

the Government might do it, but the fact that such a thing was put into an Act of Parliament affected every security in the country.

The Colonial Secretary: Move the postponement of the clause.

Hon. J. F. CULLEN moved—

That further consideration of the clause be postponed.

Motion passed.

Clauses 63 to 78 agreed to.

Progress reported.

ADJOURNMENT—SPECIAL.

The COLONIAL SECRETARY (Hon.

J. M. Drew) moved—

That the House at its rising do adjourn until 4.30 p.m. on Thursday next.

Question passed.

House adjourned at 9.30 p.m.

Legislative Assembly,

Tuesday, 30th September, 1913.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTION—LAND SELECTION, ESPERANCE.

Mr. GREEN asked the Minister for Agriculture: 1, Will the Agricultural Bank make advances on the eighty farming areas near the port of Esperance, which are now open for selection? If not,

why not? 2, Is it not safer for advances to be made on good land situated at distances of from three to 10 miles from a seaport with established facilities, rather than on land hundreds of miles inland? 3, If advances are to be made, why are not the amounts of same fixed and notified in the *Government Gazette*, as is done with areas in other parts of the State now being made available? 3, If Agricultural Bank assistance is not available, why is the Lands Department charging from 15s. to over £1 per acre for many of these blocks?

The PREMIER (for the Minister for Agriculture) replied: 1, If justified, yes; each application will be treated on its merits. 2, Not in every instance. 3, The trustees think it would be unwise to allocate any fixed sum to these blocks. 4, It is considered a reasonable valuation under present circumstances.

QUESTION—FOREIGNERS IN MINES.

Mr. FOLEY asked the Minister for Mines: In view of the recent decision of the Full Court, bearing on the employment of foreigners in mines, will he consider the alteration of the regulation bearing on this subject?

The MINISTER FOR MINES replied: It is not considered necessary to amend the section of the Act dealing with this matter.

QUESTION—RAILWAY CONSTRUCTION QUAIRADING-NUNAJIN.

Mr. BROWN asked the Minister for Works: What was the cost of construction of the Quairading-Nunajin line, exclusive of rails and fastenings?

The MINISTER FOR WORKS replied: The actual cost of construction, including water supplies and surveys, and exclusive of rails and fastenings, is £62,082.

Mr. Monger: What is the distance?

The MINISTER FOR WORKS: It is 48½ miles.

PAPERS PRESENTED.

By Hon. W. C. Angwin (Honorary Minister): Report on State-aided immigration for the year ended 30th June, 1913.

By the Premier: 1, Regulations under "The Audit Act, 1904," Section 63—State Money under the Agent General. 2, Regulations under "The Audit Act, 1904"—New Regulation No. 45A. 3, Regulations under "The Government Savings Bank Act, 1906"—Amendment of Nos. 3 and 18.

BILL—MINES REGULATION.

In Committee.

Resumed from the 25th September; Mr. Holman in the Chair; the Minister for Mines in charge of the Bill.

Clause 38—Coroners' inquests:

Mr. MUNSIE: The attention of the Minister should be drawn to Subclause 2, which read—

Where practicable the constable or other summoning officer shall summon as jurors persons accustomed to the working of mines, and no person shall be summoned to act as a jurymen more than once in six months.

While agreeing that such a subclause should, perhaps, remain in the Bill, he would point out the injustice of it, and ask the Minister if something could not be done. "Where practicable" was all right, perhaps, in Kalgoorlie or in Boulder where there were large populations, but under the Juries' Act a necessary qualification for a juror was that he should have the same property qualification as that constituting the franchise for the Legislative Council, and because of this it was sometimes found impracticable on a new field to secure as jurors men accustomed to mining; indeed it was sometimes found difficult to get such men as jurors in Kalgoorlie and in Boulder, men who at once had the necessary property qualification and were thoroughly accustomed to mining. The Minister should endeavour to amend the provision insofar as it related to the qualification.

The MINISTER FOR MINES: It was understood that the difficulty complained of by the hon. member was a very real one, more particularly in outlying districts where the restricted qualification for a jurymen made it difficult to secure the services of practical men for the juries. However, this difficulty could not be dealt with under the Bill; it would require an amendment of the Juries' Act to alter the present qualification. There was no way of overcoming the difficulty in connection with the Bill.

Hon. FRANK WILSON: The difficulty did not appear to be so great as the member for Hannans (Mr. Munsie) seemed to think. Jurors with the necessary qualifications could be found in almost any mining centre. The franchise of an elector to the Legislative Council was not a very high one, being only £17 10s. per annum. There were very few mining camps which were not set down at that value. He had a vivid recollection of the last elections for the Upper House. The roll of Mount Magnet was re-adjusted so that the annual values for the camps were increased to £17 10s., and the rating was decreased in order that the owners would not have to pay any more taxation, but the men all got a vote. It was an easy matter to get over when a municipal body took action like that.

Mr. B. J. Stubbs: Do you uphold that sort of thing?

Hon. FRANK WILSON. No. It was done by a Labour council in order to get the franchise conferred upon the men so that the Labour candidates might get their support.

Mr. Foley: One of your party did that previous to the election.

Hon. FRANK WILSON: There need be no alarm when such an occurrence could take place. In small centres some difficulty might be experienced if a jurymen could not be summoned more than once in six months, but that might be overcome by reducing the period to three months, or excising it.

The Minister for Mines: This is identical with the existing Act.

Hon. FRANK WILSON: The existing Act might have been drafted for more populous centres.

Mr. FOLEY: It was opportune to bring under notice the desirability of altering the Juries Act by eliminating the property qualification. Anyone who would be a good man on a jury would be good irrespective of his property qualification, and everyone should have the same opportunity as was now reserved to those who possessed the qualification to vote for the Legislative Council.

Hon. Frank Wilson: They all possess a home, you know.

The MINISTER FOR MINES: There were many districts where men were occupying camps or residences of a value of less than 7s. a week. As regarded the statement made by the leader of the Opposition that the difficulty was overcome at Mount Magnet by increasing the values and lowering the rating, something was done in that direction, but he took exception to the statement that it was done by a Labour council. He was in Mount Magnet at the time, and only one member of the council was a labour man. The motion by which this alteration was brought about was moved by the man who subsequently made the greatest noise, who conducted the local newspaper, and was the representative of the Liberal party in that district. The leader of the Opposition was evidently not fully aware of the whole of the facts. It was alleged that this action had been taken to give a large number of workmen a vote for the Legislative Council. Such was not the case. It was done at the instance of the Liberal party in the town.

Hon. FRANK WILSON: As to subsequent events he was not prepared to say that he had any knowledge, but it was a strange coincidence that this took place at the time of the last Legislative Council elections when the Colonial Secretary was going up for re-election, and it was marvellous that a brother of the Colonial Secretary was the man running the paper in that district, and presumably the man who took action.

Mr. Foley: No.

Hon. FRANK WILSON: The fact remained that these people got the vote, and most of them voted Labour, and the Labour party got the advantage in consequence. The member for Leonora said that if a man made a good juror he would do so whether he had property or not. He (Mr. Wilson) admitted that, but if a man did not make a good juror what was to be done? It was supposed to be some sign of intelligence, though it was not always so, when a man became a property owner. Hon. members would admit that they were becoming property owners, following in the footsteps of the Ministers, acquiring property from pastoral leases to agricultural freeholds.

Mr. Green: And you used to say we had not a stake in the country.

Hon. FRANK WILSON: Hon. members were getting it at the country's expense, some with residential conditions attached, others with non-residential conditions, but they were acquiring property. He did not blame them; it was an evidence of some intelligence.

The CHAIRMAN: Order! The hon. member was getting away from the question.

Hon. FRANK WILSON: The point he was leading to was that of annual values.

The CHAIRMAN: The hon. member was dealing with land which he considered hon. members held.

Hon. FRANK WILSON: To the hon. member who thought that everyone with a swag on his back should be entitled to be a juror, he was pointing out that very few householders had a shelter for which they did not pay £17 10s. per annum.

Mr. Munsie: How about those on the leases?

Hon. FRANK WILSON: It was a very small place which was not worth 7s. a week, and very few householders were disqualified from voting for the Legislative Council and serving on juries.

The Minister for Mines: All the single men in the timber industry are not qualified.

Hon. FRANK WILSON: That was so. They paid about 2s. 6d. a week for a single-roomed hut, but he was speaking of householders—married men with fami-

lies. Therefore he took exception to the suggestion that everyone, no matter who he was or what he was, should take up these responsibilities. We wanted the best intelligence in order that we might get the best decision.

Mr. Munsie: You want the men experienced in the industry.

Hon. FRANK WILSON: That was a fact.

Mr. UNDERWOOD: For many years he was in the Murchison and North-West country, and did not have a vote, and was not on the jury list.

Hon. Frank Wilson: You had not arrived at that stage of intelligence.

Mr. UNDERWOOD: But he had sufficient intelligence to be elected a member of this House.

Hon. Frank Wilson: I do not know that you had; perhaps you hoodwinked the electors.

Mr. UNDERWOOD: Any number of more sensible men than the leader of the Opposition in this country were not qualified to be on the jury list.

Mr. Green: Who carry their swags.

Mr. UNDERWOOD: Not necessarily.

Mr. Green: Some of them do.

Mr. UNDERWOOD: For some time he had a fairly good bank balance and still had no right to be on the jury list, and there were thousands who perhaps had more wealth than the leader of the Opposition.

Hon. Frank Wilson: I have got none.

Mr. UNDERWOOD: There were thousands of men in this country who were living under such circumstances that it would not be worth while to build houses. There were hundreds, and perhaps thousands, living on mining leases. The fact that a man did not possess a house did not prove that he was without intelligence. If it did, the hon. member would be running this country yet.

Mr. GREEN: The Minister should note the point raised by the member for Hannans. The leader of the Opposition had told only a partial truth when he stated that all men with property of an annual value of £17 10s. were qualified to be on the jury list. A large number

of miners lived on the leases. Whether they ought to do so or not was beside the question, but no squatter on a lease had a vote for the Legislative Council no matter what the value of his house might be. He had inquired from the Chief Electoral Officer and had been assured this was so.

Mr. Foley: They vote at every election.

Mr. GREEN: The majority of men who had a knowledge of the working of mines was excluded from serving as jurors. This was a serious state of affairs. There was no question that the working miner was really the only practical man to sit on a jury of this kind.

Mr. MUNSIE: Paragraph 5 read—

If a majority of the jury so desire the coroner shall arrange for the jury to view the scene of the accident and the owner and manager shall afford them the facilities accorded to an inspector of mines.

In many instances it was absolutely desirable that the jury should view the scene of the accident. In his opinion it was absolutely useless to take members of a jury down a mine to view the scene of the accident unless they had some knowledge of mining. Therefore it was desirable that a majority of the jury should consist of men having practical experience in mining. In many instances the police made it an excuse that it was impossible to obtain men of practical experience to sit on a jury, and this was so in many cases.

Mr. HARPER: An amendment of the Jurors' Act did not come within the scope of the clause. It was not always because men had not the qualification that they were not chosen, but persons to serve on a jury must have a known place of residence. The qualification for a juror was practically a household qualification. To have practical miners on a jury was desirable, but one could not always have practical men to decide questions of fact. One might just as well say that a magistrate should have a knowledge of burglary to try a burglary case.

Hon. FRANK WILSON moved an amendment —

That in paragraph 3 all the words after "accident" in line 8 be struck out with a view to inserting other words.

The clause gave the right to the representative of the person killed, the representative of the miners' association in the district or any industrial union of workers, or a representative of the majority of the workmen employed in the mine and a representative of the owner to be present and examine witnesses as to the cause of the accident and as to the issue whether the accident was attributable to negligence. That was not a desirable state of affairs. The representative of the miners' union and the representative of the owners would cross-examine the witnesses to endeavour to work up a case against one side or the other.

Mr. O'Loughlen : Do you assume these witnesses would be vindictive ?

Hon. FRANK WILSON : They would be biased, they would go there to protect themselves. The mineowner would send someone to represent him to protect him and the representative of the worker would be there to try and work up evidence as to whether the death was attributable to negligence on the part of the management and they would do this untrammelled by the coroner. The coroner's inquest was not a place where one side or the other should work up evidence, it was not constituted for the purpose of bringing home a case of neglect.

Mr. O'Loughlen : A practical man would know if there was negligence or not.

Hon. FRANK WILSON : A coroner's inquest was held for the purpose of bringing in a verdict as to the cause of death; further proceedings would decide whether the manager should stand his trial for manslaughter and so on. If the words "subject nevertheless to the order of the coroner" were inserted then the coroner would control his court and restrict, if he deemed it necessary, or extend, if he deemed it necessary, the examination of witnesses by the representatives interested.

The MINISTER FOR MINES : The procedure that took place or was likely to take place as described by the leader of the Opposition actually did take place in almost every case that had occurred, and the amendment in the Bill was introduced to overcome a point raised by a coroner. Anyone with experience on the fields knew at present that the representatives of the union and the employer examined and cross-examined the witnesses very fully. The hon. member talked about building up a case, but no matter what questions might be asked or cross-examination indulged in, it was to be noted that the representative of the owner was given the right to cross-examine as to the issue whether the accident was attributable to negligence just as much as the representative of the men or the representative of the union could. It had been held by the leader of the Opposition that most of the accidents were due to neglect on the part of the workmen or from some omission to comply with rules. If that was so, this clause would give the representative of the owner an opportunity of bringing out evidence that the accident was caused by the action of the person who was killed, just as much as it would give a representative of the union the opportunity of proving that neglect was on the side of the manager. It merely offered an opportunity of getting at the truth. What possible objection could there be in the case of a fatal accident to any of those attending the inquest to elicit the truth? If there had been neglect on the part of the management or on the part of the men, there could be no reasonable objection to learning the real position.

Hon. Frank Wilson : Why do you take that away from the control of the coroner?

The MINISTER FOR MINES : That was not so. The words were omitted because they were superfluous, but if the leader of the Opposition thought the position would be made clearer, there would be no objection to leaving the words in, provided the parties concerned had the power to examine and cross-examine as to whether the accident was due to neglect. It ought to be remembered also that

a coroner had even greater power than a police magistrate, and those words could not possibly limit him. It was always intended that this power should be there, and it had invariably been exercised. Those concerned had exercised to the full the power to examine and cross-examine. On one occasion, however, the coroner prevented an examination of this kind taking place, and these words were being added to make the position more explicit. The practice which had been in existence ever since the Act had been passed would not be altered.

Hon. FRANK WILSON: To the necessity for adding these words he attached a great deal of importance, and therefore he thanked the Minister for agreeing to include them. It was true that a coroner had extensive powers—he controlled the whole of the proceedings, but if we struck out these words the coroner would not have that control, because the representatives of the owners or the workers would have full power to take charge of the court and the examination of witnesses.

The Minister for Mines: I will not object to the addition of the words to the end of the clause.

Hon. FRANK WILSON: The coroner's inquest was not the time nor the place for attempting to prove negligence against any individual. The business of the coroner's inquiry was to ascertain the cause of death, not to fasten neglect on to anyone; that should be done at subsequent proceedings. The subclause gave extensive powers; it read, "A representative of the person killed and a representative of a miners' association in the district, or any industrial union of workers, or a representative of the majority of the workmen employed in the mine appointed in writing by such workmen, and a representative of the owner may examine the locality of such accident and be present at an inquest, and may examine any witness as to the cause of the accident." There was no need to go further, people who were interested had the right to be represented before the coroner and inquire as to the cause of the accident. Why should we go any further as the Minister proposed? There would be no

limit to an inquiry under such circumstances. We had to remember that the management of a mine were responsible for damages under each of the different laws, and they were liable under common law in the event of a man being killed, whether the fatality was due to neglect or otherwise. Now we proposed to go too far. It had not been deemed necessary in the past to go so far.

Mr. Munsie: The Minister gave you a good illustration when he said just now that a coroner had refused to allow the cross-examination of witnesses.

