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FACTORY AND WORKSHOP ACTS AMENDMENT BILL.

HC Deb 11 June 1901 vol 95 cc109-42 109

§ Order for Second Reading read.

§ **THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. RITCHIE, Croydon)*

In introducing this Bill to the House for First Reading, a short statement was made as to the main provisions of the measure, and in moving the Second Reading I propose, without unduly taking up the time of the House, to enter in rather more detail into those provisions. There seems to me to be a general disposition on the part of the House to grant this Bill a 110 Second Reading to-night, and as time is somewhat limited I will endeavour to restrict my observations to a comparatively narrow limit. The Bill is largely founded on the proposals of that which was introduced by my predecessor last year, and, although there are many important modifications proposed in this Bill, I feel convinced that if my predecessor had had the opportunity of explaining some of the provisions of his Bill to the House it would have been ascertained that some of the objections to it were founded on misapprehensions as to some of its provisions. There are in this Bill a number of important though minor points involving changes, and there are several proposals that make considerable alterations in the law. In the first place, as regards ventilation, the existing law applies only to the removal of noxious gases, dust, &c. My inspectors, however, have found bad cases which do not come within this description; for instance, girls are crowded in rooms heated by gas jets and full of impurities in the air which is never practically changed. The Bill, while 111 not laying down what shall be the particular form of ventilation, requires that there shall be sufficient ventilation in all such premises. Then, in regard to machinery, the Bill prohibits the employment of children in cleaning beneath moving machinery. We propose to prevent children from cleaning beneath moving machinery because we know that children bending down under a moving machine are very liable to be caught.

§ **SIR CHARLES DILKE (Gloucestershire, Forest of Dean)*

And women too.

§ **MR. RITCHIE*

Quite so. There is an important provision relating to bakehouses. In the existing law as to bakehouses there is no definition of "underground," and there has consequently been great difficulty in enforcing the prohibition of underground bakehouses; but this Bill defines an "underground" place as a place where the floor of the room is 3 ft.

below the surface of the ground. The Bill does not actually prohibit rooms being used for this purpose even if they are more underground than 3 ft., but it places on the local authority the responsibility of seeing that where there are such places they shall be sanitary and otherwise suitable, and shall require to be licensed. Further, electrical works and sundry other dangerous works are now brought within the law by the Bill.

I will say no more upon these details, but will proceed to the larger proposals of this Bill. I have been vastly impressed with the fact, as to which I think everyone will agree with me, that the present provisions as to regulations dealing with dangerous trades are of an unsatisfactory character. They would admit of separate rules for each factory and workshop in the same industry, even where the conditions are exactly similar, and one extremely weak point in the present law is that every occupier has a separate appeal to arbitration, and generally the law is unsatisfactory, though I should be sorry to say it is absolutely unworkable. In a number of cases indeed, arrangements have been 112 made by which some of the difficulties are obviated. But the difficulties are very great, and one of the worst features of the existing law is that the decision is left in the hands of an arbitrator, who has practically no responsibility, and; his decision is binding on the Secretary of State. The proposal of the Bill is that rules should in the first instance be made in draft form by the Secretary of State and for the entire trade; that all parties, both employers and employed, may make representations with regard, to them; and that the Secretary of State shall be bound to take all objections into consideration, and may, if so advised, amend the draft rules accordingly. Before these rules become operative there will be the fullest public inquiry by a competent person on behalf of the Secretary of State. I attach myself considerable importance to this public inquiry, because it is most desirable that, before such important rules as can be made with regard to dangerous trades come into force, the fullest publicity shall be given to them. The Secretary of State will not be bound by the decision of the person who presides at the inquiry, but will form his own judgment; and, after having come to a decision, will make the rules formally. Lastly, the rules will be laid on the Table of both Houses of Parliament, and be open to objection according to the rules of the House. There will, therefore, be ample public inquiry, and the fullest responsibility will rest on the Secretary of State, to which I attach the greatest, importance. I cannot dwell too strongly on the fact that in the interest of all parties the man who makes these rules should be a man who can stand up before the House of Commons, and be responsible to the House of Commons. At present he is not responsible, and that is one of the weakest parts of the existing law. There is no doubt that it will be an improvement in the law, and I hope it will be satisfactory to all parties concerned. The right hon. Gentleman the Member for East Fife said, I think, that this proposal was his own. I only wish to make it clear that in that case it is the product of two independent brains. I arrived at it after great consideration, and I am glad to find that both of us, having considered the subject with an 113 open mind, have arrived at the same conclusion.

Then there are important proposals with regard to laundries. People employed in laundry work are employed in an undertaking which necessitates very hard labour and much discomfort, and the existing state of the law is anything but satisfactory. The Bill introduced by the right hon. Gentleman the Member for East Fife in 1895 proposed to make laundries factories and subject to the provisions of the factory law. But the Committee to which the Bill was referred did not accept the proposal in its entirety, for although it was not the intention of the Committee to remove laundries

from the operations of the sanitary provisions, they thought that the nature of the operations carried on in laundries required some relaxation of the law with respect to the daily distribution of the hours of labour. However, the clause embodying the regulations approved by that Committee was drawn in so hazy a fashion that it did not carry out what I believe were the intentions of the Committee, and, as a fact, it has been found practically incapable of enforcement for many reasons. Take the question of hours. Why, very often the modified provisions with regard to hours could not be enforced, because, as there were no fixed hours of employment or meal hours the inspector could never tell whether any person in a laundry at the time of his visit was legally employed or not, and hence an almost complete failure as regards the working of the Acts with respect to laundries. That state of things ought not to continue. The proposals in this Bill are to make laundries factories and workshops, as the case may be. But as there is great pressure of work in laundries on particular days of the week and practically no work on other days, our proposal is that while the total weekly number of hours of employment should not exceed sixty, there may be elasticity with respect to the daily distribution of these hours. In the order which the Secretary of State would make for this purpose there would be a further proviso that there must be fixed periods of employment and fixed hours for meals.

Laundries in religious and charitable institutions are at present outside the 114 law altogether. Neither the law as to hours nor the law as to sanitation applies to them; but it is not my intention to leave them out of this Bill. These provisions are intended to protect workers in laundries from being overworked, and to see that they work under sanitary conditions, and I cannot for the life of me see why these provisions should not apply to laundries in religious institutions of an ordinary character. I am aware, of course, that there is a difficulty in the case of these institutions with respect to inspection. For many reasons inspection is not regarded by the managers of these institutions with favour. I have made modified proposals as to them which I hoped would have met the case, but I understand that even those modifications do not meet with favour from the managers. It is represented to me that while the general provisions of the Factory Acts are applicable, and ought to be applicable, to laundries carried on by those institutions, the work in some of them is done by persons who almost approach the criminal classes—or, at any rate, who are penitents of a character which require reformation—and there is a fear that the discipline, which it is sometimes difficult to maintain in some of these laundries, would break down altogether if inspectors, however appointed, could go when they chose to inspect these institutions. I should be one of the last to do anything which would in any way militate against the charitable and useful work of these institutions, and, if I can possibly, without excluding them from the sanitary provisions of the Factory Acts, meet the objections raised I shall be glad to consider any proposals in their interest made in Committee on the Bill.

