

Legislative Assembly,

Tuesday, 2nd September, 1913.

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

PAPERS PRESENTED.

By the Minister for Works: 1, Annual report on the working of the Government Railways for the year ended 13th June, 1913. 2, Returns showing the amount of subsidy paid for diamond drilling (ordered on motion by Mr. Harper); return in connection with vision and hearing tests (ordered on motion by Mr. Lewis). 3, Return showing amounts paid by the Railway Department as royalty to the holders of the powellising process, to the 30th June, 1913 (ordered on motion by Mr. George).

BILL—MINES REGULATION.

Second Reading.

Debate resumed from the 26th August.

Hon. FRANK WILSON (Sussex): Whilst I am absolutely opposed to the legislation contained in this measure introduced by the Minister for Mines last week, and believing as I do that it will have a restricting effect on the industry, and that it will be detrimental not only to the interests of that industry but to the men employed therein, I can compliment the Minister for Mines on the moderation of his speech, and I hope that his followers will emulate his good example and deliver whatever remarks they may have to make on the measure in a similar manner.

The Premier: Also the leader of the Opposition.

Hon. FRANK WILSON: The Minister's graceful admission that the Legisla-

tive Council last year had not time to consider this important measure was in strong contrast to that of his colleague the Minister for Works, but I have no doubt on mature judgment that hon. gentleman has come to the conclusion that we did not give the other place, as it is termed, sufficient opportunity to study the provisions of this legislation. I heartily concur with the concluding remarks of the Minister for Mines when he said that he personally wished to avoid legislation which would unduly hamper or harass the mining industry. This is extremely satisfactory and I presume that all one has to do is to point out to the Minister in which direction the proposed legislation will harass this important industry, and the Minister, being amenable to reason, will immediately amend the measure accordingly. If that be the case I venture to think he will deserve the thanks not only of the mining community but that of all the people in the State because we cannot lend too much importance to an industry which has done so much for Western Australia. What it was to the Eastern States and more particularly to the State of Victoria in the middle years of the last century, so gold mining has been to Western Australia, and in addition it has yielded enormous profits to those residing in the Eastern States. History shows that the magic call of gold has attracted large numbers of people wherever it has been discovered. It has opened up and peopled the country and men have gone forth and faced untold hardships, they have in fact risked life itself not to earn a competency only, but with the idea of having an opportunity of striking wealth in a large degree. To-day the industry in Western Australia is a settled one; it is one of settled employment and whilst we—and no one can gainsay it—are justified in taking necessary steps to protect the health and lives of our workers, I think hon. members will agree with me when I say that the time has come to review our operations and say whether we cannot by some other methods unrestricted by harassing legislation, assist this industry. We ought always to remember that no

matter how ardent we may be in our advocacy of the cause of those who are employed in the industry, that every blow struck at owners of mines and at the industry so far as the employers' side is concerned does harm to large and small alike, and sooner or later it comes back on the employees, in other words the workers themselves. I have no patience with the demagogues who cry aloud "Shut up the industry if it will not give us absolutely ideal conditions of employment."

Mr. Heitmann: Where did you get that from?

Hon. FRANK WILSON: They forget that such conditions never exist in any avenue of employment and that by such advocacy they may condemn a very large number of the working classes to possible hardship. I commend these opening remarks to my friends opposite, feeling sure their commonsense their experience and their knowledge of working conditions in Western Australia ought to at any rate, if it does not, counsel them to moderation in the legislation they propose to pass for this and possibly for other industries in the State. Although I admit at once there is no necessity to take a pessimistic view of the future prospects of the mining industry generally, it is a fact which is patent to everyone that the richer fields, especially the Golden Mile, from which, by the way, over 54 per cent. of the total output of gold in Western Australia has been obtained, is not so prosperous as it has been heretofore. Some of the mines employing a large number of men can be said to have arrived at that stage where future possibilities in depth are exhausted, and although it goes without saying that these mines will keep employing labour for a very considerable time yet to come, there is no chance, in some of them at any rate, of a recurrence of their prosperous days. I do not think I shall be disclosing any trade secrets if I refer to one or two mines I have in mind, and if it is not invidious, I might draw attention to the Kalgurli and Perseverance Mines. Those mines are instances where the possibilities at depth are more than doubtful

at the present moment. I say it with extreme regret, and the reason is that the profitable country rock in which the ore shoots have existed is cut out by an unprofitable rock coming in from the east. This unprofitable rock has been extensively prospected with the object of finding pay ore and increasing the duration of the mines. but, although half a million of money has been spent in this prospecting, I am sorry to say that no continuity of payable ore has been discovered up to the present in the mines I have referred to. One or two of the mines treating large tonnages of ore per month are now working on a very narrow margin of profit, and in some cases at an actual loss. Without being wrong I can refer to the Perseverance, which during the months of May and June last made extensive losses. I am told that in May the loss was £658 and in June £2,556, although they had treated something like 20,000 tons of ore per month. The Associated and South Kalgurli also are working on a very small margin of profit indeed.

The Minister for Mines: But there are new ones coming on.

Hon. FRANK WILSON: I do not know whether there are. At any rate, such a state of things as is admitted by the Minister in his interjection cannot be looked upon with any degree of equanimity. It certainly presages a diminution in the number of men employed in the not distant future, and the position is more serious by reason of the fact that in spite of the vast areas of auriferous rock known to exist in this State, very few new mines are showing signs of becoming successful on a sufficiently large scale to take the place of those I have referred to. Any reduction in the cost of mining and the treatment of ore would, it will be admitted, have a far-reaching beneficial effect upon the industry generally, and, of course, on the Kalgoortie field in particular, and I think it is safe to say that if we could by any means, without inflicting undue hardships on anyone, reduce the cost of treatment by some 4s. per ton, we would double the available supply of payable ore on

the Golden Mile, and indeed right throughout the State, it would be more than doubled.

Mr. Green: Would you suggest bringing in Chinamen?

Hon. FRANK WILSON: So it behoves even the member for Kalgoorlie to put his colossal brain and imagination in steep to try to assist in devising means in order that we may work this ore, which, undoubtedly, would be profitable if we could reduce the working costs by a few shillings per ton.

Mr. Green: Say, cutting down directors' fees.

Hon. FRANK WILSON: Yes, quite right. The expert staffs of the various mining companies in this State, by their research and inventive powers, have undoubtedly done most excellent work in order to make the most of this industry.

The Minister for Mines: Hear, hear.

Hon. FRANK WILSON: The Minister for Mines will agree with me that it behoves legislators to see that the results of this good work are not damaged or made of no account by the passing of unnecessarily harsh and harassing legislation.

Mr. Heitmann: Unnecessarily harsh and harassing legislation—I agree with you.

