Legislative Assembly,

Thursday, 11th October, 1906.

THE SPEAKER took the Chair at 4:30 o'clock p.m.

PRAYERS.

LEAVE OF ABSENCE.

On motions by the PREMIER, leave of absence for one fortnight was granted to the Treasurer (Hon. F. Wilson) and to the member for Brown Hill (Mr. Bath), on the ground of urgent public business; also to the member for Katanning (Hon. W. H. Piesse), on the ground of urgent private business.

BILL—THIRD READING.

Wines, Beer, and Spirit Sale Act Amendment, transmitted to the Legislative Council.

BILL—LAND ACT AMENDMENT.

RECOMMITTAL.

On motion by the PREMIER, Bill recommitted for amendments; MR. ILLINGWORTH in the Chair.

Clause 53—Amendment of Section 100:

THE PREMIER: The Bill had been recommitted to deal with the stocking conditions. The member for Gascoyne (Mr. Butcher) had suggested that where leases were held in one division it was possible for the lessee to comply with the stocking conditions on one lease, and at the same time do nothing in the way of stocking leases which might possibly have an equal area in the same division. To provide for that, he (the Premier) now moved an amendment that the following be added to the clause for amending the principal Act:—

And by striking out the words "within the division" in line five, and the words "in the division" in lines twelve and fourteen, and by inserting after the word "possession" in line five the works "on the land the subject of his lease or of any other lease being one of a group of leases not being separated by a greater distance than fifty miles, owned and worked by the lessee as one station."

MR. BUTCHER: The amendment would go a great way towards meeting the case, but the distance of 50 miles was too great. It should be reduced to 25 miles. There were many people holding large areas separated by a greater distance than 50 miles, and the objection he had raised would continue. He moved—

That the word "fifty" be struck out and "twenty-five" inserted in lieu.

THE PREMIER was not wedded to the exact distance. The object he had was to provide that all leases within the distance should be worked as one station. He would accept the amendment.

MR. TAYLOR: If a man had his head station in the centre of his land, that would allow 25 miles each way.

MR. BUTCHER: That would be a group of leases, and was provided for.

MR. TAYLOR: The intention of the Premier was that from the boundary of one lease to another there should not be more than 50 miles, and if it was farther, then it was considered another station.

Amendment passed; the clause as amended agreed to.

New Clause—Penalty for non-stocking:

THE PREMIER moved that Clause 54 be struck out, and the following inserted in lieu:—

Section one hundred and one of the principal Act is repealed, and the following shall be inserted in place thereof:—101. If any pastoral lease or group of pastoral leases owned and worked as one station, not being separated by a greater distance than fifty miles, granted before or after the commencement of this Act, is not stocked and kept stocked at the rate of at least ten head of sheep or one head of large stock for every thousand acres comprised therein, such lease or leases shall be liable to forfeiture. Provided that this section shall not apply to any lease during the first two years from the commencement of the term granted or agreed to be granted.

Practically the clause meant that unless the leases were stocked within two years they would be forfeited.

Question passed.

Bill reported with further amendments.

RECOMMITTAL.

On motion by MR. BUTCHER, Bill recommitted.

Clause 50—Amendment of Section 96:

MR. BUTCHER: When this clause was under discussion previously, the Premier practically agreed to some modification of the rental values of the leases. The rental should be reduced from £1 to 15s. per 1,000 acres, because the increase from 10s. to 20s. was too great a jump. If we raised the amount to 15s. it would be reasonable. He moved an amendment—

That the words "one pound" be struck out and "fifteen shillings" inserted in lieu.

THE PREMIER: This matter was fairly threshed out previously, and it seemed to be the opinion of members that £1 was a reasonable rent to charge. In some cases the rent was practically one-half where the stocking conditions were complied with. The member wished to make a compromise between 10s. and £1, but the whole of the additional revenue as far as the pastoral leases were concerned would only amount to £6,000. He could not agree to the reduction.

Amendment put and negatived.

Bill farther reported.

BILL—AGRICULTURAL BANK.

IN COMMITTEE:

Resumed from the previous day; MR. ILLINGWORTH in the Chair, the HONORARY MINISTER (Mr. Mitchell) in charge of the Bill.

Clauses 13 to 27—agreed to.

Clause 28—Bank may make advances to farmers and cultivators:

MR. TROY: The attention of the Minister had been drawn by him to the necessity for amending this clause, to provide for advances being made for purposes other than those specified. The Bill now provided that advances should be made for (*a*) Ringbarking, clearing, fencing, draining, or water conservation; or (*b*) Discharging any mortgage already existing on any holding; or (*c*) The purchase of stock for breeding purposes. Provision might be made for advances for cultivating. A newly arrived selector might not have any horses or machinery with which to cultivate his property.

THE HONORARY MINISTER: Provision was made for stock.

MR. TROY: But not for machinery. And how was such selector to get on if he had not a plough? In the Eastern Districts, where settlement was graduallly taking place, a number of selectors had to go to their neighbours to obtain horses and ploughs to be able to put in their crops, and they had to pay those neighbours. That placed new settlers at a great disadvantage. I the Minister would provide that advances might be made for cultivating it would not go outside the intention of the Bill, and would enable many selectors to cultivate their properties. He moved an amendment—

That after the word "draining," in paragraph (*a*), the word "cultivating" be inserted.

THE HONORARY MINISTER: The Government considered that the Bill was sufficiently liberal as it stood. He regretted he could not accept the amendment.

MR. BOLTON: The clearing of the property might have been done by the holder himself, and in such case money could be lent for the purpose of cultivation. The argument against advancing money for that purpose would be all right if money had already been lent for clearing or fencing. After all, it rested with the trustees whether the money should be lent.

MR. COWCHER: There was an allowance for fencing. What constituted fencing?

Amendment put and negatived.

MR. TROY moved an amendment—

That after the word "mortgage," in paragraph (*b*), the word "liability" be inserted.

A settler might have purchased machinery before the Bill came into operation. If the bank advanced to pay off a mortgage, why not to pay off any other liability?

THE HONORARY MINISTER: The amendment virtually meant that the bank might advance against land at any time. It was not proposed to make advances to pay off store accounts and similar liabilities, but only liabilities against the property, and in so doing we went far

enough. The bank would otherwise be continually advancing to pay off store accounts and liabilities for machinery.

Mr. TROY: The same argument applied to mortgages, for a settler could repeatedly mortgage his property. He might owe £200 to the storekeeper, and might have sufficiently improved his property to justify an advance to that amount. The settler's interest to the storekeeper was 10 per cent., and by borrowing from the Crown this would be reduced to 5 per cent. A storekeeper might obtain a judgment and sell the property; and in such circumstances the settler was in as bad a position as if the storekeeper were a mortgagee.

Amendment put and negatived.

Mr. UNDERWOOD: Why stipulate that advances for purchasing stock should be confined to stock for breeding purposes? Why not for horses for use on the farm?

Mr. Bolton: The Honorary Minister should explain the clause.

The HONORARY MINISTER: The clause would permit the trustees to make advances to the extent of £100 for the purchase for stock that would breed. A man desiring an advance against an animal for draught purposes must purchase a draught mare.

Mr. TROY: The Minister had not explained why advances were not to be made for the purchase of other stock. Was the risk greater?

The Minister: How could other stock be followed?

The PREMIER: The clause might apply to good stallions also. When purchasing stock, nearly all farmers would purchase mares, which could be used for farm work and also for breeding purposes.

Clause put and passed.

Clause 29—Advances by instalments:

Mr. TROY: The clause provided that the trustee might refuse to pay farther instalments if he were of opinion that the money already advanced had not been carefully and economically expended for the purpose for which it had been advanced; and the borrower might be proceeded against for recovery of the advance. A man might have obtained an advance for the construction of a dam, but in consequence of a plentiful rainfall might find it convenient to spend the money on stock.

The HONORARY MINISTER: At the present time it was impossible for any man to get an advance until he had done the work. The bank's security rested largely on the improvements, and we must insure that every improvement was well effected, and was good value for the advance. If the managing trustee found he had a bad client who was shirking his work, who was burning off his stumps above the ground instead of taking them below the ground, thus interfering with the security, there must be power to interfere. If a settler wished to vary from well-sinking to stock-purchasing the purpose for which an advance was obtained, he would only have to apply to the managing trustee to obtain consent. Provision for that would be made.

Clause put and passed.

Clauses 30 to end—agreed to.

Clause 10 (postponed)—Remuneration to trustees:

Mr. WALKER: There was a desire to leave salaries of the trustees entirely to the discretion of the Governor-in-Council; and an amendment was to be presented on reconsideration of the Bill.

The PREMIER: True. The Bill would be recommitted at the next sitting, when the amendment could be moved.

Clause put and passed.

Schedules 1, 2—agreed to.

Schedule 3—Table of half-yearly instalments for every £25 of the loans:

The PREMIER: This table would be useful to borrowers. It was prepared by Mr. Owen, Government Actuary, on the basis of the New Zealand Advances to Settlers Act.

Schedule passed.

Title—agreed to.

Bill reported with amendments.

BILL—MINES REGULATION.

IN COMMITTEE.

Resumed from the previous day; Mr. Illingworth in the Chair, the Minister for Mines in charge of the Bill.

Clause 33—General Rules:

New Subclause—Bearers for cages:

THE MINISTER FOR MINES, in accordance with promise and in lieu of the amendment on the Notice Paper in the name of the member for Ivanhoe, moved that the following be added as a subclause:—

When bearers are used at plats in shafts to support cages or skips, they shall be of a pattern approved by the inspector of mines.

The member for Ivanhoe admitted that the amendment on the Notice Paper would not be feasible, owing to the many improvements being made in connection with mining machinery.

Amendment passed, the subclause added.

New Subclause—Penthouses:

THE MINISTER: There was an amendment on the Notice Paper in the name of the member for Ivanhoe, which he would accept but for the last line fixing a limit. The hon. member was not now in the Chamber.

