at a higher price may in reality prove cheaper by the durability of the material, yet the first cost is the main thing to be considered, as his purchasing power is limited.

64. We feel impressed by the weight of evidence as to the loss that has ensued upon the great shrinkage in the intercolonial trade. It is manifest that, if the low-price cloths under consideration are imported at other Australian ports at lower duties, Victorian competition in intercolonial markets must be seriously hampered. For instance, the duty here amounts to 44 per cent., while in the adjoining colony of New South Wales the same goods are admitted at a duty of 10 per cent.

True, a system of drawbacks exists, but it is alleged the trouble and inconvenience of applying to the Customs authorities and the expenses of the supervision of Customs officers are all calculated to act as an impediment to the course of trade, reaching with more disastrous effect upon a labour market in which the supply offering is largely in excess of the demand. The difficulties and impediments met with by manufacturers who desire to export are further explained by showing that the heavy duties frequently result in the locking up, and often in a loss of capital, because the making up of goods with a view to their export is more or less of a speculative character. If they happen to command a market outside Victoria the drawback is obtained, but if not, the goods are left on the hands of the manufacturer, involving a heavy loss in interest upon the amount that has been paid as duty.

65. We submit these considerations in view of the representations made by experts on behalf of employers, which are supported and indorsed by employes generally. The latter contend that a much greater amount of employment than that now offering would result from the removal of restrictions which they allege press heavily on the clothing industry, and that an alteration in the direction indicated would, by extending the field of labour, prove a powerful and effective antidote to the "sweating" evil.

66. Concurrently with a reduction of duties upon materials not produced in Victoria, it is contended a higher duty than that now existing might fairly be imposed upon all imported made-up or partly made-up articles of apparel. These amounted to £950,000 for the years 1891 and 1892, according to figures supplied by the Government Statist. There is not the slightest reason why these goods should not be manufactured locally, as the skill, labour, and appliances existing here are quite equal to the task of supplying all the made-up garments required in the colony.

67. We are of opinion, therefore, that, in order to properly test the value of the repeated statements that the Tariff so far as it affects the classes of materials more particularly referred to has operated injuriously in its incidence, by lessening the intercolonial trade and also by limiting the quantity of materials available upon which labour has hitherto found remunerative employment, no time should be lost in instituting an inquiry into this very important phase of our fiscal system as applied to the industry in question. The duties of a non-protective character should be examined with the closest scrutiny, and the best expert evidence taken thereon, with the view of thoroughly investigating the correctness or accuracy of these assertions. We think that, although the imposition of duties recently levied in the other Australian colonies may largely account for the present dearth of employment, yet this only affords another and still more powerful reason for freeing all articles that are practically raw materials to us from any impost calculated, even in the least degree, to hamper or retard our manufactures, thereby operating to the serious detriment of our export trade with all its vast advantages to our industrial population. The urgency of the suggested inquiry is rendered apparent when taken into consideration with the following figures, compiled from information supplied by the Government Statist and the Department of Trade and Customs, showing the great falling off in our once large export of Victorian made-up apparel :—

The exports of articles (apparel and slops) entered as the produce or manufacture of Victoria has fallen from £242,617 in 1885 to £60,754 in 1892, and the returns for the first six months of 1893 indicate that the year will close with a still further decline in value. Taking the amount of the exports from 1885 to 1891, inclusive, the figures show an average annual trade during that period of £140,211. The year 1892, in which the import duties were increased, closed with a deficiency on that average of £79,457, thus proving that the intercolonial trade has fallen off nearly 60 per cent. But comparing the year 1885 as against 1892 there is a deficiency of £181,863, or about 75 per cent.

FURTHER RECOMMENDATIONS.

68. It will be seen from the foregoing that the definition of "factory and work-room" as a place in which six or more hands are employed is not one which should generally apply to all industries. The weight of evidence is strongly in favour of reducing the number which shall constitute a factory in connexion with the manufacture of apparel. In England the distinction between the various industries is clearly recognised. Each has its own requirements, and a set of regulations dealing with one may operate with disastrous effect upon others not based on similar lines. In the latest amendments of the Factories Act in the mother country powers are given to the Secretary of State to extend by proclamation certain provisions in particular instances. Thus we find that an order, under the provisions of the 27th section, appears under the hand of the Secretary of State, dated "Whitehall, 31st October, 1892," requiring occupiers of certain factories and workshops set forth in a schedule to keep a list of out-workers. The first class of factories or workshops mentioned in the schedule attached to the order is that connected with the "manufacture of articles of wearing apparel." We think the Minister administering the Factories Act should be vested with similar powers to those intrusted to the Secretary of State, and therefore recommend—

1. That power be given to the Minister to declare the number of persons employed therein that shall in future constitute a factory or work-room under the Act so far as it applies to the manufacture of apparel.

We also make these additional recommendations :—

2. That all persons employing sub-contractors and not directly employing persons to make up articles of apparel shall be called upon to register

their premises as factories; and that all places from which any work of making up apparel for sale is given out shall be registered as factories.