Hon. FRANK WILSON: Amongst the more important inventions which have been brought to light, and improvements effected in the treatment of ore in the Kalgoorlie district, may be mentioned the filter press adapted and brought into effective use for the treatment of slimes by Sutherland; the improvements effected by Ridgway in the methods of vacuum filtration; and the improvements in mechanical methods of transport by Wauchope. Besides these, there are quite a host of improvements in the chemistry connected with ore treatment, and amongst them is the now world-wide method of roasting and fine grinding refractory ores, which was originated in Kalgoorlie itself. A large amount of capital has been spent in perfecting these

various processes and improvements are still being made, although perhaps not to such a radical extent as in the past. The research work conducted in Kalgoorlie has had the effect of bringing properties within the profitable zone which otherwise would have been useless, and which could not have been worked at a profit until these metallurgical improvements had been carried out. One could mention a notable instance in this respect amongst the mines on the Golden Mile.

Mr. Heitmann: Generally speaking, they are the finest mining engineers in the world.

Hon. FRANK WILSON: Undoubtedly, and they have done excellent service to this State and the industry in which they are employed, and we should not by our legislation seek to cast discredit on those engineers, or endeavour unduly to hamper them in their duties and the elucidation of the difficulties with which it is admitted they are surrounded.

Mr. Foley: They have nothing to do with this Act.

Hon. FRANK WILSON: I join issue with the hon. member. That remark shows that he cannot up to the present time grasp what this Bill means. Perhaps he will know more about it when I have finished and sat down. A prosperous mining industry is, of course, of immense benefit and profit to any country, and the 113 millions of golden sovereigns which have been dug out of the ground in Western Australia represent a clear profit to the State, and the more that total can be added to undoubtedly the better it will be for all concerned. Of course, other industries can grow and flourish independent of the mining industry, but it is certain that prosperity in the mining industry is immediately reflected in all other industries, and, therefore, I again say that every effort should be made, of course in proportion to the means at the State's disposal, which I am sorry to say are fairly meagre at the present moment, to encourage its development along natural lines. In addition to the gold that we have won from the earth in this State, I think I am safe in saying that something approaching £50,000,000 of capital

has been invested in that industry during the past 20 years.

Mr. Green : That is like a chapter out of the journal of the Chamber of Mines.

Hon. FRANK WILSON : The State has endeavoured during the past 15 years to assist the industry by the expenditure of large sums of money, in, for instance, the erection of Government batteries, advances to mine owners under the Mining Development Act, diamond drilling and prospecting, conservation of water, geological surveys, etcetera. In many directions has the State endeavoured to give a longer tenure of life to the industry and to assist those who are employed therein, but I think we must conclude that the results obtained from the large expenditure up to the present have not been commensurate with the amount of money expended.

The Minister for Mines : That assistance has given us several new fields.

Hon. FRANK WILSON : Small fields, I admit.

The Minister for Mines : Some of them fairly large.

Hon. FRANK WILSON : Although nearly £4,000,000 worth of gold has been put into circulation by means of the Government batteries, and of course the benefit to the State may be said, perhaps, to balance the direct loss incurred by the working of these mills, it is, I submit with all due deference, open to question whether the system has done the good that we anticipated when it was inaugurated, whether, indeed, it has not done considerable harm to the industry as a whole throughout this State. It is an undoubted fact that individual mine owners, who have had the benefit of a Government battery being erected in the vicinity of their properties, have too often taken advantage of it by working out the more easily gotten ore near the surface, crushing it at the State mill, and when in possession of the resultant gold, they have on too many occasions omitted to devote sufficient funds to developing their properties and providing machinery which cannot be dis-

pensed with if the mine is to be worked to a greater depth than 100 feet or so from the surface.

Mr. Heitmann : Would that not have been done with a private battery ?

Hon. FRANK WILSON : I do not think so; at any rate, not to the same extent. The natural result of this policy is that a time is soon reached when the mine is down to water level, or in hard country; machinery is necessary and the owners, having parted with the profits, have no funds, and the property is either abandoned or gives employment to one or two men only. Whilst it is not proved in such circumstances that the shoot of payable ore does not continue at depth, the position is such that those representing capital, and whose duty it is to advise investors, cannot recommend as a justifiable speculation a property of this description. They cannot recommend the large initial outlay which is necessary to reopen such properties at a lower level. Of course, no one can blame an individual mine-owner for doing what he likes with his profits, but it is a mistake to suppose that individually-owned mines are likely to be more beneficial to the State than, for instance, a company-owned mine with large capital behind it. A company is much more inclined to reserve a portion of its profits for future contingencies than is an individual and consequently is more likely to develop a mine out of a prospecting show. Also the State, I submit, has certainly in addition to a huge expenditure on public batteries not received an adequate return for the money expended under the Mining Development Act. No doubt this Bill is very popular, and ought to be, with individual mine-owners, but I have long thought the expenditure has not altogether been justified by the results which have been attained. Geological surveys up to the present have not benefited the industry as much as we could wish and I do not know that the fault lies with the staff, whom I believe are quite capable of carrying out the duties allotted to them, but it certainly seems to me apparent that at the

present time what is required is a geologist who has made a special study of his subject in its application to ore bodies, to enable him to make the deductions from the facts ascertained by the survey staff to enable prospectors and mining men to turn such knowledge to account. It is obvious it would pay the State to obtain the best man obtainable for the work, a man who has had world-wide experience. I have, in conversation with mining men of repute in this State, been informed that their experience is that Western Australia presents one of the most valuable fields in the whole world for the beneficial application of economic geology, in fact, I believe, that there is only one other country which approaches Western Australia and that is the central American State of Mexico. I am informed on good authority that ore bodies are known to exist on fairly well defined lines and that there is no difficulty in applying the knowledge gained by the study of the ore bodies in discovering new ore bodies; and when we realise that there are some 25,000 square miles of known auriferous rocks in the State of which probably some 90 per cent. are covered by surface cement in such a way as to be unrecognisable by the ordinary prospector, it seems to me we cannot do better at this juncture to assist this industry than by adopting a systematic geological survey and by engaging the best men we can lay our hands on to conduct the surveys. The prospector looks for gold-bearing outcrops and it is a significant fact that the richest lodes have not been found in such a manner. The Great Boulder lode did not outcrop, it was quite invisible from the surface; and to mention another locality which my friend, the Whip of the Government party, referred to, the rich Fenian lode at Meekatharra, long distant from the Golden Mile, did not outcrop, and there are many others. And I may say that the important point in both cases is that there were sufficient indications on the surface to have enabled the geologist to point out that the locality was favourable for ore deposits, and in both cases of

course we know discoveries were made purely by accident.

Mr. Harper: The prospector was the geologist in those cases.

Hon. FRANK WILSON: He discovered them by accident whereas a proper systematic survey would have pointed to the lodes, and if they had not been discovered by the prospector they would have been unearthed in due course by the system I have indicated. It must be apparent to everyone that other rich lodes must exist.