One word with regard to the exemption proposals. Under the present law fruit preserving is exempt from the provisions of the Factory Acts in the months of June, July, August, and September. I can understand that it is desirable there should be some relaxation in the hours of employment in these months, when it is essential that the work of fruit preserving should be done in order to prevent the fruit from being spoiled; but I cannot understand why the workshops should be exempt from the sanitary provisions. Therefore, while we allow 115 the exemption so far as the hours of labour are concerned, we bring the processes of fruit preserving within the sanitary

provisions of the Factory Acts. The same arguments apply to fish curing. The present law exempts from the provisions of the Factory Acts fish curing immediately on the arrival of the fish from the fishing boats; but the Bill, while maintaining the exemption with regard to the hours of labour, extends the sanitary provisions to fish curing establishments. Another point which I wish to mention is that the sanitary provisions of the existing law have been found quite inadequate with respect to domestic workshops, owing to the difficulty of discovering and inspecting these workshops, and the impossibility of enforcing the requirements. The Act of 1895 no doubt strengthened the law materially by prohibiting employers from giving out work to insanitary and affected houses, but it has proved practically inoperative. This Bill proposes to throw the responsibility of seeing after the sanitary condition of these domestic workshops upon the local authorities, who, it is clear, are the proper bodies to discharge that duty. I have every confidence that the Bill will be regarded as an honest attempt to place the law affecting factories and workshops upon a sound and workmanlike foundation.

§ Motion made, and Question proposed, "That the Bill be now read a second time."

§ **SIR CHARLES DILKE*

The House will agree that the right hon. Gentleman is justified in saying that this Bill should go to the Grand Committee on Trade, and should be fully discussed there, though I am afraid that the work of the members of that unfortunate Committee and of the fifteen Members who will be added for the purposes of this Bill will be very serious indeed. The right hon. Gentleman has expressed his regret that the Bill of last year was not fully discussed in order that the objections which some of us entertained might be removed. That is a very natural expression on his part, on taking the place of a former Home Secretary in what is virtually, though not strictly speaking, the same Government. But 116 I can assure the right hon. Gentleman that the objections to the Bill of last year were insuperable, and that we should have fought that Bill. One of the merits recognised in the present Bill is that it avoids some of the difficulties of the Bill of last year, and gives satisfaction to the demand of those who opposed it in six or seven most important ways. A great improvement in the present Bill over the Bill of last year, although it may be still open to some doubt, is contained in the first eight clauses to which the right hon. Gentleman devoted the first portion of his speech. We are all agreed that the existing system of arbitration on special rules is unsatisfactory. We objected to the remedy proposed in the Bill of last year, and we prefer the remedy which is proposed this year; but even in the present Bill the right hon. Gentleman will find that he will not carry the Committee with him as completely as he seems to expect. As regards the first eight clauses of the Bill, the right hon. Gentleman said that on the introduction of the Bill the right hon. Gentleman the Member for East Fife said that the plan adopted was his plan. It was, however, only described on that occasion in very general language, and I very much doubt whether the right hon. Gentleman the Member for East Fife would support the Home Secretary in all the details of the first eight clauses. The fact is that Clause 1 gives us all we ask for. It gives us the Home Secretary supreme in this matter; the whole responsibility will rest upon him. But by the last sub section of Clause 2, and by Clause 3, a system of ultimate inquiry is set up which resembles in form the present arbitration under the special rules, and a great many of us are disposed to think that may in practice undo what is provided for in Clause 1. Certainly that is a matter in which I doubt whether the right hon. Gentleman

will carry the Committee completely with him. What we believe is that the authority of the Home Office over the inquiries which they are able to make in connection with draft rules, the hearing of both sides, and the subsequent approval of Parliament is sufficient, and we do not think that it is necessary to have the enormous complexity, cost, and delay of a local inquiry such as is proposed in this Bill.

117 The right hon. Gentleman will gather that the Parliamentary Committee of the Trades Congress and many others authorised to speak on these matters are on the whole, of opinion that the Bill is a great advance on the Bill of last year and in some matters an advance on the present law. But there are great omissions in the Bill which we regret, and which we shall endeavour to remedy, and there are also certain clauses which are specially open to objection. We must remember that it is our duty to supervise this Bill on the present occasion. That supervision will take place in Committee, but it is our duty to make it very thorough and not to scamp our work. The Bill is intended to consolidate the law, and we must remember that we shall not get another Bill with reference to factories and workshops for perhaps a period of ten or fifteen years. There were many points on which we carried the Committee with us in 1895, but which remain untouched in this Bill. There were other points which were rejected by the Committee of 1895 by only one or two votes, but which are dealt with in this Bill in a wholly new and different direction. I allude in this connection to the sweating clause, and also to the group of clauses which immediately follow the first eight clauses. The right hon. Gentleman sang the praises of local authorities in connection with sanitation. I am the last person in the world to run down local authorities. I am a fanatic for local authorities, and I would trust them with almost all powers. But this is a case where two sets of persons must take part in the transaction, and there are large portions of the factory laws which cannot fall on the local authorities, but which must remain with the factory inspectors. We cannot solve the question as between what the right hon. Gentleman calls two conflicting authorities by deciding in favour of the local authority. The right hon. Gentleman told the House that it was a fact that the principal section with reference to home work was spoiled in 1895 in passing through Committee by the insertion of Sub-section 3 in Section 5, against which I ventured to divide the House on Report. That nullified the section. No prosecution has ever taken place under it, and the Home Office has been advised by the law officers 118 that the section cannot be acted on. This Bill proposes in this particular respect—and I think it is the one respect in which it is inferior to the Bill of last year—in four different clauses to substitute local authorities for the factory inspectors. Now, I am in favour of local authorities, but there is a great difference between the local authorities of great cities and the local authorities of small rural districts, and the latter have to deal with factories, because, as everyone knows, there is an increasing tendency to plant down factories, especially for certain trades, such as printing and stationery, in small rural places, and therefore the local authorities in these places must deal with the factories within their areas. The local authorities do not already in certain districts properly discharge duties of a similar description to those which would be thrown upon them by this Bill even in sanitary matters. We have only to look at the Annual Report of the Local Government Board to see an appalling example which is held up to public reprobation. There is a special Report by the Local Government Board on the municipal authority of the city of Chichester as regards sanitary matters. They had actually forgotten the existence of their own bye-laws, and not only had never acted on them, but were unaware of their existence. If these things can happen in connection with public health, which is particularly the