Hon. FRANK WILSON: A coroner could not refuse to allow anyone to examine a witness as to the cause of an accident, but he could refuse the right to badger a witness so that somebody else might be committed. If we were to throw the door open so as to provide that the coroner's inquest should be the means of proving liability for neglect in connection with an accident, then we would be legislating unwisely.

Amendment put and negatived.

Hon. FRANK WILSON moved a further amendment—

That the following words be added to Subclause 3:—"Subject, nevertheless, to the order of the coroner."

Amendment passed; the clause as amended agreed to.

Clause 39—Inspector may give notice of dangerous or defective matters not provided for:

Hon. FRANK WILSON moved an amendment—

That in line 9 of Subclause 2 the words "as hereinafter provided" be struck out and "by arbitration" inserted in lieu.

The Minister for Mines: Do you not think that amendment would be better in the next clause?

Hon. FRANK WILSON: The desire was that the system of arbitration should be continued, and then in Clause 40 he hoped to induce the Minister to give equal representation on the Mines Regulation Board. The idea at present was that the system of arbitration should be continued. The appointment of arbitrators and an umpire was more likely to be

conducive to good decisions than a mining board, which was nominated, and the personnel of which might be tainted by whoever might be in power at the time. The next clause provided that seven members should constitute the Mines Regulation Board, and although it said that those members were to be nominated, nothing was said as to how they were to be nominated. Doubtless that would come under the regulations.

The Minister for Mines: It was my intention to provide under the regulations for an equal number on either side, but to make it more clear I am willing to put it in the clause.

Hon. FRANK WILSON: One was grateful to the Minister for that concession. At the same time, there was nothing to be gained by the appointment of a board such as that provided for in the Bill. The Minister would, under this system, have to select three men representing the management and three representing the workers, and, presumably, a Government official would be chosen as a seventh man to act as chairman. That certainly did take away a lot of the objection to this clause and practically brought the board back to the old arbitration board.

The Minister for Mines: That is so, but the only object is to get a board with more technical knowledge.

Hon. FRANK WILSON: Technical knowledge was obtained under the present system. It was only natural to suppose that the mine owners and the workers respectively selected practical men to represent them on the present arbitration boards, and that the Government would have an expert presiding as umpire, or, if the Government did not appoint the umpire that the other two representatives would.

The Minister for Mines: Our choice is restricted by the Act to a practical mining engineer, a judge of the Supreme Court, a warden, or resident magistrate.

Mr. Foley: A warden is not a practical man.

Hon. FRANK WILSON: A man filling the position of warden, and having to preside over his own court every day

ought to have sufficient knowledge to take the evidence before an arbitration board and come to a correct conclusion. In that respect the warden was in no way inferior to a working miner. How many men who worked underground could even approach a warden as president of an arbitration board on the goldfields? Many trade unions would doubtless select men quite outside their own ranks to represent them on an inquiry in regard to a serious accident. Perhaps they would choose a legal man, because the decisions had to be based on evidence. Practical experience was only desirable so that it might give the court power to grasp evidence which was of a technical nature. No reason had been advanced why we should depart from the arbitration board, and he was satisfied that a mining board comprising seven members was going to give no better result, or any more finality, so far as its decisions were concerned. It seemed proper that both sides should have the right to appeal from the decisions of the inspector, more especially as such extended powers were being given to the representatives of the workers, but it could safely be said that the arbitration boards appointed under the old Act, and which, of course, were subject to the provisions of the Arbitration Act of 1895, would give better results than would be obtained from a purely mining board, such as that provided for in Clause 40. These boards were to be given rather extensive powers in regard to the taking of evidence. The system proposed was no improvement on the old board, on which each party appointed a representative, and the Minister appointed an umpire to preside over the deliberations. Still, if the Minister would not accept the amendment to adhere to the arbitration boards, one must be very grateful to him for agreeing to stipulate in the Bill that both sides were to have equal representation when the members of the board were nominated.

The MINISTER FOR MINES: This departure from the old system had not been conceived in any party spirit but with the sole desire of getting a more

efficient board to deal with the many problems and difficulties that cropped up.

Hon. Frank Wilson: The more members you have the more difficulties you have.

The MINISTER FOR MINES: It might be that a certain inquiry would require that there should be on the board not one but two or three men with technical knowledge. For instance, there might be an appeal under the general rules dealing with ventilation and sanitation, and it might be desirable to have a board on which could be placed the Government Analyst and a medical man. The intention of the clause was that there should be two representatives on either side and three official members, but the latter three would only be appointed when it was thought necessary to have more than one person with special or technical knowledge. Ordinarily, the board would consist of five, one man, the chairman, being a person with technical knowledge.

Hon. Frank Wilson: But this would be a permanent board, would it not?

The MINISTER FOR MINES: Not necessarily. There was power given to appoint a substitute for any member of the board, and if, for instance, a small dispute occurred on the Murchison it would not be necessary to send the whole five members of the board up there; others could be appointed in their stead. The department had found great difficulty in getting suitable men to act as umpires.

The Act limited the choice to a practical mining engineer, a judge of the Supreme Court, a warden, or a resident magistrate. To get the services of a practical mining engineer one had to appoint a man who might be regarded as a partisan. The number of practical mining engineers was limited, and one appointed from the service of the companies might lean towards the management, whereas if one was appointed who was not connected with the companies he might lean quite the other way. Only recently there had been an appeal from the decision of the inspector at Kalgoorlie, and great difficulty was experienced in getting a suitable man to act

as umpire. Eventually an officer in the technical school had to be appointed, and it might be held that such a man, being under the orders of his direct head, the Secretary for Mines, would not be altogether free from bias; yet the Government were so limited in their choice that they had to appoint one of their own officers, or accept a mining engineer from one of the companies. A Supreme Court judge would know more about the sifting of evidence on the point at issue than a practical man would, but at the same time he could not be expected to be possessed of technical knowledge to enable him to decide a question. In the case of the board to which he had just referred, it would not have been wise to have appointed a resident magistrate, because it was to determine whether an inspector was complying with that clause in the rules which said those things which were "reasonably practicable" must be carried out. The inspector had prohibited the management from working men under stages, but the management had declared that the inspector's orders were not "reasonably practicable," and the matter was referred to arbitration. The provision in the Bill had been suggested by officers of the department based on long years of experience. A somewhat similar board had been recommended by the Royal Commission of 1905, and a recommendation, although not on exactly the same lines, had been made by the Royal Commission which sat in 1911. In the opinion of the departmental officers it would give more satisfaction and tend to more efficient working of the measure. All the general rules which the Committee had adopted last week were subject to interpretation by the words "reasonably practicable," and there might be honest differences of opinion between the management and the inspectors as to how far those rules should be insisted upon. A board of this kind would sit and call evidence, and their deliberations would enable them to come to conclusions and give decisions which would be a guide to all the other inspectors in different parts of the State. He hoped the hon. member would not insist on his amendment. He (the Minister for

Mines) had intended, under regulations, to lay down how the board should be constituted, but he recognised it would give more satisfaction to have the position stated clearly. He was prepared to accept the suggestion of the leader of the Opposition and have the members set out in Clause 40 when we came to it.

Amendment put and negatived.

Clause put and passed.

Clause 40—Mines Regulation Board:

Hon. FRANK WILSON: It was understood the Minister wanted to limit the board to two members to be nominated by the management, two members to be nominated by the unions or workers, leaving the other three members open. Such a proposition would require some little drafting, and the clause had better be postponed.

The MINISTER FOR MINES: An amendment would be drafted to suit the hon. member's wishes.

Mr. FOLEY: It appeared it was not the intention of the Minister to make the Mines Regulation Board a permanent one, after its work in any particular district had been finished, but Subclause 1 appeared to make it so. Would it not be advisable to insert after "shall" a provision that the Governor should appoint a board from time to time?

The MINISTER FOR MINES: It had already been explained that the intention was to appoint a board when necessary, and where necessary. That was the intention of the clause, and as it read he thought it gave that power. He had agreed to postpone the clause with the object of having an amendment framed to suit the desires of the leader of the Opposition, and if the point raised by the hon. member for Leonora was not clear that matter would be attended to at the same time.

Hon. FRANK WILSON: The wording of this clause was so definite that he did not think the Governor in Council could appoint another board if one was in existence. He moved—

That the further consideration of the clause be postponed.

Motion passed.

Clauses 41, 42, 43—agreed to.

Clause 44—Hours of employment below ground:

Hon. FRANK WILSON: Hon members would see it was proposed that no person should be employed to work below ground in a mine, except in cases of special emergency for more than 44 hours in any one week. He objected to this insidious method to reducing the week's work to 44 hours. It seemed that we were greatly undermining our industries by legislation of this description. We had already agreed to an Arbitration Court which was continuously sitting, not only to regulate the hours of employment in many industrial disputes of the country, but also to lay down the conditions under which any owners might employ persons in the industries in which they had their money invested.

Mr. Green: That is better than going out on strike.

Hon. FRANK WILSON: That could be admitted. The Arbitration Court had been supported by him long before the hon. member for Kalgoorlie was thought of. It was a pity, however, that the Arbitration Court had not stopped strikes. Indeed, there had been many more strikes since arbitration courts were established than previously.

Mr. Green: Oh, no.

Hon. FRANK WILSON: It was to be admitted of course that there were a greater number of people in Australia and our industries had widened to some extent, although the expansion had not been half as much as it ought to have been during the last quarter of a century. Nevertheless they had expanded somewhat, and our workers had increased. The number of the industries had increased also, and naturally an increase had been noticeable in our industrial troubles.

Mr. Green: But nothing like so serious an increase as in your own country—England.

Hon. FRANK WILSON: Equally as serious in proportion to the numbers employed.

Mr. Green: But we do not go shooting down men.

Hon. FRANK WILSON : Presumably the hon. member did not countenance shooting, but he himself had a very vivid recollection of a mining industrial dispute many years ago in this State when he was threatened in his office with shooting if he attempted to carry out his intention to keep the pumps working by means of the office staff with a view to holding the water out of the mine. The man who had made that threat was now a member of the Senate.

Mr. Green : Did you take action ?

Hon. FRANK WILSON : The action taken by him had been, first to remind his assailant that two could play at shooting, and thereupon to shoot his assailant out of the door.

Mr. E. B. Johnston : I would like to hear the other side.

Hon. FRANK WILSON : The hon. member could hear it at any time, and if he desired a similar experience he had only to visit his (Hon. Frank Wilson's) office and indulge in threatening language. We had established an Arbitration Court and given that court very wide powers indeed. The party who unfortunately now controlled the destinies of the country had declared our Arbitration Act to be the best in the world.

Mr. O'Loughlen : Only one of them.

Hon. FRANK WILSON : The Attorney General.

Mr. O'Loughlen : Yes, but not the party.

Hon. FRANK WILSON : The Attorney General was the brain power of the party, at any rate on legal questions. The Ministerial party had passed judgment on the Arbitration Court and declared it to be the best court, working under the best industrial legislation in the British Empire.

Mr. O'Loughlen : That is wrong.

Hon. FRANK WILSON : The Attorney General had said that it was right.

Mr. O'Loughlen : That does not make it right.

Hon. FRANK WILSON : It was strong evidence in the affirmative. He was prepared to take the Attorney General's opinion that we had the best Ar-

bitration Act in the world. We should not take away the powers of the Arbitration Court by legislating for matters coming within the jurisdiction of the court. We should not legislate as to hours of employment in the mining industry unless we legislated in the same direction in respect to every industry in the State.

Mr. Munsie : Why did you not legislate for 48 hours ?

Hon. FRANK WILSON : If the hon. member would turn up *Hansard* he would find that he (Hon. Frank Wilson) had always voiced the opinion that, having established a court for the settlement of these matters, we ought to be very careful before deciding to do, by Act of Parliament, something which the Arbitration Court already had the power to do. Presumably the Minister for Mines had inserted this provision as a compromise between those against his legislation and those in favour of it. Once we had established an Arbitration Court it was unwise to lay down in subsequent Acts of Parliament hard and fast rules which seemed to suggest that there was really no need for the court. Eight hours work, 8 hours rest, 8 hours recreation, and 8 shillings a day had been the cry throughout the Commonwealth for the last 25 years. Now we had a pernicious attempt to use the Mines Regulation Bill for the reduction of working hours. It was altogether unjustifiable. If we were going to deal by Act of Parliament with the working hours of any section of the community, then we should deal with the whole lot and see what sort of a job we could make of it. Fancy legislating for every industry in Western Australia !

Mr. Green : This is the industry.

Hon. FRANK WILSON : It was a very important industry and had been of immense benefit to Western Australia, but there were other industries of great importance also. Hon. members were in the right way to make the mining industry a second rate industry. The very fact of passing restrictive legislation of this description, interfering with the hours of work, would reduce the in-

dustry to a second-rate position. The question of hours, like that of conditions of employment, should be left to the Arbitration Court. Even if members were sitting as arbitrators it was doubtful if they could lay down a hard and fast rule which would be equally applicable to every mine in the State. In portions of some mines men could not work six hours a day.

Mr. Foley : But they are expected to work eight.

Hon. FRANK WILSON : That was not so. He knew of one mine in which the men were working six and a half hours on an average. The mining industry was one of great importance, and if we were not careful we would, by restrictive legislation, retard the progress of that industry. On the second reading debate he had pointed out that, to keep the mining industry up to its present level, every care must be exercised and every encouragement given to the working of what, to-day, were non-payable ores. To save the industry these low-grade ores would have to be worked, and so every assistance and every freedom should be given both to the workers and the mine owners to enable them to reduce costs. He would not advocate unduly long working hours for anybody. He had no desire to see men toiling and sweating through unduly long hours in any industry, but he desired to do his best to enable the industry which had done so much for Western Australia to hold its own, even if we could not foster it back to the position it had held in this State ten or fifteen years ago. By a reduction of the cost of production the output of gold could be doubled. Whether it was worth while to do this by working longer hours or working harder, was a matter for consideration. No one would suggest that the pressure on the workers should be increased; but, on the other hand, it would be extremely unwise to reduce by Act of Parliament hours which at the present time were not unduly long. Each individual case should be brought before the Arbitration Court, which was the proper tribunal. The Arbitration Court could give an award governing an individual mine.

Mr. Munsie: Suppose the other employees applied to have it made a common rule?

Hon. FRANK WILSON: Such an award would be purposely circumscribed to make it apply to one individual mine and not to the whole industry, and consequently the court would not dream of granting an application to make it a common rule.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. FRANK WILSON: The Arbitration Court had been established to decide all the conditions of labour and rates of pay, and it was unwise to fix in any Act of Parliament the hours of labour at 44 per week. Although it might appear to some that we should fix a maximum number of hours for an industry which was considered hazardous or injurious to health as a guide to the Arbitration Court that that number must not be exceeded, yet we had a court to which all the conditions of labour were submitted. The court had been exercising its jurisdiction in connection with other industries, and there could be no just reason for legislating especially for the mining industry. There was an agreement in existence between the miners and the mine managers. They had been able to settle their differences, and notwithstanding that 48 hours was provided in the 1906 Act as the maximum week's work underground, the agreement provided for 47 hours. This measure, if passed, would interfere with that agreement. That being so, should we insist that the other terms of the agreement, as regarded rates of pay, should be enforced? If so, it would be necessary to amend our legislation to cover that as well as the maximum duration of a week's work. Presuming that the men were giving an average of six and a half hours at the present time, the reduction to 44 hours a week would mean something like a 6.8 reduction in the earning power. That would be a considerable load to put upon the industry, which in many places was struggling to exist. The management more especially of the struggling mines, would

naturally resent any reduction in the hours of labour unless there was a corresponding reduction in the rates of pay. Hon. members who favoured this legislation presumably would not contend that the mine owners should be asked to pay the same rate of wages for 44 as for 47 hours per week. The parties had agreed to certain rates of pay for 47 hours, and the natural consequence must be that a corresponding reduction in wages would be asked for by the managers. He did not think the working miners had asked for the reduction in hours, and he was safe in saying that a majority did not favour it.