MR. BOLTON, on behalf of Mr. Scaddan, moved that the following be added as a subclause:—

No shaft shall be sunk below any place where men are at work unless such shaft to a width of the winding compartments below such place be covered by a securely constructed penthouse, and no sink shall exceed a depth of 200 feet below such penthouse.

MR. UNDERWOOD: Perhaps 200 feet was too shallow a depth. Would the Minister agree to any depth?

THE MINISTER: It would be preferable not to fix a distance. It was usual after sinking 150 feet to open out, and wherever they opened out from the shaft, if they proceeded to sink again, a penthouse would have to be placed below where men were working. There was less element of danger with penthouses than without them, but he was informed that it was much more satisfactory to fix no limit. The object of penthouses was to protect men sinking a shaft below where other operations were going on; but he was advised by competent mining authorities that if no operations but sinking the shaft were going on in the mine it should not be compulsory to put in penthouses. He was under the impression when the Bill was drafted that the department would be able to insist on penthouses being put in, so that he could accept the proposed subclause subject to the excision of the last part. He moved an amendment—

That the words "and no sink shall exceed a depth of 200 feet below such penthouse" be struck out of the proposed subclause.

MR. TAYLOR: It was necessary to mention some specified distance. One recognised that the Minister had been advised on the point by men who thoroughly believed what they said.

THE MINISTER: Several old mining managers considered it safer for the men to sink without penthouses.

MR. TAYLOR: Old mining managers were somewhat careless. It was only recently, with the great development in mining, that the value of penthouses had been demonstrated. It was essential to fix some distance.

MR. TROY: Miners considered that no shafts should be sunk more than 200 feet below a penthouse. Unless penthouses were provided there was absolutely no safeguard for the men working below. A pebble might fall from the surface, or the braceman might let a drill fall down, or the knocker hammer might drop down the shaft.

THE MINISTER: The danger would be just as great at 200 feet as at a greater depth.

MR. TROY: The danger was great at 100 feet. It was recognised that old mine managers were certainly more careless and took greater risks than younger managers. The amendment was not unreasonable.

MR. LYNCH recognised the difficulty in fixing an arbitrary limit, but it could be overcome by making an elastic provision requiring that shafts should not be sunk beyond a certain depth below the second station where a hoist was situated, without a penthouse being erected. This would allow the manager to sink to even 300 feet below the hoisting station. By fixing a limit as proposed in the amendment we might compel the management to open out on a barren part of the reef; yet there was some need to fix a limit below which operations should not be carried on without providing a penthouse.

THE MINISTER: How would it do to provide that penthouses should be

constructed when the inspector of mines gave instructions to do so?

MR. TROY: That would do.

MR. LYNCH: We had decided on the construction of penthouses. We were now deciding the depth to which a sink could be carried. Sinks had been carried 400 feet, but depth was one of the elements that led to accidents. He suggested the wisdom of accepting a liberal provision for the sink to be taken no lower than the second station.

MR. TAYLOR: In some instances the sink was carried as deep as 400 feet or 500 feet below the penthouse, and the reason for this was on account of the lode being located by bores, and for that distance, in patches there was barren ground, therefore the management sank through the barren zone until they reached some higher values, where they opened out. Power should be given to the inspector to instruct the management to construct a penthouse in cases of that description. If we could not limit the depth to a given number of feet, the next best thing to do would be to place the responsibility for the safety of this kind of work on the inspector of mines.

MR. COLLIER: The amendment would not work a hardship. If we compelled the management to put a penthouse every 200 feet it meant a mere nothing, for in small shafts a penthouse could be put in for £10, and even in a shaft like that of the Great Boulder the cost of a penthouse was only £50.

THE MINISTER: The cost of the penthouse was not being considered; it was the greater safety of the men.

MR. COLLIER: Had there been a penthouse in the Boulder Deep Levels shaft a man would not have been killed; but a rope broke when near the surface and a bucket fell 900 feet, and a man was killed. If there had been a penthouse the man would not have been killed.

THE MINISTER FOR MINES: There should have been a penthouse there.

MR. COLLIER: Under the amendment a manager would be able to sink a shaft 2,000 feet without a penthouse. It was not correct to say there was the same liability to accident 200 feet down as 2,000 feet down, for men 2,000 feet below the surface did not know what was going on above. If there was no objection on the score of expense, then the amendment should be accepted. A case was quoted by the member for Ivanhoe in regard to the Kalgurli mine, where a cage buried itself four feet into the mullock on the penthouse. If there had not been a penthouse the men would have been killed.

THE MINISTER: The Bill provided for a penthouse in such shafts as that.

MR. COLLIER: The Bill provided that where men were working in a shaft a penthouse must be constructed.

MR. LYNCH suggested that all the words after "shall" in the last line of the amendment be struck out, thus making it compulsory to shift the hoist down every two lifts. It was unfair to pin managers down to a hard and fast rule of 200 feet when it might be necessary to go 250 feet or 280 feet.

THE MINISTER: Members should not think for a moment that he objected to the amendment on account of the cost. It was because of the advice he had received that there was a greater element of safety without a penthouse, where men were working in a mine, than with a penthouse. Members should read the report of the Mines Department for 1905, which gave the opinions of the State Mining Engineer in regard to the protection of men in shaft sinking. He (the Minister) had also spoken to several mining managers, and men of large experience in connection with this matter, and he found that men who had worked themselves into good positions were particularly careful as to the safety of their workmen. He thought it must be admitted that as a general rule they were. He was prepared to agree to strike out the words and insert "and any other shaft when instructed by an inspector." If an inspector thought that a penthouse was essential for the safety of the men, he had power to instruct that it should be put there. An assertion had been made by the member for Ivanhoe with regard to a statement inspectors were supposed to have made in Kalgoorlie, that they had not the power under the old Act. He (the Minister) had a letter stating that they never made such a statement. They had the power, but the fault was the weakness of the inspector in not insisting on the work being carried out.

MR. COLLIER: Which case did the hon. gentleman refer to?

THE MINISTER: Without referring to the letter he could not tell. He would show the hon. member the letter, and he also intended to show it to the member for Ivanhoe, who, he was sure, would not wilfully make a misstatement.

MR. TAYLOR: In accepting the amendment made by the Minister, members would do so on the understanding that when inspectors of mines issued instructions to the management to do something in a mine, whether the erection of a penthouse or some other necessary improvement for the safety of the workers, they should be carried out, and if they were not carried out the inspector who allowed his instructions to be flouted should get his dismissal.

MR. COLLIER: It had been stated that this proposal would mean piling up considerable expense on the management which would be no use later on. He had, however, shown that the question of expense did not enter into the matter at all. The amount was so small that it was not worthy of consideration when the safety of the men was involved. The State Mining Engineer considered it a matter of sentiment, but if the man who had been killed had been a friend of his there would have been a considerable amount of reality about it. One would admit the State Mining Engineer's contention that there was no more liability to accident from the fall of material in hauling to the surface than in hauling to a penthouse, but the State Mining Engineer altogether ignored the liability to accidents from runaway cages and the breaking of ropes. Very many of our accidents took place on the goldfields from those causes. As to the amendment suggested by the Minister, he supposed it was about the best we could get. After all, if the inspectors were strict and would carry out their duties, that would meet the case.

Amendment (to strike out the words) passed.

THE MINISTER moved an amendment that the following be inserted in lieu:—

> And in all shafts where in the opinion of the inspectors a penthouse is necessary for the safety of the men working below.

Amendment passed, the subclause as amended added.

Clause as amended agreed to.
Clauses, 34, 35—agreed to.

Clause 36—Coroners' inquests:

MR. WALKER (for Mr. Bath) moved an amendment that the following words be added to Subclause (2):—

> And for the purposes of this subsection a list shall be compiled of persons eligible under this subsection.

The subclause dealt with the calling of juries in the case of accidents, and provided that where practicable a constable or other summoning officer should summon as jurors persons accustomed to the working of mines. He could not see any objection to the amendment.

THE MINISTER: Surely the present system had been good enough. Subclause 2 provided that wherever practicable jurors should be men accustomed to mining work. What would be the class of persons placed on the list if we adopted the amendment?

MR. WALKER: Persons accustomed to the work.

MR. TAYLOR: The Minister had it in Subclause 2, which said that where practicable the constable or other summoning officer should summon as jurors persons accustomed to the working of mines.

THE MINISTER: But there was not power to state that certain persons should be appointed, that there should be a certain list, and that only those on the list should sit as jurymen. Supposing an accident took place in one of the back districts, it might be found that the men whose names were on the list had left the locality. He could not see that there should be special legislation regarding jurymen in connection with accidents on mines any more than in relation to other accidents. If a man lost his life in a railway accident, surely the same position should apply in that case as on the goldfields. The proposal seemed to him preposterous.

MR. WALKER: The Minister himself made provision for special treatment in regard to jurors.

THE MINISTER: But not for a jury list.

Mr. WALKER: Clause 1 said that a person having a personal interest in or in the management of a mine in which the accident occurred should not be qualified to serve on the jury. That was a distinction that did not exist anywhere else. Moreover, the subclause provided that the summoning officer must not summon a disqualified person; therefore the qualified persons should be known. The Minister objected that the list might be rendered useless by removals from the district; but the subclause began, "Where practicable," hence adherence to the list would not be compulsory. In most settled mining townships it would be practicable, and would facilitate the work of the officer; while residents, knowing the men listed, might object to unqualified persons.

Mr. A. J. WILSON: The disqualifications provided seemed clearly essential to an impartial investigation. The list seemed useless, as the clause already provided for preference to practical men. Machinery would be needed for the compilation of the list, and for selecting jurors.

The Minister: The constable must pick out mining men in a mining community.