business of the local authority, what would happen in regard to labour which local authorities consider to be still less their business? I do not often agree with Mr. Justice Grantham, but he made some remarks in a recent case—Tracy v. Pretty—in which he stated the view, which many of us hold with reference to this matter, in most trenchant language. The Inspector of the Home Office, if this Bill passes as it stands, will still have charge of large duties in connection with outwork. Many of the provisions with reference to outwork will have to be enforced by him, and both as regards the existing powers and also as regards the powers to be conferred by this Bill, the factory inspector must continue to be brought into the outworker's home. What we ask is that the factory inspector should have power to do the work where the 119 local authorities fail. The matter arises in Clauses 9, 10, 11, and 13. By Clause 9 the inspector will be hampered. He will have to obtain under that clause a list of outworkers from the local authority, and I confess I think it would have been far better not to go through that form. Clause 10 gives power which it is right that the local authorities should have, but it should also be possessed by the factory inspector. New powers should be given concurrently to the inspectors and to the authorities. Take an example which applies both to Clause 10 and Clause 11. A London tailor gives out work to be done in a rural district. The London inspector becomes aware in London of a very serious breakdown in the case of the work given out to these local tailors. If there is not an active local authority in the district it is important that the factory inspector should have power to prosecute in such cases. Under Clause 13 the abstracts are handed over to the local authorities. The Home Office makes them up, and is responsible for their being an accurate statement of the law, but by giving them to the local authorities we are increasing the difficulties of the inspector's work, because when he comes to prosecute he will have to show that the work has been done locally. There, again, we have thrown a fresh difficulty in the inspector's way. These are the grounds which have induced me to place my Amendment on the Paper, which I hope will induce the right hon. Gentleman to admit that there is something to be said on the other side, as regards these four clauses at all events.

Now, Sir, I should like, briefly, to mention the points in which we still think this Bill falls short of the requirements of the time. The matter which the right hon. Gentleman mentioned earliest in his speech referred to laundries, which I should like to leave to the hon. Member for Berwickshire, who has done such good work in connection with the matter. With reference to what fell from the Secretary of State as to a special proviso for charitable institutions I should like to say a word. Roman Catholics Members of this House, and certain Members connected with High Church institutions, are anxious to have 120 some special provision to meet their particular needs. If I thought that a special clause would be confined to the very painful case stated by the right hon. Gentleman I should agree, but to extend it to all so-called charitable institutions would be very dangerous. I am speaking without prejudice, but there are a great number of laundries in the suburbs of great towns which have charitable names, but which are entirely commercial institutions, and just as Irish Roman Catholic factories managed by sisters freely admit factory inspectors, so I think that these institutions ought to accept inspection also. No doubt where the inmates are all of one sex, an arrangement might be made for a woman inspector in such cases, but I am not myself satisfied with a general exception in the case of charitable institutions, or that they should be allowed to name their own inspectors. Some of the establishments connected with various churches in London have been thoroughly unsatisfactory from the point of view of inspection, and they cannot in all

cases be trusted to name their own inspectors. I should hope on the lines of these general views that we might come to some agreement. I am sure there is no prejudice in the mind of any hon. Member. Certainly there is no prejudice in the minds of those who are taking the most active part in these matters. We may have a different view as to what is quite safe, but we must try to keep up the general standard of inspection.

There is one matter which excites great attention in the textile districts, and regarding which the right hon. Gentleman has greatly improved last year's clause. He confines his Particulars Clause to the extension to outworkers. The extension which he has given is a valuable extension, and is not accompanied with the portion of the clause to which we had great objection last year. But what the working classes have always asked for, and what the Trades Congress has pressed for for many years, is the general extension of the principle to all piece work trades, and we shall certainly press on the Standing Committee that the power which the Home Secretary now has of extending the clause from the textile to other trades is a dilatory process, and that instead of that it should be extended to all trades by law, with special power to the Home Office to except trades. Then there is a clause which the right hon. Gentleman did not mention, and to which many of us very strongly object. That is the notice of Accidents Clause. I will not say more than a word on it, because I admit that it is a matter for the Committee. As the right hon. Gentleman did not explain or defend it, I should, however, like to say that we have the strongest objection to the clause as it stands. If there is no other reason for altering the present law than that the Home Office is embarrassed by the large number of accidents now reported, the mere fact that any change must vitiate the whole of our statistics is enough to condemn it. If that is the reason, the Home Office should induce the Treasury to increase their clerical staff, so as to be able to cope with the accidents reported to them. The right hon. Gentleman did mention the exemptions portion of this Bill, but I do not think he made it perfectly clear to the House that the proposal in this Bill is a great improvement on that of 1898. Even now I do not think the right hon. Gentleman quite grasps our position. With regard to the special exemption in the case of fish, his words are not acceptable to us. Our objection is that the present law as regards fish has not been applied for many years by the Home Office, and that they have allowed a view to be taken up which is not in fact the law. That exemption was most carefully considered, and was most limited, but it has been allowed in practice to cover cases never intended to be within its terms, and we shall try to re-introduce, in fresh words perhaps, what we believe to be the present law. With regard to the jam exemption, the hon. Member for the University of Oxford has made that question his own, and it will be brought before the Standing Committee. The other exemption is also one which is open to abuse. It is called the "khaki" clause, and it extends to Government contracts the principle which is now law with regard to Government works themselves, which are exempted from the Factory Acts in circumstances of national emergency. There is great danger in this exemption, 122 and the clause in the Bill is open to objection from that point of view.

As to complete omissions from the Bill, there seem to be three things which were expected. Hitherto in every Factory Bill we have had some reduction of the overtime principle. There has been some cutting down of the very large amount of overtime allowed in every previous Bill, but in this Bill there is no proposal as regards overtime. In 1895 Mr. Byles, who was then Member for the Shipley Division, divided the Committee twice upon the question of a complete stoppage in the textile trade

from Saturday to Monday morning. It is usual in the trade, but it is not the law, and in the West Riding of Yorkshire a practice has grown up of employing a fresh staff on Saturday afternoon. We tried to avoid that by proposing a complete stop from Saturday to Monday morning, and were defeated by only a small majority in the Committee of 1895. Since that time many hon. Members representing Lancashire constituencies have pledged themselves to that principle, and I had hoped that the right hon. Gentleman might have seen his way to have introduced into this Bill such an Amendment. The only other matter which seems to me of sufficient importance to mention now is that the dock labourers expected that some attempt would have been made by the Government to deal with the great difficulties of their situation, which have led to much painful conflict and a large amount of litigation. I know the difficulties in the matter, and I do not wonder—we are all human beings—that the Secretary of State failed to take upon himself the embarrassment of this very dangerous and difficult task, but still the omission is one of which we must complain. Sir, I beg to move the Amendment of which I have given notice, because I think it is necessary to direct attention to the substitution for the factory inspectors of local authorities in many cases where many of us think that substitution would be dangerous.