Mr. B. J. Stubbs: Bring it in, and see if there is an agitation against it.

Hon. FRANK WILSON: The great body of miners would resent any reduction of wages.

Mr. Foley: This clause does not say that wages will be reduced; that is only your opinion.

Hon. FRANK WILSON: Would the hon. member ask that the same rate of wages should be maintained?

Mr. Underwood: Certainly.

Hon. FRANK WILSON: Then why not legislate accordingly.

Mr. Underwood: Because they might get more.

Hon. FRANK WILSON: That was a sample of the fair treatment and the broad-minded view of supporters of the Government. They professed to represent everybody, and not one section only.

Mr. Foley: You represent the Chamber of Mines; what you are saying is in their report word for word.

Hon. FRANK WILSON: The report of that body could be commended to the hon. member. It must be evident that in fixing the hours at 44 the workers themselves would be injured.

Mr. B. J. Stubbs: That has been the argument right through this Bill.

Hon. FRANK WILSON: It was a very sound argument, and could not be repeated too often. He would like a referendum taken of the workers in the industry to ascertain whether they favoured a reduction of hours to 44 and a corresponding reduction in wages, or if they were satisfied to continue under the agree-

ment. The large majority would decide in favour of continuing under the agreement. He had nothing more to say in connection with this pernicious legislation, except that if we continued to whittle away the freedom of the managers and the workers we might expect a corresponding decrease in the output and in the effectiveness of the industry so far as the employment of labour was concerned. That would be disastrous to the State. Western Australia was proud of its gold-mining industry. Remembering what it had done for the State in peopling the back blocks and leading to the foundation of land settlement we should hesitate—

Mr. B. J. Stubbs: And what it has done to line speculators' pockets.

Hon. FRANK WILSON: It had emptied thousands of speculators' pockets, and perhaps the hon. member had been bitten more than once.

Mr. B. J. Stubbs: No, only once.

Mr. HARPER: A reduction of hours would receive his strong protest. The men had worked under the 48 hours system for a number of years and subsequently 47 hours was adopted, though there was no Act of Parliament to that effect.

Mr. Foley: But the men had to fight for it.

Mr. HARPER: It had been in existence to his knowledge for 15 years. This alteration in the hours of labour should not be made in view of what the Arbitration Court had done in the way of fixing the hours of working and the rates of pay. To carry out the clause as it was printed would be in his opinion legalising a robbery, or legalising a swindle, for the reason, as he had stated, that the wages and hours had been fixed by the highest tribunal, the Arbitration Court. If the alteration were made for those in receipt of £4 a week one-sixteenth of their time would have to be taken off, which would mean a reduction in their wages of 5s. weekly. Would the miners elect to have that reduction made?

Mr. Foley: It does not say they are going to have it made.

Mr. HARPER: Even if it were not made it would cause great inconvenience

in the working of a mine. A man earning £5 a week would receive 6s. 8d. a week less by working the shorter number of hours. Would anyone tell him that a miner was going to agree to be reduced to the extent of 6s. 8d. a week? The clause was quite unnecessary. It had never been advocated by the men, in fact there had never been any agitation of any kind for a reduction in the hours. He repeated that to carry a clause of this description would amount to legalising a robbery, because the court had already fixed the hours and the rates of pay. It was on record that most of the men who were working on contract earned £5 a week.

Mr. Foley: More or less.

Mr. HARPER: The averages in some of the Kalgoorlie mines were 18s., 16s. 11d., and 17s. 8d. a day, and these wages would be reduced by one-fifteenth. The Committee should not interfere in this matter, which had been settled apparently to the men's satisfaction by the Arbitration Court, a court which hon. members opposite were so proud of. We were fortunate in not having had any strikes on the goldfields, and the reason was that the mine owners had conceded all the requests and the demands made by the workers, and the latter ought now to be satisfied with the results which they had achieved.

The MINISTER FOR MINES: The leader of the Opposition had directed his arguments mainly against embodying in an Act of Parliament this principle of fixing the hours that men should work. At this late stage we need hardly discuss that aspect, because notwithstanding the existence of the Arbitration Court for the past ten years, the hours of labour had been fixed in Acts of Parliament. Notwithstanding that the shop employees might go to the court to-morrow, it was nevertheless laid down in the Shops and Factories Act the maximum number of hours that might be worked in that industry. That was so in every Act of Parliament, and the principle had been admitted in the existing Mines Regulation Act. There had been laid down that the hours should not be more than eight

daily. If it was desired that the whole question of hours should be left to the tribunal appointed to deal with the wages and conditions of employment, why were the hours limited in the Act of 1906? What particular virtue was there in eight hours? We had admitted the right of Parliament to stipulate the number of hours that should be worked in an industry. Hon. members were aware of the fact that underground work was the most hazardous and uncongenial that one could follow, and if there was an occupation in regard to which Parliament could be justified in breaking away from the old-established order of eight hours, it was in this. In other parts of the Commonwealth less than eight hours were worked. In Queensland the men worked 44 hours.

Mr. Munsie: And they have been doing so for many years.

The MINISTER FOR MINES: In Victoria, long before he left that State, the hours of work in the building trade were 44 a week. Surely if men worked in sunlight and under comparatively healthy conditions for 44 hours, those who worked underground were equally, if not more, entitled to the concession. It had been argued that shorter hours meant a lessened output. There could be no denying the fact that for generations past, side by side with the reduction of hours, there had been an increased output.

Hon. Frank Wilson: Owing to machinery.

The MINISTER FOR MINES: Not entirely. He was prepared to admit that in some cases this had been due to the introduction of labour-saving machinery, but it had also been due in a large measure to the physical ability of the employees, and it had been shown that a man could do as much work very often in eight hours as he had previously done in nine or ten hours.

Mr. Harper: Why object to contract?

The MINISTER FOR MINES: There would be an opportunity at a later stage of debating that question. There was a higher standard of efficiency in the industrial world to-day, and a greater re-

turn was being given because of the shorter hours which were obtaining.

Mr. Foley: Especially in the mining industry in this State.

The MINISTER FOR MINES: This reduction of three hours in the working week would not mean a lessened output as contended by the leader of the Opposition. The men would have more hours for recreation and would be better able to work than formerly. He challenged the leader of the Opposition to say that if he had the opportunity of working men ten hours a day he would do so.

Hon. Frank Wilson: I would not. I reduced the hours of the timber employees from ten to nine.

The MINISTER FOR MINES: The hon. member also recognised that something was due to humanity.

Hon. Frank Wilson: But how far are you going?

The MINISTER FOR MINES: Had we come to a full stop?

Hon. Frank Wilson: I think you have.

The MINISTER FOR MINES: The logic of the case was with him when he could show that step by step with the reduction of hours there had been an increased output. The leader of the Opposition would have difficulty in proving that whilst that had been the case with a reduction to eight hours, if we reduced the working day below that time the effect would be different.

Hon. Frank Wilson: It is due to labour-saving appliances.

The MINISTER FOR MINES: In some measure it had been due to labour-saving appliances, but in many occupations there had been practically little change for many years with regard to the machinery and appliances employed, and yet an increased output had been obtained together with reduced hours of working. If there was any industry in which Parliament would be justified in making a further reduction in the hours of labour, it was mining, and more particularly in the mines as they were to-day. The leader of the Opposition had pointed out what the great mining industry had done for Western Australia. That was admitted, but did we mean by the mining

industry the holes in the ground or the machinery? Did we not mean the men actually employed in it? And if they had done so much for Western Australia during the last twenty years, was it asking too much now when Western Australia was in a fair way of prosperity, owing to the efforts of those men in the past, that Parliament should step in and reduce the hours by merely three per week.

Mr. Wisdom: You do not reduce the pay.

The MINISTER FOR MINES: We were not looking backward in that direction in Western Australia; we were looking forward, and there was a greater degree of prosperity enjoyed by everybody, from the lowest wage earner to the highest employer, than ever before in the history of the State, if not in the history of the world, notwithstanding that the Parliaments in the British Empire had been introducing this so-called harassing legislation which was going to so much restrict employment. He hoped the Committee would extend this consideration to the men in the mining industry, whose occupation to-day was much worse than it was a few years ago. The mines were now getting down towards the 3,000 feet level—

Mr. Harper: You are legislating also for shallow mines.

The MINISTER FOR MINES: But shallow mines were mostly wealthy, because, as the mines became deeper the costs increased. The conditions in the mines were more disagreeable to-day than they were a few years ago, and the man who now worked underground would prefer 48 hours a week a few years ago on the higher levels to 44 hours per week at 2,000 or 3,000 feet below the surface.

Hon. FRANK WILSON: One could quite understand that the Minister appealed to the mass of those employed in the mining industry by saying that the output was greater to-day than when longer hours were worked, and when he argued that if we continued reducing the hours we would still have a greater output than we had with longer hours. The men would naturally applaud the Minister for that sentiment, but anyone who

knew anything about the employment of labour must admit that the reduction in the hours of labour during the last ten or fifteen years from nine to eight, and possibly to six or seven in certain industries, had not been conducive to as great an output as when longer hours had been worked.

Mr. Foley: It has been so in the mining industry.

Hon. FRANK WILSON: Only because of the labour-saving appliances and the development of scientific knowledge, by which a man was enabled to get far more for his labour. Drilling to-day was not nearly as hard work as it was with the old hammer drill.

The Minister for Mines: Even if the argument be admitted that the increased output is due to the introduction of machinery, are not the men entitled to some consideration?

Hon. FRANK WILSON: Of course, but when the Minister was asked how far he was going, he seemed to indicate that we should go on for ever. The Minister would continue until we had reduced the working week to 30 hours, then, possibly, to ten, and presumably in the long run work would be knocked out altogether. The Minister argued that because a man was off work longer than he used to be the employer obtained a better return than formerly, but practical experience did not show that to be the case. The worst day the employer had with his workers was Monday, both as regards the time of starting and the output for the day. The question was how far we could go in this matter in all reason.

Mr. Munsie: Easily to 44 hours.

Hon. FRANK WILSON: Doubtless next year the hon. member would say 36 hours, and where would we stop? Was not the industry of some moment? When the workers cried out for an eight hours working day a few years ago they said that would settle the trouble for all time, but as soon as they got the eight hours day, those who were in a position to insist demanded 44 hours a week. The Minister for Mines had referred to the fact that in Victoria the carpenters had worked 44 hours for a number of years. But that

was due to the fact that the supply of labour was not equal to the demand, and the men were in a position by reason of that fact, and their organisation, to demand 44 hours. Only the other day there had been a dearth of plasterers in Perth and good men could obtain £1 a day. So it would be seen that the law of supply and demand regulated wages as well as hours.

The Minister for Mines: The law of supply and demand is against arbitration courts and the fixing of wages and everything else.

Hon. FRANK WILSON: That was the Minister's logic. He said that because carpenters in Victoria had been able to claim 44 hours we should give the miners in this State 44 hours.

The Minister for Mines: Has the demand been so great in Victoria for the last fifteen years?

Hon. FRANK WILSON: Pretty well. If the organisation of the men was powerful enough to demand those terms, let them do it, but let not Parliament, which was supposed to represent every section of the community in equality and justice, set to work. The Minister was setting the Parliamentary machine to work to legislate for one section and he had the cool effrontery to say that had been done in the Factories Act. Again the Minister's logic was at fault. The Factories Act did specify certain hours of working, but only for women and boys; in the case of boys, because they were under 14 years of age, and in the case of women because of their sex.

The Minister for Mines: We could leave that to the Arbitration Court.

Hon. FRANK WILSON: That might very safely be done. In the Factories Act the adult was given full liberty to dispose of his labour as he liked, but one did feel justified in protecting children, even to the extent of prohibiting their employment at all before they were fourteen years of age. Those were the reasons underlying that class of legislation, which the Minister wished to use as an argument why we should legislate in this drastic fashion for the mining industry. The Minister was going to give a 44

hours working week to stalwart miners and prohibit them working a single minute longer, yet women and children in factories were to work 48 hours, excluding meal times. The Minister did not propose to deal with women and children first, for whom he might get some sympathy, but he was going to legislate for the miner, who, with his strong organisation behind him, perhaps the strongest in the Commonwealth, could within reason dictate almost any terms he liked in regard to wages and hours of working—terms, he said advisedly, which would not permit of the existence of the industry, because after all, the time came when there was a breaking point. If a camel was overloaded, it was the last straw that broke him down, and it would be the same with this industry. A mine had been shut down at Lancefield—

The Minister for Mines: The hon. member knows it was through difficulties of extraction.

Hon. FRANK WILSON: So far as he knew it was nothing of the sort. Once directors made up their minds to close down a mine as a losing proposition, they were not very likely to restart it. With all due respect he submitted that the Minister had not advanced any logical arguments in favour of this legislation. The unions were strong enough to put forward their claims before the Arbitration Court if they thought proper. Up to the present, they had been able to make amicable arrangements with the employers and settle their difficulties, but they were quite strong enough to go to arbitration.

Mr. Munsie: The Arbitration Act which the hon. member criticised so much when it was before the House last session was the means of settling the last dispute on the Eastern Goldfields.

Hon. FRANK WILSON: As one who had been connected with arbitration cases for some time, or at least was connected with them in the olden days, both on the bench and on the floor, he would say that to his knowledge the workers had never yet advanced a claim for 44 hours a week.

Mr. Foley: Yes they have.

Hon. FRANK WILSON: Not to his knowledge in a case in the Arbitration Court. It must be eight years ago that we had numerous cases in connection with the gold-mining industry; since then, they had been able to settle their difficulties by mutual arrangement. Was it reasonable in the interests of the country and the industry to set up a fictitious state of affairs, which was bound to result, to his way of thinking, in trouble, and that bitterness which we ought to strive to minimise to the utmost of our ability? The natural corollary would be stoppage of work, and the closing down of some mines, which could not go on if their working costs were increased, and restriction in other mines of work and output, and consequently of their employment of labour. He had always endeavoured to make conditions of work better and easier despite what hon. members might think.

Mr. Foley: What about the Shearers' Accommodation Bill last session?

Hon. FRANK WILSON: With reference to that measure, the hon. member forgot that he (Mr. Wilson) moved to provide for a hot bath every day.

The CHAIRMAN: Order! Shearers' accommodation had nothing to do with this clause.

Hon. FRANK WILSON: The absurd efforts of his friends opposite to legislate in an unfair manner, and to favour one section of the community had his opposition. He moved an amendment—

That in line 3 the word "four" be struck out and "eight" inserted in lieu.

Mr. O'LOGHLEN: The Minister had not the remotest chance of getting the clause finally embodied in the Bill.

The Minister for Mines: Oh, yes I have.

Mr. O'LOGHLEN: The Minister was more optimistic in regard to this provision than he was. It would have been better for the Minister to have compromised to some extent, as in some mines 36 hours was too long to work, but in others it was not a hardship. The hon. member for Pingelly said the Bill, if it became law, was going to sanction and legalise robbery.

but he (Mr. O'Loughlen) failed to see where the hon. member made that point. Some of the finest mine managers had borne testimony to the fact that the West Australian miner used his brain more than any other miner in the world, and it was that which had tended largely to bring about a big production. It was known to him that where men were working for a syndicate which gave more than the arbitration award, or more than the pay ruling in mines adjacent, the men would do more work as the result of their enthusiasm. The more toleration and sympathy shown in regard to what was expected from workmen, the better the results would be. With reference to the Leader of the Opposition's suggestion that these people should be left out of the Bill and allowed to go to the Arbitration Court, he (Mr. O'Loughlen) asked what reception would they get there at times? The Leader of the Opposition quoted the Factories Act, but the hon. member's ideas of what was a child and what wages should apply were totally different from what they were a little while ago, when in the Arbitration Court he advocated that 6s. a day was enough for men 21 years of age.

Hon. Frank Wilson: Did I ever advocate that?

