

Legislative Council,

Thursday, 16th October, 1913.

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

PAPER PRESENTED.

By the Colonial Secretary: Annual report of the trustees of the Public Library, Museum and Art Gallery.

QUESTION—SLY-GROG SELLING.

Hon. R. G. ARDAGH asked the Colonial Secretary: Seeing that the present Licensing Act does not give sufficient power to the police and other authorities to cope with the evil of sly-grog selling, do the Government intend to introduce legislation this session that will give the authorities the necessary power?

The COLONIAL SECRETARY replied: Yes; a Bill for that purpose is already in course of preparation.

PAPERS--CATTLE PURCHASED FROM BOVRIL COMPANY.

Hon. H. P. COLEBATCH (East) moved—

That there be laid upon the Table of the House the contract for the purchase of cattle by the Government from the Bovril Company, and all papers relating thereto.

He said: I have but very few remarks to offer in justification of this motion. I may say that I tabled it in consequence of a statement made to me yesterday afternoon by a gentleman whom I knew spoke with the authority of long practical experience. That gentleman had visited the sale yards at North Fremantle yesterday,

and had inspected the Government cattle bought from the Bovril Company which were to be offered for sale later in the day. He left the saleyards before the cattle were offered, but he ventured the opinion that the cattle would not realise the cost of bringing them down. I must ask hon. members to bear with me one moment while I read the report appearing in this morning's *West Australian* of the sale of these cattle—

At the weekly stock sale at the North Fremantle yards yesterday some 300 plain quality Government bullocks were put up to auction, and 270 of them sold at figures averaging £4 per head. The lot represented a shipment brought on the last trip of the "Kwinana," the last of the year's shipments by the Government from the Bovril Estates. Since nothing was to be gained by keeping them on the hoof, they were thus placed on the first available market. There was a good attendance of buyers, but the bidding was certainly in favour of those whose business instincts led them to close the deals. After the first few sales, in which some of the beasts realised £5 5s. and £4 7s. 6d. per head, prices fell away, and several pens were sold at £3 10s., £3 5s., and £3 2s. 6d. Finally two pens, for which no higher bids than £2 15s. and £2 12s. 6d. were offering, were passed in. Moving on, the auctioneer protested that the animals would be cheap at £6 per head, and asked for a start at anything ranging from £4 to £5, but in many instances buyers were disinclined to assist him further than to make repeated offers of "fifty bob." Some of them considered that Government stock, the property of the people, should be sold at the people's price. "Knock them down," said one man who had bid £2 10s. "They belong to us, you know." Eight bullocks, in better condition than those which preceded them, were sold for £6 12s. 6d., and 12 others, highest priced for the day, sold at £6 15s. Discussing the sale, the Government auctioneer, Mr. Cairns, said that the explanation of the poor prices was that there was no demand for plain quality

beef. The market had been overstocked by Monday's sale of 500 cattle, ex "Kwinana," from Messrs. Farquharson Brothers' station in the Victoria River district. The condition of Wednesday's market arose through a desire on the part of the Government to get the animals killed. The fact that so far the supplies from the Bovril Estates had been more or less affected by pleuropneumonia, rendered it necessary to get the animals ready for quick sale. There is one sentence in this report which strikes me as being peculiarly ironical—

The market had been overstocked by Monday's sale of 500 cattle ex "Kwinana" from Messrs. Farquharson Brothers' station in the Victoria River district.

I will assume for the sake of argument that Messrs. Farquharson Brothers are some of the small people in whose interests the Government steamers were established, but it seems curious that the sale of the Government's own cattle should have been spoiled by the appearance in the market a day or two earlier of cattle brought down in the Government's own steamer. At all events it suggests that the Government's advisers were not particularly happy in choosing the time in which these cattle should be offered for sale. According to the report 270 of these cattle, the best of the bunch, averaged £4 per head, the balance being passed in because no one would bid more than 50s. I do not pretend to be conversant with the cattle trade, but I think I am fairly within the mark when I say that this shipment did not realise the cost of transportation and handling up to the time of sale. If it did it no more than realised such cost, and consequently the whole of the original purchase money of these cattle must have been a dead loss to the country. When we remember that the Government started out on this venture with the idea of crushing the beef buccaneers we are surely entitled to know the reason for the extraordinary arrangement that seems to have been entered into with the Bovril Company. In a simple contract of buying and selling it usually happens that what is a bad deal for one

party is a good deal for the other party. I admit that such is not always the case, but on the face of it the public will say that the State having lost all this money in connection with the purchase from the Bovril Company, the Bovril Company must have made it. A little while ago the Premier told hon. members in another place that the State butcher shops had made a profit of £800 for the year. I am informed—I do not profess to know whether my information is accurate or not, but it is with a view to getting at the facts that I am tabling this motion—that the loss incurred through these purchases of cattle by the Government from the Bovril Company will eat up the profits on the State butcher shops for three or four years to come, even if these profits are really as handsome as the Premier stated they were. I do not propose at the present time to attack the purchase of cattle from the Bovril Company; all I ask is that we should be shown the contract, and I make this request because I believe the contract must be a very bad one from the point of view of the State. I have no hesitation in saying that the public are getting rather tired of these bad contracts and unbusinesslike arrangements in which the money of the people is being squandered. We all know that the Treasury is empty and that urgent public works in different parts of this State are being delayed on that account. The Premier himself has made a statement to that effect. Speaking the other day to a deputation at Cowcowing he stated that the reason for the delay in the construction of certain railways was not that the Government were opposed to the contract system, but that they had not the money to carry out the works. In the circumstances, surely it is not to be permitted that the Government shall go on playing wantonly with the money of the people without some protest being entered in cases of this kind. In further justification of my motion, I wish to remind hon. members of this House of two other instances of bad contracts. I do not intend, and I am aware that it would be disorderly in discussing this motion to say anything about the merits of the undertakings in ques-

tion, but I merely instance them as illustrations of two contracts. The first was in connection with the purchase of the Perth tramways. When the matter was being discussed in Committee, I protested against the clause in the contract which gave the company the right to say whether the purchase money should be paid in cash or in bonds. The Colonial Secretary then informed the House, and I have no doubt he thought he was telling us the circumstances exactly, that the company had agreed to take a large proportion of the purchase money in bonds. A week or two ago the Colonial Secretary told the House that the company had demanded and had received the whole of the purchase money in cash. That meant the State had to pay approximately $4\frac{1}{2}$ per cent. on the total cost of the purchase, amounting to something like £20,000 extra, and that £20,000 was lost to the State simply through the inclusion in that contract of a stupid one-sided and unreasonable provision. The other case I wish to instance is the contract with the Powellising company. There is a clause in the contract under which the payment of the royalty is to be continued for a number of years after the patent rights cease to exist. What I want to know is, what extraordinary provision is there in this contract with the Bovril Company which permits that company to foist upon the State diseased cattle. The Government auctioneer says —