3. That in each and every factory or work-room there shall be kept a list showing the names of all persons directly employed either as workmen or contractors, outside the factory or work-room, stating the places where they are employed, and, in addition, setting out the price paid to each outside worker so designated.
4. That every such list shall be open to confidential inspection by any inspector under the Act, or by any officer of a sanitary authority, or by any person specially authorized on that behalf by the Minister administering the Act.
5. That the Minister, upon the application of the Chief Inspector, may call for any return at any time having reference to the wages of or prices paid to employes, and the number of such employes engaged either outside or inside a factory or work-room.
6. That no work shall be taken home by any employe engaged in a factory or work-room, except in cases of emergency, of which a record shall be kept, open to the inspectors' perusal.
7. That the factory inspectors shall be vested with larger powers, more especially with regard to prompt suppression of insanitary conditions that come under their notice.
8. That upon the Minister declaring that a factory or work-room shall include all premises wherein work intended for sale is done for hire by persons other than the family residing therein, and the consequent very large addition to the list of registered factories, power be given to appoint female inspectors.
9. That all factory-owners shall be required to place a ticket upon each garment manufactured, either by inside or outdoor workers directly employed by them, which shall bear a registered trade-mark together with the name of the manufacturer.
10. That a properly constituted system of apprenticeship shall be adopted under requirements made on that behalf under authority to be given by an Amended Factories and Shops Act.
11. That the fee for a medical certificate, at present laid down by regulations at 5s., be reduced, and that no new certificate be necessary in the case of a young person so certificated entering a different class of factory to that in which he or she has been working.
12. That the question of exercising supervision over the "outside" workers by the issue of "permits" be postponed for further consideration, as we are at present without sufficient data upon which to base recommendations thereon. We think, however, that the evidence which will be disclosed hereafter in the records recommended to be kept by factory-owners will afford information which will materially affect any decision that may be come to in reference to this most important part of our inquiry.

GOVERNMENT CONTRACTS.

13. That the specifications shall contain clauses prohibiting sub-letting, and requiring that the work shall be wholly done in the factory or premises of the successful tenderers, and that the hours of employment of those engaged therein shall not exceed 48 per week.
14. That so far as found expedient the contracts be let for each separate description of garment, as explained in paragraph 58.

CONCLUSION.

69. In concluding our remarks upon this portion of the subjects remitted to us for inquiry, we desire to repeat—

- 1st. That in our opinion the registered factories of this colony are in a fairly satisfactory condition so far as sanitation is concerned, and that the inspection thereof is generally efficient.
- 2nd. That the practice known as “sweating,” once comparatively limited in extent, has recently, from a variety of causes, obtained a stronger foothold amongst those employed in connexion with the manufacture of apparel.
- 3rd. That the evil is apparently becoming more widely spread, and that the collapse of the Tailoresses’ Union was one of the factors in bringing about the low prices at present ruling in the clothing trade.

70. How far legislation can deal with such an acknowledged difficulty as that presented by the “sweating” question is confessedly a problem surrounded by peculiar circumstances, some so formidable in their character as to impose serious obstacles to a successful solution of this undesirable phase of our social condition, which appears to attach to the clothing industry in a greater ratio than to any other. One powerful factor is that of public opinion, which keenly sympathizes with and is wholly on the side of the underpaid and “sweated” worker. This, with the assistance of legislation dealing with sanitation, hours of labour, and the removal of undue interference or restrictions which would be naturally followed by an increase in the demand for labour, must be the main remedy applied to prevent the spread of the cruel and hateful system referred to.

A patriotic determination also by the public to keep continually in view the desirableness and advantage of assisting, as far as possible, Victorian labour, by giving a preference to articles upon which it has been employed, would soon result in a material change for good in the condition of that unfortunately too numerous class whose present earnings are so very scanty and precarious. Furthermore, it may become necessary, and indeed advisable, in future to more clearly indicate the names of persons whom evidence may disclose as guilty of the gross inhumanity of “sweating.” It goes without saying that the true “sweater” invariably courts the utmost secrecy, endeavouring at all times to thereby conceal his operations. Full publicity given in such cases would appear to afford a drastic but wholesome and effective remedy.

A. L. TUCKER, Chairman.
 WILLIAM IEVERS, JUN.
 F. H. BROMLEY.
 JOSEPH BOSISTO.
 GEO. H. BENNETT.
 W. MALONEY.
 A. O. SACHSE.

GEO. AYTOUN, Secretary.

ADDENDUM.