Mr. O'LOGHLEN: It was in connection with tailors out.

Hon. Frank Wilson: I never appeared in the case. Why not be fair?

The CHAIRMAN: Order!

Mr. O'LOGHLEN: That award, if given effect to would have applied to persons over 21 years of age.

Hon. Frank Wilson: Nonsense, 16 years of age.

Mr. O'LOGHLEN: Hon. members of this Chamber were conversant with that little experience of the Leader of the Opposition.

Hon. Frank Wilson: Then for some years you have been accustomed to tell an untruth.

Mr. O'LOGHLEN: It had not been his custom to tell untruths. He failed to see how any hardship was going to be inflicted on the industry if this provision was carried in the Bill. The hon. member for

Pingelly said that eight hours was not too much, but it all depended on what we called work. He (Mr. O'Loughlen) ventured to say that when the hon. member was managing a mine he saw that he got his ounce of flesh. He (Mr. O'Loughlen) had worked for the hon. member once and had had to keep up the collar and do a fair amount of work on his mine, as every other man there did. The Leader of the Opposition had stated that no body of workers had ever agitated for 44 hours a week, but in one of the latest cases in the Arbitration Court there was an application for 38 hours a week. The provisions of this Bill were applied to perhaps the most dangerous industry in the State. It was worthy of note that the North Coolgardie miners in their last citation before the Court asked for 44 hours. If it was a natural corollary that a fall in wages would occur, he ventured to say that a referendum of the miners would turn the proposition down. No doubt when the history of the mining industry of this State came to be written up, and we admitted what it had done for Western Australia—

Mr. Wisdom: You mean epitaph.

Mr. O'LOGHLEN: The epitaph would not come in his day, and the hon. member would not see it either. Some of the mines might be languishing and some fields going back, but notwithstanding this the gold yield as a whole was going up. When we came to write the history of this industry we would have to inscribe on the opposite page the great toll of human life which it had claimed. Seeing that it was a dangerous occupation and shortened the lives of the workers, surely we were not doing an unreasonable thing in asking that a couple of hours a week be knocked off from their toil. He would support anything which would lead to a greater number of hours for recreation and give greater opportunities for living happier lives. He recognised that this innovation would not get much support in some quarters, for the simple reason that it was something new. The same old hackneyed arguments would be trotted out—that it was going to cripple the industry, destroy confidence, and tend to

the detriment of the interests of the men who were seeking this reform. Probably the Minister could achieve something by compromise, but if the Minister determined to stand by the Bill he (Mr. O'Loghlen) would support him.

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

Ayes	10
Noes	26

Majority against	..	16
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AYES.

Mr. Allen	Mr. A. E. Plesse
Mr. Broun	Mr. F. Wilson
Mr. Harper	Mr. Wisdom
Mr. Maie	Mr. Layman
Mr. Monger	(Teller).
Mr. Moore	

NOES.

Mr. Angwin	Mr. McDonald
Mr. Bolton	Mr. McDowall
Mr. Carpenter	Mr. Mullany
Mr. Collier	Mr. Munsie
Mr. Dwyer	Mr. O'Loghlen
Mr. Foley	Mr. Scaddan
Mr. Gardiner	Mr. B. J. Stubbs
Mr. Gill	Mr. Swan
Mr. Green	Mr. Thomas
Mr. Hudson	Mr. Turvey
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. Underwood
Mr. Lander	(Teller).
Mr. Lewis	

Amendment thus negatived.

Clause put and passed.

Clause 45—Prohibition of underground night work:

Hon. FRANK WILSON: This was another new clause which sought to alter the conditions under which the industry had been carried on since its inception in this country. We had reduced the hours of labour, and now we were going to prohibit underground work at night. It would require very few words to convince the public that to interfere in this way with the system under which the mining industry had grown up would be to seriously and injuriously affect that industry. There were only two of our larger mines which had been able to abolish the third shift, namely, the Great Boulder and the Lake View and Star. It had been argued by the Minister and by the intelligent member for Kalgoorlie (Mr. Green) that the action of these two mines

went to show the necessity for legislation, and to prove that the innovation could be adopted throughout the industry. Those gentlemen might well be reminded that one swallow does not make a summer. The fact that these two mines had been able to do it was no proof that all the others could similarly abolish the night shift.

Mr. O'Loghlen: You recognise that the night shift is to the miner the greatest curse in the industry?

Hon. FRANK WILSON: Nothing of the sort. A number of the men would sooner work from 12 midnight till 8 a.m., than from 4 p.m. till 12 midnight.

Mr. Munsie: I could never get anyone to change with me when I was on night shift.

Hon. FRANK WILSON: Probably because the hon. member had such an aggressive manner in asking for anything. Had he gone about it nicely his comrades would have been very ready to oblige him.

Mr. Mullany: Then I will ask, quite nicely, that you allow this clause to pass, as the most important in the Bill.

Hon. FRANK WILSON: Unfortunately, he was dealing with something which was not his own to concede. He was dealing with legislation which would affect an important industry and a large number of workers and mine owners. It was an understood thing among mining experts that there were many mining propositions in Western Australia which could not possibly afford to abolish the night shift.

Mr. Munsie: Name some of them.

Hon. FRANK WILSON: Many of them could not do it unless they spent a large amount of capital in development work ahead, capital which was unobtainable for ventures of that description.

Mr. Harper: Why do they not apply it to the surface workers in the batteries?

Hon. FRANK WILSON: Yes! The plants were working to the fullest capacity and this third shift was required to carry on the development work. No employer would work three shifts if he could possibly avoid it.

Mr. Green: The two-shift system is customary right through America.

Mr. Harper: In America they work a 10-hours' shift.

Mr. Green: Nothing of the kind.

Mr. Harper: Yes, they do.

Mr. Green: You do not know what you are talking about.

The CHAIRMAN: Order!

Hon. FRANK WILSON: This proposal was impracticable, and if the night shift was abolished by Act of Parliament the companies working on narrow margins would suffer. The contention that the condition of the mines would be much improved was a fallacy, because if the work could be done in two shifts and all the men were crowded into those shifts, there would be corresponding difficulties which would make the conditions worse. This drastic step should not be taken to interfere in one of the matters which should essentially be left to the mine managers, who according to the State Mining Engineer should be allowed to run their industry according to the best of their judgment and ability under the Government inspectors, who could interfere if any of the conditions of labour or employment were injurious to the health of the workers. There were plenty of safeguards, and yet we were building up obstacles and driving one more nail into the coffin of an industry which hon. members seemed to think would go on for ever producing big returns. This sort of legislation would interfere with the rights of those who controlled the industry. The workers had plenty of power; they could decline to work on a certain shift, but they would not do so because in nine cases out of ten it would be detrimental to their interests.

Mr. Foley: The same number of men work in the Great Boulder.

Hon. FRANK WILSON: The Great Boulder had the capital and the development and the working faces, but in 90 per cent. of the mines it could not be done, and the money was not available to put them in such a condition.

Mr. Wisdom: If the money was available it would take years.

Hon. FRANK WILSON: This proposal was the result of crass ignorance on the part of men who could see only

through coloured spectacles and who looked at the matter from only one standpoint. They were up against the men who found the money and provided the employment and were out to give as little work and get as high wages as possible. It would be a dire calamity to throw out of employment a large number of men through the stupidity of the members supporting the Government.

The MINISTER FOR MINES: The whole of the hon. member's argument was entirely the view held by one party to this particular industry, and that party was the minority. The argument on every clause had been confined to the same point of view. We had heard the same old doleful wail right through that it would shut down the mines and hamper or kill the industry. We had heard these doleful predictions so long that we had become accustomed to them because past experience had shown that they had not been fulfilled. The same argument might be used in support of working the night shift in any other industry. A factory working eight hours a day had to have more machinery and accommodation than would be necessary if the plant was run throughout the 24 hours of the day. Why should we put factory owners to the expense of erecting larger buildings when by working 24 hours they could get an equal output with one-third of the accommodation and plant? It was simply because it had been the custom so long for men in the mining industry to work the 24 hours through that its continuance was desired, but there was no reason why, if given sufficient time, that the night shift should not be abolished without causing any hardship. Some mine-owners would resist the abolition of the night shift even if they could secure by the expenditure of £100 the same output by working two shifts. They desired to go along as at present, and not to be put to the inconvenience or extra little expense.

Mr. Male: Little expense?

The MINISTER FOR MINES: In many cases it would be very little. The fact that two mines on the Golden Mile had abolished the night shift was *prima*

facie evidence that all could do it. The Great Boulder mine experienced its best month for a long time during the first month on which only two shifts were worked. In order to meet mine owners he would be prepared to extend the time from July, 1914, till the end of the year.

Hon. Frank Wilson: Make it ten years.

The MINISTER FOR MINES: If the hon. member was here in 10 years he would ask to have it deferred for another 10 years.

Hon. Frank Wilson: It will help if you make it the beginning of 1915 or even allow two years.

The MINISTER FOR MINES: The hon. member would coax him into supporting ten years if he could. It was our duty to interfere with the so-called privileges or rights of those who controlled the industry. Privileges often became licenses to inflict unfair conditions on fellow men. Every Act and every Bill introduced interfered with the so-called liberties of some individual engaged in some industry. The very fact that our leading mine manager who was President of the Chamber of Mines saw it possible to abolish night shift without in any way injuring the interests of his shareholders, should lead us to suppose that it ought to be possible to follow this course in all other mines without inflicting inconvenience or doing any damage to the industry generally, and it ought to be remembered also that 15 months would be allowed in which to bring this proposal into operation.

Hon. Frank Wilson: Have you asked the President of the Chamber of Mines how this will affect the other mines?

The MINISTER FOR MINES: No, although he had always been ready to receive the views of the Chamber of Mines if that body desired to express them.

Mr. Wisdom: Did you consult the Unions?

The MINISTER FOR MINES: Would the hon. member state what Unions were consulted?

Mr. Wisdom: I only asked whether you did.

The MINISTER FOR MINES: The hon. member might be informed that no

one saw the Bill until the second reading had been moved in the Assembly, and copies were then posted to the Unions and to the Chamber of Mines. That was an entirely different attitude from that which was adopted in connection with the 1906 Bill.

Hon. Frank Wilson: Have you not discussed the question of the abolition of the night shift?

The MINISTER FOR MINES: Of course it had been discussed. The matter had been a public question on the gold-fields. Then it was argued by the leader of the Opposition that this proposal would make the conditions underground much worse than they were at present. Could anyone imagine being worse after a mine had been standing idle for eight hours than they were at the present time, when it was worked the full 24 hours?

Mr. Harper: The mine becomes stagnant in many cases.

The MINISTER FOR MINES: If a mine which had been standing idle for eight hours became stagnant, what condition would it be in when it was being worked throughout the 24 hours and when there was no possibility of any of the foul air escaping?

Hon. Frank Wilson: If you crowd the men from three shifts into two shifts the position will become worse.

The MINISTER FOR MINES: The position could not possibly be as bad underground under those conditions.

Hon. Frank Wilson: If you have fifty per cent. more men working on the two shifts it must become worse.

The MINISTER FOR MINES: There might be more men employed in the two shifts, but the mine would have time to cool down after standing idle for eight hours, and the conditions would improve immeasurably. The hon. member need not worry about the conditions underground. He was now arguing on behalf of the men.

Hon. Frank Wilson: I always did.

The MINISTER FOR MINES: And the hon. member was endeavouring to make the House believe that we were trying to impose worse conditions. The

hon. member might be informed that the men were not raising any objection to this clause.

Hon. Frank Wilson: They did not hear of it until recently.

The MINISTER FOR MINES: There was no reason why the men should be worked throughout the 24 hours from Christmas to Christmas in the occupation of mining any more than in any other industry.

Mr. MUNSIE: The manner in which the leader of the Opposition changed his mind was remarkable. In connection with the previous clause the hon. member had declared that that was a matter which should be left to the Arbitration Court and in the next clause dealing with the hours he declared that this should be left to the mine managers and not to the Court.

Hon. Frank Wilson: I did not say so.

Mr. MUNSIE: It was very hard to pin the hon. member down to anything specific. The hon. member had declared that hundreds of mines could not continue if the night shift were abolished, but he would not name one. Repeated arguments had also been heard from the Opposition, and two mines had been quoted as being unable to carry on operations and keep their plant going under two shifts.

Hon. Frank Wilson: I thought you said I did not quote any mines.

Mr. MUNSIE: Not in the hon. member's last speech, but the one before. The Ivanhoe and the Golden Horseshoe were the mines which the hon. member quoted. It might be interesting to him to know that the Ivanhoe for the last ten years had never pulled an ounce of dirt during the two shifts in the day. The mine had pulled the whole of the ore in the afternoon and night shift, and if it was possible to do that on two shifts it was certainly possible to leave out the night shift altogether.

Mr. Harper: What do they do on the day shift?

Mr. MUNSIE: The hon. member did not know too much about mining.

Mr. Harper: I have forgotten more than you ever learnt.

Mr. MUNSIE: For the hon. member's edification it might be pointed out that on the day shift they sent down timber, and if it was possible to do that on the day shift, they could reasonably be expected to send the timber down on the night shift and pull the ore on the other shifts. In the interests of the majority of the men it would be better to abolish night shift. The leader of the Opposition declared that if men were crowded into two shifts the conditions underground would be made worse. Having practical experience and having worked in all shifts, he (Mr. Munsie) was prepared to say that the conditions would not be made any worse. As a matter of fact the condition of affairs would be improved if the mine were allowed to stand idle for eight hours out of the 24. The Great Boulder had set an example to the others on the Golden Mile, and the figures of that mine since the abolition of the night shift showed the general all-round improvement which had taken place. The return for August which was the second month after the abolition of the night shift was an all-round better one than that of the preceeding month. In July, the ore treated was 18,788 tons; the revenue was £48,320; the costs amounted to £23,868, and the profit was £24,451. In the next month the ore treated increased to tons—19,010; the revenue was £48,288; the costs amounted to £22,923, and the profits to £25,304.

The Minister for Mines: If this Bill had been before the House before the night shift was abolished that would have been one of the mines which hon. members would have said could not carry on with two shifts.

Mr. MUNSIE: The leader of the Opposition had repeatedly stated last session that there was not one mine on the Golden Mile that could possibly carry on if the night shift were abolished; yet the leading mine on the Golden Mile had in the interim abolished the night shift. The leader of the Opposition now argued that the fact of the Great Boulder mine having adopted the two shifts showed that the mine managers were prepared to work two shifts if they could possibly do it. He was perfectly satisfied that the Great

Boulder mine had been in a much better position five years ago to introduce the two shifts than it was on the 1st July of this year. Why then had the management not introduced the two shifts earlier? The management were going to get greater efficiency out of the men by introducing the two shifts, and if this became law not only was it going to be one of the greatest possible benefits to the employees, but it would also benefit the shareholders in the companies. The members of the Chamber of Mines estimated that there was 25 per cent. less efficiency on the night shift than on the day shifts, and Parliament ought to compel the companies to give that benefit to the shareholders in the mines by abolishing the night shift altogether. It would be found in the evidence taken by the Royal Commission on the Ventilation and Sanitation of Mines that several medical men had testified to the necessity from a health point of view of doing away with the night shift if possible, whilst three leading medical men on the goldfields had advocated before the Royal Commission on Miners' Phthisis the abolition of the night shift as a means of alleviating the distress caused by that disease. He knew from experience what misery it was for men to work on the night shift during the summer months on the goldfields, and if only from a humane standpoint Parliament would be justified in abolishing the night shift. He differed from the Minister for Mines as to even considering the time in which this clause should be brought into operation. There was not a mine in Western Australia that could not keep its treatment plant fully going on and after the 1st July, 1914, if the night shift were abolished; therefore, it was only reasonable to stick to the date mentioned in the Bill. He trusted that the clause would be carried and that the employees in the industry, 16,000 in number, would receive that consideration that had been advocated for them by medical men, and which they almost unanimously desired to have.