Mr. SPEAKER: I do not wish to embarrass the hon. member, but this appears to be a discussion which would come more suitably on the mining Estimates.

Hon. FRANK WILSON: It is leading up to the discussion of the Bill, Mr. Speaker, if you will allow me to proceed.

Mr. SPEAKER: All right.

Hon. FRANK WILSON: I want to point out this fact, if we are to have a renewal of prosperity in the mining industry, and everyone, of course, desires that, the wisest course to pursue is to curtail the expenditure on Government batteries to some extent, to curtail the expenditure under the Mining Development Act to some extent, and to curtail our ardent desires to legislate as this Bill does in a harassing manner against this industry and to devote our conjoint efforts and expenditure of such money as the State can afford to carry out a systematic geological survey. The benefits, of course, would be valuable to all and sundry throughout the State, whereas the expenditure under these votes certainly benefit the individual whereas it does not benefit the State and the country generally to the same extent. Now, I come to the Bill, the main clauses of which I think will be agreed harass and act detrimentally to the carrying out of this industry which we have under consideration. The Bill, for instance, has one of its main principles contained in the clause which provides for inspectors of mines. It proposes to make considerable alteration in the method of appointing inspectors of mines, the principle of which is the appointment of so-called workmen's inspectors. Mine owners have

no objection whatever to any number of Government inspectors, provided they are competent men. They would welcome, I am assured, the strengthening of the staff of inspectors, a large staff of capable officers, who would benefit the industry generally. On the other hand there is a strong objection to the so-called workmen's inspectors under the provisions of the Bill.

Mr. Foley: For what reason?

Hon. FRANK WILSON: They are to be nominated by the trades unions, and the appointment of these inspectors under the provisions of the Bill is more than likely to result in incompetent men being appointed who have very strong political opinions, and certainly if such were appointed it would cause them to be biased against the management and certainly incline them to improperly use the wide powers conferred on them by the Bill to harass the management, and they could not be depended on to take action against the workers in the mines.

Mr. Price: That has not been the experience in other countries.

Hon. FRANK WILSON: That certainly has been the experience of the appointment of workmen's inspectors such as it is proposed to appoint under the Bill, and I maintain neither the owners nor the men have the right, or ought to have the right, to nominate and practically elect the inspectors, in such an industry. They ought to be appointed on the responsibility of the Government after due examination to prove that they are competent men. Let the Government take the responsibility of appointing as many mining inspectors as they like, but for goodness sake do not make it a portion of the law that certain sections of the community, owners or workers, can appoint their own inspectors to look after their own interests and their own interests only.

Mr. Foley: You have them in your coal mines at Collie.

Hon. FRANK WILSON: Under certain conditions, and you have them under the present legislation. The Minister knows very well workmen's inspectors can make a claim to examine any portion of the mine if they have reason to believe

there are dangerous workings and they can report to the district inspector the result of the examination. They have that power at the present time, yet strange to say these men have never exercised the power which has been placed upon them and given into their hands under existing legislation. If members were correct they would be able to point to some instances where the workmen's inspectors have taken advantage of the power conferred on them by the existing law and in consequence have been, to use the well known term, fired from their employment, but they cannot do that. They only wish to stir up strife between the employee and the employer and such would be the case if unfair steps such as these were taken in retaliation. The next main feature which was mentioned by the Minister when introducing the measure and which was dilated upon at some length as being an excellent provision, was that wherein he proposes by an Act of Parliament to limit the height of stopes to 10 feet at the outside. To limit the height of a stope to 10 feet is impracticable, and to attempt to apply such a law would mean that the filling must be carried to within five feet of the back or top of the stope before the stoping could be continued and if the stope was taken off to the height of another five feet and in doing so loose or shaken ground disturbed, the management would be liable to prosecution for pulling down the loose ground and thus extending the limit of the 10 feet it is proposed to put into the Bill.

Mr. Foley: Now you are on a Bill that you know nothing about.

Hon. FRANK WILSON: That interjection is equal to the capacity of my hon. friend. It is usual to make an interjection of that sort, but it remains with the hon. member to prove it. It is argued that the height of these stopes is a great menace to the workers. I want here to point out that the mining inspectors have absolute power under our existing laws to limit the height of any stope if it is in their opinion dangerous, and it is being done to-day. The Minister admitted that in his introduction of this measure. It is true that there is right of appeal against the inspector's decision, but it has

been exercised, I understand, only in one instance since the Act came into force. That shows conclusively that the mine-owners and those in charge of these workings are only too anxious to work in with the inspectors in making proper provision and taking due precaution to safeguard the lives of their employees. Let me point this out as an instance, that there has been only one fatal stope accident in the Kalgurli mine in the past seven years, and this was in a stope where it was filled to within 4 feet of the back and the other end of the stope was at that time 20 feet high, bad ground having been worked down to make that portion of the stope safe. If that be so, it goes to prove—and I hope hon. members will give due consideration to the argument—that it is much better to leave full power in the hands of the inspectors to serve a notice upon a manager that a certain height is dangerous and must not be worked up to; in other words, put a limit on the height of a stope according to the nature of the ground in which they are working. I would like some of those hon. members who pose as mining experts with all the experience of many years' underground work, to tell me how they are going to drive a leading stope under the 10 ft. restriction where they have to timber to provide a 7 ft. height of timber and to put sufficient filling on the top before they work the stope. What is going to be left?

Mr. Foley: What nonsense.

Hon. FRANK WILSON: It is open to the hon. member to disprove the contention when he gets upon his feet. No doubt words of wisdom will flow from his lips in his usual style, and he will tell us his own personal experience; he will demonstrate how these leading stopes are to be run under a fixed 10 ft. limit contained in an Act of Parliament. To quote the words of the Minister himself, at the present time these stopes are being limited by his inspectors, and he ought not to ask for anything more than that in order to work this industry successfully and profitably to those concerned in it. Then we have the suggestion that all levels must be connected by a passage way other than the main shaft as soon as

practicable. I submit that this is a harassing condition which is unnecessary, as at present it could be ordered when it is deemed necessary by the expert inspectors. If the inspectors deem it necessary to order any passage way for the safety of the men, they can have that work carried out, subject again to an appeal to an expert body appointed by the Government as to whether the order is reasonable, absolutely necessary or otherwise. If this section of the Bill is passed and enforced, it can only have one effect—the prohibition of exploratory working underground to a large extent, and certainly the closing down of many small mines in this State.

Mr. Harper: And big ones too.

The Minister for Mines: They have closed down a few lives because there was not that provision.