§ *MR. TENNANT (Berwickshire)

In rising to second the Amendment, I am reminded of a period six years ago when I had the honour of first addressing this House. It was upon the Second Reading of the Factory Bill of 1895, and 123 it was the first day upon which we were privileged, Mr. Speaker, to use a Scottish ecclesiastical phrase, to sit under you. You, Sir, will not have failed to notice the difference between your case and that of the Scottish divine: that whereas it is our privilege to listen to the divine, it is your melancholy duty to sit through our discourses. In making a Second Reading speech on a Bill of this character it is difficult to give a general survey without straying into details which should rather be left to the Committee stage of the Bill; but in dealing with a measure affecting diverse subjects, such as the age at which children should be employed, the amount of time during which they should be employed, the nature of their work, the sanitary and other conditions, and the hundred and one other minutiae, I think the House will agree that, although it may be a difficult task, some survey of existing legislation is necessary, useful, and indeed inevitable. The main features of the Bill we are now discussing divide themselves under three heads. There are the proposals relating to arbitration and dangerous trades, the proposals for the transference of responsibility from the Home Office to the local authority, and the proposals with regard to laundries. To those and the omissions from the Bill I propose to direct my observations.

With regard to the district council clauses, to which this Amendment relates, there seem to be certain considerations which one ought to take into review in any scheme of administration by local authorities. I agree that the local authority has certain advantages. In the first place it is on the spot for public health purposes, and being there it is familiar with local needs and circumstances. Its officers are experts upon certain subjects in regard to which it is very likely the Home Office officials have not had special training. Many of the local authorities are extremely active and zealous; they have displayed an activity and zeal which might well be copied even by such an admirable department as the Home Office. It might well be said that when such

authorities have had to deal with nine matters connected with the public health, when a tenth arises which is closely allied to questions of public health it should also 124 be put in the charge of those authorities. Local authorities may help the central authority in the discharge of such duties; they may be the right people to take the tenth particular subject into their charge; and a recognition of these facts ought to lead to a healthier co-operation between the local and the central authority. But there are certain disadvantages. This ideal co-operation is not always possible. Indeed, in the majority of cases, it is not possible at all. Local authorities are subject to local influences. Although you may give some of these matters connected with factories and workshops into the charge of the local authorities, you ought to lay down an absolute rule that supervisory power—that is, the ultimate power—should be retained by the Home Office, and that, above all, there should be no derogation of existing powers. I remember that when I had a humble position at the Home Office as private secretary, it used to be our pride that we would not give away any of our responsibilities. No doubt the officials of the Home Office have had an enormous amount of detail work cast upon them, and they have discharged it in a manner deserving the highest praise. But if you meet this difficulty by a delegation of duties from the Home Office, you will be making a mistake. You ought rather to increase the staff of inspectors, and especially you should increase the clerical staff. To take one example: it would surely be a disadvantage to the Home Office Inspectors to have to ask leave of the local authorities to consult their lists of outworkers. It is very important that the local authorities should have the lists, but they should keep them in addition to and not instead of the Home Office.

Coming to the clauses dealing with the question of arbitration, I must confess I approach the subject with somewhat mixed feelings. There are two things we have always hoped and clamoured for, namely, uniformity and the abolition of what has been called "the man in the street." The outsider who has been brought in to arbitrate upon the questions ought in my judgment to be abolished. As the right hon. Gentleman the Member for Forest of Dean has 125 stated, we are somewhat doubtful whether these two objects will be achieved. So far as the man in the street, the arbitrator, is concerned, you get rid of him only partially, because you are going to put in his place a "competent person"—

§ *MR. RITCHIE

He will not have the decision.

§ *MR. TENNANT

I am very grateful that the right hon. Gentleman is going to take the decision into his own hands. That is a distinct step in advance, but I am afraid that that portion of the Bill must meet with a great deal of criticism. As regards uniformity, there is a clause in which it is stated that there should be power of exemption of any specified class of factory. What is the reason for this? I can understand that there are certain classes of factories in which there is a modification of the dangerous process. Take a white lead factory, for instance. Some people are so advanced in the manufacture of white lead that they do not use white-beds or stoves, two of the most dangerous parts of the process. The rules governing these parts will, automatically, not apply to those factories, and therefore it is not necessary to have such a clause as this. I cannot help

thinking that such a clause will lead to all the delay and confusion against which we have been inveighing so long. There are two other points in connection with the arbitration. One is that the Home Office is going to take power upon itself to prohibit the use of any substance or any process. I personally rejoice that it is going to take that power. Some people will say that it is a monstrous thing to put such a power into the hands of any official. But if they will look at the Act of 1895 they will see that by Section 28 the Home Secretary has power now to prohibit the employment of all or any classes of persons in any particular handicraft or process which he schedules as dangerous. Therefore, you are really only doing the same thing in another way. The other point is the power to discuss these rules. You may remember, Sir, that a year or two ago we had some rules laid upon the table of the House, 126 and we were anxious to discuss them. You laid down a ruling which, owing to the complexity of the subject, was very difficult for most Members to carry in their heads. I cannot help thinking that if these rules are to lie upon the Table of the House it is of the utmost importance that Members should be able to raise the subject after 12 o'clock, and not only to raise it for the purpose of rejecting the rules en bloc, but to be able to discuss them individually. At present we have no such power, and I think it is important both for the manufacturers and the workpeople that that power should be given.

The third division is in regard to the laundry proposals. I am glad the Home Office has now recognised that the present position is, to use the words of the right hon. Gentleman, far from satisfactory. We welcome the proposal in Sub-section 1 of Clause 26, but the right hon. Gentleman has said nothing about Sub-section 2. Sub-section 2 appears to take away a good deal of what Sub-section 1 gives. The right hon. Gentleman says he takes power to make special exceptions. These special exceptions creep too often into our factory law, and I should like to see a great many of them swept away. In this case these special exceptions are wholly unnecessary, because under Section 39 of the Act of 1895 the Home Office has power to make certain departments of the same factory separate Factories for the purposes of the Act. Therefore the Home Secretary could, if he would, make the separate departments in laundries into separate factories, so that under a certificate subject to conditions prescribed by himself there would be a separate period of employment, separate abstracts and separate rooms; these rooms would be under separate management, and there would be separate workpeople. For example, the washers would begin, say, on Monday morning; the ironers would begin after the washers have prepared their work; then the sorters and packers could begin at other hours. I believe that if that were done it would be quite unnecessary for the right hon. Gentleman to take this power to give special exceptions, which have been a bugbear to the whole of our factory legislation. I would like to 127 emphasise the point that in laundries young persons and children must be certified as fit for employment by the certifying surgeon. Also, in my opinion, the meals, which are now taken at any hour, at ten o'clock in the morning or at four o'clock in the afternoon, should be taken at some specified hour before three o'clock, and the time allowed should be a whole hour. With regard to religious institutions, I have had letters from the managers of these institutions saying not only that they would welcome, but that they absolutely desire Home Office inspection. There are certain other details which I am quite ready to admit require some give and take on both sides, but which are not fitted for a Second Reading discussion.