[*Mr. McDowall took the Chair.*]

Mr. HARPER: The member for Hannans had thrown dust in the eyes of the Committee in regard to the positions of the Great Boulder and the Hannans Star mines. If the Great Boulder mine was continuing down as it had been doing for the last 18 years it would never have adopted the two shifts, but its ore shoots at depth had gone into the Golden Horse-shoe. The management had developed the ore in the bottom level for the last year or two, and the Great Boulder was to-day in a position different from any other mine in Western Australia. He regretted, and the company regretted as much as anybody else, the necessity for discontinuing the night shift. If the ore was continuing down the development of the mine would have to continue, and in order to keep up the ore reserves the management would require to continue working three shifts. The Hannans Star mine had been working about 18 years, and only during the last three or four years had it erected any plant of any importance, with the result that the company had great ore reserves, big ore bodies, and long distances of ore shoots, and that mine, too, was in a position different from other mines in the State. Any mine manager was anxious to work as little of the three shifts as he possibly could.

Mr. Munsie: Unfortunately that is not true.

Mr. HARPER: All managers knew that there was less efficiency on the night shift than on the day shifts, and the managers must be allowed to possess common sense enough to apply the two shifts all round if it was practicable to do so. On the Golden Horseshoe the management had to push on with development as fast as they could night and day in order to keep the plant going. If the night shift were abolished one-third of the men in the stopes would be out of employment. It would necessarily follow that if the development of the mine in the lower levels was not carried on sufficiently far ahead for the stoping to be continued a number of men must be put off. Then, in the case of wet mines, the cost of pumping would be increased by one-

third, because the pumps would require to be kept going to keep the mine dry even during the night time when no work was being done.

The Minister for Mines: The clause provides for permits in exceptional cases.

Mr. HARPER: If the tin mines at Greenbushes went ahead they were sure to be wet, and with only two shifts being worked the pumping machinery would be kept going whilst no work was being done. The Associated, the Boulder Perseverance, the Kalgurli and the Kalgurli South all had to continue development work night and day, or one-third of the employees would be turned off. The member for Hannans had referred to the fact that the mines did all the hauling of ore at night. The reason for that was that the big timber for stoping was lowered during the day, because it was difficult for men at night to handle it. The increased output from the Great Boulder mine to which the member for Hannans had referred so much was easy to understand. Where there was no development to carry on, no mullock to take out of the drives, winzes, and shafts, the management had nothing to do but devote the whole of their attention to stoping ore. That was the reason why more ore had been brought out of the mine during the last two months than in previous months. If the two-shift principle were made compulsory it would certainly drive a nail into the coffin of the industry. Sufficient evidence had been given to the Committee that mine owners and managers only worked the night shift out of necessity, because they knew it was to their advantage to work only two shifts when they possibly could. It was not from love, but from absolute necessity that the third shift was employed.

Mr. Green: You know from personal experience that a man cannot keep awake on the night shift.

Mr. HARPER: This would be a serious blow to the population of the gold-fields, which at the present time was decreasing rapidly. It would reduce the employment in mines by one-third, would depreciate the returns and altogether would have a serious effect on the

industry. Some of the mines would be forced to close down and perhaps would never be opened again.

Mr. MULLANY: The arguments of the Opposition reminded him of the contentions of those who in England in 1843 declared that the abolition of female and child labour in the coal mines would unduly interfere with the industry. He appealed to members of the Opposition not to take the advice tendered in the pamphlet issued by the Chamber of Mines. That Chamber had one object in view and that object was profit. The leader of the Opposition was wrong in saying that the majority of the miners did not desire the abolition of the night shift. Miners' conferences had repeatedly affirmed the desirability of abolishing the night shift. Its effect on the health of the miners was bad. The Chamber of Mines admitted that the loss of efficiency on the labour employed on the night shift was 25 per cent., but in his opinion the loss of efficiency was nearer 40 per cent. The men engaged on it were not able to do justice to themselves or to their employers, not only while they were working the night shift but during the week following, as they did not get back to normal physical condition. A royal commission two years ago recommended the abolition of the night shift as a step to minimise the ravages of miners' phthisis. So far no practical step had been taken and it was high time something was done, and something could be done by passing this clause. The member for Pingelly stated that when a working miner at Broken Hill, his mate slept during the whole of one shift. Perhaps it would not be unfair to ask what the hon. member was doing at the time. The work was carried out by the old hammer and drill process and it would not have been possible for the hon. member to have done much while his mate slept. The probabilities were that he sat alongside his mate careful not to make sufficient noise to wake him. Doubtless also the shift boss was asleep somewhere else, owing to the fact that his physical condition could not stand the strain any more than that of the hon. member and

his mate. To pass this clause would be doing something in the interests of the mine owners and shareholders as well as of the men. This was not an innovation. As he had previously pointed out, Mr. George Lansell, who was the greatest mining investor Australia had known, when running mines in Bendigo, would not allow the night shift to be worked underground. That was 20 or 25 years ago. If it was possible then to abolish the night shift on mines at the depth at which those mines were worked, was it not possible in these days of improved machinery, when the haulage did not cost a fraction of what it did formerly, and when the treatment had been reduced to a science, to do away with this barbarous system? It would disorganise some plants, but if it did not come into operation for 12 or 18 months the managers would have sufficient time to prepare for it. If the present practice was allowed to continue every new mine would follow it, and he was sufficiently optimistic to believe that new and important mines would be opened up in the future. Therefore, he hoped hon. members would withdraw their opposition and allow this most humane clause to remain in the Bill.

Clause put and passed.

Clause 46—Employment of foreigners:

Hon. FRANK WILSON moved an amendment—

That in line 2 of Subclause 2 the words "in, on or about" be struck out and the words "underground in" inserted in lieu.

Under the Bill it was proposed that any person who was unable to speak the English language readily and intelligibly should not be employed about any mine. This would prevent such a man from working even on the surface, and if this was done we should prevent foreigners from working in any industry in Western Australia. They came here from Europe and we had afforded them inducements to come to these shores, believing that when they acquired a full knowledge of our language and the conditions under which we lived, they would make good citizens, and settlers in our

agricultural lands. They were good workers. As a matter of fact, they were good trades unionists, as hon. members opposite would admit. They admitted these Italians and Hungarians to equality with them in their unions, gave them all the privileges of brotherhood, but refused them the right to be put on the selection ballot for members of this House. That was a sample of the treatment these poor foreigners received at the hands of his (Mr. Wilson's) honourable friends, who were leaders of the so-called Labour movement in Western Australia. When we induced them to come to our shores we had no right to deprive them from earning a livelihood. If we were going to create an obstacle against their earning a living when they came here, an unreasonable obstacle, then we ought to move the Commonwealth authorities to prevent their entrance into Australia altogether. But he hoped that day would never come. He hoped we would carry out the traditions of our nationality, and so far as possible encourage all desirable people to come to our shores.

Mr. Foley: Hear, hear.

Hon. FRANK WILSON: There were many reasons why we should adopt that attitude. Self-preservation entered largely into it, as the sooner we peopled Australia the better we would be able to withstand attacks from enemies of the Empire that were sure to come sooner or later. Notwithstanding the argument that these foreigners would not assist to protect Australian shores when occasion arose, he ventured to say we would find them take the same attitude as they did in the United States of America and other countries when they became naturalised.

Mr. Mullany: This does not apply to naturalised persons.

Hon. FRANK WILSON: It said any person unable to speak the English language readily and intelligibly. It referred to the hon. member if he could not speak the English language readily and intelligibly. The only necessity for paragraph (2) was that the lives of others underground might be endangered. The same argument could not be advanced, to the same degree at any rate, on the surface,

where much of the work was not of the same dangerous character as underground. If we were going to pass legislation of this sort we ought to prevent these people from working in our firewood undertakings or the timber areas. Indeed, we ought to prevent them from entering into that essentially foreign calling at the present time, the fishing industry of this State. In passing, he noticed that the Government were willing to do away with all these Dagos, as they were called, who were largely responsible for our fish supply.

Mr. Foley: Private enterprise has not rushed in yet.

Hon. FRANK WILSON: Private enterprise had been doing it all the time in the shape of these foreigners. The Government had not seen fit, probably through shortage of funds, to launch their State enterprise by which they had promised to reduce the cost of fish by half. But perhaps they had been exhausted by their efforts in connection with the meat supply of the metropolitan area. Some of these foreigners might be safely employed at work on the surface, and yet might not readily speak the English language. Some of them might not, according to the inspector, be able to pass an examination in the English language, but it would be perfectly safe to let them run trucks out to a dump. We must not act harshly towards these men, however undesirable they might be in the opinion of some hon. members of this House, and for that reason he had brought forward his amendment. From what had been said by the Minister for Mines and others who had spoken in connection with this matter, he understood all they wished to do was to protect those who were working with these foreigners underground, and whose lives might to some extent be endangered through foreigners working with them, who could not perhaps readily express themselves in English.

The MINISTER FOR MINES: Apparently the hon. member had anticipated to some extent the amendment which he (Mr. Wilson) had set down on the Notice Paper, with regard to Subclause 4. The provision in Subclause 2 was merely an

extension of the principle laid down and adopted by the hon. member's colleague and his Government in the Act of 1906. It was then thought advisable by the Government of the day to prevent the employment of men underground who could not readily and intelligibly speak the English language, because of the dangers attendant upon the employment of such men. And the argument to be applied to men who were unable to understand the English language, so far as underground work was concerned, also applied to their employment on the surface. There were many positions or occupations about the surface of a mine which were more or less dangerous, and where an accident might occur, and where a person, through not being able to understand the English language, might endanger the lives of his fellow workers. Of course there were cases such as the pushing of a truck to the dump where foreigners might be employed without any danger. Parliament, however, seven years ago, saw fit to prohibit their employment underground if they could not speak the English language, and the principle might be applied to the surface as well. If the principle was good in limiting the employment of foreigners underground where there might be danger to their fellow men, it was good as applied to the surface also, where there were many occupations where a man would be a danger to his fellow men if he could not understand the English language. There was plant about a mine, and different work around the surface where an accident might occur at any moment, just as it might occur underground, and it was essential that men working about that plant should be able to understand the language just as those who were employed underground should do so. It was only an extension of the principle adopted by the previous Government.

Hon. Frank Wilson: I am asking you to re-enact that.

The MINISTER FOR MINES: Yes, and that it should apply only to men employed underground. But the proposal was to embrace those employed on the surface as well.

Hon. Frank Wilson : Why ?

The MINISTER FOR MINES : Because it was not desirable to have men who could not speak English around the surface of a mine where there was machinery and plant.

Hon. Frank Wilson : Have you found it dangerous up to the present time ?

The MINISTER FOR MINES : It was desirable that a man working about a plant such as a battery and machinery on the surface should at least have some knowledge of the English language.

Hon. Frank Wilson : The managers would not engage them if they could not speak English.

The MINISTER FOR MINES : Many of the managers had been prosecuted for a breach of the existing Act, not only on the surface but also in regard to the employment of those men underground. Hon. members were aware that only a few months ago thirty men were turned off the Gwalia mine at one inspection. That showed that the managers were prepared to employ them not only on the surface but underground.

Mr. Male : Let them all starve and close up the mines and then you will save a lot of trouble.

The MINISTER FOR MINES : We would not do so.

Hon. Frank Wilson : You are doing your best.

The MINISTER FOR MINES : Personally he was just as anxious as the hon. member to keep the mines open, only he differed from the hon. member as to the method of doing so. Perhaps the people the Labour party represented would suffer as much, or more, by the closing down of the mines than would the mine owners themselves, and the Government were not going to rush in blindly and make provisions that were going to have that effect. It was desirable that men working on the surface should not be entirely ignorant of the English language. The examination which was imposed was not a strict one. So long as those men had a reasonable smattering of English they could pass, but the trouble was that many of them who had been in the country for years were unable to understand one word of Eng-

lish, and that was because they shut themselves away from the British section and lived in little communities of their own. Consequently they did not have the opportunity of securing even a smattering of the language.

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

Ayes	7
Noes	20

Majority against .. 13

AYES.

Mr. Broun	Mr. F. Wilson
Mr. Harper	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. A. E. Plesse	(Teller).

NOES.

Mr. Angwin	Mr. Lander
Mr. Bolton	Mr. Lewis
Mr. Carpenter	Mr. McDonald
Mr. Collier	Mr. Mullany
Mr. Dwyer	Mr. Munsie
Mr. Foley	Mr. Scaddan
Mr. Gill	Mr. B. J. Stubbs
Mr. Green	Mr. Swan
Mr. Hudson	Mr. Underwood
Mr. Johnson	(Teller).
Mr. Johnston	

Amendment thus negatived.

Hon. FRANK WILSON: Paragraph 4 was another one of those marvellous concoctions, drafted, he presumed, by the Minister for Mines, and, it was supposed, in spite of the opinion of the expert advisers in the department.

Hon. W. C. Angwin (Honorary Minister) : It is a good loyal clause, anyhow.

Hon. FRANK WILSON: It was not. It provided that in a mine employing 10 or more persons in its largest shift, not more than one alien should be employed for every nine men of British nationality by birth or naturalisation so employed, provided that persons naturalised should be of European race. There we had the loyalty shown by the Minister. What about the free and independent citizens of the United States of America? They were barred so far as this Bill was concerned; they were a foreign nation.

Mr. Dwyer: They are of European race and extraction.

Hon. FRANK WILSON: Nonsense. There was no such word as "extraction"

in the Bill. If Americans were working in a mine that would not count. Here we were asked to put in a clause that a mine employing 10 or more persons should not engage more than one alien for every nine men of British nationality by birth or naturalisation. Why should we have this at all?

Hon. W. C. Angwin (Honorary Minister): Loyalty.

Hon. FRANK WILSON: Where did the loyalty come in? If we wanted to do this kind of thing why not bring in a Bill in the proper way, a Bill which would be sent Home for the Royal assent, and which would promptly be disallowed. If we were going to throw open our doors to Europeans—and we admitted that they were desirable people—we should not impose such restrictions as were contained in the clause. The European races were desirable immigrants. Where could we get better immigrants than those from the German Empire or the French nation? We had got some of our best settlers from those countries, and if we did not want them why not be honest and refuse them admittance altogether? The Government, however, did not have the power to refuse them admittance and, therefore, they went this roundabout way to refuse them work in our mines. Eventually we would shut the doors of the mining industry against them. It was admitted that these foreigners were eminently fitted for the arduous work on the mines which Britishers did not like, and although they were fitted for work such as hewing wood and drawing water, we were going to prevent them carrying out this work, and ultimately close to them the avenues of employment in other industries in the State. For instance, we would have the member for Forrest denouncing the employment of these men in the timber areas. We were acting childishly and we were trying by Act of Parliament to do what was against the laws of nature and the laws of brotherhood, which hon. members were always blowing the mouth trumpet about.

Hon. W. C. Angwin (Honorary Minister): We are trying to make the capitalists practise what they preach.

Hon. FRANK WILSON: The hon. member was driving the capitalist from the country. The hon. member wanted the capitalist to help his impecunious Government when they did not have a feather to fly with. Then the capitalist was invited to render financial assistance, and on the other hand the Honorary Minister declared that he was going to try and teach the capitalist to practise what he preached.

Mr. Harper: If they had not been able to borrow money they would not be in power to-day.

Hon. W. C. Angwin (Honorary Minister): Your party could not borrow any money.

The CHAIRMAN: Order! The question before the House was Subclause 4 of Clause 46.

Hon. FRANK WILSON: The subclause was repugnant to all sense of fairness, of loyalty and of patriotism. He had had some experience of these men when, on coming from Queensland 20 years ago to take charge of a timber station, he had found about a dozen Italians working in the industry. Certainly they held themselves aloof somewhat from the other employees, but they were good workers, and for the most part they married Italian wives and settled down permanently in the State. What right had we to ban such people and say that only one of them should be employed among nine Britishers? To do the thing properly we should move the Federal Parliament to keep these men out of the country altogether. Having passed Subclause 2, which limited the employment of foreigners in the mining industry to such as could readily speak the language, there was no need for this further provision limiting the employment of good workers who had as much knowledge of their avocation as had our own countrymen, and who would not in any way endanger the lives of those with whom they were working. There was no merit at all in the subclause. Sooner or later Australia would be overrun by Japanese and Asiatics if we did not fill up the waste places with desirable immigrants.