Mr. TROY: It was no use saying the subclause provided for preference to practical men; for it commenced "Where practicable." The constable would always adopt the easiest method of summoning the jury; and the persons generally summoned were residents of the town where the police station was situated. This practice would continue till prevented. The jurors ought to be miners. There was no comparison between a railway accident, which all understood, and a mining accident, of which few comprehended the circumstances; whilst the regulations for safe working were known to none but mining people. All jurors need not be miners. Some might be mine managers.

The Minister: All should be mining men.

The ATTORNEY GENERAL: Members seemed under some misapprehension as to the practice of coroners' courts. The coroner handed subpœnas to a constable, who summoned the nearest men eligible to serve. Subclause 2 would cast on the constable the duty of inquiring whether they had a knowledge of mining. Everyone naturally tried to evade service on a jury, in view of the long hours and the small fees. The proposed list would be worthless. A constable must be very fleet to catch a miner going on shift. The officer would go from post to pillar, and the proceedings of the court, with witnesses in attendance, might be hung up all day. Even in a criminal court, with its heavy penalties for non-attendance, jurors were frequently absent when called on. The amendment would confer on coroners' courts a power not entrusted to them in any part of the world.

Amendment put and negatived.

Mr. TROY would move that in Subclause 2 the words "where practicable" be struck out.

The CHAIRMAN: The hon. member could not do that, an amendment having been moved in a subsequent part of the clause.

Mr. EDDY moved an amendment that the following be added to the subclause:—

> Provided that no person shall be summoned to act as a juryman more than once in six months.

In this country of great distances it was unfair to ask men to act frequently, in view of the small fee.

The ATTORNEY GENERAL: Would the mover add the words "if practicable"? In some of the outback centres the position might easily arise that the only available set of jurors had already during the preceding six months served on a jury, and if they chose to insist on their right to exemption under this clause a difficulty would arise.

The MINISTER FOR MINES: The amendment should read:—

> and no person shall be summoned to act as juryman more than once in six months.

The words "if practicable" at the beginning of the subclause would then apply.

Mr. EDDY accepted the suggestion.

Amendment as altered put and passed.

Mr. LYNCH moved an amendment—

> That the words "Miners' Association," in line 2 of Subclause 3, be struck out, and "industrial association or" inserted in lieu.

Although unfortunately members of the miners' union were more subject to

accident, there were other unions on the fields the members of which were also liable to injury by accidents in mines.

THE MINISTER: Only one representative of any association would be permitted to be represented on an inquiry. There might be cases in which the presence of representatives of the miners' union and the engine-drivers' association would be necessary, such as the inquiry into the accident at the Great Boulder; but in ordinary circumstances it would be unwise to have more than one representative of the workers on an inquiry. The words "industrial association of the district concerned" might be inserted.

THE ATTORNEY GENERAL: The subclause in a measure restricted the general powers of a coroner to allow all parties claiming to be interested to appear before him. A case might arise in which a workman might be liable to be tried on a charge of manslaughter arising out of an accident. In the ordinary practice of a coroner's court, that man would be permitted to either appear personally or be represented, in order that the evidence taken at the inquiry might be sifted so as not to cast an undue measure of blame on him. The difficulty was that the clause pointed out certain persons to the coroner as being the only people entitled to be represented at the inquiry. A general power to the coroner to admit all parties properly interested to be present and examine witnesses would be more desirable.

MR. SCADDAN: Was not that permitted by common law, outside the Mines Regulation Act?

THE ATTORNEY GENERAL: When a coroner was directed that certain persons were to be represented at an inquiry, the coroner invariably interpreted that as an instruction that no other person should be represented. General law left the matter of the right to representation on inquiries entirely to the discretion of the coroner. This Bill, however, told the coroner who were to appear before him, and that led to the exclusion of others. The object of the hon. member would be attained by inserting after "association" the words "or any industrial union concerned in the subject matter of the inquiry."

THE MINISTER FOR MINES: The provision here had been found necessary because coroners had refused to the associations the right to be represented on inquiries. He was prepared to accept an amendment on the lines suggested by the Attorney General.

MR. LYNCH altered the amendment to read—

That after "Miners' Association" the following be inserted: "or any industrial union of workers concerned in the inquiry."

Amendment passed.

MR. HORAN moved an amendment—

That in line 5 of Subclause 3, after the word "may," the following be inserted: "examine the locality of such accident, be present at the inquest, and examine any witnesses as to the cause of such accident."

In an earlier portion of the Bill the right had been given to the representative of an industrial union to be present at an inquiry and examine witnesses. The amendment sought to give the representative the right also to see for himself how the accident had occurred. He understood the Government would not oppose the amendment.

THE MINISTER: Certain words of the balance of the subclause had been included in the amendment, but not all. He was prepared to accept an amendment providing for the examination of the scene of an accident; but it was not desirable that the words "subject nevertheless to the control of the coroner" should be omitted. The amendment should be to insert "may examine the locality of such accident." The other words were already in the clause.

MR. HORAN accepted the Minister's suggestion.

Amendment as altered passed.

At 6·30, the CHAIRMAN left the Chair.
At 7·30, Chair resumed.

MR. WALKER moved an amendment—

That in line 1, Subclause 5, the words "if a majority of the jury so desire" be struck out.

This was an amendment of the member for Brown Hill. It made it compulsory for the coroner to arrange for a jury visiting the scene of an accident. As the clause stood there was no responsibility resting on the coroner in arranging for the jury to visit the scene of an accident.

If the amendment were carried it would make it compulsory for a visit to the scene of the accident to be made.

The MINISTER: If the amendment were accepted it would be compulsory, whenever an inquest was held, whether the jury desired or not, that they should visit the scene of the accident. A little while ago an accident occurred at Barrambie, the injured man was taken to Nannine, 70 or 80 miles away; he died there. If the amendment were carried it would be compulsory for the jury to travel 70 or 80 miles to visit the scene of the accident, and perhaps months after the accident occurred. No good could result from carrying the amendment. It was provided in the Bill that if two jurymen out of three thought it wise and essential to visit the scene of the accident they could do so. An accident might occur in some outback place, and the injured person be brought to Perth. If the person died and an inquest were held, the jury would have to be taken to this far-distant place to visit the scene of the accident. This provision had been inserted because the miners' union thought that a jury should have power to visit the scene of an accident if it so desired. The amendment proposed would be unworkable.

Mr. Heitmann: If one man wished to see the mine where the accident occurred he should be allowed to do so.

The MINISTER: If one juryman was desirous of seeing the mine where the accident occurred, and the other two did not wish to do so, the juryman might be allowed to go alone.

Mr. Heitmann: Why not insert the words, "if the jury so desire."

The MINISTER: Members on the Opposition side believed in majority rule. This was a new provision for a mining Bill.

Mr. WALKER appreciated the difficulties as pointed out by the Minister. A conference of miners was held and they thought it would be wise to make this provision compulsory, more especially as some indifference was sometimes exhibited by juries. If the clause was passed as it stood, there was a certain routine to go through which was not altogether desirable, and might be a discouragement to those who might wish to visit the mine. The Minister was to be complimented for having made this departure in the Bill, to make it remindful to those sitting on the jury that they could visit the scene of an accident if they so wished. He would suggest instead of the words, "if a majority" we should insert "if any of the jury so desire." He would withdraw his first amendment and move—

That in line 1, Subclause 5, the words "a majority" be struck out, and "any" be inserted in lieu.

The MINISTER: The clause was good as it stood, and it was to be hoped the member would not press his amendment.

Mr. TROY: There was no great sacrifice of principle involved in accepting the amendment. One of a jury might be more competent to give a decision in a mining case than the other two, and he might deem it desirable that the jury should visit the scene of the accident, but the majority might not think it necessary. No obstacle should be placed in the way of jurymen visiting a mine where an accident occurred. In outback places such as Barrambie, Montague Range, and other districts situated 50 or 60 miles from a hospital or a doctor it would be impossible in many instances to visit the scene of an accident without great expense. The Minister might accept as an amendment these words, "wherever possible if any of the jury desire." The decision as to whether it was possible to visit the scene of the accident rested with the coroner, and the coroner could decide whether they should go. What reasonable objection could there be to the amendment? There was no sacrifice of principle. The amendment improved the Bill.

Mr. LYNCH: If as stated by the Attorney General it was a standing difficulty to get men to serve on juries, jurymen would certainly be disinclined to visit the scene of an accident. The decision as to whether the scene of an accident should be visited should not be left to the majority of the jury, but it should be mandatory on the coroner to direct the jury to visit the scene where an accident occurred.

The MINISTER: The hon. member was not present perhaps when he (the Minister) replied to the Leader of the Opposition, pointing out that an accident occurred some time ago at Barrambie, 70

or 80 miles from Nannine, and the injured man was taken in. Three weeks or a month afterwards the man died, and there was an inquest. Would it not have been an absurdity to ask the jury to visit the scene of the accident a month after it occurred, and would it not have been unfair to ask them to go 70 or 80 miles?

MR. LYNCH: That was an extreme case.

THE MINISTER: We were legislating for all cases, and if the words referred to were struck out this would be mandatory. If the Leader of the Opposition would withdraw the amendment, he (the Minister) would be prepared to insert the words "or the coroner."

MR. WALKER: That could not be accepted by him. The coroner had power, and the words suggested were quite unnecessary. Juries did not desire to spend more time than they could help upon matters of this kind, especially if they were the first people picked up in the street and taken against their will to sit on an inquest. It would be a very rare incident for a man to say he wanted to see the scene of the accident. The one man who did that would be the one who knew perhaps the necessity of seeing that particular spot. He would have a reason. Why not give to that one man the right to satisfy himself upon a point? Whilst we believed in majority rule, we did not always think that the majority all thought with equal speed. Very often it was the one man who hit upon the right clue to the elucidation of a point. The principle was admitted, and the only question was whether two men or one should have the right. In a case like this it was not safe to ignore the one.