The fact that so far the supplies from the Bovril Estates had been more or less affected by pleuro-pneumonia, rendered it necessary to get the animals ready for quick sale.

Hon. F. Connor: How would Mr. Cairns know that?

Hon. H. P. COLEBATCH: Probably he knows whether these cattle are affected by pleuro-pneumonia. I want to know what are the conditions of the contract which make it possible for this wealthy company, these beef buccaneers, whom the Government set out to crush, to foist on to the country diseased cattle, and cattle in such a condition that when put up to auction they will not realise more than

the cost of transport from the North-West down to this portion of the State.

Hon. R. G. Ardagh: That could be occasioned by the ring of buyers.

Hon. H. P. COLEBATCH: Nothing of the kind. The Government would not sell them if that was the case. The Government official said they could not hold these cattle. Surely, if the contract was a good one, the Government could arrange the times of delivery so as not to be at the mercy of any ring of buyers. Their market was spoiled by the sale of cattle which the Government had carried in their own boat.

Hon. W. Kingsmill: The other cattle brought good prices.

Hon. H. P. COLEBATCH: They were good cattle. What is there in this contract which enables the beef buccaneers, the Bovril Company, to palm off on to the State cattle that are no good, so that a private company that the Government wanted to crush make use of the State boat and make a handsome profit, and in the same boat the Government carry down cattle which they bought in the North-West and have to sell them at less than their cost.

Hon. W. Patrick: Because they dared not keep them.

Hon. H. P. COLEBATCH: Yes, because they were diseased cattle. I fail to see how arrangements of this kind are going to crush the beef buccaneers, or help the small man, or reduce the price of meat. I think I have said sufficient to justify me in asking hon. members to support my motion.

Hon. E. McLARTY (South-West): I have much pleasure in supporting the motion moved by Mr. Colebatch. I think the public should know the conditions under which these cattle are purchased and subsequently sold. This is not the first lot of cattle which have come into the market during the past few weeks which have been sold at certainly not more than the cost of having them landed at Fremantle. I have attended some of the sales, and I know from my own experience that it takes all that the cattle realise to pay the cost of transport from the station to the landing at

Fremantle. Although the Government set themselves out to bring down the price of cattle and supply cheap meat, it appears to me that they have been doing exactly the same as other stock agents. They are putting the cattle up by public auction and getting all they can squeeze from the butchers. I have seen some sales effected at as high a price as £16, which to me certainly seems to be inconsistent with the policy of the Government to reduce the price of meat. Even any person with little experience knows that a man cannot pay £16 for a bullock and retail the meat at a low price. I have expressed my opinion over and over again in this Chamber about this trading in cattle on the part of the Government, and the opening up of butchers' shops, and I am satisfied that the further the Government go into the matter the deeper they will get into trouble. I regret indeed that they have not already seen their way to put a stop to this monstrous and ridiculous proposition of theirs in dealing in cattle. I am confident that if anyone of us went to a private shop just now we could buy meat cheaper than it can be purchased at the Government stores. There is a shop at the corner of the arcade in Wellington-street where meat is sold at a price lower than anything I have seen at the Government shops, and the low prices at that place were ruling even before the Government went into the business. With regard to the Premier's statement of a net profit of about £800, I should very much like to see that statement verified. I am not accusing the Premier of making a misleading statement, but I am satisfied that he has been misinformed, and it will be discovered when the accounts have been properly audited that a different state of affairs exists. The Premier also made a statement that until the Government came to the rescue, the small butchers could not get beasts slaughtered. That is absolutely incorrect. Before ever the Government attempted to deal with the cattle trade I made a statement here that the smallest butcher in the trade could go to a public auction, buy a single bullock, and he could get that bullock killed

on the spot by experienced slaughtermen and put in a meat van for 7s. 6d., a very reasonable price, and the slaughtermen would consign it to Perth or to Guildford or to any part of the State.

Hon. R. G. Ardagh: Is it not a fact that the small man could only buy after the big buyers had made their purchases?

Hon. F. Connor: What nonsense.

Hon. E. McLARTY: Nothing of the sort. That is absolutely incorrect. Any small man could attend the sales, and he had the same opportunity as any other intending buyer. If he bid half-a-crown more than anybody else the beast would be knocked down to him. It was open competition, and the smallest man had the same opportunity as the biggest dealer in the trade. I was surprised to notice such a statement made by the Premier, and I assert without hesitation that what I have said is correct, that any man can attend the sales and buy one bullock, or as many as he likes, and have them killed and trucked. I have watched this matter pretty closely. I see most of the shipments which are landed. I am in the trade myself to a pretty good extent, and if the cattle were worth buying, hon. members may be sure that they would not go for £2 15s. or £2 17s. a head. I think it is quite time that the people were made aware of the arrangements the Government have entered into, and what the country is losing by those arrangements.

Hon. E. M. Clarke: What does it cost per head to bring the cattle down?