Hon. FRANK WILSON: Then why did the inspectors not provide it? It goes without saying that such a rule could be complied with by rich companies and rich mines and such mines only, but it is quite impossible for small companies and individual owners working spasmodic ore deposits to carry out the rule. In passing, it may be noticed that the rule has evidently, according to the Minister's remarks, been inserted to provide principally for means of exit in case of fire, but it is also curious that nowhere else in this Bill is there provision made for the punishment of men who make careless use of fire underground, and I maintain that it is just as necessary for us to legislate to provide punishment for the men who are often responsible for such accidents as it is to provide punishment for the mine managers and to enforce, in many cases, unnecessary expenditure upon the owners.

Mr. Foley: It is provided for in this Bill.

Hon. FRANK WILSON: The next main principle which I notice in this measure is the question of hours of work: we have a section of the Bill which provides that men shall not work more than 44 hours per week. Of course, if this is to be enforced, it would result, of necessity, in serious curtailment of the mine's earning power; it represents something

like 6.8 per cent. of the earning capacity of the workers, and it is idle, I think, to suppose for one moment that companies could or would go on paying men for 47 hours of labour whilst they put in only 44, and here let me point out that in none of the Mines Regulation Acts of the Eastern States, or, indeed, of New Zealand, do they provide for a less working week than 48 hours.

Mr. Foley: They do in Victoria.

Hon. FRANK WILSON: Forty-eight hours is provided in the Mines Regulation Acts of the Eastern States and in the Dominion of New Zealand as the week's work for miners working underground. Then we have what I have termed on more than one occasion insane legislation—a proposal to abolish the night shift. If this Bill should become law, it means a considerable decrease in the number of men employed. The Minister has, it is true, explained that the operation of this clause will be deferred until, I think, the middle of next year, but that in itself is not sufficient to enable many of the mines to comply with such legislation.

The Minister for Mines: Many of them do.

Hon. FRANK WILSON: Only a few. Many mining companies now employing a large number of men are working on a very narrow margin of profit, and then can only keep going by treating very large quantities of ore: any increased cost or diminution of output would mean that a loss instead of a profit would be incurred, and it stands to reason that no mine is capable of carrying on, for any length of time losses such as I have previously indicated. Mining companies are quite willing to abolish the night shift if they can do so, and, as for the Minister's contention that the Great Boulder having abolished the night shift was a proof that all the other mines could do the same, I would point out that the fact of the Great Boulder having done without its night shift of late only goes to show that mine managers are not wedded to the night shift, if it could possibly be done without; it shows also that that company is in a much better posi-

tion than other mines of the Golden Mile and elsewhere. It has three shafts to haul through and it has many working faces, so that sufficient men could be employed in the two shifts to break enough ore to keep the plant running, but in most mines, even the bilarious member for Pilbara will admit, this is not the case. In most other mines similar conditions do not obtain, and any attempt to crowd more men into the other two shifts in the working spaces available would be detrimental both to the safety of the men and the ventilation of the mine in which they were working. There can, to my mind, be no argument advanced against a night shift underground which cannot be equally applied to working a night shift on the surface. Then we come to this much vexed question of alien labour; it is proposed to limit the number of foreigners to not more than 10 per cent. or one in ten, and I submit again that we cannot pass legislation of this description without doing injury to the industry and the men themselves. Men are admitted into our country—and I have often voiced this point of view—under our Federal law, and they are capable and willing to work, and if their employment is limited in the mining industry, I want to know why it should not be limited in all the other industries in this State? We have the hon. member for Forrest (Mr. O'Loughlen) interjecting to the Minister that his regulations, up to the present, had driven thousands of these foreign workers into the timber districts. The Minister then said we would have to meet that position by legislation, and I inquired whether they intended to drive the foreigners into the sea. "Oh, no," said a chorus of hon. members opposite, "nothing of the sort; we are not asking that." But what is to become of the men if they are driven from the timber areas as well?

Member: Let the farmers take some of them.

Hon. FRANK WILSON: There is not the slightest doubt that at the present time we have a scarcity of skilled British workers for mine work in the back country. The Sons of Gwalia mine, which has

always been mentioned as a baneful illustration of the employment of foreign labour, has always been willing any time within the last few years to take 50 competent machine men, Britishers, if they were available. It is known they are not available up to the present time.

Mr. Foley: That is absolutely incorrect.

Hon. FRANK WILSON: And we have the fact that the Mount Morgans mine in Queensland has been advertising in our local papers for 250 skilled men to go up there and work on that property. This does not go to prove that there is an abundance of skilled labour available, and I am concerning myself at the present moment with the mining industry, which means so very much to us. It is undoubted that these foreigners are largely employed in work which Britishers do not care about. They are employed principally in trucking and shovelling.

Mr. Foley: That is absolutely wrong.

Hon. FRANK WILSON: And this being so—I am quite prepared to consider trucking as being the worst job in the mine—this being so I want to know what earthly objection there can be to foreigners doing this heavy work whilst the Britisher is employed on a more highly skilled and better paid job. Whilst I admit we must take due precautions in regard to language and the language test, up to the present there has not been a single case, I am informed, of an accident which has occurred through foreigners being unable to speak English sufficiently well. Now, to answer the hon. member for Leonora (Mr. Foley) who knows so much about this industry; he says foreigners are not employed in the more arduous work of trucking and shovelling to a greater extent than in other avenues of employment. I have before me a schedule showing the total number of foreigners employed underground in the Kalgoorlie and Boulder districts. Whereas in the Associated mine we have 28 foreigners so employed only one of these is a miner, while 27 are truckers and shovellers. In the Golden Horseshoe, out of 168 foreigners employed 91 are miners and 77 are engaged in the more arduous work of trucking and shovelling. In the Great

Boulder Perseverance 71 foreigners are employed underground; all are employed trucking and shovelling. In the Great Boulder Proprietary 55 foreigners are employed underground, 10 as miners, while the remaining 45 are employed in the more arduous work of trucking and shovelling. In the Ivanhoe, 52 foreigners are employed underground, only two as miners, while 50 are engaged at trucking and shovelling. In the Lake View and Star, 77 foreigners are employed, one as a miner, while 76 are engaged in trucking and shovelling. In the Oroya Links there are 18 foreigners underground, one being employed as a miner while 17 are trucking and shovelling. In the South Kalgoorlie, there are 20 foreigners employed underground, but none of them as miners, all being on the more arduous work of trucking and shovelling.

Mr. Foley: You have not mentioned the Sons of Gwalia.

Hon. FRANK WILSON: The hon. member can give all the figures he likes. Surely here we have sufficient evidence to prove that the hon. member is incorrect and that my statement is borne out by facts, and is deserving of serious consideration.

Mr. McDonald: You are talking about different districts altogether.

Hon. FRANK WILSON: We are legislating for the whole State, and not for one mine. One swallow does not make a summer, and one mine does not comprehend the whole of the industry in the State.