THE MINISTER: If one man asked for it, the coroner had power to grant it.

MR. GORDON: It seemed ridiculous to think that if one juryman wanted to put the country to the expense of his travelling 50 or 60 miles he should have the power to do it. He would be paid his expenses, and if he wanted to put in time he could very easily do it; and if this amendment were adopted he would do it, if he so desired. The foundation of the Labour party was majority rule, and here where it could be brought into legitimate practice they attempted to oppose it by bringing in an amendment whereby one man should overrule two, and in addition also to the coroner. The coroner was the man to say whether it was in the interests of the State or the party concerned that the scene of an accident should be visited. It seemed to him that by this and other frivolous amendments we were only going to pile up the expense of *Hansard*.

MR. SCADDAN: The member for Canning appeared to be rather wide of the mark. He did not know what caused the hon. member to speak in the strain he had this evening. If the hon. member heard that there was an invasion of tick in the North-West, he would ask the Minister for Agriculture to put this country to the expense of sending an inspector up there to inspect one or two of the cattle and see the cause of it. But in the case of a human being, killed probably through the neglect of some other persons, the hon. member disagreed with an expenditure by the State of probably only a few pounds, if any at all, for the purpose of finding out the reasons. The hon. member ought to be absolutely ashamed of himself for making the remarks he had done to-night.

MR. GORDON: Opposition members would not trust their fellow-men.

MR. SCADDAN: Miners put too much trust in their fellow-men, and that was the unfortunate part of it. If they could safely put absolute trust in their fellow-men, we should not require a Mines Regulation Bill at all.

MR. COLLIER: Apparently it was impossible for some members to view any proposed clause or amendment in this Bill other than from a monetary standpoint. The hon. member trotted out the old excuse which had been made use of week after week, that we must not put the country to expense.

MR. GORDON: Majority rule was his argument.

MR. COLLIER: The hon. member asked why we should put the country to the expense of causing the jury to visit the spot. It was not often possible to get two practical men on a jury. The Bill only provided that two practical men should be on the jury where it was possible to get them. In some cases we might have two publicans on a jury and one practical man, and why should the two publicans be allowed to prevent the practical man from visiting the scene

of the accident, if he wished to do so? A certain house-and-land agent at Boulder was always on juries. It was no use to leave this to the coroner; for in Kalgoorlie and Boulder the coroner rarely visited the scene of an accident if he could avoid doing so. Recently a man was killed by a fall of ore from the roof of a stope 19 feet high in the Oroya Brown Hill mine, and the jury declined to visit the spot, though had they done so their verdict would have been quite different. However, the amendment was not practicable; for it would be absurd to drag a jury to the scene two months after the accident. The words "wherever practicable" might be inserted, so that when practicable the visit would be mandatory.

Mr. GORDON: If one juryman visited the scene, what would his evidence be worth when he returned? Could he convince the two others?

Mr. TROY: One juryman dissatisfied with the evidence might wish to visit the spot to satisfy himself. Verdicts of juries should be sound, as they often had great influence on verdicts of the Supreme Court in subsequent actions for damages. The Minister objected to applying the amendment to localities at a distance from a hospital or a coroner, particularly when the death occurred some time after the accident; but what was the objection in populous centres where all facilities were available?

The Minister: It was not always necessary to visit the scene of the accident.

Mr. Troy: Not always, but in most cases.

The MINISTER: Surely it was clear that the amendment as printed would render mandatory a visit to the scene of the accident. This provision was impossible. Was it reasonable to say that such visit was always necessary? If the deceased were suffocated by cyanide fumes, the visit would be useless; for the jury would depend on the evidence of the inspector and the doctor. In case of a fall of ground the locality should be visited, and the Bill provided that the coroner could compel the jury to make a visit if he chose; or if a majority of the jury wished, the coroner was compelled to arrange for the visit. What could be fairer? The subclause was a new provision, made at the request of the workers, and ought to be satisfactory to Labour members.

Mr. Lynch: Suppose a majority of the jury wished to visit the locality, and the coroner refused permission?

The Minister: The words were mandatory: "The coroner shall arrange."

Mr. WALKER: The fact that the workers asked for the subclause showed that they felt its necessity, having noticed the neglect of coroners, and perhaps the indifference of jurors. The amendment as well as the subclause was suggested by the workers to the member for Brown Hill, and was not a mere caprice. True, in exceptional cases it would be impracticable, but the men wished it availed of when practicable and wise. The member for Canning (Mr. Gordon) taunted the Opposition with abandoning majority rule. This was not a matter of ruling, but of suggesting. One juryman who wished to be convinced should have the right to convince himself, and go with the others so that all might see. If the Minister were on a jury, in a minority of one, and were familiar with the scene of the accident and knew that his fellow-jurymen would alter their opinion if they visited the spot, would he not desire the power to compel a visit? Most jurymen did not wish to be worried, knowing that as soon as the deceased was buried they had finished with the case. But to the miners inquests were vital matters, and for their future guidance and protection they wished full particulars of accidents; hence their desire to make it compulsory for the jury to inspect the locality. No principle could be violated by making it compulsory for the jury to visit the scene of the accident, when one juryman desired to see the spot. In every instance, one man was sure to be right, and was sure to get ahead of his fellows.

The Minister: Just so. He (the Minister) was right, and the Opposition were wrong.

Mr. WALKER claimed that he was right, and that the Minister was wrong. It showed that when two men thought they were each right, they should go to the spot to get the fullest possible light on the cause of the accident, to guide them in preventing the possibility of similar accidents in the future. The pro-

vision would not be abused. Jurymen would not go to all this trouble if they could avoid it. They would only use it for a specific purpose, when more knowledge on the case was necessary.

MR. BUTCHER: It should be compulsory for a jury to visit the scene of the accident. Even if the accident had occurred six months before, the jury would gain considerable information from the visit to the scene of the accident which they could not gain otherwise. He was inclined to go farther than the amendment. He would make it compulsory for the jury to visit the scene of every accident; but the amendment was extremely reasonable, and he hoped the Minister would allow it to go through without opposition.

MR. SCADDAN: The matter of expense was not so great as members would have us believe. There were 34 fatal accidents during 1905, and 14 were in the East Coolgardie district. It would cost practically nothing for the juries to visit the scenes of accidents in the East Coolgardie district. Possibly in more than half of the accidents the scenes of the accidents were visited by juries.

THE MINISTER: It was difficult to defend the clause while members entered the Chamber when the debate was practically ended and listened to the speech by the Leader of the Opposition, in which we heard so much about flesh and blood versus boodle; because members with soft feelings would be led away by the hon. member's remarks to think that the amendment proposed was essential. Arguments had been advanced which the member for Gascoyne (Mr. Butcher) had not heard, to show how impossible it would be to make it compulsory for a jury to visit the scene of an accident. For instance, a man might die in Perth who was injured in a mine at Barrambie. Would we say that the jury from Perth should visit the scene of the accident months afterwards?

MR. SCADDAN: Why quote extreme cases like that?

THE MINISTER: We should put in the Bill something to meet every circumstance that might arise. The hon. member should not trot out every time the question of expense.

MR. COLLIER: It was the member for Canning that trotted it out.

THE MINISTER: Yes, as to the cost of printing in *Hansard* the speeches of hon. members delaying the measure. It was impossible to make it mandatory for the juries to visit the scene of every accident, and it would be an absurdity. If a man were suffocated by cyanide fumes, the jury would gain no knowledge by visiting the mine. Experts would examine the mine, to see if the ventilation was all that was requisite, and expert evidence would be given at the inquest. It was only in the case of a fall of earth or something like that where juries would gain any knowledge by visiting the scene of the accident. It was because there was a request put forward that juries should have the right to visit the scenes of accidents that the subclause had been put in the Bill. The Attorney General assured him that the coroner could direct the jury to visit the scene of the accident; and we also provided in the subclause that if a majority of the jury desired to visit the scene of the accident, it no longer remained for the coroner to send them there, but the clause was mandatory, and the manager of the mine had to make every provision to show the jury where the accident occurred. One could not see that there was any objection to the proposition put forward in the subclause. There should be no alteration. If the amendment were carried, we might find one man insisting that the jury should visit the scene of an accident when that accident might have occurred at a great distance from where the man died. The subclause having been drafted with an earnest desire to accede to the request made to him, it should meet with the approval of members.

MR. HEITMANN: If jurymen desired to go any distance, they should be able to do so. One man on the jury might know more about mining than the coroner himself; yet we proposed to give the coroner the power to incur this expense, and we would not give it to one juryman. Members gave the Minister every credit for bringing forward this proposal; but the Opposition were endeavouring to liberalise it.

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

Ayes	...	...	12
Noes	...	...	18
Majority against		...	6

AYES.	NOES.
Mr. Bolton	Mr. Barnett
Mr. Butcher	Mr. Brebber
Mr. Collier	Mr. Cowcher
Mr. Daglish	Mr. Davies
Mr. Heitmann	Mr. Eddy
Mr. Horan	Mr. Gordon
Mr. Johnson	Mr. Gregory
Mr. Lynch	Mr. Hardwick
Mr. Scaddan	Mr. Hicks
Mr. Underwood	Mr. McLarty
Mr. Walker	Mr. Male
Mr. Troy (*Teller*).	Mr. Mitchell
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Price
	Mr. Smith
	Mr. Veryard
	Mr. Layman (*Teller*).

Amendment thus negatived; the clause as previously amended agreed to.

Clause 37—Inspector may give notice of dangerous or defective matters not provided for:

MR. SCADDAN moved an amendment—

That in line 2 of Subclause 2 the words "with reasonable diligence" be struck out, and "forthwith" inserted in lieu.