With regard to the omissions, the right hon. Gentleman the Member for Forest of Dean has mentioned the question of overtime. That was one of the things most of us

thought would be brought into this Bill. Then the Secretary of State has said nothing at all about docks or wharves; they are in an extremely unsatisfactory condition. I may also point out that, with regard to the use of inflammable paint, the Committee over which I had the honour to preside reported that it only required the introduction of a very short clause to protect the lives of a certain number of people who are constantly dealing with this most dangerous article. There is another point omitted from the Bill which I wish the right hon. Gentleman had dealt with. I have suggested in speeches and in letters that it would be a great advantage if the deaths of all persons known to have been employed within three or six months of their death in any trade scheduled as dangerous were reported to the coroner, and the coroner were thereupon to order an inquest. I am persuaded that an enormous number of deaths take place the initial cause of which is the industrial employment in which the persons have been engaged, though this is not the cause certified. I believe that if such a clause were inserted it would lead to a great saving of life. With regard to the reporting of accidents, I believe the present position to be eminently satisfactory. Here, again, I seem to see that the Home Office is overburdened with labour. Too many accidents have been 128 reported. Accidents which the Home Office really considers not to be worth reporting have been reported, and the Department is swamped with work. If that be so, again I say, let the Home Office increase its staff, especially the clerical staff. Let us take care lest in altering the standard the statistics may not be rendered absolutely useless. If the proposal of the Bill is carried out, all the valuable information which we have obtained during the last five or six years will go for nothing.

I said six years ago, and I still hold the opinion, that a subject such as this is one of the best to which any Member of Parliament can devote his attention and his energies. I congratulate the right hon. Gentleman on having produced these proposals—proposals such as too rarely come before Parliament. I think these proposals are largely in advance of anything we have had before us, certainly during the last six years. I hope that if, and when they have been subjected to free discussion upstairs, and to the Amendments which we shall move, and, I trust, in many instances carry, this Bill will go to augment that code of legislation to which a large and ever-increasing class of the wage-earners of this country are looking and have looked for support and protection.

§ Amendment proposed— To leave out from the word 'That' to the end of the Question, in order to add the words 'while welcoming many of the changes introduced into the present Bill, this House regrets the tendency displayed in the outwork clauses to transfer power from the factory inspectors to the inspectors of local authorities.'"— (Sir Charles Dilke.)

§ Question proposed, "That the words proposed to be left out stand part of the Question."

§ **MR. RITCHIE*

I should like to make an appeal to the right hon. Gentleman and his seconder. They have expressed general approval of the Bill, and as their criticisms are criticisms which I will undertake shall be fairly considered in Grand Committee, I would ask the right hon. Gentleman not to press his Amendment, because the effect of that Amendment being before the House will be to confine the discussion to the particular

129 point raised therein, whereas the House, in the short time at its disposal, would like rather to say what it has to say upon many other points. I will not attempt now to answer the arguments of the right hon. Gentleman, or to explain why I think this great responsibility must be thrown upon the local authorities. I would simply ask the right hon. Gentleman not to press his Amendment now, but to allow the discussion to proceed on general lines.

§ *SIR CHARLES DILKE

said he so strongly felt the force of the appeal of the Home Secretary that he was prepared to go even beyond his request. If the Amendment were withdrawn it would leave the way open for another Amendment to be moved. ["No."] If it was understood that no other Amendment would be moved, he was prepared to withdraw his Amendment; otherwise it was better that it should be negatived.

§ Amendment, by leave, withdrawn.

§ Main Question again proposed.

§ SIR FORTESCUE FLANNERY (Yorkshire, Shipley)

I agree with the hon. Member for Berwickshire that no more important question could be brought before the House than the one covered by this Bill. It seems to me that the Bill contains wise and moderate proposals for dealing with a question which is so large that only those who are concerned in industrial operations can appreciate its importance. With regard to the discretion of the Home Office, tempered as it is by this Bill, I think the House would well believe that it might safely be left in the hands of the present Home Secretary; but in future Home Secretaries the House may not have the same confidence. The public inquiry to which objection has been taken has been likened to the old arbitration inquiry. It is not of the same character at all, because whilst the arbitrator under the existing clause, has the decision entirely in his own hands as to any question between employer and employed, the officer or inspector who makes the inquiry under the present proposal will have the duty 130 only of receiving evidence and reporting to the Home Secretary, with whom alone the decision will lie. There is a weakness in that portion of the Bill. The Home Secretary must lay upon the Table of this and the other House any new regulations before they become operative, and he must direct an inquiry if one is demanded by either employer or employed affected. The initiative rests with the Home Office, and the Home Office alone. No matter how widely it may be recognised by any particular trade that a change of rules for the benefit of the employer or the employed or the whole trade is necessary, there is no power according to this Bill by which any new rules or regulations can be brought forward unless the initiative is taken by the Home Office. New legislation might be initiated, but under the Bill as it stands the initiative lies solely with the Home Secretary, and I cannot help thinking that that power might be tempered by enabling either the employer or the employed, or both, to move the Home Office towards the formulation of rules which it might be thought desirable should at all events be laid upon the Table of the House for consideration.