Mr. Foley: You were going to give me figures about Leonora.

Hon. FRANK WILSON: Then we come to this most vexatious proposal to abolish contract work throughout the mines. It means we are going to sacrifice the highly skilled worker to the inefficiency of the incompetent man. The so-called contract system in force in the mines here is really a bonus system, because any contractor, it does not matter how little work he does, gets paid the full rate of pay provided for a miner. Hon. members will remember that under the last section in the Arbitration Act which we passed some time since, full wages

have to be paid; so whether a man is on contract or not, no matter how much or how little he does, he must at any rate receive on the one hand, the full value of his labour set down in the arbitration award, namely, 13s. 4d. a day for a miner, while on the other hand he gets the value of the work he performs. The system in force permits of skilled men earning the full reward of their skill. There have been many contract parties who have earned consistently more than £1 for each day they have worked, and are still continuing to do so. And let me point out that it is not a question of sweating. The men work as much or as little as they think fit. It is a question of ability, of using their brains, their better skill, their greater intelligence; by the exercise of these qualities or gifts, and by more economical methods of working they are able to produce more than those who do not know so much as they do. Why we should take away from these men the benefit of that skill which undoubtedly they possess, I cannot understand for the life of me. If hon. members could prove that this contract work was absolutely detrimental to life, one might give it some consideration; and if it could be proved that it was injurious to the workers in the mine I maintain that our inspectors, under their present powers could abolish contract work; and they would be upheld by whatever expert board sat in judgment on the question. The Mount Morgans mine, as I have already mentioned, is advertising for 250 capable miners, and they guarantee that on contract work these miners will be able to earn an average of at least 17s. a day.

Mr. Heitmann: Where is this?

Hon. FRANK WILSON: On the Mount Morgans mine in Queensland. Surely we must take notice of this fact. We must realise that if we are to prevent these skilled men from getting full advantage of their labour and their brains, they will leave Western Australia, and our industry will be so much the poorer while that of Queensland will be so much the richer by the transference. Highly skilled men can earn over £1 per shift,

and it is a noted fact. As an instance, one party of six, working in the Kalgurli mine, up to the end of July last, for the whole period of six months, averaged 26s. 3d. per man per shift. Yet hon. members would deny these men the right to earn more than the incompetent man who is always waiting and wishing for the whistle to blow.

Mr. Heitmann: Is there anything in the Arbitration Court's award to prevent them going over the minimum? Tell me that.

Hon. FRANK WILSON: The hon. member has told himself that. What has it to do with the argument? If a clause in the Bill insisting upon nothing but day wages is to be passed, it naturally follows that these men will go further afield, where they can get due recognition of their exceptional ability and skill. Then we have a provision in this measure which I submit is inequitable, namely, that the manager of a mine is to be held guilty of negligence whenever an accident occurs. This class of legislation is against all those principles of British justice and fair play which lay it down that a man is held to be innocent until proved to be guilty. I say there can be no justification for the insertion of such a clause.

The Minister for Mines: It was in the Act of 1895.

Hon. FRANK WILSON: And was taken out because it was unjust, and so we ought to deal with it on the present occasion. If it is a necessary clause it ought to be made applicable to workers and managers alike, because after all, there is evidence to show that the great majority of accidents are caused. I am sorry to think, by the negligence of the workers themselves. Then we have an unfortunate provision inserted here to the effect that damages can be recovered under this measure. At the present time we have the Workers' Compensation Act, which gives all necessary and reasonable facilities to injured workmen to recover damages. We have also common law under which they can recover, and the Employers' Liability Act, and there is no reason why we should give power under the Mines Regulation Act for the re-

covery of damages which can be recovered under the legislation I have referred to. Every Act we pass increases the cost, and every Act of this description which has to be covered by a policy of insurance means an increased premium. The industry has to bear it. For goodness' sake, let us take this into consideration and ease off a bit in our desire to pile up obstacles and increase the load which this industry—which is gradually, I am sorry to say, at the present time getting smaller and smaller, and which ought to be increasing—is burdened with to-day. Then we have these certificates of competency. We are not satisfied with burdening the industry as I have outlined in my brief remarks, but now we want to have every man employed by a mining company to be employed only after producing a certificate of competency. Managers and shift bosses and surveyors and every other official in charge of works and workmen must have a certificate of competency. It is a burdensome restriction, for which there is no justification, and the enforcement of such a clause, whilst it may not affect the rich large companies, will certainly be a serious matter to the smaller companies and individual leaseholders who could not afford to pay the increased salaries which a certificated official always expects to command. Mine managers, surveyors, and shift bosses of the Western Australian mines are equal in skill and capability, as the hon. member has admitted, to those in any country in the world, and I hold that with a sufficient staff of competent Government inspectors there is nothing whatever to fear from the incompetency of those in charge of our mining ventures. Of course there are numbers of other minor clauses in the Bill which will require amendment, if the mining industry is to be allowed to live at all, and if it is not to be strangled slowly but surely. I submit there is no good reason why any more regulations should be enacted to embarrass the industry. Those in force under our present legislation, which is claimed, let it be noted, to be the best legislation of its kind in existence, are ample and

more than ample to protect the interests of all concerned.

Mr. Heitmann: More than ample?

Hon. FRANK WILSON: And this piling up of restrictive legislation can only have one effect, and that is, to considerably decrease the number of mines carrying on active operations in the State, and of course, as a natural consequence considerably decrease the number of men employed.

Mr. Heitmann: And considerably decrease the number of deaths.

Hon. FRANK WILSON: The mining industry is a State asset and we should not allow trades unionism to exploit it for its own particular ends, and so throttle what has proved in the past, and what will prove in the future, to be a source of wealth and prosperity to our State.

Mr. Foley: Are not you speaking as a strong trades unionist now?

Hon. FRANK WILSON: I want to point out, before I sit down, that the inspectors have all the powers to enforce all the provisions that are provided and proposed to be included in this measure. They have at the present time an elastic power that they can use their discretion, prohibiting anything that they believe to be detrimental to the safety of the men and the mine itself, and it seems that it would be absurd for us to seek to alter this legislation to make more rigid the provisions, and to provide an arbitrary and hard and fast condition of affairs in the legislation itself, which no mine inspector under the Government could depart from under any circumstances whatsoever. The legislation in the Eastern States goes to show that they do not provide all these onerous conditions which the Minister proposes to load up our industry with. I have stated that the hours of work in the Eastern States and New Zealand, under the different Mines Regulation Acts, do not go below 48 hours per week. There is no legislation with regard to the limitation of the heights of stopes. There is no legislation that interferes with the working of a night shift, and certainly I know of no legislation which has yet attempted to

take away from the miner the right to get the best return for his skill and his labour under what is known as the contract system. There is no prohibition in regard to rises, there is no drastic provision as to workmen's inspectors, such as is provided in this legislation—

Mr. Munsie: There is in the coal mines.