He understood the Minister would accept the amendment. The Committee would remember that he (Mr. Scaddan) had previously withdrawn an amendment to give inspectors power to order precaution to be taken to insure the safety of men working in a mine. He had withdrawn that owing to the statement of the Minister that Clause 37 dealt fully with the matter; but he was not satisfied with the clause. It provided only that where an inspector considered any portion of a mine unsafe he could give an order for the cessation of work, but he could not order precautions to be taken to insure the safety of those employed in any portion of a mine which he might deem to be unsafe. The Minister should consider that point and on the recommittal of the Bill accept the amendment which had been withdrawn.

Amendment passed.

THE MINISTER moved an amendment—

That after the word "practice," in line 5 of Subclause 2, the words "as to which such requisition shall have been given" be inserted.

The amendment made the clause clearer.

MR. SCADDAN: Did the Minister agree that the clause affected only those portions of a mine in respect of which the inspector had given orders to cease work, and not any portion in which the inspector might consider that precautions should be taken?

THE MINISTER: The clause gave power to the inspector after he had given a requisition, and if the manager did not take steps to remedy the defect pointed out, to close down that portion of the mine.

Amendment passed.

MR. SCADDAN asked for a more definite statement from the Minister on the point he had raised. The clause applied only to cases in which the inspector had given a requisition for the closing down of a portion of a mine, provision being made, if the manager objected, for arbitration proceedings. But the clause did not give power to the inspector to order precautions to be taken for the safe working of a mine if he considered such precautions necessary. An inspector might discover a portion of a mine to be unsafe but would not issue instructions for the closing down of that portion; he might, however, desire to order certain things to be done to make that part of the mine safe for working. In such case the clause would not apply. The Minister should consider whether it was not advisable to recommit the Bill and accept the amendment previously withdrawn.

THE MINISTER: There would be no objection to giving farther consideration to any suggestion the member made, but the clause gave the inspector absolute power.

THE ATTORNEY GENERAL: The clause under consideration gave the inspector full power, in default of the manager carrying out instructions for remedying defects set forth in the requisition. True, the inspector could not take action against the manager for such default, but he could under the next subclause shut down that portion of the mine affected. In the event of the manager objecting to the instructions contained in the requisition, he must, until his objection was sustained by arbitration, close down the portion of the mine affected, and it must remain locked up until the case had been decided. An

inspector could enforce compliance with his instructions by closing down the portion of the mine affected. That provision must be the greatest element of safety, for while a mine was closed down there could be no risk to the men.

Clause as amended put and passed.

Clause 38—Arbitration:

The MINISTER FOR MINES moved an amendment:—

That in Subclause 3, the words "or justice of the peace" be struck out.

The clause dealt with the question of arbitration, and provided that the umpire should be a practical mining engineer, a Judge of the Supreme Court, warden, or resident magistrate. It would not be wise to make a justice of the peace an umpire in cases of this sort.

Amendment passed; the clause as amended agreed to.

Clause 39—Persons in charge of machinery not to be employed for more than eight consecutive hours:

MR. SCADDAN: The latter portion of the clause provided that the eight hours should be exclusive of meal times. The Minister might possibly object to any amendment of the clause on the ground that the fixing of hours was a matter for the decision of the Arbitration Court. The clause did not fix the hours of labour for a fixed wage, but merely the maximum number of hours that might be worked continuously. Persons in charge of machinery had, under the Machinery Act, to be continually in control; therefore was not the clause in conflict with the Machinery Act? The man could not leave the engine or machine of which he was in charge.

THE MINISTER: Supposing people were working one shift?

MR. SCADDAN: The man could not leave the machine.

THE MINISTER: Not whilst it was working.

MR. SCADDAN: The only object he had was that the eight hours should be inclusive of meal times, but exclusive of any time occupied in raising or exhausting steam.

THE MINISTER: If the hon. member liked, the clause could be struck out.

MR. SCADDAN: We must have a definition of the maximum number of hours a man should work.

THE MINISTER: It was desirable to have a provision that men in charge of machinery should not work more than the statutory number of hours. We could not very well make the clause apply as the member for Ivanhoe suggested, because there were many mines in which the men only worked one shift. They started at eight, knocked off at twelve, resumed at one, and finished at five. The provision had been on the statute-book a long time, and he had never heard any complaint in regard to it. He hoped there would be no alteration. If the alteration were made, it would work very hardly upon those mines working only one shift. Where they were working three shifts or two shifts, one generally had his crib alongside the engine, and he was only employed eight hours, inclusive of crib time.

MR. LYNCH: There had been arbitration awards which always specially specified an eight-hours day, inclusive of meal times. It was less than that, taking the week as it stood by itself. He moved an amendment—

That all the words after "hours" be struck out.

THE MINISTER: That would be agreed to.

Amendment passed; the clause as amended agreed to.

Clause 40—agreed to.

Clause 41—No person to be employed more than 13 days a fortnight:

MR. WALKER wished to move an amendment (notice given by Mr. Bath)—

That the word "thirteen" be struck out, with a view of inserting the word "six."

There had been a deal of discussion upon this point, which in fact involved the whole question of Sunday work.

THE MINISTER: The clause might be postponed until we had dealt with Clause 46.

MR. WALKER: There was no objection to its being postponed.

THE MINISTER: This depended largely on the action of the Committee with regard to Sunday labour.

Clause postponed.

Clause 42—Hours of employment below ground:

Mr. HEITMANN: Was the Minister making provision in the regulations for ventilation?

The MINISTER: Yes; special provision. Regulations would be printed next week.

Clause passed.

Clause 43—Employment of foreigners:

The MINISTER: This clause was drafted by him from the Bill which had been prepared by the preceding Government dealing with this question, and he took his language from those clauses. When the late Government brought forward a Bill it made provision that one foreigner in every six men could be employed underground, without understanding one word of English, or with the consent of the Minister all the men below could consist of persons not understanding one word of English. He had gone farther and said that we should not allow any person, under any consideration, to be employed underground unless he was able to read and speak the English language. This time he took the words from the previous Bill, and included in subclause 1 the word "pitman," and also the words "or leading hand of any description." He moved an amendment—

That the word "pitman" be struck out.

There was nothing responsible in a pitman's work. The subclause would then refer to a manager, under-manager, platman, shift boss, or engine-driver. None of those persons should be allowed to be employed in a mine unless they could speak and read the English language. This amendment did not affect persons underground, because Subclause 2 provided that no person should be employed underground unless he could read and speak the English language. It should be compulsory for a platman to be able to read and speak the English language so as to be able to understand the signals.

Amendment put and passed.

The MINISTER moved a farther amendment—

The the words "or leading hand of any description" be struck out.

Mr. Troy: What did it mean?

The MINISTER: This could not be defined by him. He took it from the Bill of last year. We did not want it compulsory that the leading hand should be able to read the English language, if he could speak it.

Mr. Troy: A man should be able to read it also, so as to read the signals and so forth.

The Minister: That was the platman.

Mr. TROY: Yes; in a big mine.

Amendment passed.

Mr. TROY moved an amendment (in the name of Mr. Holman) that the following be added to Subclause 2:—

Nor in any other part of a mine where, owing to his inability to speak or understand the English language, it may be dangerous to himself or any other person.

This applied to the surface portion of a mine, particularly where machinery was concerned. If a person who could not understand the English language was employed amongst machinery, he would be as dangerous as if employed underground.

The MINISTER: The object was to afford protection to workmen. He had no desire, in drafting the provision, to do anything which would prevent the employment of any person who happened to be of a nationality different from ours. He wished that to be clearly and thoroughly understood. We tried to entice people to our shores, and if there were a large influx of workmen coming here to the detriment of our own people he would be pleased to do the same as was done in Germany many years ago, when there was an influx of Austrians and Italians. Legislation was passed there that only one alien should be employed to work with four of the local nationality. That did not apply in this State, where the influx of foreigners was not in dangerous proportion. But it would be dangerous to allow aliens to be employed underground; and by the subclause this would not be permitted unless they could speak English. It was absurd to prohibit their employment "in any other part of a mine where their inability to speak English might be dangerous to themselves or other persons." How could such part of a mine be defined? It might be held that throwing out the residues from a vat was dangerous.

Mr. TROY would withdraw his amendment in favour of one by the member for Ivanhoe (Mr. Scaddan) pro-

hibiting the employment of such foreigners amongst machinery. There was no wish to prohibit their employment on the surface, but only where their ignorance of the language was dangerous to other persons; and the most dangerous place on the surface was amongst machinery.

THE MINISTER hoped the amendment would not be pressed. For a start we had gone a long way. If the amendment passed, a foreigner unable to speak English could not be employed about a cyanide vat, which was certainly "machinery." No mine manager would entrust valuable machinery to such a man.

MR. TROY: Possibly in the mill.

THE MINISTER: A man who could not speak English would not be employed there. We should not specially penalise foreigners. We did enough by protecting the lives of men working on mines.

MR. WALKER was surprised at the Minister's half-measures. If we went so far and the principle was right, why not "go the whole hog" so that improvements would not be needed next year? We were always passing measures which would need additions next session, hence the number of amending Bills this session—continual patchwork. Experts said non-English-speaking foreigners were as dangerous about machinery as in stopes or elsewhere. The Minister would trust the mine managers; but they sometimes did funny things on occasions of alleged necessity. It was said they would look after their own interests. Was that done at Gwalia, where a boiler was patched up without the knowledge of the inspector, and afterwards exploded?

THE MINISTER: Subclause 1 provided that no person should be employed as an engine-driver who could not speak and read the language.

MR. WALKER: What harm could be done by the amendment tabled by the member for Ivanhoe? It might be altered to read "working machinery."

Amendment (Mr. Troy's) by leave withdrawn.

MR. SCADDAN moved an amendment—

That the words "about machinery or" be inserted after "employed," in the last line of Subclause 2.