As I am not in accord with and in no way approve of the form and substance of the Report prepared by the Honorable the Chairman of the Board appointed for the purpose of inquiring into the working of the *Factories and Shops Acts* 1890, with regard to the alleged existence of the practice known as sweating and the alleged insanitary condition of factories and work-rooms—passing over clauses numbers 1 to 6 as merely preliminary, I object to the introductory portion, particularly to number 2, clauses 7 to 13 inclusive, containing historical references to English Acts, which I have no present means of verifying or authenticating, and which have not been before us as evidence, and I do not think them of much value as a guide to the condition of affairs that we have inquired into. The *Fortnightly Review* of July, 1893, shows that—"The pay is driven down by competition till we find a woman making waistcoats for 1d., ulsters for 4d., finished shirts at 1½d. an hour; lining fur capes at 1s. 3d. a dozen; sewing neckties, straining every nerve, to earn ½d. an hour." Behold the results of 50 years' factory legislation in England!

I disagree with clause 14, particularly with the latter portion commencing at the word "experience."

Number 16 appears inconsistent with 15 in the facts related, therefore I disagree with it; and there is necessarily no evidence as to the latter portion of clause 16.

As to number 17, I entirely disagree with the suggestions contained in this clause.

Number 18 is, in part, a repetition of 16; the other matters are unknown to me.

Number 19. There is nothing tangible in the implied reflection on the owner of this factory, therefore I disagree with it.

20. This clause is merely a description of a well-known factory and complaints as to its surroundings. The clause does not say whether the factory is fit or unfit for the work-people.

Number 22 is a further repetition. I disagree with it; think it is incorrect. See questions Nos. 28 and 876.

23. I disagree with this clause. See Evidence; see questions Nos. 432-3.

24. Insufficient evidence for this charge.

25. I disagree with the latter part of this.

27 and 28. I disagree with the latter part of 27, commencing at "we think," as the reflection cast on the City Council, in my opinion, is scarcely justified by the meagre evidence before us.

31. Again, these English references to Committees of the House of Lords are not within my knowledge. I disagree with 31 and 32; too elaborate.

35. I disagree with this clause, the inference being that "34 out of 35 have little need to work." If absurd, why give it prominence?

39. I disagree with clause 39, inferentially suggesting combinations and compacts.

42. I disagree with the latter portion of 42, again suggesting combination.

43 to 48 inclusive. I object to these clauses; they deal with matters entirely outside the scope of our inquiry, and from incidental evidence that has been obtained from persons not summoned to inform us on these matters and of doubtful qualification to speak in these matters.

50. I object to clause 50, the comparisons of 30 years ago with present times being entirely misleading.

I object to clauses 63-7, being matters entirely beyond the range of our inquiry.

I disagree with the recommendations included in clauses 68 to 70; in the main they are not of a remedial character, but aggravations of a despotic nature.

For the above-stated reasons I dissent from the Board's Official Report, and desire to add the following :—

“Sweating” and “sweater” are only opprobrious terms applied to underpayment of a worker for a given piece of work. This raises the question—“What is fair payment?” And it has been answered by some of the witnesses to be 40s. to 45s. per week for a man and 30s. to 35s. for a woman working the full time of 48 hours. If this ideal standard be accepted as just, then the evidence shows that in the clothing trade, as in many other trades, “sweating” or underpayment of labour is almost universal. Prices for full work are still declining. Full time in the factories is exceptional, and there is also a great dearth of work for the home-workers. In fact, at present, employer and employed are brethren in misfortune. Nor has the evidence brought to light anything very sensational in the way of examples of the so-called “white slavery” or “inhumanity,” either in or out of the factories, but nothing worse than poverty struggling for an honest living, the feeble and unskilled being underpaid and decidedly getting the worst of the struggle. The evidence proves that the average earnings of females although much lower than they were have been well maintained and as compared with the fall in men's wages the comparison is generally entirely in favour of that of women, for while men (skilled and unskilled) are by thousands registering themselves for employment at drainage, railway works, and wood-splitting at average earnings of possibly 20s. per week, the earnings of the other sex would almost equal that amount if the workers were fully employed. It has been shown in evidence that the employers taken as a body have no sympathy with underpayment, and it would be most difficult to fasten anything like a clear case of oppression against any of these anywhere. Moreover, it may be added that for descriptions of clothing regarded as underpaid in manufacture the public pay very fully indeed, if the low value of the material be taken into consideration; so there is little justification for any one being underpaid. It must be stated that no single witness can be quoted who has even suggested a practical method of increasing the payment of the underpaid or “sweated” workers.

The solution sought for does not lie in further extension of the Factories and Shops Acts, nor in increasing the number of inspectors, male or female, nor in clothing the Minister with despotic powers too numerous to mention, nor in declaring small industrious households factories, nor in prohibiting the non-necessitous from competing with the poor. These measures will not add anything to the wages of the poor workers. The remedy is not in fresh legislation, for the colony is fully abreast of all requirements connected with the factories. The remedy is plain—absolute removal to new fields. It is not the lazy but the worker we are dealing with; less about “Log Rates” and more about “Log Huts”; to 10,000 free railway passes we may have to add 10,000 free crofts, but it will pay.

D. MELVILLE.

Melbourne, 23rd August, 1893.