Hon. E. McLARTY: I do not know what it costs the Government. I know it costs me £3 10s. for freight, fodder, and attendance—I do not count wharfage—and it is a very high rate. The cost by the Singapore boats is usually about £3 10s. or £3 12s. Although the supply at this period of the season has been in excess of the demand, there has been no anxiety about additional boats. I repeat that the further the Government go into the matter, the more money they are likely to lose. At the present time the Government have a large number of stock at that fine property at Yandanooka. I have had a good many years' experience in this industry, and I

venture to say that when the Government come to calculate the interest on the purchase of that place, and the expenses of management, and when they consider the results to be attained, there will be a balance on the wrong side of the ledger.

On motion by Hon. F. Davis debate adjourned.

RETURN—SCHOOL BUILDINGS RENTED.

Hon. W. KINGSMILL (Metropolitan) moved—

That a return be laid on the Table of the House showing—(a) The buildings rented by the Government for school purposes in the Metropolitan and Metropolitan-Suburban districts; (b) The names of the lessors and the rent paid in each case.

He said: I take it there will be no opposition to this motion, and I shall content myself with formally moving it, but at the same time I would like to ask the leader of the House to try and expedite the furnishing of this return as much as possible. It is a return that should only take about ten minutes to prepare, and we should have it on the Table easily by the next sitting.

Question passed.

BILL—WATER SUPPLY, SEWER- AGE, AND DRAINAGE ACT AMENDMENT.

Report of Committee adopted.

BILL—MINES REGULATION.

Second Reading.

Hon. J. E. DODD (Honorary Minister) in moving the second reading said: The Mines Regulation Bill which is now before us is practically the same Bill as that which was sent to us last session, but as the measure was sent up somewhat late there may have been some justification for the House refusing to pass it. However, the Government this session have decided to present the Bill at an earlier period, and it is hoped that it will

be possible to convince members that the provisions are sound, and the Government trust that most of them will pass through this Chamber. The Bill contains many changes in mining rules and I do not wish to disguise that fact. There is no doubt that there is a number of drastic changes in this Bill compared with the Act which is now in existence, but I would like to point out that however great those changes may be, they are not so great as those which took place when the first Mines Regulation Bill was introduced in this State. I cannot say when that took place, but no change which we propose to make now is as drastic as any of those which were submitted at that time.

Hon. J. D. Connolly: What Act are you referring to?

Hon. J. E. DODD (Honorary Minister): The Act that I shall refer to directly is that of 1895, which was the first material Act passed in this State to deal with mines regulation. There has been a great deal of Press criticism in connection with this Bill, and I believe there has been an attempt to make it appear that some unwarranted changes are to be made, so as to try and influence this House to throw out the measure, or at least so mutilate it that it will be of very little use. It is a very difficult matter to bring in a Bill to regulate mining in this State. The conditions being so varying throughout the State makes the task of presenting a Bill which will meet all the conditions a very difficult one. Western Australia is a State which covers an immense area and we know how the conditions in mining vary. For instance, we find in Kalgoorlie stopes running from 100 to 150 feet wide, and in some other parts of the State they only average three feet or four feet, or even less. Therefore, the difficulty in bringing in a Bill to deal with these different conditions will be appreciated. There is no doubt that mining is an industry of extreme danger to the miner, as well as an industry which causes great anxiety to the mine manager, and it is our desire to strike that medium which will minimise the danger to the miner, and relieve the

mine manager and the companies of any undue anxiety in regard to the life of the mines. It may be of interest to hon. members to point out what we may call a few of the evolutions of mining as we know them since the goldfields broke out in this State, and I shall make comparisons between 1902 and 1912 to show what is being done in relation to the industry. In 1902 there were 201 tons of ore broken per man; in 1911 the tonnage increased to 331, and to-day it is 365 tons. This is a point which is well worthy of consideration from the aspect of the health of the miners. Hon. members will realise that in the breaking of so many more tons of rock per day or per year, the miner is doing much to bring about a breakdown in his health. Then again, in 1911, there was 160 ounces per man won, and in 1912 170 ounces per man. I cannot say what the figures are at the present day. I mention these because it has been freely stated that mining is on the decline, that the industry is going down and cannot possibly afford to pay for some of those changes which we are seeking to make. These figures will give some idea of the different methods that are being adopted in mining to-day. In the old days we had hand labour mining, but to-day there is very little hand labour indeed; in fact, hand labour in the big mines is only a myth. All the work is done by machinery and there is no doubt that machine labour underground is responsible for 75 per cent. of the disease from miners' complaint, and also for the breakdown of health on the part of miners, owing to dust and smoke. In the old days of hand labour mining, I suppose, there was not one-tenth of the explosives used that are used to-day with the machine drill. In other words, it takes almost 10 times the amount of explosives to fire a round of holes bored by the machine drill as it did when hand labour was employed, and, moreover, there is the dust continually coming back into the lungs from the machine drill, whereas under the hand labour system the worker could, on almost all occasions, avoid the dust. I do not know whether many

members have had experience of mining, but if they have not it would be a valuable experience for them to go down a mine and view the methods of working employed to-day, particularly what is being done with the machine drill. The fatal accidents last year throughout the State totalled 35, of which 23 took place on the Kalgoorlie field alone. That is at the rate of almost two a month, and I think hon. members will realise from that dreadful state of affairs, that we must try to do something to limit the hazardous nature of mining. In addition, there were 491 persons seriously injured throughout the State; and 329 of those accidents took place on the East Coolgardie goldfields. I do not say that all those injuries were permanent, and would incapacitate the victims for life, but there is no doubt that a large number of injuries do incapacitate men for life, and leave their marks on the men for the rest of their days. Even if only one-half or one-third of them are permanent it is a very bad state of affairs that so many accidents which cripple men for life should be happening. Then we are faced with the problem of miners' complaint, and I do not know of any more difficult question in the State to-day in regard to public health than this miners' complaint. In 1910 Dr. Cumpston sat as a Royal Commissioner to inquire into the prevalence of miners' phthisis, or fibrosis, and the figures which he adduced at that inquiry were absolutely startling. The mining companies say that those figures were of an alarmist nature. I am not prepared to say whether they were or not, nor am I here to say whether Dr. Cumpston gave all the time he should have given to his Commission, but I do say that the figures he gave were alarming. He showed that 33 per cent. of machine men in the State were suffering from miners' fibrosis, and 27 per cent. of some classes of surface workers were also affected. As we go on, this state of affairs is becoming worse. We cannot help it. As the mines go deeper these diseases of the lungs and other pulmonary troubles are going to increase, and it is the design of this Bill