What was the use of this quibbling by the Minister? By the definition clause "machinery" included every kind of mechanical appliance in or about a mine. The Minister contended that a foreigner unable to speak English would be prevented by the amendment from stepping across a steam-pipe. In the Griffin mills on the Golden mile it was difficult for Britishers to hear one another speak; yet it was essential if anything went wrong that everything said should be clearly audible. The danger was as great there as underground.

THE MINISTER: It was amusing to hear the last speaker talk of quibbling. *Hansard* of twelve months ago showed that when Labour members were in office one of them (Mr. Bath) sought to provide that Italians working mines should have the right to employ their fellow countrymen below ground, even though they could not speak a word of English. Apparently every effort was now being made to destroy a measure drafted with a generous regard to the workmen. Was it reasonable to suppose that a man unable to speak English would be put in charge of a Griffin mill or other important machinery? Had the hon. member desired to specify any special positions where these men should not be employed it could have been dealt with in Subclause 1, in which it was provided that a person unable to speak the English language readily and intelligibly, or to read it, should not be employed in a responsible position in any part of the mine. The hon. member could supply any additional posts of importance among the machinery. Subclause 2 provided that any person unable readily and intelligently to speak the English language should not be employed underground, but should not provide that a person unable to speak the English language should not be allowed to shift residues from cyanide vats. That would not be fair.

MR. SCADDAN: It was just as essential that persons employed about machinery should be able to speak the English language, as persons working underground. We heard a good deal during the recent elections about the proposals of an ex-Minister in his Mines Regulation Bill, but he (Mr. Scaddan) had supported the member for Menzies,

then in Opposition, in endeavouring to strike out the clause proposed by that ex-Minister and to make it similar to that which he now brought forward, and he had expressed similar views to those he now expressed. He would not withdraw the amendment unless the Minister could suggest a compromise.

The MINISTER: If the hon. member gave a list of names of responsible persons employed about machinery, the list could be inserted in Subclause 1 on recommittal.

Amendment by leave withdrawn.

The MINISTER moved an amendment—

That in Subclause 4, line 3, after "examination" the following be inserted: "in the presence of the manager."

This was asked for by the managers. He saw no objection to it.

Mr. WALKER: There was no necessity for the amendment. We should have confidence in our inspectors. In the case of a dispute between a manager and an inspector what was to be done? Why was the manager required? He would not conduct the examination. It was because the manager had conducted no examination of the foreigner that the inspector would need to hold one. There was danger that if the amendment were passed the inspector, for the sake of peace, would hesitate before taking the trouble to ask the mine manager to attend to hear him put the foreigner through his facings. This was just one of those small steps that interfered with the correct administration of the Act.

The Minister: The manager was responsible for the offence of employing the man.

The ATTORNEY GENERAL: Subclause 3 made it an offence for the manager to employ foreigners unable to speak the English language underground, or foreigners unable to speak and read the English language in any of the responsible positions mentioned in Subclause 1; and the manager being practically on his defence, should be allowed to attend the examination. It was a rule that the accused person should be entitled to be present at an inquiry held for the purpose of sheeting home an offence.

Mr. LYNCH: It was superfluous to have the manager present at the examination. Though it might not be the means of overawing or influencing the inspector, it might retard the fullest examination. There was no necessity to have the manager of a mine present when a State official was carrying out his duties.

Mr. WALKER: The examination of the foreigner was not the trial of the manager for any offence. The manager's offence would come about if he failed to dismiss the foreigner on being required by the inspector to do so. The examination was to enable the inspector to form an opinion. How would the attendance of the manager assist the inspector to form an opinion? It would be a menace to full examination in nine cases out of ten. The presence of the mine manager could not assist the inspector in getting at a man's knowledge of English. It might prevent him from doing so; and to that extent it was inimical. He could understand it from the manager's standpoint, and it was at their request the provision was inserted. This was a clause giving the mine managers a chance to escape.

The MINISTER FOR MINES: It was perfectly clear that if a manager employed any person on a mine contrary to the preceding clause, he was guilty of an offence under the Bill. This amendment was made at the request of the managers, and he thought it quite equitable and fair that where a manager was to be responsible, the examination should be made in his presence. If we were to make a manager responsible and subject to certain liabilities, the first thing we should do was to enable him to have a knowledge of what was taking place. The mine managers had asked to have the examination made in their presence. The inspector being down below, and thinking a man had not sufficient knowledge of English, could order him to the surface, and then could examine him in the presence of the manager. The manager could then say that the man had a sufficient knowledge of English, and decline to dismiss him; and then the inspector could take action. The Deputy Leader of the Opposition was wrong when assuming that because a manager was present it would have an effect on the inspector.

Mr. WALKER: It was to be hoped the Minister did not understand him to say that he had no confidence in the in-

spectors. It was the Minister who had no confidence, and that was shown by the amendment. To be more correct, it was the Chamber of Mines that had no confidence in our inspectors. This provision was a slight on the inspectors. It was saying there would not be a fair and just examination unless the mine manager was present at the time, and that the mine managers dared not trust the inspectors out of their sight. He was not attacking the inspectors, but protecting them against the insinuation in the Bill; that they could not be trusted to hold an examination as to whether a man had a knowledge of English or not, unless a mine manager was present to watch him. If the amendment were inserted, he ventured to say there would be no examinations as to whether a man could speak English or not. If the clause was to work, leave it to the inspectors, whom we all trusted.

MR. SCADDAN: The difficulty might be overcome by arranging that the examination should be held in the presence of some employee on the mine other than the under-manager or shift boss.

THE MINISTER: Or other person in a responsible position.

MR. SCADDAN: There would then be two witnesses to the examination held.

Amendment withdrawn.

THE MINISTER moved,

That in Subclause 4, line 3, after "examination" the following words be inserted: "in the presence of the manager or other responsible person."

MR. SCADDAN: The Minister misunderstood him. He meant that some other person in the employ of the mine should be present as well as the manager. That would be better than having an interested person present. Seeing that the inspector was the prosecuting person, and the manager the defendant, it would be well to have as an independent witness an employee on the mine. Then there would be two witnesses.

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

Ayes	17
Noes	10
Majority for	7

AYES.	NOES.
Mr. Barnett	Mr. Collier
Mr. Brebber	Mr. Daglish
Mr. Cowcher	Mr. Heitmann
Mr. Eddy	Mr. Horan
Mr. Foulkes	Mr. Johnson
Mr. Gordon	Mr. Lynch
Mr. Gregory	Mr. Scaddan
Mr. Hicks	Mr. Underwood
Mr. Layman	Mr. Walker
Mr. McLarty	Mr. Bolton (*Teller*).
Mr. Male	
Mr. Mitchel	
Mr. N. J. Moore	
Mr. Price	
Mr. Smith	
Mr. Veryard	
Mr. Hardwick (*Teller*).	

Amendment thus passed; the clause as amended agreed to.

[MR. FOULKES took the Chair.]

MR. SCADDAN: Would the Minister agree to report progress?

THE MINISTER FOR MINES: No; he was now going right on.

Clause 44—Prohibition of labour on mines on Sunday:

MR. SCADDAN expressed regret at the decision of the Minister not to report progress. The Minister knew that the member for Mt. Margaret was prevented by illness from attending in the Chamber after dark, and that the member for Murchison was conducting an arbitration case.

THE MINISTER: The member for Murchison had paired.

MR. SCADDAN: True; but as he had these amendments on the Notice Paper, presumably he would have a better grip of the position than any other member. The member for Dundas (Mr. Hudson) was also absent, being in his own district. If the question were now discussed for two or three hours and progress then reported, the question would be reopened the next time we dealt with the measure, and the Minister would then complain of obstruction, as had happened on other occasions.

THE MINISTER: Magnanimity had not been displayed in regard to this Bill; and while the member for Ivanhoe should not suggest that he (the Minister) would say there was obstruction, yet on different occasions much time had been wasted by one or two members. The Bill could not remain on the stocks for the whole session, and he almost felt inclined to place the Bill at the bottom of the Notice Paper. It was some relief to know that

during the consideration of certain clauses the member for Mt. Margaret would be absent; not because the hon. member adduced special arguments in support of his amendments, but because he took so long to deal with some of them. There were many amendments each of which would take almost a night if thoroughly debated. The Bill was undoubtedly a great improvement on that of last year, and it was not gratifying to see so many amendments on the paper. We had made fair progress to-night. He would agree to the postponement of the clauses relating to Sunday labour in mines; therefore he now moved that Clauses 44 to 48 be postponed until the end of the Bill.

Motion passed, and the clauses postponed.

Clause 49—Plans to be furnished:

The MINISTER: It would not be possible to have the necessary plans completed during the month of February. He therefore moved amendments that the word "February" in Subclause 2 be struck out, and "March" inserted in lieu; also verbal amendments in Subclauses 4 and 6.

Amendments passed; the clause as amended agreed to.

Clauses 50, 51—agreed to.

Clause 52—Protection of abandoned shafts:

The MINISTER moved an amendment—

That the words "owner or other" be struck out, and "whether owner or not" inserted after "person."

He desired to make it clear that neither the owner of a lease nor any other person had a right to remove the timbering from a disused shaft. Instances had occurred in which abandoned properties had been taken up merely with the object of removing the timber in the shaft.

Amendment passed; the clause as amended agreed to.

Clause 53—agreed to.

Clause 54—No boy or female to be employed:

Mr. TROY moved an amendment—

That the word "fourteen" be struck out, and "eighteen" inserted in lieu.

This would provide that no person under the age of 18 should work underground. All such workers should be fully-developed men. Boys under 18 working in impure air were injured, and could never attain robust manhood.

Mr. UNDERWOOD supported the amendment. No boy should be allowed below. Most of the adult miners in this State had learnt mining after attaining manhood. The air underground was impure; there was much dust; and all the surroundings prevented the proper development of a youth. Boys were of little use below ground, except for carrying tools.