Hon. W. C. Angwin (Honorary Minister): With British immigrants.

Hon. FRANK WILSON: We could not hope to get British immigrants in sufficient numbers. In any case the Labour Congress had set its face against immigration, and had passed a resolution that no more funds should be devoted to bringing out immigrants of any kind.

Mr. E. B. Johnston: You are misrepresenting them.

Hon. FRANK WILSON: The hon. member could not be misrepresented, because he was in himself a misrepresentation. We had opened our doors to these foreigners, we had invited them to come to our shores and we had no right to deny them the means of earning honest livelihoods so long as they did not endanger the lives of those working with them. He moved an amendment—

That Subclause 4 be struck out.

Mr. DWYER: Some limit ought to be put to the employment of foreigners in mines. If the leader of the Opposition would but consider how easy it was for a law-abiding person, not being an Asiatic, to become naturalised, that hon. member would see that the subclause was not so harsh as he would have the Committee believe.

Mr. Wisdom: Would you become a Frenchman?

Mr. DWYER: It was quite possible that if he was earning his living in France he would become a citizen of that country. Some definite proportion ought to be fixed as between foreigners and British subjects employed in mines, so as to meet such a case as that of the Gwalia. These aliens ought to show some signs of an intention to become permanent residents, and the proper outward and visible sign of this was to take out naturalisation papers. He could not quite understand the proviso decreeing that persons naturalised should be of a European race. In view of the Federal Act, which provided that certain persons—meaning the aboriginal natives of Asia—should be excluded from naturalisation, this provision seemed unnecessary.

Hon. Frank Wilson: Could you employ Indian British subjects under this clause?

Mr. DWYER: The contention was that there was no reason for the proviso. A Hindu born in India was a British subject, but he was not a naturalised British subject.

Mr. E. B. Johnston: He is prevented from coming to Australia.

Mr. DWYER: This was not an immigration restriction measure.

Hon. Frank Wilson: It is the best restriction you can place on them if you prevent them earning a living.

Mr. DWYER: The clause did not prevent foreigners from earning a living, but it placed a premium upon their becoming naturalised, and the best of them had already become naturalised.

The MINISTER FOR MINES: There could be no objection to the leader of the Opposition, as the result of his experience as an employer of foreigners, indulging in a eulogy of them, but it was surprising that he should go further and make a comparison between them and the British race, to the distinct disadvantage of the latter. The hon. member had said that the foreigners were sober, law-abiding citizens, who did not drink and gamble like the British workmen.

Hon. Frank Wilson: I did not say that.

The MINISTER FOR MINES: Then what was the point of the hon. member's remarks?

Hon. Frank Wilson: To show what decent citizens they become.

The MINISTER FOR MINES: The hon. member had gone on to say that the foreigner did not play two-up. Who did play two-up?

Hon. Frank Wilson: A lot of your own British workmen. Do you deny it?

The MINISTER FOR MINES: It was not necessary to either affirm or deny that contention. But the foreigners did gamble very extensively.

Hon. Frank Wilson: You have said all along that they do not spend money in the country.

The MINISTER FOR MINES: Did the hon. member consider that playing two-up was spending money in the true sense of the term?

Hon. Frank Wilson: It is getting rid of it, anyhow.

The MINISTER FOR MINES : According to the hon. member the foreigners were possessed of all the virtues compared with the British men, and as he spoke one could picture a regiment 400 strong from the Kurrawang wood line marching in order down to Fremantle to take up arms against Japanese or Chinese invaders, and not able to understand a word of command unless they were officered by men of their own race. The hon. member knew there was no possibility of the State gaining any considerable number of those men who were going to be such good citizens as to take up arms in defence of the country when required.

Hon. Frank Wilson: Why?

The MINISTER FOR MINES : Because from experience in the past they had not done so.

Mr. Wisdom: What do they do in the United States?

The MINISTER FOR MINES : There was a Bill before Congress at the present time which said that no immigrants of any one nationality should be admitted to citizenship in any one year exceeding in number one-tenth of the total number of that nationality in the United States. The leader of the Opposition argued that there was no loyalty in the clause. There was no loyalty in those men who had made necessary the introduction of a clause such as this, and it was time that Parliament stepped in to make those men have regard for the interests of the country, when they had been openly for years past giving preference to foreigners.

Hon. Frank Wilson: That is not so.

The MINISTER FOR MINES : It was so, otherwise how did 80 per cent. of the men underground in one mine happen to be foreigners?

Hon. Frank Wilson: Are you legislating for one mine?

The MINISTER FOR MINES : The percentage varied from 80 in the Sons of Gwalia mine down to an average on the Golden Mile of 20, 25, and 30. As a matter of fact, there were over 500 foreigners employed underground when an examination was made early this year. And how

was it, if some mines could get along without the employment of this class of labour, that others found it necessary to employ 60 and 80 per cent. of foreigners?

Hon. Frank Wilson: Do you say that 500 foreigners were working on the Sons of Gwalia?

The MINISTER FOR MINES : That was the total on the Golden Mile.

Hon. Frank Wilson: There are 489 on the Golden Mile and 78 per cent. of them are doing trucking and shovelling, which Britishers will not do.

The MINISTER FOR MINES : The hon. member's figures might be later than those which he (the Minister) had quoted on the second reading. But those men were not doing work which the Britisher would not do. Who did the work on those Kalgoorlie mines in which no foreigners at all were employed? The Britisher, of course; and if he could be found to do it in one mine, or in a number of mines, he would be found to do it in others. The reflection was not upon those responsible for the Bill, but upon those who had rendered the passing of such a clause necessary. When men of our own race had turned British workmen away year after year and given preference to foreigners, something should be done. Were we to be charged by such men with taking something away from the foreigners?

Hon. Frank Wilson: You know they will take 50 machine men in the Sons of Gwalia if they can get them.

The MINISTER FOR MINES : Quite a number of foreigners had been turned out of the Sons of Gwalia during the last few months. That was owing to the change of manager.

Mr. Harper: Britishers are getting more plentiful.

The MINISTER FOR MINES : If the present manager could take on more Britishers, did not that show that the previous manager had given preference to foreigners? In a mine which had a reputation extending over many years for giving preference to foreigners, was it any wonder when the management said they could employ 50 Britishers that the men could not be found. The mine had been

shunned by British workmen knowing that they need not apply.

Hon. Frank Wilson: Is that the only one?

The MINISTER FOR MINES: That was the worst.

Hon. Frank Wilson: The only one?

The MINISTER FOR MINES: No, there were many others. The percentage was 40, 30, and 25 of foreigners. At the Ida H. at Laverton last week 33 per cent. of the men employed underground were foreigners. With one or two exceptions a considerable number of foreigners had been employed, and it was essential that something should be done. Should we allow the industry to go into the hands of men who did not become British citizens? Those who remained in Australia and were likely to assist in defending the country would soon take out naturalisation papers. It was those who would not become good Australian citizens who would not become naturalised, but who would return to their own country after working here for a few years, who were most objectionable. The agitation for restrictive legislation of this character had not been confined to the unions, but it prevailed throughout the goldfields. The official organ of the Liberal party of the goldfields, the Sunday paper, got up a petition early in the year asking that legislation should be introduced to restrict the number of aliens in the mines. And the same attitude had been adopted by business people on the goldfields—followers of the hon. member's party—who realised that legislation of this nature was necessary. Some managers had given preference to foreigners consistently for years. A responsible man associated with one of the big companies stated a few months ago, "We will have the mines manned not only by foreigners, but by Chinamen as well." When a responsible man expressed an opinion of that kind, it was essential for Parliament to restrict the employment of aliens before it went too far. There was nothing in the clause which could not be justified on its merits.

Mr. Male: It is a contemptible clause.

The MINISTER FOR MINES: If these men did not desire to become good

Australian citizens they would not come here when the means of employment were restricted.

Hon. Frank Wilson: They are here.

The MINISTER FOR MINES: Those who were here were not such a great danger as those who kept coming in.

Hon. Frank Wilson: The member for Forrest complains that you have driven hundreds into the timber districts.

The MINISTER FOR MINES: Those who did not intend to become naturalised would not become good Australian citizens, and we could do without them.

The Premier: The leader of the Opposition is always talking of building up an Australian nation to defend the country.

The MINISTER FOR MINES: The hon. member declared that these men would defend Australia. An army from Kurrawang would march down and would have to be given orders through an interpreter.

Hon. Frank Wilson: I did not mention Kurrawang throughout my speech.

The MINISTER FOR MINES: Of that he was aware, but this was where they congregated most.

Hon. Frank Wilson: You are putting words into my mouth.

The MINISTER FOR MINES: If these men came to our assistance where should we go first but to where most of them were. We should send a recruiting sergeant to Kurrawang. It was absurd to talk about these men becoming good citizens and fighting for Australia. If they had such intentions they would become naturalised, and have the same opportunity as British workmen to obtain employment.

Mr. WISDOM: We were tackling a much bigger question than that contained within the scope of the Bill. It entailed the forcing of foreigners, if they wished to obtain employment, to give up their nationality and become British citizens. It was establishing a principle which must apply to every foreigner who came into the country.

Hon. W. C. Angwin (Honorary Minister): A very good principle too.

Mr. WISDOM: It was a bad principle.

Hon. W. C. Angwin (Honorary Minister): It would be a good thing if the British Parliament applied it to their ships.

Mr. WISDOM: The only countries which ever attempted to enforce it were China and Japan, and they had to abandon their position.

Hon. W. C. Angwin (Honorary Minister): Why is the British Parliament legislating against aliens now?

Mr. WISDOM: It was all very well to ask that preference should be given to Britishers as far as possible. Britishers could not be got. We could not populate this country with Britishers.

The Premier: Nonsense.

Mr. WISDOM: No one knew better than the Premier that that was so, also that at the present time the statesmen of England were considering the question of restricting emigration. No one knew better than the Premier that the manufacturers of England could not get sufficient labour, and that the farmers could not get agriculturists to work their harvest. The stream of emigration was so great from the Old Country that the question of restricting it had to be seriously considered. If we were to populate Australia we must open our doors to every suitable immigrant of European nationality. He had been ashamed to hear the Minister for Mines slander these men as he (Mr. Wisdom) believed they would be honestly prepared to fight for the country of their adoption.

The Premier: Not if they are not naturalised.

Mr. WISDOM: In that regard it did not matter whether they were naturalised or not. The United States of America had been made by the mixture of different races. This legislation was more far-reaching than appeared to be considered by the Government. It was a principle for the exclusion of foreigners or the compelling of foreigners to become naturalised. It was all very well to say the process of naturalisation was easy, but to ask a man to give up his nationality because he came to this country was scandalous. If hon. members opposite went to a foreign country and it

was demanded of them as a condition of residence there that they should give up their British nationality, would they do it?

Mr. Green: They do it in America.

Mr. WISDOM: It was done here, but give them time. A man should not be forced to give up his nationality before he got employment in the country. To ask a man to become naturalised, to give up his fatherland, before he got employment in the country, was wrong. The Committee should refuse to father a principle that was beyond all reason and patriotism. The Minister for Mines had cast a slur upon the foreigners and tried to be humorous with his picture of the Kurrawang army marching to Fremantle and not being able to speak the English language. There were innumerable instances, however, where British armies composed of men who could not speak the English language had gained British victories under the direction of British officers.

Mr. FOLEY: The question of the employment of foreigners in mines was one he knew some little about. He had never had the experience of the leader of the Opposition in employing them almost exclusively on any job he had, because if there were men there who could not speak the English language, not only would he not employ them, but he would not work with them because he would not consider he was safe in doing so.

The Premier: Hear, hear; that is the point.

Mr. FOLEY: The hon. member for Claremont said we would not be showing patriotism if we passed this clause. The clause, however, did not place a bar upon any foreigner coming into Australia and getting employment.

Hon. Frank Wilson: Why have it?

Mr. FOLEY: What the clause proposed was to limit the number of foreigners working in any one mine.

Mr. Male: That is a bar.

Mr. FOLEY: There was not one clause in this Bill which prevented these men getting employment in other avenues of industry.

Mr. Wisdom : This is a Mines Regulation Bill.

Mr. FOLEY : Quite so, and he was trying to show the hon. member where fairness came in.

Hon. Frank Wilson : What about the hon. member for Forrest's complaint that these men are being driven into the timber areas ?

Mr. FOLEY : This clause said that only a certain percentage should be employed in any one mine. When these men came here we wanted to make them good citizens. If we allowed them to crowd together in one place, never speaking anything but their own language, we would not be assisting them to become Australian citizens. They spoke their own language in their camps and in the hotels, and in sly grog shops they were known to play a game in which they counted fingers and gambled to a certain extent. We could assist these men to become good citizens by spreading them over Australia and not confining them to one part, and by doing that we were showing that we were not antagonistic to them coming into the State. By passing this clause we were going to give the storekeeper out back better facilities for getting a return for his outlay. If we spread these foreigners or aliens over the whole of the State they would have to intermingle with the Australians, and in that way we would enable them to learn the English language a great deal quicker, and once they learned that language, by the fact of them being able to read the papers published in Western Australia, they were going to make more desirable citizens, and were going to qualify themselves to be naturalised subjects to a greater extent than they were now; and once they became naturalised subjects they had every right to claim what we claimed who were Britishers by birth. Then it would mean that those who did not wish to be naturalised British subjects could still be left in the country without being molested in any way. The leader of the Opposition said they made good citizens. So far as that was concerned, only a little while ago, in the district of

Leonora, where unfortunately there was only one constable, the State hotel was practically taken possession of by number of these men. The constable who was an Australian went there and pluckily endeavoured to do his duty. Of course he would have done the same if a disturbance had taken place at any other hotel, and these disturbances frequently did take place at the hotels in Leonora where these foreigners were numerous. The policemen was set upon by six or eight of them and they showed the good citizenship to which the leader of the Opposition referred, by getting that officer down and almost kicking him to death. If there had not been a few Australians round at the time of course some serious injury would have followed.

Mr. A. E. Piesse : Is that not done by Australians ?

The Premier : No, never.

Mr. FOLEY : The leader of the Opposition also said that these men would be debarred from engaging in other avenues of employment, and he mentioned trawling. Those men had had charge of the fishing industry for many years, and he had never known one who represented the political thought on the Ministerial side of the House to oppose that in any way. Although the Federal trawlers had made it evident where it was possible to get fish on the coast, these people who were engaged in the industry had not done anything yet, and there was no doubt about the fact that if the Government stepped in to-morrow and put trawlers on the coast to engage in the industry there would be a howl of indignation from these people.

Hon. Frank Wilson : The Government have promised to reduce the price of fish by one-half.

The CHAIRMAN : Order !

Mr. FOLEY : So far as the employment of foreigners on mines was concerned, the leader of the Opposition was not voicing the opinions of the English miners on the goldfields. The leader of the Opposition had no idea of those opinions if he said that he was expressing the voice of those men by asking that this subclause should be deleted from the Bill.

In the official journal from which the hon. member had quoted, the mine managers declared that they had no desire to give preference to foreigners, but it might be mentioned that at the Sons of Gwalia mine it had been known for years past that foreigners had been given preference to such an extent that Britishers would not go there to seek employment. The leader of the Opposition had also declared that if they could get 50 machine men to-morrow they would find employment on the Sons of Gwalia mine. To that he (Mr. Foley) wished to give an emphatic denial. He had sent men to the firm controlling that mine and they had been turned down. With all the vaunted patriotism to Great Britain, he (Mr. Foley) knew the firm responsible for the greatest employment of foreigners on the goldfields were adverse to putting on immigrants of British descent. They had said to him that the British immigrant coming out here was not as good as the foreigner. Therefore, where was all the vaunted patriotism?