With regard to the proposed delegation of authority to the local authorities, it appears to me that the local authorities are the only persons capable of forming the lists of

persons employed and so on. The main duty which is positively cast upon the local authorities is to record and publish those places where work is carried on and where the workpeople reside. The medical officer, through the local authority, has to report to the Home Office every case that he meets with, and he has to keep the Home Office fully in touch with all he does under the section, and under the authority of this Act. The factory inspector will have power to supervise the local authorities and see that they are not lax in carrying out the duties delegated to them under this Bill. The Home Office has practically accepted the recommendations of the Committee appointed by the last Parliament. There is one operation which I think will be necessary, and that is the examination of boilers by competent persons once a year. Who is "a competent person"? ¹³¹ There are instances on record of men of the most ignorant character having been employed to examine boilers. I think the person who examines boilers ought to be a competent engineer of some particular standard of knowledge and competency. Perhaps upon this matter my right hon. friend the Home Secretary may see his way to make some Provision in Committee. There is no doubt that this Bill is an enormous step in advance of other measures of its kind, because it includes laundries within the scope of the Factory Acts, although small domestic laundries are excluded. The Act will only apply to those large laundries where enormous abuses with regard to sanitation and extended hours of work are rampant at the present time. There is one little defect, I think, in that portion of the Bill which refers to bakehouses. The first matter in the Bill referred to by my right hon. friend was the question of bakehouses. There is a provision which enables local authorities within certain limits to deal with bakehouses which are underground, and here in this Bill we have what seems to me to be a retrograde step; for this provision will enable the local authority to pass any bakehouse just as they may please. We shall have one local authority passing a bakehouse which is much deeper underground than another, and thus we shall get a want of uniformity throughout the country. I think that the powers of local authorities should be considerably reduced in regard to this clause. As regards the provision for purer air, there is no doubt that it is a wise one, and it is an enormous advance. I think the provision providing for separate places for meals is also a wise one, and will bring up to the level hitherto adopted by good employers those employers who have never come up to that level, and who employ their working people unfairly. I have followed with great interest the statement of the right hon. Baronet opposite, but there was one point in connection with the Bill which I think he failed to grasp. The Bill provides that an exception may be made with regard to the fish trade, where it is necessary that the fish upon the arrival of the fishing boats must be dealt with ¹³² immediately in order to preserve it. There is a safeguard against any abuse of this by unscrupulous employers. If the employer immediately the fish arrives deals with the matter, then it is proper that he should be allowed to employ his workers for longer hours.

§ *SIR CHARLES DILKE

Those words are in the present law.

§ SIR FORTESCUE FLANNERY

There is a clause here under which an employer can extend overtime in these necessary circumstances as regards fish. With regard to fruit, I find that there is no safeguard of a corresponding character, and the practice which exists at the present

time of jam-makers waiting until the fruit is almost ready for dissolution, so that they may get a favourable market for themselves, and then go in for extensive overtime, is not guarded against by the Bill as it stands. Just as the employer in the fish trade can only obtain extensive overtime if he proceeds at once immediately the fish arrives, so the employer in the jam factory should be allowed an extension of overtime if he proceeds at once when the fruit arrives from the place where it is grown. I think that, whatever safeguards are introduced to prevent an abuse in the fish trade, the same safeguard should also be introduced to prevent any abuse in the fruit trade. I welcome this Bill as one who is most anxious for progress in social legislation. I welcome this measure as a moderate and, on the whole, a satisfactory contribution to a very wide and difficult subject. I believe the Bill will pass readily into law, and no doubt it will have its Second Reading to-night. There will probably be a very large number of Amendments, but I am inclined to think that a very large amount of the work which my right hon. friend suggests will have to be done in Grand Committee will prove considerably more easy than he anticipates. I have no doubt that, whatever the record of this Parliament may be, we shall in this Bill place upon the Statute Book a measure which will advance the cause of working men, and which will be an example of the advanced policy of my right hon. friend, and a worthy record of his businesslike capacity for dealing with difficult subjects.

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§ MR. JOHN REDMOND (Waterford)

With the general principles of this Bill I am in cordial agreement, and I should be very sorry if anything occurred which prevented me from giving it my support. I have not, however, risen to take part in the general considerations raised by the Bill, I have risen to occupy a very few moments of the time of the House, in order to put before it a claim which we desire to urge, and which was alluded to in the speech of the right hon. Gentleman when he moved the Second Reading of the Bill to-night. We desire to make a claim for the exemption from the operation of this Bill of a certain limited class of charitable institutions in Great Britain and Ireland. I listened with great interest to the right hon. Gentleman the Member for Forest of Dean, because I know by the record of 1895 that upon this point he was not in agreement with us. I gather from the speech he made to-night that he is practically in agreement with the claim we now put forward. When I speak of a certain limited class of charitable institutions, I refer to the Refuge Laundries These are laundries conducted by charitable institutions, really for the purpose of saving and reforming a certain class of the community, where the labour employed is the labour drawn from this particular class, and where the laundry is not in the ordinary sense of the word a real factory at all. I find that there is a common misunderstanding upon this point amongst some hon. Members of the House. Within the last few days I have made it my business to elicit the views of many hon. Members upon this subject, and I have been met by the statement that they could not agree to our claim, because they imagined it was one put forward on behalf of conventual institutions in Ireland, which we desired to put above the law, and above the provisions of the Factory Acts. That is not so. In the first place I desire to point out that the charitable institutions to which I allude are not entirely conducted by convents, and not entirely conducted by Catholics. Some are conducted by charitable ladies of the Protestant religion, and both in Great Britain and Ireland there are at this moment a considerable number of these institutions which are Protestant in their character, and not connected with the convents at all, and 134 we make this claim

equally for them. I have reason to know that these Protestant institutions to which I am alluding have just as great objections to being put under the provisions of this Bill as those conducted by convents and by Catholics. But more than that, we have never put forward the claim that conventual institutions should be placed above the law, or should be exempt from the provisions of the Factory Acts, or any extension of them. What is actually taking place at this moment is an answer to that, because the industrial schools conducted by convents and the laundries connected with these industrial schools are at this moment subject to the provisions of the Factory Acts, and are subject to inspection. Moreover, other institutions, such as the Foxford woollen factories, to which my hon. friend the Member for East Mayo called attention, are also subject to the provisions of the Factory Acts, and this, too, without any objection on their part to inspection.

Therefore, I make this double statement. We are not putting forward a claim simply on behalf of Catholics or convents, and, in the second place, we are not making this claim because they are conventual institutions. The claim we put forward is of an entirely different character, and it is based upon entirely different grounds. It is based entirely upon the character of the labour employed. The claim we make is confined to those institutions, reformatory in their character, in which the labour employed is the labour of fallen women who have been taken by these charitable ladies, who have brought them into these institutions and provided them with work and with means of salvation from continuing in their evil courses. We limit our claim strictly to these institutions, and I think I am right in interpreting the speech of the right hon. Gentleman the Member for Forest of Dean that so far he is with us, and so far as we limit our claim to these institutions he has no objection to an exception being made in their favour. I am sure that it is quite unnecessary for me to emphasise the fact that the kind of charity which is exercised by the ladies in these institutions is probably the noblest charity which anybody could possibly engage in. I do not think it is necessary for me to go another 135 step further and say that this particular charity is not only the noblest that the wit of man can conceive, but it is also the most difficult of all charities to conduct. The great object of these ladies is to keep these girls in those institutions. The organisations I refer to are great societies like the Society of the Good Shepherd, which exists in every country in the world, has been employed for years and generations, and perhaps centuries, in carrying on this work, and it has, therefore, the most experience in the carrying on of this work. The members of this Society of the Good Shepherd are unanimously of opinion that the introduction into their institutions of an outside authority in the shape of Government inspectors would completely destroy the discipline of their institutions, and make their already almost impossible task absolutely impossible. When that is remembered, I think the House ought to hesitate before it forces upon these institutions provisions which, however necessary they may be in ordinary factories, are not suitable for, and ought not to be forced upon institutions of this kind. It is not as if any case had ever been made out in support of the inspection of these institutions. No one urges that they are insanitary, or that an improper number of hours is imposed upon the inmates. We all know that in these institutions there is inspection, although not Government inspection. There is an inspection by the superiors of the religious orders to which they belong, which makes it impossible either for insanitary arrangements to exist or improper hours of labour to be enforced.