Mr. GORDON opposed the amendment, which was on a par with other fancy and class legislation. The bones of a boy over 18 were set, and he had difficulty in learning mining. Boys should be allowed to work underground wherever they were capable of working. Were the adult miners of to-day afraid of the competition of boys under 18? Why should an orphan boy be prevented from earning his living, and be dependent on the State till he reached 18?

The MINISTER: The word "fourteen" had appeared in the Act for many years; and he had never heard of boys of 14 or 15 being employed underground. However, if abuse were feared he would be prepared to accept the amendment if the minimum age were altered to 16; but that ought to suffice to prevent carelessness. Much experience was needed to make a capable miner, and many accidents occurred through ignorance; hence boys should go to work at a reasonably early age, when the mind was pliable and fitted to receive instruction. At 16 a boy ought to be able to assist his parents.

Mr. TROY: The ridiculous utterances of the member for Canning need not be noticed. The suggestion of the Minister would be accepted; but many of our miners were old men at 30 and 35 because they had started mining at an early age.

The Minister had seen some hale and hearty miners 70 years of age.

Mr. Troy: They must have been prospectors; not deep miners. He would alter the amendment by substituting "sixteen" for "fourteen."

MR. SCADDAN: This was a fair compromise; but our Act was peculiar in providing that no boy under the age of 14 and no female should be employed underground. Every other Australian Act provided that boys under 14 and females should not be employed in or about a mine, and that boys under 18 should not be employed as bracemen, etcetera.

THE MINISTER: Provision would be made in the regulations to cover bracemen.

MR. SCADDAN: A miner working a rockdrill did not last more than 17 years at the work. Strong healthy men who had worked 16 years behind rockdrills were broken down in health. We could not arrive at the age of a miner under the conditions applying to-day. If a lad started at 16 and worked behind a machine it would be doubtful if he would reach the age of 35 and still be a miner.

Amendment (to insert "sixteen") passed; the clause as amended agreed to.

Clauses 55 to 58—agreed to.

Clause 59—General penalty:

MR. SCADDAN: On the Notice Paper there was a proposal standing in his name to insert a new clause in lieu of this clause. If this clause was not struck out, could he still move the new clause at the end of the Bill?

THE CHAIRMAN (Mr. Foulkes): The hon. member could discuss or oppose the clause, and incidentally bring in arguments for the proposed new clause; but the new clause must be postponed until the end of the Bill.

MR. SCADDAN: If we passed this clause, would he still be entitled to move the new clause at the end of the Bill?

THE CHAIRMAN: If the new clause were not compatible with this clause, the hon. member must vote to strike out this clause, or he could move to amend the clause to make it compatible with the proposed new clause. If the clause passed and the new clause were agreed to, on recommittal Clause 59 now in the Bill could be struck out, should one clause clash with another.

MR. SCADDAN: According to the New South Wales Act, the one clause would not clash with the other. One dealt with the general penalty, but the new clause would deal with a specific penalty, and could stand as a separate clause if passed.

Clause put and passed.

Clauses 60, 61, 62—agreed to.

Clause 63—Application of penalties.

THE MINISTER: There was a verbal error in this clause which would be rectified in printing. "His" should be "its."

Clause passed.

Clause 64—Power to make regulations:

THE MINISTER moved that Subclause 3 be struck out. There was no necessity for regulations dealing with this matter.

Motion passed, the clause struck out.

MR. TROY moved an amendment as to testing fuses, but withdrew it.

THE MINISTER moved that in paragraph (*g*) of Subclause 6, between "of" and "explosives," the word and "fuses" be inserted.

Amendment passed.

MR. SCADDAN: When would the regulations under the Bill be placed on the table of the House?

THE MINISTER: Next week.

Clause as amended agreed to.

Clause 65—agreed to.

Progress reported, and leave given to sit again.

BILL—PERTH TOWN HALL (SITE).

IN COMMITTEE.

MR. ILLINGWORTH in the Chair, the PREMIER in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Power to Governor to grant town lot A7 and portion of A8.

MR. DAGLISH: Had any consideration been given to remarks on the second reading as to arranging for a referendum, so as to leave it open to the ratepayers of Perth to say whether the present site should be surrendered and some other site selected? A large number of ratepayers who desired to surrender the present site desired also to see the High School site selected for a new town hall, as it would undoubtedly be far preferable from an architectural point of view to the

Irwin Street site. The High School had already a new site. [The ATTORNEY GENERAL: Oh, no.] A site had been reserved for the High School. A site westward of Barrack Street would be far more suitable for a town hall than a site eastward of Barrack Street. [MR. HARDWICK: Certainly not.] All the tendency of Perth for the last five years had been to extend westward and northward, instead of eastward; and the proposal to place the new town hall eastward was not satisfactory. Ratepayers of Perth should have a larger option than that afforded by the Bill; the option first to say whether they would surrender the present town hall site for a more suitable site; secondly, assuming they were in favour of surrendering that site they ought to have the option of two or three other sites to select from. If this one question was submitted to the ratepayers, the Government might not succeed in acquiring the present town hall site, and he was anxious the Government should get the site for future State purposes.

THE PREMIER: The Government had an agreement with the Perth City Council in regard to the proposal in the Bill; and any question of referendum as to other suitable sites was a matter about which the council must come to an agreement. If they did not like to ratify the agreement now proposed, it was a question for the council to drop it and start fresh negotiations; but he did not see that the Government could make any provision for a referendum, for the simple reason that of the sites referred to—namely Weld Square, Perth High School, Perth Technical School, Irwin Street site, and Russell Square—the only sites owned by the Government were the Perth Technical School site and the block in Irwin Street. It would mean that if the Government acquired the present town hall site without the exchange of a site the Government owned, the Government would have to pay considerably more money. He did not think we could well make any alteration in the Bill which would have any effect. The City Council asked the Government to accept this agreement; and by passing the Bill we would give the council an opportunity of ratifying the agreement, or dropping it.

MR. DAGLISH: The Government ought at any reasonable cost to obtain the present town hall site. He did not wish to see a referendum that would fail to achieve this purpose.

THE PREMIER: Did the hon. member not think that a referendum might be taken without any reference to this Bill?

MR. DAGLISH: If so, there was no need for this Bill until a referendum had been taken.

THE PREMIER: This question had been raised since.

MR. DAGLISH: Rather than see another twelve months pass without the Government getting any farther forward, it would be better to delay the Bill for a few days and find out if an arrangement could be made on the matter with the municipal authorities. He would move to report progress, unless satisfied that some effort had been made to get another arrangement.

THE PREMIER: We could only deal with the Technical School site and the Irwin Street site, the only ones belonging to the Government.

MR. DAGLISH: The Premier knew there were other sites. It was possible to deal with the Perth High School site, because a reserve had already been provided for the High School, and there had been in contemplation for some time the erection of a new building for that school. In regard to Weld Square, which the member for Perth when mayor advocated as a site for the town hall, that was already municipal property, and the Government would not need to purchase the land in order that the municipal authorities might use it.

MR. BREBBER: The member for Subiaco misunderstood the position altogether. As far as the City Council were concerned, they recognised that the site they had at present was not sufficient for a town hall. They were willing to enter into an arrangement with the Government to transfer that site. The Government promised to relieve them of the site, and give a certain price for the present town hall and the land. The City Council appeared unanimously to approve of the agreement with the Government, but desired that no impossible condition should be attached to the agreement, such as the condition that the new town hall should be built on the Irwin Street site given by the Government with £22,000 in addition, in ex-

change for the present town hall site. The choice of the new site ought to be left to the citizens. Omit that condition, and the Bill would give satisfaction to the council and the ratepayers.

THE ATTORNEY GENERAL: What the preceding speaker pointed out was strictly accurate. The member for Subiaco (Mr. Daglish) objected that the Bill would tie the hands of the citizens in determining the new site; but the alternative suggestion that the High School site be selected for the town hall presented serious difficulties. The justification for a subsidised school had possibly passed away; and he (the Attorney General) would certainly oppose any provision in this Bill for reserving another block of land in the municipality for such a purpose as a new High School building. That would tie our hands at a time when we were not considering the extension or the continuance of the High School. If members approved of the purchase price for the town hall site, pass this clause. In Clause 4 we could give the citizens the right to expend the purchase price on the erection of a town hall in any part of the municipality.

MR. H. BROWN: The Bill would never meet the wishes of the ratepayers. Leave the clause unaltered, and the municipality could suggest another site. The clause merely bound the Government to the Irwin Street site if the ratepayers agreed to select that site.

MR. DAGLISH: The last speaker said on the second reading that the Irwin Street site was worth £10,000.

MR. H. BROWN had said the State was making a good bargain, and benefiting by some £15,000 or £16,000.

MR. DAGLISH: Better provide that the Government should pay for the present town hall site £22,000 and the £10,000 at which the Irwin Street site was valued by the hon. member, leaving out of the question the Irwin Street block. Give £32,000 for the present town hall site.

MR. HARDWICK: That sum was only about half the value of the present town hall site.

MR. DAGLISH: The present town hall site was valued at £31,000 by an officer who, according to the member for Perth, overvalued city lands.

MR. H. BROWN: An unlicensed valuer.

MR. DAGLISH: Then surely we could accept his valuation as not too low. The crux of the Bill was Clause 3. The clause should be farther considered with the object of allowing the Government to consider the question of a straight-out purchase, leaving the choice of site open to the ratepayers.

MR. H. BROWN: The valuation of £32,000 was placed on the town hall site by an irresponsible, unlicensed, and interested party on the behalf of the Government in the person of the present Under Secretary for Works; but a responsible person, a licensed valuer, Mr. Victor, had valued the site at £63,000.

MR. DAGLISH moved that progress be reported.

Motion put and negatived.

THE ATTORNEY GENERAL: The object of the member for Subiaco would be attained by reserving to the municipality leave to spend the money on any other block of land approved by the citizens of Perth on a referendum. Amendments could be made in the Bill to provide for that. Then the position would be that the Government had acquired the town hall site with rights for £22,000 and the Irwin Street block of land, and the municipality would be in possession of the £22,000 and the Irwin Street block, but the council would not be bound to build on the block.