The Premier: Their patriotism is only as deep as their pockets.

Mr. FOLEY: And their pockets were not deep at any time. In the mines the foreigners were not put on to do the work the leader of the Opposition declared they were given. He was not going to admit that trucking and shovelling was the most arduous work in a mine. He was aware, of course, that it was hard, but it was really unskilled. Work on a rock drill for a whole shift was really hard; that man had to depend for his safety not only on the machine man working with him, but on the mullocker and the trucker who were behind or underneath him, and he had to depend upon the men in the face, and when we saw that preference had been given to foreigners to such an extent that there would be only one man on the level who could speak English, hon. members would have some idea why those who had a knowledge of the subject spoke so feelingly on this question. Perhaps we were doing the foreigner himself a good turn and the miners as well by protecting them to a greater extent than they were protected

at the present time. We were also doing the business people of the districts where these foreigners were so largely employed a great amount of good. This clause would have the effect of spreading the foreigners all over the country so that every portion of the State would be available for their employment whether it was in the mining, the timber, or any other industry. In this way we would be showing our patriotism to a greater extent than the hon. members who were opposing the clause. The leader of the Opposition when speaking of the number of foreigners employed on the mines said that they were not employed to the great extent the Minister thought. Out of 303 men working underground at the Gwalia, however, there were no fewer than 221 foreigners. If we passed the clause we would be allowing all those men who could speak English intelligibly equal opportunities for voicing their opinions, and a share in every right which was exercised at the present time. The leader of the Opposition had remarked that the foreigners were responsible for having placed certain members of Parliament in their seats. As a matter of fact, unnaturalised subjects had no vote in the Labour selection ballots.

Hon. Frank Wilson: I said nothing about it.

Mr. FOLEY: Perhaps not on this occasion but in previous debates the hon. member had done so. There were some mine managers who wished to see a greater number of Britishers employed. In the past the employment of so much foreign labour had been ascribable to the amount of money made out of the practice. Some shift-bosses had become rich on their unholy gains from foreigners in search of employment. One man, on being appointed a shift-boss, was told that it would be greatly to his advantage, in fact it would mean £2 to him every pay day, if he employed a certain number of foreigners. However, that man not only refused to do so but in less than 10 weeks he had cleared out of the mine every foreigner whom he found there. One mine manager out back was even now

doing his utmost to surprise one of his underground managers suspected of taking bribes from these Italians. If this underground manager was discovered in this traffic, his place would not know him much longer. The chief employers of foreigners in Western Australia was one firm who in many instances had done more to retard good mining than could the Bill and all other restrictive mining legislation put together.

The PREMIER: It was desired to put the Committee right in connection with some statements made by the leader of the Opposition in regard to the purport of the clause. If the hon. member would recall a memorable contest in the Menzies electorate, when the late Minister for Mines (Hon. H. Gregory) was fighting an election, he would remember that that gentleman had fought the election principally on the question of the employment of aliens in mines. The hon. member would remember also that when a Mines Regulation Bill was introduced containing a provision that not more than one in seven employed in a mine should be aliens, Mr. Gregory, then Minister for Mines in the Government of which the hon. member was a supporter, took exception to that and said it was not desirable to admit one alien in seven to be employed in a mine, contending that every man so employed should be able to speak English readily and intelligibly. Mr. Gregory had successfully fought the election with the support of the party now in Opposition. Now, the leader of the Opposition was taking exception to something less restrictive than the one in seven provision. Of course, the hon. member had received his instructions from the Chamber of Mines.

Hon. Frank Wilson: We have passed the language clause, Mr. Chairman.

The PREMIER: The question under discussion was the employment of aliens in mines.

Hon. Frank Wilson: But it has nothing to do with the English language.

The PREMIER: The reference made to the English language was by way of illustrating what had actually occurred in that particular Menzies election.

The CHAIRMAN: The Premier had illustrated the proportion of foreigners to be employed in a mine, as provided in an earlier measure. Subclause 4 dealt with the number of foreigners to be employed in a mine. Therefore, the Premier was in order.

Hon. Frank Wilson: But he is talking about the English language.

The CHAIRMAN: Order! I say the Premier is in order.

The PREMIER: The attitude of the leader of the Opposition was surprising. The speech made by the hon. member had been devoted largely to the question of speaking the English language, and yet now, when he (the Premier) was trying to show that the proposal was not so drastic as that which the hon. member had previously supported, the hon. member was attempting to prevent the pursuance of that line of argument. Of course, the hon. member was not in earnest in the matter, and was merely trying to keep faith with the Chamber of Mines. This was a burning question on the goldfields, not among the miners alone, but amongst the business people also. Why? Simply because they knew that in recent years the mine owners had undoubtedly given preference to the employment of aliens, and that it was becoming a serious menace to the people on the goldfields. If the hon. member was merely desirous of protecting the interests of the shareholders who resided in London, and not the men in the State who were helping to build up the State, then the hon. member was welcome to do so; but as a Government, Ministers were in office in the interests of the people within the State, and it was essential in the interests of those people that preference to employment of aliens in our mines should be restricted. The member for Claremont (Mr. Wisdom) had tried to make the Committee believe that the Government were unpatriotic. He (the Premier) knew of no other race on the face of the earth which would do what the Britisher did for the sake of a shilling or two, namely, turn down his own countrymen and employ foreigners because he could make more profit out of them. We had had it shown in America, Africa, and

other places where the Australian had been practically boycotted by business people, not because the Australian could not do a good day's work, but simply out of hatred of the Australian because he could do a little better than others. We had the same position to-day on the western coastline of America, where they were attempting to restrict Japanese from holding land because the Japanese were competing successfully against the Americans. Yet we were told that it was only in Western Australia that such an action was adopted. We were not preventing these aliens from working in mines, but merely from becoming a menace to the welfare of the men employed side by side with them. He (the Premier) was not going to be charged at any time with doing anything in the interests of an alien against the interests of a Britisher. He stood for the British race all the time, and if there was any preference to be given he would give it to his British brother, and not to the aliens. If members opposite were so concerned about their patriotism, which meant pounds, shillings, and pence, they were quite welcome to it, but even if it meant his leaving the Treasury benches he was going to adopt the policy he had enunciated. The member for Claremont spoke about the foreigners defending Australia when required, but they could only defend Australia when they became naturalised, and then they would be able to work in the mines without any restriction. The hon. member said that not enough immigrants could be secured to fill up Australia. Immigrants could be obtained if the conditions were kept all right, but the Britisher was not going to come to Australia if he knew that the Italians and other European races were going to get preference. He had found that even in London there was a tendency on the part of a great number of employers to engage the very people from whom they were apprehensive of an invasion of England, and to give them a good education in the English language, which some day might be turned against the country. all for the simple reason that they could get those men for a few shillings per day cheaper than British workmen. It was complained that the British farmer could not get labour, but he could

get it if he cared to pay for it at a reasonable figure and give the workers fair conditions to work under. The position was that there was unemployment amongst British workers in England, but there were no unemployed amongst the aliens.

Hon. Frank Wilson: Then you do not know England.

The PREMIER: One need not be there long to discover that the British workman did not get the consideration that was due to him. We wanted to keep Australia a white and English speaking country. The leader of the Opposition every time he spoke on a public platform referred to the need of peopling the great waste spaces of Australia with people who would assist to protect us in time of invasion, but whom did the hon. member expect to protect us? Was it the alien who was employed on the mines? No, the sons of Britishers, those either born in a British land or naturalised, and yet the hon. member, as leader of a great political party in the State Parliament, was advocating the employment of aliens in mines to the exclusion of our own subjects.

Mr. Male: Advocating fair play.

The PREMIER: There was fair play in his contention, and he stated openly that as long as he occupied a Ministerial position he and his colleagues were going to stand for the interests of the British workman as against all comers, and when employment had to be found the Britisher would receive preference. What was the use of allowing the aliens to come here, form little communities of their own, and work for anything they liked to offer their labour for, and then expect the Britisher to come to this country to work under what were termed the best labour conditions in the world. The British workman could only be induced to come here whilst work under those good conditions was available, and the conditions of labour could only be kept up to their present high standard so long as Parliament protected the interests of our own workmen and did not allow the employment alongside them of foreigners who could not speak a word of English. Yet this Bill

did not attempt to keep the foreigner out of the mines. It simply provided that so long as he was a naturalised British subject, he would be allowed to work. Hon. members opposite boasted about their patriotism. He was prepared to allow the Government to call on his son to protect the country in the hour of need, but he was going to claim that he should have at least an equal right of employment with the foreigners, and that there should not continue what some mine managers had undoubtedly practised, preference to the foreigner to the exclusion of our own race. It could be said without fear of contradiction that there were Britishers walking about day after day looking for employment, men born in Australia and who had worked in the mining industry all their lives. But an Italian could come along, and so long as he could say, "Good day, boss," in broken English, he could get employment on the Golden Mile to-day—a place which in this respect had never been considered dangerous until about five years ago. The reason for the preference to foreigners was that the Italian did not demand the same favourable conditions to work under as the Britisher. Did members on the Opposition side expect to compel the Britisher to work under the same conditions as the Italian, and to create in this State a community such as was to be seen in the south of Italy? The Government did not stand for that sort of thing. They stood for the principles contained in the Bill, which were not detrimental to the people in the State, or to any other person who was prepared to become a naturalised British subject and defend this country if he was called upon to do so.

Hon. FRANK WILSON: One would imagine from the heat of the Premier that he was the only patriotic British subject in Western Australia.

Mr. Lander: You have not shown much patriotism this evening.

Hon. FRANK WILSON: The Premier electrified the empty galleries by his eloquence in denouncing his political opponents as not worthy of the slightest consideration and as not having an atom of patriotism beyond their pockets.

The Premier: I have brought you to your feet anyway.

Hon. FRANK WILSON: Of course the Premier had, and he would be kept in his place for the next half-hour unless he was rude enough to leave the Chamber.

Hon. W. C. Angwin (Honorary Minister): You will be a long time in finishing this Bill to-night.

Hon. FRANK WILSON: The Bill would not be finished to-night.

The Premier: Do not threaten.

Hon. W. C. Angwin (Honorary Minister): Then we will finish it in the morning.

Hon. FRANK WILSON: The Bill might be finished in the morning or perhaps to-morrow night. He was going to take his own time and he had not the slightest intention of being intimidated by the Premier or the Honorary Minister. The Premier asked who was going to defend this country.

The Premier: I am doubtful if you would.

Hon. FRANK WILSON: The Premier would down the British flag to-morrow if he got the chance. That was the little game being played by him and by the leader of his party in the Federal Parliament. They would haul down the British flag and cut the painter. The Premier take a rifle in his hand and defend the country? He would be behind an army of Italians from Kurrawang seeking safety. If the hon. member indulged in personalities and threw mud he would get it back. Members of the Opposition were quite prepared to discuss this Bill from a reasonable point of view, as they had done all the evening with the Minister for Mines in charge, until the Premier came in and made a fuss about his patriotism and the preference he would give Britishers. And all the time the Government's majority were outside in the corridors asleep.

The Premier: Where are yours?

Hon. FRANK WILSON: Opposition members have gone home. The high falutin and bombastic utterances of the Premier were enough to disgust anybody. Did he think it was logic? Would he be able to convince any reasonable people of the justice of his legislation because he de-

nounced all and sundry and argued that we would not defend our country, but that he would. The Premier would not be anywhere near the enemy.

The Premier: Fancy you being captain of the Kurrawang rifles.

Hon. FRANK WILSON: In his opinion he would make a jolly sight better commander than the Premier.

The Premier: You might be able to talk their language.

Hon. FRANK WILSON: The Premier argued that they would defend Australia only when they were naturalised. They could do it at any time. Britishers had defended all nationalities. They had fought for the Italians in the old days under Garibaldi; they had fought for the freedom of the Italian nation and were renowned for it. The Premier was going to give preference to British subjects. To this he had never objected.

Mr. Bolton: Yes, you have; you spoke against it to-night.

Hon. FRANK WILSON: That was a sound argument worthy of our amateur politicians who had had so much experience. This was how we passed our legislation, "Yes you did," and "You are another." He did not argue against preference to British subjects, but against the unfair treatment of European people who had been induced to come to our shores and settle amongst us. They had been induced to come to Western Australia and now the Premier said he would give preference to Britishers and restrict the others from earning a living after having allowed them to come to this country. According to this plan we would be kicking them out of Australia; that was at the bottom of it all.

Mr. Harper: They take their money as unionists.

Hon. FRANK WILSON: The Premier would admit them all into the unions. They were all brothers then, but the Premier would allow only brother Britishers to have employment in this State. Comrade Italiano—

Mr. Harper: Members of the Trades Hall.

Hon. FRANK WILSON: Yes, and admitted to their ranks as members of the

union, and yet the Premier slurred them by saying they worked for anything they could get—the smell of a greasy rag.

The Premier: I said nothing of the kind.

Hon. FRANK WILSON: The Premier said they would work for anything they could get.

The Premier: No.

Hon. FRANK WILSON: The Premier charged him with wanting to induce to come to our shores people who would work for anything they could get. The Premier said that and could refer to *Hansard*.

Hon. W. C. Angwin (Honorary Minister): You will not find that in *Hansard*.

The CHAIRMAN: Order!

Hon. FRANK WILSON: It had been admitted over and over again that these men claimed the best wages in the industry.

The Premier: Do they?

Hon. FRANK WILSON: Yes, they claimed the best wages and earned the best wages in any industry in Western Australia—

The Premier: No, they do not.

Hon. FRANK WILSON: Wages as high as the Premier was able to earn when he worked on a mine.

The Premier: I say it is not so.

Hon. FRANK WILSON: That was a fact and he could produce figures to prove it. They had always been known to demand the highest wages in every industry and hon. members admitted that they were good trade unionists.

Mr. Bolton: That shows there is no feeling against them.

Hon. FRANK WILSON: The feeling was displayed in this Bill. Hon. members took their money and then stabbed them in the back and proved assassins. They induced these people to come to the country and then practically told them to starve or get out of it.

Mr. Munsie: We never induced them to come here.

Hon. FRANK WILSON: Of course hon. members threw the door open to them and advocated bringing them here.

The Premier: Who?

Hon. FRANK WILSON: The Italian, the German, and the Scandinavian.

Mr. Foley: They could not come to a better country.

Hon. FRANK WILSON: And a country could not get better people either.

The Premier: I am quite prepared to give preference to Britishers.

Hon. FRANK WILSON: On every occasion he had done so, and that was more than the Premier had done. The Premier went to the old country and begged for a few millions to carry on with, and now he denounced the very people who found the capital to employ these men. The Premier said this was a white man's country, an English-speaking country, and that naturally we wanted to give fair play to everyone and carry out the traditions of British justice which had been inherent in our nation for all time. But now the Premier did not want to do it.

The Premier: Not on your lines.

Hon. FRANK WILSON: The Premier wanted to legislate on the narrow-minded views of the Trades Hall and the dictators of his policy. We would keep this country just as long as the hordes of Asiatics beyond the North coast permitted us to keep it. Hon. members had already stopped our land settlement policy by their unwise administration.

The CHAIRMAN: Order!

Hon. FRANK WILSON: They had practically hung up our land settlement.

The CHAIRMAN: I do not think that affects the discussion.

Hon. FRANK WILSON: Now supporters of the Government wanted to prevent these people whom they had admitted to the country from earning a living.

The Premier: No.

Hon. FRANK WILSON: How could the Premier say it was not so? The Bill sought to restrict mine owners to employ one foreigner to every nine Britishers. Therefore, the Government were going to close the avenues of employment to the people who had already been admitted to these shores. If the Premier wanted to claim the slightest shreds of statesman-

ship, it would be a very difficult claim for him to put up—

Mr. E. B. Johnston: Do not be personal.