Hon. FRANK WILSON: Which will give those men appointed by the trades unions absolutely the same power as a qualified inspector appointed under the responsibility of the Minister. I have no hesitation before resuming my seat in saying that I believe this Bill is framed in such a way that it will be detrimental to the industry.

Mr. Harper: Quite so.

Hon. FRANK WILSON: I believe this Bill has been framed in such a way that it will not materially benefit the workers themselves; it will restrict their opportunities, and it will not give them any further degree of safety, and that being so, I must voice my opinion and vote against the second reading of the measure.

Mr. FOLEY (Leonora): In rising to support the second reading of this measure I do so because I believe, even against the opinion of the leader of the Opposition, that this Bill, if carried into effect, will be the means of alleviating much of the distress which exists on our fields at the present time.

Mr. Monger: I thought they were all employed up there.

Mr. FOLEY: I feel tempted to make the same remark which was made to me, that if I waited I would hear enough and the hon. member for York will hear something about the mining fields before we members on this side of the House have finished. In this Chamber the other night all the members of the Opposition protested against a measure then before the House because it meant a little tax of about 1s. a year on what they considered were working men, and all the members of the Opposition rose in indignation and said they were champions of the working men of this State. I interjected that there would be a measure later on and that their championing of that might be of some little use to the working men. We

have had a sample of it in the speech of the leader of the Opposition this afternoon. In opening his remarks the hon. member posed as a peacemaker, throwing oil on the troubled water, but instead of throwing it on the troubled water he threw it on the fire, and with the usual result, that it burned. He went on in his peace-making style to say that the workers, the trade unionists in the mining industry, wanted everything that the industry could give them, and wanted everything that they demanded and which they considered should be given to them, even if it meant killing the industry.

Mr. Underwood: The Chamber of Mines told them to say so.

Mr. FOLEY: We on this side of the House represent and are proud to represent, and to acknowledge representing trades unionism, and the speech of the leader of the Opposition was a strong one from the opposite standpoint—that of the Chamber of Mines, whose members for many years have been diametrically opposed to the policy of the Labour party, and have never lost an opportunity to voice that opinion through the Press and through their monthly journal. They are diametrically opposed to labour, and their idea is that which is being voiced by the leader of the Opposition, and I take it this is a sample of the opposition which the Bill will receive right through the piece. The workers in the mining industry do not want everything, but they want a little more of the wealth they produce.

Mr. Monger: They get a very fair proportion of it.

Mr. FOLEY: They get their lives shortened by working in the industry, and that causes distress in the homes of the miners if they are not spared to make good citizens of the children who are growing up around them. Taking only one aspect of the question, that of improving the ventilation of mines, if we pass this provision we will be doing something to make Western Australia and Australia a better place. If we can eradicate the phthisis, even supposing it is only ordinary miner's phthisis, and not of a tubercular character, we will be doing something. The measure will give greater facilities for

those in power to make the mines better for men to work in. As an example of what phthisis is doing we have only to remember the steps which are being taken by the Government to erect a sanatorium. This institution will cost many thousands of pounds, and no member on this side of the House will grudge one penny of it; but after listening to the speech of the leader of the Opposition and his opinion as to what the men in the mines should be subject to, I take it that he and his followers are opposed to this money being spent in establishing a sanatorium for the men who have given the best years of their life to the industry.

Mr. Monger: Nonsense! The leader of the Opposition never inferred such a thing.

Mr. FOLEY: And they have given the best years of their life in an occupation and have not received anything like the fair thing that the hon. member for York seems to think they have. If the shortening of a man's life by two, three or up to ten years is the standard upon which the Opposition are going to base their opinions as against a matter of perhaps paying them a few shillings a day more, then I say it is a wrong standard to adopt. The hon. member spoke of what is done in Victoria in this regard. Although the Victorian regulations state that no man shall work underground for more than eight hours a day, if the men ask for an anemometer to be sent down and it is proved that the air in the space in which they are working registers over a certain degree of humidity, this particular spot is counted as a hot end and the men have to work only six hours a day there, beside getting an advanced rate of pay.

Mr. Monger: What do they pay them?

Mr. FOLEY: Different rates are paid there and different rates are paid in Western Australia, and I can assure the hon. member that some of the rates even in Victoria are equally as good, if not better than those paid here. The fact of a man working six hours a day because a rise is hot, because the dust in that rise or the natural dampness in the ground causes the atmosphere to be humid, thereby resulting in sickness and the shortening

of his life, the shorter hours I say is not a remedy. The time might come when that area will become hotter and the humidity greater, and it will be impossible for him to work more than four hours, and later on it will become impossible for him to work more than three hours a day, and then the time will come when it will be unprofitable to work the mine at all, and the consequence will be that the mine will have to be closed. As one who has spent the whole of his working life in the mining industry, I say it would be better to see the mines of this State closed up altogether rather than the death rate per thousand of our men increased to a greater extent than at present, or even increased to the proportion experienced in South Africa at the present time. When we compare this Bill with what the present Minister for Mines has done since he has been in office—and I say the inspectors have done a great deal—this measure will give them an opportunity to do more. That is not to say that they will be any more harsh on the management. The present Minister for Mines gives the inspectors an opportunity to do their work unhampered, which was not the rule previously, and that is the reason why such good work is being done by the inspectors of mines at the present time. The leader of the Opposition also stated that it was the intention of this Bill to provide for trades unionists being appointed inspectors. I am glad to say that there have been two men appointed as mines inspectors lately in Western Australia, and both of them are trades unionists, and they are as good as any who could be possibly found to fill the position. These men have been appointed by the present Government.

Hon. J. Mitchell: They were not elected by the unions.

Mr. FOLEY: My friend interjects that they were not elected by the unions. I might inform him that at the examination for these inspectors, the unions were represented, the mine owners were represented, and the Government were also represented on the board which made the appointments.

Hon. J. Mitchell: Were the free workers represented?

Mr. FOLEY: I can assure the hon. member that they will never get a footing on the goldfields. He can, however, have as many as he likes in the farming districts which he represents. The present Mines Regulation Act provides that two men or any man shall have the opportunity every month of examining a mine, either alone, or accompanied by the manager of that mine, but that provision cannot be availed of at the present time and it is absolutely useless, therefore, to have it on the statute book. There have been only two examinations made. One was at the Great Fingal, and what was the result? There was not a man appointed as inspector from that mine, but the hon. member for Cue, Mr. Heitmann, was appointed by the miners to go down and examine the mine on their behalf. My friend says that he has never had an instance pointed out to him where men have been sacked, but he never would get that. One would never get proof that a man has been "tramped" for anything as far as the mines governed by the Chamber of Mines are concerned. That body carries trades unionism to the extremity until it becomes oppressive with the unionists. If a man is "tramped" because he made an examination of the mine, they would have something else against him. When a man is put on "tramp" from any of our mines, even though he kept within the ordinary mines regulations, the mine owners would never say that he had been "tramped" because he wanted to see the regulations carried out. There is nothing in the mines regulations to make a mine manager prove to the satisfaction of an inspector, after a man has been sacked, that he sacked the man because that man wanted to see the regulations carried out. I know this is a fact. It has been done to me and I know that a man after he has been sacked has not a million to one chance of ever proving anything.