I do not understand why the Home Secretary has introduced the clause which stands in the Bill at this moment. Perhaps I may be allowed for one moment to refer to what occurred in 1895. The right hon. Gentleman the Member for East Fife was then Home Secretary, and in the Bill which he introduced there was a clause which applied the Factory Acts to these institutions. The matter was discussed in this House, and on the Second Reading of the Bill Mr. Henry Matthews, who subsequently was Home Secretary in a Conservative Government, raised the question, and he said— He felt bound to say a word in reference to convent laundries, a considerable number of 136 which would come under the Bill. They were kept going by ladies whose lives were devoted to works of the noblest charity, and who eked out their want of fortune by the small assistance which they could derive from these laundries. He would take, for instance, the Order of the Good Shepherd, the members of which devoted their efforts to the reformation of fallen women. The ladies of these institutions viewed the intrusion by the Government inspector with feelings of pain and almost horror, and he thought they certainly ought not to be subjected to such treatment unless some strong case was made out. But what case had been made out? Again, when he referred to the Home Office Report, he found nothing whatever in it in condemnation of the convent laundries. In no case was it stated that the factory hours were exceeded, and he knew this from his own experience. In none of them, moreover, was there any night labour. To apply the Factory Acts to such institutions as those of the Order of the Good Shepherd—to require, for instance, that on certain days holidays should be given to the inmates whether they deserved them or not—would, it seemed to him, be a wanton interference with the work of charity.* The right hon. Gentleman the Member for East Fife, did not precisely take that view on the Second Reading of the Bill. He rather took the view that it was impossible to make an exception in those cases. When the Bill went before the Grand Committee, and when a real opportunity was given for thoroughly discussing all the aspects of this case, the right hon. Gentleman the Member for East Fife changed his mind, and in that Grand Committee on the Amendment which was moved by Mr. Sexton, after a very long discussion, it was finally decided to exclude those institutions from the Bill—to exclude, in the words of the Amendment, "the inmates of institutions conducted in good faith for religious or charitable purposes." These words were accepted by the Standing Committee by an enormous majority. At that time the right hon. Gentleman had become converted to the view which was pressed upon him at the end of the Second Reading. The Amendment was accepted by the Grand Committee by thirty-eight to ten. In the thirty-eight votes there were leading representatives of every section in this House—Mr. Gerald Balfour, Sir J. Gorst, Mr. Matthews, Mr. Tennant, Mr. Asquith, Mr. Wyndham, the present Chief Secretary for Ireland. The minority, which was exceedingly small, included the right hon. Baronet the Member for Forest of Dean, and I am glad to find that the view which caused him to vote against that Amendment was that the words were too general, and that, if words can now be devised to limit the exception to the class of institutions I refer to, even the right hon. Baronet will be in favour of it. I confess that I cannot see how the question has been raised at all in this Bill. In 1895 a settlement was arrived at after the most mature consideration with practical unanimity. Since 1895 what case has arisen to cause you to reopen this question? I want to know whether since 1895 there has been the slightest evidence—

§ *SIR CHARLES DILKE

There was a very bad case in a woman's home for the cure of drunkenness in London.

§ MR. JOHN REDMOND

I do not understand that at all. I am not talking of places shut up for drunkenness at all. Surely I have made myself plain. I am not talking of any institutions except the particular kind of institutions I have described, and with reference to those institutions I want to know what case since 1895 has been made, or what case can be made either from the point of view of the sanitary appointments or from the point of view of the work the girls are called upon to do, to necessitate the reopening of this question, I say there has been absolutely no case made, and I think it is regrettable that this clause has been introduced in the Bill at all. But my colleagues and myself have had some opportunity of discussing this matter with the Home Secretary and, owing to his kindness, of meeting also the Leader of the House, and I am bound to say that we have found both of them thoroughly sympathetic with the object we have in view, and I am convinced that, if no definite arrangement has been come to for the omission of this clause, they desire to exempt these institutions. What I would urge upon them very strongly is that they ought not to attempt to exempt these institutions by a side wind. I think it would be a misfortune, from the point of view of the Factory Acts as a whole, if by any device they applied nominally a system of inspection to these institutions under such circumstances, and that this inspection should be a mockery and deliberately made a nullity. It would be far better to exempt the institutions from inspection than to apply a system of inspection on the understanding that it would be merely a nominal one.

§ *MR. RITCHIE

I understand the hon. Member is referring only to laundries connected with charitable institutions.

§ MR. JOHN REDMOND

I am speaking entirely of that class of laundry, conducted as a charitable institution, which is, so to speak, reformatory in its character. It is very hard to get a word to describe exactly what I mean. They are Magdalene asylums, such as those which are conducted by the Order of the Good Shepherd in Ireland, and other orders in this country. If you exempt these refuge laundries I believe you will have dealt with every case of a laundry conducted by a charitable institution except those connected with industrial schools, where you have already inspection. The points I desire to impress upon the right hon. Gentleman are these: firstly, that the exemption we ask for applies to a clearly-defined and very limited class; secondly, that it is strongly desirable not to upset the arrangement which was come to with reference to these laundries in the Bill of 1895, after full deliberation and practical unanimity; and, thirdly, in the very exceptional circumstances of these institutions you ought, in my opinion, to exempt them from the provisions of this Act. I have endeavoured, as shortly as I could, to make this claim, and I do not desire to labour it. This Bill will come before the Grand Committee, and I would most earnestly urge upon the Home Secretary and those who are responsible for the Bill that between now and the assembling of the Grand Committee they should carefully consider this matter, and that, being, as I believe they are, almost entirely in agreement with us, they ought to be able to frame words

which would meet our view. Finally, let me again impress upon them that the way to meet it is not by providing a nominal inspection, which will be a mockery, and which will reflect upon the whole system of the Factory Acts, but by exempting these laundries from the operation of the Bill.