to minimise that risk as far as we possibly can. I may also say just here, in reference to the industry holding its own, that in 1902 47 per cent. of the total output of gold for the whole of Australia was won in Western Australia and to-day, despite all the pessimistic reports we hear, the yield of Western Australia is 45 per cent. of the total output for Australasia, including New Zealand and Papua. So I do not think we have a great deal to fear in regard to the decline of the mining industry. Another point I wish to make is to compare the development of the mines in this State with the development of those at Ballarat, Bendigo, Wallaroo, Moonta, and other mining fields in the Eastern States. Hon. members will find that on the Kalgoorlie fields developments have been so rapid that they are down almost to the depths of the mines in Bendigo, notwithstanding the fact that the Bendigo mines have been operating for more than 50 years, and our mines are deeper than those at Wallaroo. That goes to show that we have such machinery and are going at such a pace, and are working in such a way, that we are sinking our mines in this State at two or three times the rate they are sinking them in the Eastern States, and in the rapid sinking the miners' health must be considered. Usually, when we are dealing with the mining industry, we show the bright side. Whenever a visitor goes to Kalgoorlie we at once take him round and show him the best and brightest aspects of mining. We quote the quantity of gold we are turning out, we show all the machinery and refer to the dividends, but we never give to the world the other side of mining, and it is our duty here, at least it is my duty, to point out some of the reverse side of the industry and show what the risks are to the men employed. That is the reason why I am quoting these figures in regard to miners' complaint and accidents, and why I shall later on connect them up with the contract system, and the night shift. I do not think there is any one in this State who has had more experience in these matters than I have had. In my official capacity as secretary of the miners'

union at Kalgoorlie and Boulder I had to view the scene of almost every accident that took place. I had to attend the inquests and to perform many other melancholy duties in connection with accidents, and no one knows better than I do the misery and bitterness which arises in connection with some accidents on the Eastern fields. I do not wish, for one moment, to infer in any way that those in control of the mines at Kalgoorlie and Boulder are other than men trying to do their best to bring about a good state of affairs, but, apart altogether from that, they are only the servants of the companies, and there is no doubt that they are looking, as we all look, to bring about the best results from a financial point of view. Nevertheless, compared with the mining fields of the other States, I can only say that our managers are more humane than any other managers I have come in contact with, but it stands to the everlasting discredit of the mining companies operating in Western Australia that they have done absolutely nothing to alleviate the distress brought about by the conditions of mining. There are only two small instances to my knowledge of the mining companies having spent any money other than for their own material benefits, and they are, in the one case, the small fountain erected by Mr. Doolette at Victoria Park, and in the other case, the sum of £2,000 or £3,000, given to establish a club at Boulder. Those are the only two donations ever given by the mine owners to the community in any way whatsoever. Compare that with the statement published in to-day's *West Australian* in relation to the gift by Mr. Peter Waite, of South Australia, of £50,000 to establish an agricultural institution; compare his munificence with the insignificant contributions by those financially interested in the mines of our State. There is no sympathy shown by the foreign shareholders with the miners and the towns of the gold-fields. I do not intend to explain the Bill in detail at the present time, because I think that when we get into Committee we will be able to go into the matter more fully, and no doubt every portion of the

Bill will need some explanation. But the first matter which I wish to mention is that of check inspectors. The Bill provides for three classes of inspectors. One is the district inspector, who is really the same as we have at the present time. Then there is the special inspector, who may be appointed to deal with special matters which may arise in connection with mines regulation, and the third is the workmen's inspector to be appointed by the unions and termed a check inspector. The principle of having check inspectors is not a new one; it is in operation in other parts of the world, notably in the coal mines of New South Wales. The check inspector will be under the control of the district inspector.

Hon. D. G. Gawler: Why is he called a check inspector?

Hon. J. E. DODD (Honorary Minister): These officers are termed check inspectors wherever they are appointed. In the Bill we call them workmen's inspectors, but they are always referred to as check inspectors. This principle has been advocated for quite a long time. In Western Australia the workmen tried very hard during the discussion on the 1906 Bill to have this principle embodied in the Mines Regulation Bill, and in 1904, when a Royal Commission inquired into the ventilation and sanitation of mines, a Commission of impartial men, comprising a representative of the workers, a representative of the mine owners, with Dr. Jack as chairman, and Mr. Mann (Government Analyst), and Dr. Black as members, the appointment of check inspectors was recommended. The commission considered that the check inspectors would help very considerably towards the better working and development of mines, and if any member desires to secure a confirmation of that statement, he may turn up the reports of that commission. The commission's recommendation read—

In view of the importance of ventilation and good sanitary conditions in and about mines to the health of the men employed, it seems to us reasonable that they should themselves have

facilities for inspection and report in metalliferous mines in the same way as they have in collieries.

And they went on to make other recommendations, which I will not read. That is the recommendation of practical men and the House will do well to be guided by the commission in this matter. It may be asked why we should have check inspectors when we have a district inspector. In reply to that I will point out that on the Golden Mile there are miles and miles of workings; the drives alone are many miles in extent. In addition to that we have a large number of stopes covering an immense area of ground, and we have winzes and rises into which it is almost impossible for an inspector to find his way. A district inspector as a rule has a good deal of other routine and office work to attend to, as he is an inspector under the Mining Act as well as under the Mines Regulation Act. Where there is a check inspector the miner as a rule will be more confidential with him and point out where bad places may be, than he would be with the district inspector. These inspectors are to be elected by the unions and provisions for paying them are to be made by regulation, as also are the methods by which they are to be appointed. In regard to managers there is no material alteration in this Bill, but it is provided under regulations that a mine manager shall have some certificate of competency and so shall the underground manager and other foremen. These regulations will be largely framed on the recommendation of the State Mining Engineer. Then again in the general rules there is not a great deal of alteration, but there is one very material alteration to which I will refer. But before doing that I want to point out that in the general rules it states that they are to be observed "so far as is reasonably practicable." It does not say these rules are to be absolutely carried out, but they are to be observed so far as is reasonably practicable. The chief alteration that is made is with reference to the height of stopes and there has been a good deal of criticism concerning it. The Bill provides that a