Hon. J. Mitchell: Then you strike.

Mr. FOLEY: Some hon. members opposite seem to think that trades unionists only live for strikes. When I tell

hon. members that all the time the goldfields have been in existence in Western Australia there have been only two strikes—and only one was serious—it will be realised that it is not the desire of miners to go out on strike. In regard to one of these strikes my friend the member for Hannans and myself have every reason to remember it, and to know that strikes do no good. Both of us told the men before they came out that that was the worst thing they could do. Still, at the same time my friend will say, quite right, but the first time he gets a chance he will interject at once they will go out on strike. Just to show that there is something needed more than exists at the present time I might mention that in 1911 the deaths and serious accidents numbered 565 and in 1912 526. My friends will say that the 1912 figures are lower and therefore the regulations do not require to be altered, but when we can get a better method of inspection, and the inspectors are not hampered in their work, those figures will be further reduced. In 1911 there were 37 deaths and 528 serious accidents. The deaths that were caused by falls of ground numbered 12 and the serious accidents numbered 42. That was in 1911, but in 1912 the deaths were 14 and the serious accidents 62. Where inspectors have full knowledge of what is being done, and where they have the opportunity of seeing that the men keep themselves and the places around them safe, since the inspection has been made so rigid during the past year, the number of deaths has been reduced from 12 to 8 and accidents from 33 to 20. That is absolutely proved so far as the shafts are concerned. Where they are timbered all round and where the inspector can see each day, and where the men can see themselves each day whether it is safe or not, the risk has been considerably reduced, but there is no inspector in the world who can go round a mine occasionally and see that a stope is safe if it is as high as the ceiling of this building. The Minister for Mines when introducing this measure said that the men when working in those places did

not know the risk they ran. I say they do know it, but they have not the power to do anything. If we had inspectors who could be called upon by the men, and if these people had a security that they would not be victimised in any way for making an inspection, and if their inspection, under the supervision of the head inspector, were recognised by the Government, then good would come of it, and there would not be the slightest idea of hampering the mining industry. There would be nothing harsh in this against mining companies, and it would mean if they could work their mines with a greater degree of safety than is being done at the present time, more would be done by the men. With regard to the question of night shift the same argument will apply. My friend the leader of the Opposition, says that the Great Boulder mine has abolished night shift, but that it is not possible for this course to be followed by other mines. There is scarcely a big mine in the State where this could not be done, but it is not a question of whether night shift could or could not be abolished; it is a question whether the time allowed under the present measure is sufficient for these companies to get their mines ready to comply with that particular clause in the Bill. If it can be proved that it goes to the end of next year, I have every reason to believe that the Minister will listen to any reasonable suggestion that might be made to him. The leader of the Opposition also stated that all responsibility was cast upon the employers and that the employees were free from it in every way. He said there were no mining laws or regulations in any part of the world so drastic on that question as our laws were at the present time against the employer, and he said there was not a clause in this Bill that made it an offence for any man to even light a fire underground. He said that the careless use of fire was not provided against. The hon. member evidently wished to mislead the House or he did not read the measure. In Clause 62 it is provided that negligence may be punishable, and if lighting a fire underground

can be called carelessness or anything it is punishable under this Bill. So far as foreigners are concerned, the leader of the Opposition showed his skill as a debater, as a good politician and as a good engineer by evading the main issue. He spoke all round the question, on top of it and underneath it, but he never came to the subject at all. When I interjected that his figures were wrong and that the statements he made in regard to what we wished to do to foreigners were wrong, he gave us an array of figures which dealt with the Golden Mile only, but he did not touch the Murchison or Gwalia. We know that at the Great Fingal mine nearly all foreigners were at one time employed. When I asked him about this he said perhaps the hon. member for Leonora would grace a position in the back country better than his present position, but I doubt if the leader of the Opposition went to the back country whether he would be very gracefully received if he made the same speech as he did this afternoon in this Chamber on the question of foreigners. So far as that question is concerned, I have seen good Australians, who are the best miners it is possible to get in the State, go to the Sons of Gwalia day after day, and week after week, and be turned away, and the only thing left them was an 87 mile tramp to Lawlers or else ask for their fare from someone to take them back to Kalgoorlie or Boulder. That gentleman made a statement that during the past two years 50 machine men could have been provided with work at that mine, but that is absolutely incorrect. I have known men during that time who have gone there in search of work, men of the calibre I have referred to, and work has been refused them. During that time and until recently no foreigners were ever turned away from that mine, they were always sure of work, but there was never work for the Britisher, who could always go on tramp. The Premier went with me to that mine, and our friends the Chamber of Mines thought that I had committed a crime because I took the Premier there to show him what there was to be seen at the change of shifts,

and what we had to put up with so far as this question is concerned. The Premier could tell hon. members that there were three in one class and 50 in another of those left on the brace of that mine and that it was not a rigged up affair. I take it, therefore, that if we are going to represent that portion of the State we should have access to every portion of it, and I consider that we are doing nothing wrong in going there and seeing for ourselves something that the Press of this State has for many years past made out to be deliberate lies.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. FOLEY: Continuing on the question of foreigners in mines, I am sure that members on this side of the House must have felt very amused for a few seconds at an interjection made by the member for Pingelly. The leader of the Opposition remarked that during the speech of the Minister for Mines on this question, the member for Forrest interjected that the foreigners would be forced out of the mines and into the timber districts. The Minister replied that he believed the timber industry was a dangerous one, and if by the advent of those men into that industry it became more dangerous than it was at the present time he would try to persuade Cabinet to cause legislation to be framed to govern the conditions of that industry. That is quite right, but when somebody this evening interjected to the leader of the Opposition, "Why not send them to the farmer?" the member for Pingelly, who has had vast experience of mining, said, "Why do you want to saddle the farmer with them?" I give the hon. member every credit for the fact that when he was manager of mines in this State he knew too much to employ foreigners. He scarcely ever employed one, because he knew the value of employing people who could be understood by those working around them. Therefore, when he asked, "Why saddle the farmers with them?" he practically admitted that those men are not as good as the average Australian, because I

have never heard a member of the Opposition or any representative of the farmers say that they had one fault to find with the Australians who have gone from the goldfields to take up farming. By the remark of the member for Pingelly, it will be seen that the case for the foreigners has been given away. So far as the foreigners themselves are concerned, I have worked near them and sometimes with them, and I say unreservedly that amongst them are to be found some of the best men it is possible to work or live with. Not one of us wishes to insult their nationality or to question their integrity, but we say that, being in a country which we call our own, we should have at least equal opportunity with the foreigner of getting employment where we want it. Whether this is a selfish attitude or not concerns only ourselves, but we can prove conclusively that for a number of years these foreigners have been given preference, and on that point I challenge contradiction, whether by the leader of the Opposition or the highest official of the Chamber of Mines in this State.