Hon. FRANK WILSON: If the Premier wished to claim the slightest shreds of statesmanship he must deal fairly with those who had been admitted to Australia and who up to the present he had had no power to exclude. The Premier had got these people here and it was idle to argue that because there had been one mine which hon. members were never tired of holding up as an example—

The Premier: It is nearly as bad on the Golden Mile.

Hon. FRANK WILSON: Just because there was one mine in which a majority of aliens had been employed, the Premier concluded that managers' predilections were in favour of foreigners and consequently desired to preclude these men from earning a livelihood in our midst. The member for Forrest (Mr. O'Loughlen) had by interjection accused the Minister of having as a result of his strict inspection and regulations with regard to the language test driven these foreigners into the timber areas, and the Minister replied, "Is that so? If it is so, we will have to deal with that also." He (Mr. Wilson) interjected, "What are you going to do, drive them into the sea?" No; the Government were going to do worse.

The Minister for Mines: Make them Britishers.

Hon. FRANK WILSON: The Government would let them starve. We could not force them to become Britishers.

The Minister for Mines: You are assisting in the objection.

Hon. FRANK WILSON: It was not within the power of Parliament to legislate in that direction. It would be most undesirable to force any man to become a British subject if he desired to remain loyal to his own country. Did the Premier think he would get loyal subjects by compulsion? If he adopted this course he would have traitors in his midst and he (Mr. Wilson) would sooner have a foreigner loyal to his own country than have him a naturalised British subject

against his will. If he was a naturalised British subject against his will, then we would have some difficulty in asking him or expecting him to take up arms at any time, but if he had adopted this country as his home, it was safe to say that if we gave him arms he was going to defend his hearth and home. When a man happened to be in a country and was domiciled there it was not a question of actual nationality with him if the land was invaded and his home threatened. Who was going to hesitate to take up arms because he was not a naturalised British subject to defend his home and his family?

The Premier: Have you seen their homes?

Hon. FRANK WILSON: It was a good thing to see a man take a gun on his shoulder and fight for his home, no matter whether he came under the heading of alien or not.

The Premier: Could you do any good with a gun?

Hon. FRANK WILSON: If the Premier wished it he would take him on at anything he liked. He (Hon. Frank Wilson) admitted that he had no knowledge of two-up or any of those little pastimes which goldfields members enjoyed, but in anything of a manly nature he thought he could take the Premier on and show him points.

The Minister for Mines: Anything in reason.

Hon. FRANK WILSON: Yes, anything in reason. The Premier had waxed eloquent with reference to Britishers walking about and seeking employment when foreigners were given preference, and wanted us to believe that because a man came along and spoke broken English he got the preference, but the Premier was casting a slur upon his own countrymen when he said that. It was absolutely absurd to argue that any mine manager would give preference to Italians or foreigners who could not speak the English language if he could get men who could. There might be one or two men who would do it, but the majority of them were as loyal to their country as any member of this Chamber. The Premier had said that the patriotism of

those on this side was gauged by a few shillings in their pocket. The Premier's patriotism, anyhow, could be gauged by the emoluments of his office at the present moment. The Premier was not averse to making an honest profit if he could get an opportunity either by speculation or by investment or by any other chance he could lay his hands upon.

The Premier: That has nothing to do with the employment of aliens.

Hon. FRANK WILSON: Our friends who had invested their money in the mines were risking more than the Premier was risking or was likely to risk in this country, and they were more patriotic than he was.

The Premier: I have risked my life day after day and they risk nothing except a few pounds.

Hon. FRANK WILSON: The Premier had risked his life a few times by riding in a motor car and he risked his life when he went down the street just like any of us.

The Premier: I had more at stake when I worked in a mine than the man who invests his capital in it. I had my life at stake.

The CHAIRMAN: Order! This was getting right away from the subject.

Hon. FRANK WILSON: The Premier had made all sorts of foolish remarks, and offensive charges in some cases. A remarkable thing which the Premier said in his haste to make damaging statements was that Italians did not demand the same conditions as Britishers. Where in the world did that come in? They had to have the same conditions under our mining laws and regulations, and the inspectors had to look after all the workers in the industry regardless of their nationality. This was a sample of the argument brought forward to convince the Committee, that because the alien did not demand the same conditions, therefore we had, under this paragraph, to limit the number employed.

The Premier: I did not say that.

Hon. FRANK WILSON: That was the argument.

The Premier: My argument was that that was why they received preference.

Hon. FRANK WILSON: They had exactly the same conditions. Otherwise, where were the regulations which had been made, where were the inspectors, and where were the laws with regard to the working of this industry, if they were given different conditions?

The Premier: The inspector is not following up every man employed in a mine.

Hon. FRANK WILSON: These men seemed to be keen on getting advantage of all the conditions and getting the full union rates.

The Premier: I think there is something in the rumour that they pay a bit out, too.

Hon. FRANK WILSON: Why should the Premier seek to mislead the Committee? The Premier had been stonewalling his own measure all the time and he had spoken in a way which was beneath the dignity of his office.

The Premier: Nothing hurts like the truth.

Hon. FRANK WILSON: What the Premier had said was beneath the dignity of his office and was not in the interests of the community because he had not stated facts in his arguments in support of his legislation.

Mr. Bolton: It is beneath the dignity of your office to go for preference to foreigners over British subjects.

Hon. FRANK WILSON: It was not at all correct to say that he had gone for preference to foreigners over British subjects, and to construe his arguments into meaning such a thing.

Mr. Bolton: All your arguments have been in favour of preference to foreigners.

Hon. FRANK WILSON: The hon. member had been outside and what he had not heard he had imagined. He was trying to put words into his (Hon. Frank Wilson's) mouth which were never uttered, and the hon. member knew that he had never advocated preference to foreigners as against Britishers.

The Premier: You have advocated it all the evening.

Hon. FRANK WILSON: The Premier was again trying to put a wrong im-

pression on the arguments which he had used. The Premier would be wise if he left this matter entirely in the hands of his colleague, the Minister for Mines. The Committee had done very well throughout the evening while the Premier had been absent, and since he had entered the Chamber he had caused ill feeling and heat to enter the debate. If the Premier took his advice he would leave the Bill entirely to the Minister, and probably the Committee would get through it with greater speed.

Amendment put and negatived.

Hon. FRANK WILSON: Subclause 6 appeared to be inserted for the purpose of legislating for a trivial matter. It was a subclause of about a dozen lines, and provided that a person working on a mine, who refused to be examined by the inspector, when called upon to do so in regard to his knowledge of the English language, should be deemed to be unable to speak the English language, and in addition to being dismissed from the mine should be guilty of an offence, and be liable to a penalty. He (Hon. Frank Wilson) knew what his clause referred to. There had been one instance of a foreigner who could speak English, but who had got so irritated, because he was hauled before the inspectors so frequently, that he refused to answer questions. This man had passed the test on more than one occasion, and his refusal had brought about the insertion of this paragraph. The Minister would be wise to strike it out. We did not want to fill our legislation with clauses of this description, to provide against the repetition of something which should never have occurred. Moreover, there was no need for the clause, because in a later clause the Minister would be given power to issue certificates to those who had passed the test.

Mr. Foley: The issue of certificates is provided for in the existing Act.

Hon. FRANK WILSON: This subclause was marked "new" in the Bill, and he therefore advised the member for Leonora to again turn up the existing Act. The provision contained in Subclause 8 was all that was required, and

the Minister might well agree to exise Subclause 6. This would be a blot on the legislation. He moved an amendment—

That Subclause 6 be struck out.

The MINISTER FOR MINES: This subclause was very necessary in order to make effective the other provisions dealing with foreigners who could not speak English.

Hon. Frank Wilson: Why is it necessary?

The MINISTER FOR MINES: The leader of the Opposition had quoted one instance, but there had been more than one. He (the Minister) had in his mind the case instanced by the leader of the Opposition, but he assured the Committee that quite a number had taken up the attitude of pretending that they were unable to speak English.

Hon. Frank Wilson: Would not the issue of certificates control all that?

The MINISTER FOR MINES: It would if certificates were issued.

Hon. Frank Wilson: But you can issue them under Subclause 8.

The MINISTER FOR MINES: It was intended that the Minister should have the power to make regulations dealing with the issue of certificates, but that did not imply that the Minister would always issue a certificate. There was a good deal to be said in favour of the principle of issuing certificates. So far, however, that had not been done. If we provided that a man working in a mine should pass an examination when called upon to do so, we should also provide for a penalty for refusing to assist an inspector in carrying out that provision of the Act. Some of the foreigners had absolutely refused to answer the questions put to them, and subsequently the inspectors had taken action against the management, and one case had transpired that a man who was questioned was an Australian native of Italian parents, and he could speak the English language as well as an Englishman.

Hon. Frank Wilson: You would not penalise a man under such circumstances. You could call upon the management to dismiss him.

The MINISTER FOR MINES: It should be an offence against the Act. If the Act laid down that a man must pass a certain test and he refused to comply, that refusal should constitute an offence. This clause was designed as much to protect the management as the men, in fact more so. They should not be prosecuted where there was not a good case. If it was decided to issue certificates the whole position would be overcome, but one Minister might decide to issue certificates and another Minister who followed him might refuse to do so. It was desirable that we should have power to impose a penalty on a man who wilfully refused to answer questions when called upon by an inspector to do so.

Amendment put and negatived.

Clause put and passed.

12 o'clock midnight.

Clauses 47, 48—agreed to.

[Mr. Holman resumed the Chair.]

Clause 49—Exceptions:

Hon. FRANK WILSON: The clause amended Section 47 of the existing Act to provide that the inspector should certify in writing in the record book when it was necessary for the proper care and conduct of a mine to work on Sundays; and the inspector had power to prescribe the maximum number of men who might be so employed, while if the mine owner or manager objected he was given an appeal to the Mines Regulation Board. The amended part of the clause ought to be struck out altogether. It would be noticed that paragraphs (a) to (f) provided that the clause should not apply to the employment of certain persons. No one desired to employ labour on a Sunday if it could be avoided. Having laid down the conditions under which such labour might be employed, namely, in connection with continuous treatment, as watchmen or caretakers, in repairs, in pumping, in sinking in wet ground, or in doing any work necessitated by a dangerous emergency, it would be sufficient to prosecute the manager if he employed

men under other conditions. It was unwise to hamper the thing with the proviso prescribing that the manager must get the district inspector to certify that the Sunday labour was necessary, and to specify the maximum number of men to be employed. It was absurd to say that an inspector should enter all these things in the record book.

Mr. Foley : He has to give authority now.

Hon. FRANK WILSON : No, under the existing Act the manager was at liberty to employ labour on Sundays under prescribed conditions, and if the manager employed Sunday labour for other purposes he suffered prosecution and a penalty. This was in itself sufficient without the proviso to the clause. He moved—

That the proviso be struck out.

Mr. HARPER : The absurdity of asking an inspector to put in writing the number of men to be employed on a Sunday would be manifest to anyone connected with mining. There were many things that could happen in a mine which might mean the ruination of the mine, unless a small amount of work was put in at the right time. Nobody was likely to employ Sunday labour unless it was for a specific purpose affecting the safety of the mine. The matter could well be left in the hands of those controlling the safety of a mine.

The MINISTER FOR MINES : There would not be any difficulty in the inspector prescribing the maximum number of men to be employed on Sunday labour. There would be no difficulty in forecasting the number of men required for the continuous treatment, or in regard to paragraphs (b) and (c). In regard to Paragraph (d) it was the usual practice to run through the shaft every Sunday, and for ordinary repair work to a shaft the number of men who would be required was known from time to time. The flooding of a mine would be an exceptional happening, and if it did occur no inspector would prosecute a manager because he had not obtained written permission to employ a certain number of men. Paragraph (f) referring to work

necessitated by a dangerous emergency covered the point raised by the member for Pingelly that the management could not be expected to know beforehand of a run in the shaft. No one would dream that the inspector or the department would prosecute a manager for not having permission in writing to do some work which he could not foresee. On the other hand there was very good reason for requiring the inspector's permission. At the present time the management had an absolutely free hand in regard to the number of men they employed for any of the purposes set forth in the Act, and that liberty had been abused. Men were regularly brought in on Sundays to do work that could easily and reasonably be done on Saturdays. He knew of men having been called in on Sundays to cart and handle wood, which by a little care on the part of the manager could have been done on other days. After all, it was only reasonable to require the management to get the permission of the inspector as to the number of men they could employ on Sundays. The proviso to this clause was identical with the provision in the New Zealand Act, and this was one of the amendments that had been suggested by the State Mining Engineer, whose comment was "The new clause will put the decision of what Sunday work is necessary into the hands of the inspector, as it ought to be. The practice in New Zealand agrees with this proposed amendment." Elsewhere in the Bill the inspector was given much greater responsibility than was placed in his hands by this clause.

Amendment put and negatived.

Clause put and passed.

Clause 10—Power to authorise Sunday labour:

Hon. FRANK WILSON moved an amendment—

That all the words after "brace" in line 15 be struck out.

He took exception to the limitation of the time in which notice should be given. Twenty-four hours' notice was absurd. In many cases of urgency it was not possible to give 24 hours' notice, and in those circumstances the clause asked that the long-

est possible notice should be given. Those words might be used by an inspector who wished to harass a particular management. Managers always gave the longest notice they could.

Mr. Foley: Five minutes before the men knock off on Saturday.

Hon. FRANK WILSON: It was not always possible to let the men know earlier, and often it was only in the course of the morning that the necessity for a particular work being done came under notice.

The MINISTER FOR MINES: This addition to the clause would not make any difference to the majority of mine managers, because most of them did give reasonable notice to the men that they would be required on Sunday. But it was to overcome the carelessness of some managers who did not inform the men that they would be required on Sunday until the last moment. Some mine managers did not inform the men until they were knocking off on Saturday, and they had no option but to go. It was very inconvenient when men had no idea that they would be called upon to work and had made other arrangements, not to be acquainted with the fact until Saturday.

Mr. Munsie: It has been as late as 10 o'clock on Saturday night.

Hon. Frank Wilson: I made arrangements to get away to-night.

The MINISTER FOR MINES: The provision for 24 hours' notice was only reasonable. It gave a man an opportunity to let his relatives know before he left for work on Saturday, that he would be required on the Sunday. It would not cause any inconvenience to the management because the clause provided that in cases of emergency a shorter period, but the longest possible under the circumstances, would suffice. Circumstances might arise when the management had to call upon men at short notice, but generally speaking, the 24 hours' notice should be given. Surely that was only reasonable. No prosecution would take place under this clause on account of something which the management could not foresee preventing the 24 hours' notice being given.

Mr. HARPER: The Minister ought to agree to the amendment. He (Mr. Harper) had employed a number of men on Sundays and his trouble had been that many complained they did not get as much overtime as others. Only twice had men preferred not to work on Sunday on account of religious principles and in these cases his reply had been "Very well, I will get others."

The Minister for Mines: It is not a question of not desiring to work, but of giving the men sufficient notice.

Mr. HARPER: That was all right where it was possible to do so, but a stipulation was made in the opening part of this clause and was stultified by the latter part of the clause. Sometimes a special man was required for a special job. The management might prefer to have the work done on a Monday, but occasion might necessitate the work being done on a Sunday, and short notice would be given to the man most capable of doing the job. Sometimes he had requested a man to do a double shift because no other man could do certain work so well. The circumstances were intricate and difficult for any Legislature to provide for and the matter ought to be left to the discretion of the managers.

Amendment put and negatived.

Clause put and passed.

Clauses 51, 52, 53—agreed to.

Progress reported.

ADJOURNMENT—SPECIAL.

The PREMIER (Hon. J. Scaddan): In view of the visit to-morrow of the delegation from the Empire Parliamentary Association of representatives of the British Parliament, I move—

That the House at its rising adjourn until Thursday, 2nd October, at 4.30 p.m.

Question passed.

House adjourned at 12.30 a.m. (Wednesday.)