stope shall be limited to 10ft. in height, but it may go to 15ft. provided that the inspector gives sanction to it, but in no case, unless it can be shown that it is reasonably practicable, is it to go beyond 15ft. Great exception has been taken to limiting the height of stopes, but so far as I know, and speaking from the experience I have had, I do not think any stope should go above 15ft. in height. Hon. members may not realise what it means, but let them fancy a stope 15ft. in height. One has no means of sounding the back. One may get a long bar, but not be able to tell whether the ground is baulk or not. It was only when one gets very close that it is possible to find whether the ground is baulk or whether it is solid. I know that a great deal may be said from the other point of view, and that the width of the stope may be more dangerous than the height. That is quite true, but some limit has to be made in order to minimise the risk of mining. Of course there are some places in the smaller mines, to which I drew attention, where the stopes are only 3ft wide, where one could work the stope 100ft. high, and there would be no danger whatever, but that does not apply in other cases. I hope the House will agree to this provision as it will go a long way to prevent many of those accidents that occur in stopes, and if hon. members will look up last year's Mines report, and get the inspector's report upon the East Coolgardie Goldfields, they will see that the great majority of the accidents occurred as the result of falls of ground in stopes. I do not think we will be doing anything to injure the mines in any way by limiting the height of stopes to 15ft. There is another provision to which I wish to refer and it is that the height of rises is limited in this Bill to 20ft. unless the inspector permits otherwise. Personally I am somewhat sorry that the Bill does not abolish rising altogether. I know of nothing in this world which can be more compared to Hades, as it is impossible for any man to work underground in a rise for three months without injuring his health. He is working in a small

place with the dust of the hole continually falling on him and he is inhaling dust the whole time without any ventilation. I say there is no man living who can stand a year or two in rises without seriously and permanently affecting his health. If any man can put in two years and live, then he must be made of something different from what we are. I do not know many places in mining where a rise is necessary. It is realised that the sinking of winzes is much better than rises, although rising may be cheaper. In the Horseshoe mine they have practically abolished rising for quite a long time. However, in this Bill the Minister has limited the height of rises as far as possible to 20ft. I do not think there is anything further in the general rules to which I need direct attention. In Clause 39 provision is made whereby the inspector has power to give the mine manager notice and specify any danger which he may think exists in the mine, and provision is made for a reference to the Mines Regulation Board, in the event of no agreement being arrived at as to the nature and extent of the danger. The Mines Regulation Board is another new provision which is not in the present Act, and it will do away with the old cumbersome method of arbitration. At present there is a system of arbitration where inspector and mine manager cannot agree as to the extent of danger in certain cases, but in this Bill we have what is called a Mines Regulation Board, in Clause 40. This was also recommended by the commission which I referred to just now. It is to be composed of three Government officers, two members appointed by the mine owners or registered association of mine owners, and two to be appointed by the unions or persons employed in the mines.

Hon. Sir E. H. Wittenoom: A sort of mining Parliament?

Hon. J. E. DODD (Honorary Minister): This board will deal with any disputes between mine managers and inspectors, and will have also the powers of a Royal Commission for the purpose of inquiries and investigations where they may

be profitably undertaken. The Board will be empowered to make investigations into matters which may prove beneficial to the industry as a whole. Among its other functions the Board is to have power to make inquiry and decide finally as to whether or not any general rule is "reasonably practicable." That is one point which I hope hon. members will not forget, as it has been said that we are making it absolutely final that our general rules must be obeyed in their entirety. That is not so.

Hon. W. Patriek: This board will very largely supersede the Arbitration Court?

Hon. J. E. DODD (Honorary Minister): No, it has nothing to do with the Arbitration Court. The question of arbitration to which I referred just now was not the Arbitration Court, but arbitration between the inspector and mine manager, nothing to do with the Arbitration Court. In Clause 44 it is provided that the hours of employment underground shall be limited to 44, and I suppose that the Bill will receive a good deal of criticism for this, but I would point out that this clause is no new provision.

Hon. W. Patriek: It supersedes the Arbitration Court.

Hon. J. E. DODD (Honorary Minister): In Queensland to-day the hours of labour on many of the fields are only 44 per week. On the copper fields of Kadina and Wallaroo in South Australia the hours of night shift and afternoon shift are only 40 per week.

Hon. M. L. Moss: These are matters for the Arbitration Court to decide.

Hon. J. E. DODD (Honorary Minister): We are only extending what is already in the Act, and has been in it since it came into existence. The hours have been limited in the Mines Regulation Act ever since there has been one.

Hon. M. L. Moss: There was no Arbitration Court in those days.

Hon. J. E. DODD (Honorary Minister): There was in 1906, and I do not think the hon. member objected then. However, I think these gold mines can stand as much as what Kadina and Moonta can in regard to reduction of hours, and as I have already stated, they

are working only 40 hours on night and afternoon shift. At Charters Towers they are working only 44 hours, and I believe that on some of the fields of this State they are working only 44. In Clause 45 we have the prohibition of night shift—that is, the shift from 12 a.m. until 8 a.m. The Minister has power to allow mines to work some of the men if it is found absolutely necessary to do so, but so far as is reasonably possible the clause will do away with night shift. At the present time the Great Boulder mine, which is one of the biggest in the State, has abolished the night shift. I think that mine abolished it in July, and it may interest hon. members to know that since the night shift was abolished they have had an increased output for every month.

Hon. J. D. Connolly: Have they increased their development work?

Hon. J. E. DODD (Honorary Minister): That I cannot say.

Hon. J. D. Connolly: Have they done any development work?

Hon. J. E. DODD (Honorary Minister): The Great Boulder has certainly a good many faces that some of the other mines have not. They have perhaps a somewhat larger area than some of the other mines.