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§ THE FIRST LORD OF THE TREASURY (Mr. A. J. BALFOUR, Manchester, E.)

The Government are very anxious to meet any legitimate case which can be made out on the subject so eloquently dealt with by the hon. Member for Waterford. There will be no attempt to finish the case to-night against the will of any important section of the House. I quite agree that if the House desire, or if any important section of the House desire, that the debate should go over to another day, it would be impossible to press the Second Reading to-night. But I would venture to say that it would be a very great advantage from the point of view of the Bill if we could get the Second Reading to-night, and send it to the Grand Committee. My idea of the business next week may be modified, but at present it is to take the Finance Bill. I leave it to the House to decide entirely what they ought to do in regard to the Bill now under consideration.

§ *MR. EMMOTT (Oldham)

said he did not see what was the use of the inquiry suggested in Clause 3 of the Bill. If the result of the inquiry turned out unfavourably to the rules of the Home Secretary, would the opinion be worth very much more than the expert opinion on which the original rules were based? The only possible difficulty he could see in the matter was that in the future there might be some regime so favourable to the ideas of labour as to harass capital, but that was not a very likely state of affairs to happen. He did not think the power of exemption to be granted to the Home Secretary under Clause 4 was a wise one. With regard to the question of the administrative authority, he did not like the substitution of the local authority for the factory inspector. The system had been tried before, and it had failed. To his mind it would lead to great inequality of administration. In many local authorities the chairman and the members were the very individuals chiefly likely to be sinners under this Act. Clause 40 proposed to exclude magistrates from sitting in cases connected with trades in which they were engaged. He asked, if that was a right principle for justices who had to deal with infringements of the law, whether it was not a right principle for those who had to administer the law. Speak- 140 ing from the point of view of manufacturers, he ventured to say that they, as a whole, would prefer the uniformity of administration of the Home Office to the laxity of the local authority in one place, and, perhaps, the unreasonable requirements of some jack-in-office who might be appointed by the local authority in another. He hoped the local authority would be dropped out of this matter, and, if not dropped altogether, he hoped the factory inspector would have the power of intervention when called for. Clause 19, which dealt with the question of boilers, was practically, if not actually, a repetition of the clause in the Bill of last year which came before the Boiler Committee, and was approved by them. He believed if this became law it would lead to some diminution of explosions; but, as a matter of detail, it was a question whether twelve months was the right time. He believed it was the custom of many people who had no extra boilers to have boilers cleaned and inspected at Easter or Whitsuntide, and it was possible that fourteen months might be a better period than twelve. He heartily agreed with the general principle of the clause. Referring to the

clause dealing with the question of escape from fire, the hon. Member said he did not see any magic in the number forty. It was possible to have death-traps in factories where less than forty persons were employed.

With regard to the question of laundries, he wished they could be treated as factories, and in reference to the question of exceptions, he confessed it was a very difficult one, but he would simply say as a general principle that it seemed to him that the onus to prove a case for exception should be on those who desired it. In reference to Clause 32, dealing with particulars, was it not time that particulars were given for all piece-work and all out-work? The fears in regard to this matter had been shown to be illusory, and it was time the principle was extended. He was told that the change proposed by Clause 34 with reference to returns of persons employed was necessary in order to save money, and also that the Factory Reports might be got out at an earlier period of the year. If these returns were only to apply to periods of three years, they would be of 141 comparatively little value. Scientific sociology was to a large extent in its infancy, and statisticians were using the figures in the annual Factory Reports for the purpose of founding on them conclusions which in a few years would be of considerable value. He believed the statisticians viewed with some dread the possibility of these figures only being given triennially. He appealed to the Home Secretary to ascertain what was the opinion in this matter of the Royal Statistical Society. He thought the right hon. Gentleman would find that they would regret any step whereby the statistical returns were only to be given once in three years. He could not see in reference to the Accidents Clause (35) why the Secretary of State should have power to exempt certain classes of accidents from the returns. In this matter also it was inadvisable to alter the statistical basis without good reason. He could not himself interpret the legal phraseology of Clause 40, but he wished to know whether a person engaged in the same trade would include a director of a company and a shareholder in a joint stock company. The principle was perfectly right, but there were some districts in which this clause could hardly be carried out, and he asked the Home Secretary to inquire into it. In his own petty sessional division of the county of Lancashire, having looked through the list of justices, he could not see how a court could be constituted which would be unconnected with the cotton trade. He hoped the Bill would be passed with the necessary Amendments, and that it would do much good to those whom it was intended to serve.

§ *MR. TALBOT (Oxford University)

supported the claim for the exemption of laundries connected with religious and charitable institutions. Such exemption might safely be allowed without detriment to the persons employed. The demand did not come from one side of the House only, or from the adherents of one religious community. The persons engaged in the fruit-preserving industry were not at all adequately protected by the Bill. This was a matter to which he had in former sessions drawn attention, and he intended to move amendments in that direction. He was sure that the defects 142 of the Bill would be remedied in the Grand Committee, and he anticipated a speedy and successful passing of the measure.

§ MR. T. P. O'CONNOR (Liverpool, Scotland)

said he represented a constituency which consisted largely of dockers, and he regretted that that body of labourers was not included in the provisions of the Bill. He had hopes that the right hon. Gentleman would favourably consider the request that they should be included in the Bill. There was scarcely any body in the country who were more entitled to sympathetic consideration than the dock labourers. Their work was extremely precarious, and he was told that in his constituency fifteen shillings a week was very often the average sum these men obtained. The docker at present had practically no protection under the Factory Acts. He would call the attention of the Home Secretary to a set of figures which he had received from Mr. Sexton, of the Dock Labourers' Union at Liverpool. He did not think the House was aware of the extraordinary mortality which existed amongst dock labourers. As a matter of fact, the mortality among them was far higher than that among miners, but he was bound in honesty to acknowledge that the number killed in the case of miners was far in excess of the number in the case of dockers. There was a considerable amount of insufficient, worn-out, and dangerous plant and machinery used by the dockers, and accidents were of daily occurrence. He impressed on the Home Secretary that what the docker wanted was not compensation, but prevention from danger in the performance of his work. Many suggestions could be made by which accidents could be very considerably lessened. He asked the Home Secretary to consider what could be done to protect the dock labourers.

§ MR. ASQUITH (Fifeshire, E.)

moved the adjournment of the debate.

§ MR. A. J. BALFOUR

I cannot refuse the right hon. Gentleman's request, though I confess I regret it.

§ Debate adjourned till Thursday.

Back to BUSINESS OF THE HOUSE (GOVERNMENT BUSINESS).

Forward to CIVIL LIST BILL.

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