MR. DAGLISH: And the Government would be buying it back again at an enhanced value.

THE ATTORNEY GENERAL: The hon. member believed it to be worth £10,000.

MR. DAGLISH: That was the opinion furnished to him; it was not his belief.

THE ATTORNEY GENERAL: If the land was worth more than £10,000 there would be no danger in buying it back at an enhanced value. With regard to the remarks of the member for Perth (Mr. H. Brown), the valuation of £32,000 for the town hall site was not ridiculous. The grant of the site was a peculiar one. The site could not be used for other than municipal purposes. If the land could be used for the purpose of shops, it might be worth considerably more; but as it could not be used for shops, the valuation of £32,000 was a fair one. With regard

to the old police court site, Mr. Walter James had said that in certain eventualities the municipality would have the right of the fee simple; but those eventualities had not come about, nor were they likely. The fact that the city councillors had practically unanimously adopted the agreement to accept this price for the town hall site and their rights showed that the price was not ridiculous.

Mr. Daglish: It was a good reason for saying the price was ridiculous.

Mr. WALKER agreed with the member for Subiaco. If we passed this clause the principle of the Bill was admitted. The clause conferred on the Government and council the power to make an exchange of property, and bound both parties to the subsequent steps. It was suggested on the second reading that the Government and the council should come to an understanding in regard to the difficulties pointed out then by the member for Subiaco.

Mr. Brebber: The matter had been before the council for two years.

Mr. WALKER: That did not matter. Since the difficulties——

Mr. Brebber: There were no difficulties.

Mr. WALKER: The hon. member was not serious in saying that.

The Premier: The hon. member was one of the councillors.

Mr. WALKER: For that reason the hon. member should know that the ratepayers objected to being bound, as they would be by this Bill as it stood, to erect a town hall on the Irwin Street site.

The Premier: No; there was a referendum provided for.

Mr. WALKER: Yes; but there would be no discretion left to the ratepayers but to accept or reject the agreement. There really were other alternatives, and that was the point the member for Subiaco wished to enforce. Wider liberty should be given to the council, and wider discretion to the ratepayers.

Mr. H. Brown: The member for Subiaco saw ahead a "Greater Perth," and he (Mr. Brown) agreed with that.

Mr. WALKER: There was no harm in a "Greater Perth," nor in having a greater representative for Perth. Though the matter had been before the council for two years, it should be farther discussed. We only fixed one possibility in this Bill. As a citizen of Perth he would be sorry indeed to augment the political influence of the member for East Perth (Mr. Hardwick) by building a town hall in his constituency.

The Premier: It was on the opposite side of the street.

Mr. Hardwick: And only ten chains from the present site.

Mr. WALKER: It was the most deserted, gloomy, miserable part of the city, a part that everybody liked to get out of.

Mr. Hardwick: The hon. member was looking to a "Greater Perth."

Mr. WALKER: Yes.

Mr. Hardwick: Then let us have a greater man to discuss it.

Mr. WALKER: The hon. member shone with reflected wit. Having heard a joke made a few moments ago, he repeated it. The city was growing westward, and the fact that Parliament House was erected on its present site was proof of the growth of the city in that direction. It would be making the town hall a "white elephant" to erect it in Irwin Street. Before going on with the clause, there should be a meeting between the Government and the Perth Council to see if a wider choice could be arranged. This step should not be taken without serious consideration, because it was for the future welfare as well as for the ornament of the city. The clause should be postponed for another week at least before coming to a final decision, and in the meantime steps should be taken for a better understanding between the Government and the Perth Council.

Mr. FOULKES: If the clause were passed, it would be still left to the citizens of Perth to say whether they approved of the Bill or not. If they approved of the Bill, they recognised the agreement; if they did not approve of it, they had ample time and full opportunities to make farther suggestions as to some other site. The Perth Council said they had fully considered all sites, and had come to the conclusion as a council that these were the best terms obtainable. It was no good asking for farther consultation between the Perth Council and the Government, for the Government and the council were unanimous on the question.

MR. DAGLISH: There seemed a great reluctance on the part of the Government and the Committee to consider anything except the mere Bill as it stood. Surely it was not an unreasonable thing for the Government to give reasons why there should not be any variation from the clause. The Committee had the capacity to form and express an opinion without going on the mere fact that the Government and the Perth Council were unanimous on the question. By passing the Bill we were giving the citizens of Perth legislation on approbation. He was not objecting to that strongly, but he was objecting to the Government allowing the chance of this town hall site to slip through their fingers, for he wanted to see the Government acquire the present town hall site because it was of vital interest to the Government to acquire it. Why should not the Government discuss the question with the municipal authorities apart from any offer for a lump sum, without submitting the matter to the citizens. If we gave away £10,000 worth of land we could equally give away £10,000 in sterling cash, because we retained the asset. If it were actually necessary, the asset could be converted into cash and paid to the municipal authorities. Surely the Attorney General recognised the possibility of there being some advantage in a straight-out purchase, subject of course to an agreement, if regarded as necessary by the ratepayers of Perth, without granting a new site in exchange.

THE PREMIER: This Bill was the result of negotiations which had been going on for some considerable time. If the Government made a cash offer for the town hall site, an amount would have to be brought down on the supplementary Estimates. The member for Subiaco thought the Irwin Street site might only be worth £10,000, which would mean that the Government would have to ask for authority to spend £32,000.

MR. DAGLISH: Instead of £22,000.

THE PREMIER: The difficulty in arranging for any preferential ballot was that the Government had really only considered the question of the Technical School site and the Irwin Street site. The Technical School site was valued at £5,760.

MR. H. BROWN: By whom?

THE PREMIER: By the gentleman who valued the whole of the others, the then lands purchase officer, Mr. Stronach, who he supposed had had as much experience in valuing in different parts of the State as had any individual in Western Australia. If that alternative were adopted, it would mean that instead of asking authority for spending £22,000, it would be £22,000, less £5,760; that being £14,000 odd. Those were the only two sites in regard to which the Government gave the council any alternative, and after discussion the council decided in favour of the Irwin Street site as against the Technical School site. Those were the only two sites which came into discussion until the last day or two, during which it had been suggested whether it would not be advisable to make some provision for a preferential ballot, so as to decide which of the five sites mentioned would be most acceptable to the ratepayers. If the ratepayers did not care to accept what was proposed in this Bill, there was nothing to stop the Government from opening up negotiations again on a different basis.

MR. H. BROWN: There was no reason why the Perth Council could not in the referendum submit other sites than the one mentioned. During his term of office, the council had plans prepared by the present building surveyor, which showed that on the present site there was sufficient room to build a hall as large as Queen's Hall. In regard to the valuation, he wished to cast no aspersion on the knowledge of the Under Secretary for Works; but the present Government and other Governments had he supposed lent hundreds of thousands of pounds on valuations by Mr. Victor, who was a licensed valuer, had been town clerk of Perth, and knew the city at least as well as the Under Secretary.

THE PREMIER: How did this affect the question?

MR. H. BROWN: The Premier doubted the valuation which the council had from Mr. Victor, and looked upon Mr. Stronach as a heaven-born valuer. Without casting aspersion on Mr. Stronach, he was arguing that it was a splendid deal for the Government when a gentleman like Mr. Victor gave a valuation which showed a difference of £30,000 as compared with Mr. Stronach's valuation. If

there was such discrepancy, and if the Government felt inclined to repudiate Mr. Victor's valuations, they should look into their Savings Bank securities, which must be in a rotten state. This Bill if carried into effect would be a splendid bargain for the State, but a bad bargain for the city of Perth.

MR. DAGLISH: Assuming this clause to be passed, would the Government agree to insert a clause providing for the fixing of a price which the Government should pay in cash or kind for the town hall site?

MR. H. BROWN: On whose valuation?

MR. DAGLISH: Let a definite price be fixed in the Bill. What he was anxious about above all things was that because this Bill was not accepted by the ratepayers of Perth, therefore the acquisition of this property should not be put off until years of negotiation had taken place. Government offices were spread over the city in all sorts of rented buildings, at an expense to the Public Works Department, and at a lot of inconvenience to Government officers and to persons who had business at those offices. If the Bill passed, and if the proposal it contained was rejected by the ratepayers, years would probably be spent in negotiations before another Bill could be introduced. If the Government would insert the clause suggested, they could either buy wholly for cash or could grant as part of the price some other site chosen by the ratepayers in lieu of the Irwin Street site.

MR. HARDWICK hoped the Government would not interfere with the municipal progress of Perth, which could well be left to the representatives of the ratepayers, and not to the member for Subiaco. This had been discussed for years by the council, who were almost unanimously in favour of the present bargain.

THE PREMIER: To meet the objection of the member for Subiaco an amendment would be made in Clause 4. The Government would be prepared to give the Perth Council the land and the money, and the ratepayers could then choose any site they liked.

Clause put and passed.

Clause 4—Monetary consideration to be expended in building town hall:

THE PREMIER moved an amendment—

That the words "or any other land approved by a referendum of the ratepayers of the municipality of Perth" be inserted after "hereto" in line 3.

Amendment passed; the clause as amended agreed to.

Clauses 5 to end—agreed to.
Schedules (two), Title—agreed to.
Bill reported with an amendment.

ADJOURNMENT.

The House adjourned at 11·15 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 16th October, 1906.

THE PRESIDENT took the Chair at 4·30 o'clock p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Annual Report of Metropolitan Waterworks Board; Report of the Perth Observatory for 1905; By-laws under the Mining Act 1904; Papers in connection with Dr. Harrison, R.M. at Esperance, etc., moved for by the Hon. C. E. Dempster.

ASSENT TO BILLS (4).

Message from the Governor received and read, notifying assent to four Bills,