Hon. J. D. Connolly: And three hauling shafts.

Hon. J. E. DODD (Honorary Minister): Quite apart from that a number of mines on the Eastern Goldfields have abolished night shift. I do not think any great hardship will be entailed upon any mine on the belt by this provision being made law. I do not know if any hon. member here has worked night shift, except the night shift which we have on one or two nights at the end of the session. But I am sure that if hon. members had worked night shift underground they would be the first to advocate the abolition of it. I do not know of anything that can be possibly worse than for a man to have to work night shift underground in such places as our goldfields, as nearly everyone of them is situated in what may be called the back country, where the conditions of life are not too good, where the

houses are not too good, and where they get a great deal of dust. Every man working night shift knows what it is like trying to get sleep when the shade temperature is perhaps from 105 to 112, and there is a good deal of dust about. By the time Friday comes around a man who has to try and get sleep under these conditions does not know what he is doing. I have put in a good many night shifts in Kalgoorlie and at Broken Hill, and I can assure hon. members that by the time Friday came around I used to be "clean beat" or, as the miners say, "just like a wet rag." The abolition of the night shift is going very materially to benefit the health of the miner by reason of the fact that the mine will be able to cool off, and many of the deleterious fumes will pass up the shafts and the mine will become cooler and much fresher to work in. The man who, on Monday, goes on the first shift in a mine realises the difference compared with other times, for there is as much difference as there is between daylight and dark, as the man is going into a mine free from dust and free from smoke. There is a very material difference indeed. And I am sure if the night shift is absolutely prohibited in the mines of the State the health of the miners will be very much better than it is to-day. Then we come to another debatable clause in Clause 46, in relation to the employment of foreigners. It is there provided that nobody who is not able to readily and intelligibly speak the English language shall be employed in any mine. If hon. members will turn up the annual report of the inspector of mines they will find on page 56 the report of an accident, which is said to have occurred by reason of the fact that a foreigner was not able to readily speak the English language. The inspector has drawn attention to it, and anyone sufficiently interested to turn up page 56 can there see his report. It is only fair to say that the manager of the mine has denied the accuracy of the inspector's remarks. All I can point to is that they are the remarks of a reliable officer, and as far as I am concerned they are to be relied upon. In addition to that, we are restricting the number of foreign-

ers to be employed in a mine to one foreigner to every nine Britishers. That is to say that under the Bill, in every group of 10 men in a mine only one shall be a foreigner, the other nine to be of British nationality either by birth or naturalisation. It has been said that in this provision we are doing something which is not right. I can assure hon. members that the foreign element as it is to-day is a very serious menace, not only to the miner, but to the whole of the people of the goldfields and, in an indirect way, to the State. I do not think we have any objection whatever to any foreigner coming here and becoming naturalised and bringing his family; but there is a very decided objection to the preference that is being given to foreigners by a large number of mine managers. As a rule, the foreigner is a single man. He does not make his home here, and unfortunately the foreigners are not the best in the world from the point of view of mining communities.

Hon. D. G. Gawler: What is he to do during the two years' probation through which he has to pass before he becomes naturalised?

Hon. J. E. DODD (Honorary Minister): Unfortunately we cannot naturalise them even after they have been here five or six years.

Hon. J. D. Connolly: But such a man may be quite a good English scholar.

Hon. J. E. DODD (Honorary Minister): He may be, certainly.

Hon. M. L. Moss: Are you going to apply this principle to other occupations besides that of mining?

Hon. J. E. DODD (Honorary Minister): If there was the same danger in other occupations as there is in mining, no doubt we would.

Hon. J. D. Connolly: Where is the danger if he can understand and speak English properly?

Hon. J. E. DODD (Honorary Minister): There may not be the same danger in respect to the possibility of accident.

Hon. M. L. Moss: Are the Government satisfied that this is a constitutional proposal?

Hon. J. E. DODD (Honorary Minister): I have here a few facts in relation to foreigners. Circulars have been sent round to certain hon. members in relation to sly-grog selling. Here are some remarks made by the coroner at one of the inquests held at Kalgoorlie. The coroner said—

We deplore the fact that there is so much illegal traffic in drink among these people.

That is, the foreigners. There is no question whatever that to-day a very large amount of sly-grog selling is going on, and the great bulk of it amongst the foreigners on the fields. Further than that, in a case tried before Mr. Justice McMillan at Kalgoorlie recently his Honour referred to those places, and said that such places were undoubtedly the cause of a great deal of trouble in the State. And they are, by reason of the fact that there is a large number of single men with no home ties, with no interest in the community. They simply live in an area by themselves, and so far as business people, and indeed the whole of the community, are concerned, the only interest they have is simply in living. It is wrong for mine managers to show preference to foreigners as they are doing. At Kalgoorlie some years ago we had very few of these foreigners, but to-day 717 foreigners out of a total of 3,081 men are working under ground.

Hon. J. D. Connolly: Where?

Hon. J. E. DODD (Honorary Minister): In Kalgoorlie. Further than that, 45 per cent. of the men engaged in the Sons of Gwalia mine are foreigners. All the figures are already in *Hansard*, but I have not gone to the trouble of cutting them out.

Hon. M. L. Moss: Are these foreigners all members of unions?

Hon. J. E. DODD (Honorary Minister): I am pleased to say they are.

Hon. J. D. Connolly: You do not object to them in the unions?

Hon. J. E. DODD (Honorary Minister): I want to say that as a rule the foreigner is a good unionist. When I was secretary of a union, the Italians simply came down and joined. Nobody

had to round them up to join. They joined the unions because they knew they would get a fair deal as far as the unions were concerned.

Hon. M. L. Moss: I notice you are not saving the position of those men already employed in the mines. A lot of them will have to go out of work at once.

Hon. J. E. DODD (Honorary Minister): If we could limit it to the future it would not be so bad. There is no doubt, as far as some of the mines in this State are concerned, they give preference to foreigners, and it is to our interests to see that the Britisher who comes here, brings with him his family, builds his house and takes part in the affairs of the community, should be protected. It is said that the foreigner takes on work which the Britisher will not accept. I do not think that is a correct statement. I believe there are numbers of Britishers to be found at all times ready for work in the mines. The foreigner may be more docile in some respects than is the Britisher, but to say that Britishers cannot be found to work in the mines is, I think, incorrect. Another important matter in the Bill is to be found in Clause 60, where it is provided that all wages earned underground shall be paid by the day. That is to say, that contracting shall be abolished, that all the men underground shall be paid at the current rate of wages for the class of work in which they are engaged, and that piece-work or contracting shall be absolutely abolished. There may be two opinions, and two honest opinions, expressed upon this provision. There are many men who honestly believe in contracting. The argument in favour of contracting is that a man of superior skill, superior brain, and superior muscle, is entitled to be allowed to earn a higher rate of wage than a man not so highly skilled.

Hon. J. Cornell: However, such a man never dies a millionaire.

Hon. J. E. DODD (Honorary Minister): There may be a great deal in that argument. I know there is a vast difference in miners. Some men may be very much better than others. But the arguments against the contract system

are that it tends to reduce the wages, and that it is very bad from the point of view of health. The first contention has been done away with by an Act which we passed last session, namely, the Arbitration Act. It is provided in that Act that whether or not a man is engaged on contract he must be paid the current rate of wages provided by the Arbitration Court. So the contention of cutting down wages by contract does not hold good to-day. But the other contention undoubtedly does hold good, for when men are engaged on contracting underground they will take risks, not only to their health by swallowing dust and eating smoke, but they will take risks in regard to accidents which they would not take if they were not so engaged. A man on contract will rush his work and will rush into danger, whereas if he were on day-work he would not do so. It may be asked, what are we going to allow for those men who are better than others in regard to mining work so far as the volume and quality of the work is concerned? I have never yet heard any objections to a good man being paid a higher rate of wage than is paid to an indifferent man, so long as the current rate of wage is paid. If a man is not worth the current rate of wages he should be passed out, while if he is worth more, more should be paid to him.

Hon. T. H. Wilding: What are you going to do with the man whom you pass out?

Hon. J. E. DODD (Honorary Minister): Let him go and get work somewhere else. He may be quite a good man at something else although but an indifferent miner. If only hon. members were working underground at machine drills and knew what the risks are, I am quite sure they would be with me in this matter. One can go down and fire a round of 19 or 20 holes, using the most powerful explosive in the world, and the resultant smoke and dust which one has to eat when firing out—well, I cannot compare it to anything else I know of. If we see a ray of sunlight shining through a room on a bright day we discern the particles of dust in that ray. Let these particles be multiplied

by millions and millions, and we get some idea of the smoke underground. Men on contract will take risks which they never ought to take, and although many men are in favour of contracting, still at the same time, for the sake of the community at large, something should be done to minimise these evils. I am sure if this provision is carried, and the night shift abolished, our task in relation to the minimising of miners' complaint will be very considerably lessened. There are one or two other matters in the Bill which are not in the present Act, but which were in the Act of 1895, and which were repealed by the passage of the Workers' Compensation Act in 1902. One of these provisions is to be found in Clause 67, which states that the occurrence of any accident in or on a mine shall be *prima facie* evidence of neglect on the part of the owner, the agent, or the manager. We are seeking to have that replaced in the Bill. The provision is a very reasonable one. It is almost impossible at times for a miner to prove neglect. During the last six or eight years it has been impossible for any miner to secure a verdict in a court of law other than under the Workers' Compensation Act. It is almost impossible to prove neglect on the part of the mine manager under the present Mines Regulation Act. I think in 1905 the case of Ricci against the Exploration Company was responsible for the Full Court judgment which has practically put the miner out of court. We desire to give him the privilege he had prior to 1902. There is not much else I need explain this afternoon. The regulations are based very largely on the regulations of the present Act. They certainly deal with a very large number of matters, but they are no more than what we have in the Act brought in by Mr. Gregory. I hope the House in considering the matter of mines regulation will try and look at it from a broad point of view, not only from the standpoint of the industry, but from the standpoint of the men engaged in it, and try and realise that the conditions have so altered since 1906 that some of the provisions of this Bill are absolutely necessary. I move—

That the Bill be now read a second time.

On motion by Hon. J. D. Connolly, debate adjourned.

BILL—FISHERIES ACT AMENDMENT.

Assembly's Amendment.

Amendment made by the Legislative Assembly now considered.

In Committee.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Assembly's Amendment—Add the following new clause: Section 42 of the principal Act is hereby amended by the deletion of the words "twice within a period of six months" in lines one and two.

The COLONIAL SECRETARY moved—

That the amendment be agreed to.

According to Section 2 of the Fisheries Act, 1895, where a person holding a license had twice within six months been convicted of an offence against the Act he was liable, in addition to other punishment, to the cancellation of his license at the will of the Minister. That did not give the Minister sufficient power. From time to time large quantities of immature fish were caught and destroyed by fisherman and although inspectors exercised all kind of supervision it was impossible to catch the offenders, and when they were detected the fine in most instances was very small. The Minister had not the power to cancel the license, no matter what the circumstances might be, for the first offence, nor had he power to cancel the license for the second offence if that offence was committed six months after the time the first offence was committed. The object of the amendment was to enable the Minister if the circumstances were such as to warrant the cancellation to cancel the license straight away instead of waiting for a repetition of the offence. It was considered that the amendment would have a very good

effect, and act as a check on the fishermen, who he was assured by the department, destroyed large quantities of immature fish from time to time.

Question passed; the Assembly's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Assembly.

BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: This Bill is introduced for the purpose of providing necessary borrowing power for the Fire Brigades Board. In the original Act passed in 1909 the amount to which the Fire Brigades Board were empowered to borrow money was £5,000. With the expansion of the City and many of the country centres it has been found that necessarily increased property required protection, and that made it absolutely impossible that the necessary expenditure for providing the requisites could be derived from the revenue of the board. Land had to be purchased, buildings erected, and appliances provided all over the State, and recourse necessarily had to be made to borrowing to provide the funds. During last session an amending Bill was put through deleting from Section 53 the words "not exceeding £5,000." The effect of that amendment was to remove the limitation which previously existed to the borrowing powers of the board, and that means that to-day the board can borrow to an unlimited amount providing they have the sanction of the Governor-in-Council.

Hon. M. L. Moss: What is the maximum amount they can borrow at the present time?

The COLONIAL SECRETARY: An unlimited amount providing they have the approval of the Governor-in-Council. We made an amendment to the Act last session striking out the limit of £5,000 and leaving the responsibility to the Governor in Council to determine

what amount should be sanctioned. On the passing of that amendment—that is the amendment introduced last year—the Fire Brigades Board made arrangements for the raising of £50,000 and they secured a lender in one of the local banks on most advantageous terms. It was ascertained, however, that the security which the board had to offer was not entirely satisfactory. In the first place the existing debenture holders had the right to all existing and future assets of the board which meant that no one else could secure a loan on the property except by way of second mortgage. That sort of security, of course, would not suffice for a banking institution for the bank would desire, on the probability of foreclosure, the necessary machinery to enable foreclosure to be accomplished. There is no such provision in the existing legislation. The Bill, however, goes further than that. The solicitors of the bank who are finding the £50,000 desire that the borrowing powers of the board should be more clearly defined than they are now. Consequently the Bill provides for the repeal of Section 53 as amended last year and the substitution thereof of Clause 3 of the present measure. The board's revenue is derived from three sources, the municipalities, the insurance companies, and the Government. The two former provide three-quarters of the revenue in equal proportions and the Government find the other quarter. The metropolitan areas and also many of the country towns have grown at a tremendous rate since the inception of the board. In the metropolitan area new buildings have been erected to the extent of £650,000. It has been the responsibility of the Fire Brigades Board to provide protection for these and other buildings and also for the protection of the lives of the people. This has meant the expenditure of a very large amount of money, but the Government are satisfied that the board have conducted their business with due regard to responsibility so as to give the best return on the basis of the most economical outlay. The fact that the board have been able to borrow £50,000 at $4\frac{1}{2}$ per

cent. from one of the banks I think may be accepted as evidence of caution and business acumen, and also the recognition at any rate by the bank of the value of the cautious administration of the board, and also a recognition of the value of the security the board have to offer. The Bill proposes to give the board power to borrow to any amount subject to the approval of the Governor-in-Council. As I have already explained, that power is already possessed by the board, and I think the proviso which still remains that the Governor-in-Council should give approval in the first instance is a sufficient safeguard. It must be observed that the Government is liable to the extent of a quarter of the liabilities of the board. Money raised by the board under the authority of the Bill is to be secured by debentures which may be for an amount representing partly interest and partly principal. Subclause 3 meets a difficulty of the present day regarding the security to future lenders, as it provides that, subject to any existing charge, the debentures issued under the extended borrowing powers of this Bill shall be a first charge on the property of the board, both present and future. Subclause 4 authorises the Governor-in-Council to prescribe regulations setting forth the method to be adopted in the establishment of the sinking fund. I may say that the arrangements have been completed for the borrowing of £50,000 and also provision has been made for a sinking fund of $2\frac{1}{2}$ per cent. Subclause 4 did not find a place in the original draft of the Bill, for the reason I have already stated, that the Colonial Treasurer had previously made his own arrangements for the establishment of a sinking fund. However, this is now included in the Bill. Provision is made in Subclause 5 for the appointment, in the extremely unlikely contingency of it being necessary, of a receiver in case of the insolvency of the board. That will be very necessary; otherwise the bank would not be able to effectually exercise its powers of foreclosure. This Bill provides the necessary machinery to enable the bank to step in and act

as a receiver in connection with the estate of the board. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

House adjourned at 6.3 p.m.

Legislative Assembly,

Thursday, 16th October, 1913.

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

PAPERS PRESENTED.

By the Premier: Report of the trustees of the Public Library, Museum, and Art Gallery for 1912-1913.

By the Minister for Works: 1, By-law of the Municipality of Boulder—No. 94. 2, By-law of the Municipality of Geraldton—No. 64. 3, By-law of the Municipality of Leederville—No. 2.

QUESTION—MAGISTRATE'S COMMENTS, EMPLOYEES' HONESTY.

Mr. FOLEY asked the Attorney General: 1, Has his attention been drawn to the statement of Mr. Roe, Police Magistrate, reported in the *West Australian* of

Saturday last, viz.:—"This only bears out a statement I made some time ago and to which I still adhere; that there is not a single big firm in the City that is not being robbed by some of its employees." 2, Can he give the reasons for justifying Mr. Roe making this statement? 3, If not, what action does he intend to take?

The ATTORNEY GENERAL replied: 1, Not before this question. 2, No. 3, On a previous occasion it was deemed that a similar statement made by the same magistrate being of a general nature and not directly connected with the case before the court, the matter was not a fit subject for extra-Ministerial inquiry. The repetition of the statement, however, makes the matter more serious. The Government regrets that such a statement, irrelevant to the case in issue, should be made from the magisterial bench, particularly as statistics prove it to be unfounded in fact. The magistrate will be asked to furnish an explanation.

QUESTION—FREMANTLE HARBOUR EXTENSION.

Mr. CARPENTER asked the Minister for Works: 1, Has any estimate been made of the cost of extending the Fremantle Harbour to Rocky Bay, including cost of removal of existing bridges, diversion of roads and railways, resumption of private properties, erection of new bridges, dredging, wharf construction and equipment? 2, If so, what is the amount of such estimate? In asking this question I would be glad if the Minister for Works will say why the information was not sent along yesterday at the appointed time.

The MINISTER FOR WORKS replied: I am not in a position to state why. I desire to ask that the question be postponed to the next sitting of the House.

QUESTION—EDUCATION DEPARTMENT AND TEACHERS' EXPENSES.

Mr. E. B. JOHNSTON asked the Minister for Education: 1, Is he aware that