Mr. Monger: Wrong, wrong.

Mr. FOLEY: That is a good argument. I say I am right and the hon. member says I am wrong. We will leave it at that. There is one feature of the employment of foreigners in regard to which I wish to give one mine manager credit. One does not care to refer to his own district, but this being a question which has affected my district to a greater extent than any other I wish to speak of it. The present manager of the Sons of Gwalia admits that preference to foreigners has obtained on the Gwalia for some time, and he is conscientiously doing something to correct that. Mr. Wauchope is taking steps to bring about an alteration, and I am confident that every member on this side of the House and every man supporting the party in power give that gentleman credit for endeavouring to employ his own people in preference, perhaps, to those who have been employed in the past. I, too, wish to give that gentleman every credit for his attitude. In reference to a remark by the leader

of the Opposition, I am not going to argue that trucking and shovelling is more arduous than machine work. Putting aside the height of stopes, it will be admitted that in stopes there is generally better air and more of it, and a man working there is less likely to contract miners' phthisis than if he works in hot ends and faces. I know that at the time I was working on the Sons of Gwalia there was only one party of Australian machine men in the stopes and every other stope was filled with foreigners. It is not correct that the foreigners have been mostly employed in trucking and mullocking, and even in the Sons of Gwalia to-day there are more foreigners than Australians employed on machine work. The leader of the Opposition had his case written out for him. In fact he practically read his speech this afternoon, but when as against that there are members on this side who say what they know from experience to be true, the Press should give them credit for trying to do something to remedy what we consider an evil. The Minister for Mines, when moving the second reading of this Bill, quoted the number of foreigners employed on various big mines in the State, and he told us that out of a total of 303 men employed underground in the Sons of Gwalia 221 were foreigners. There is no question about preference there. That report was made up just about the time that the manager I have already referred to took charge of the Gwalia, and when the inspection was made it was not the inspector who was hauled over the coals, but the present Government were criticised by the Press almost throughout the State. I am glad to see, however, that some of the newspapers on the Goldfields, who know what they are talking about, wrote up the Minister and his Government for endeavouring to rid the goldfields of the abuse in connection with the employment of foreigners. In the Gwalia and Leonora districts it was so evident that preference was being given to foreigners on the mines that the various business

people had to print their dodgers in Italian, and I contend that if the English language is not good enough for us living in Australia it is time for us to get out.

Hon. J. Mitchell: The Government did not print it.

Mr. FOLEY: No, but the business men did, and that is a point I wish to stress.

Mr. Monger: What about your electioneering notices?

Mr. FOLEY: They were printed in good or bad English as the case may be. If the provisions of this measure limiting the proportion of foreigners to Britishers to be employed in mines is passed into law we shall be doing some service to the business people of the goldfields. In that connection, the business people of Kalgoorlie and Boulder are making a stir at the present time. Six years ago at the Coolgardie conference of miners this question was brought up by me, and I was ridiculed from one end of the State to the other because of the figures I quoted, although I had personally taken them on the mines. To-day, however, because the foreign element has got into those districts and it is affecting the business men to a greater extent, the little chickens are coming home to roost, and business men are endeavouring to do something. Therefore I say that by the inclusion in this Bill of the ten per cent. proportion of foreigners to Britishers, we shall be doing a great amount of good for the business people, and we shall not be doing anything that can be called adverse to those foreigners who are making good citizens to-day. As I said before, I know there are good men amongst the foreigners, men whom we consider in every way equal to ourselves, and if this ten per cent. provided for in the Bill is agreed to, it will provide for those foreigners who are living the same lives as we are living. Here the question of certificates crops up. Under the present Act the Minister has power to grant certificates to men who are competent to speak the English language. The Minister has no wish to place any bar upon these men because they are foreigners,

but the person examining them has to satisfy himself that these foreigners have a sufficient knowledge of the English language to be safe for Britishers to work with in the mines. It must be remembered that the miners depend in a great degree for their safety on those working around them. In concluding my remarks on this subject, I wish to say that we have no fault to find with the foreigners from a national standpoint, and we do not wish to insult their integrity, but we say that if we give them ten per cent. of the employment we are only doing what is right to our own countrymen. After all, if a war broke out we would be fighting in many instances for vested interests, and amongst those vested interests would be the rich mines of the State. Therefore, if in time of war we are to be called upon as Australians and Britishers to protect those vested interests, I contend that in time of peace we should at least get preference of employment over those who could sit back on velvet and say to us, "Go in and fight; we are not doing anything; this is not our country."

Mr. Monger : Why do not your trade unions do something ?

Mr. FOLEY : So far as trade unions are concerned, unless these foreigners are naturalised British subjects they have not even a vote to return a member to this House, so that does away with the bogey the hon. member is always bringing forward. There is also the question of the height of stopes, and in speaking on that I wish to say that the legislation framed in times past has not been very successful. The number of accidents shows conclusively that there is something else wanting. The leader of the Opposition showed his want of knowledge of the question when he said that the filling had to be 5ft. from the back. The practical men on this side of the House interjected and practically ridiculed him for that statement, because they know that when you have only 5ft. you are not able to rig a machine in the stope to any advantage, and when mining companies see that it is not possible to work to advantage hon. members can rest

assured that it will not need legislation to make them get hold of the business end of the stick, because they realise that if the men have more room the better it is. With reference to the running of stopes, practical men know that the question of running a stope is left for the manager, and if an inspector comes along and does not think a company are running it on safe lines he can tell them. But if they are using the shrinking system in stoping the men know the danger the running of dirt from underneath that stope is placing them in, and they should at least have the right to say how much dirt is to be taken out of that stope, and if there is an efficient inspection of the mine the inspectors will have more time to look after the safety of the men, as there will be more of them. The Bill provides that if, in the opinion of the inspector, it is possible to work a stope profitably, and with safety, or for any other purpose, or if there is any necessity to work it a little higher than 10ft. the inspector has discretion allowed him to 15ft. There is no man, no matter what his ability as a miner is, can go over a height of 15ft. in working a stope with any degree of safety. It is not right for legislation to place a man in a position in a mine where he cannot look after himself, not because he has not the knowledge, but because he has not the facilities. So far as the contract question is concerned, I have had a bit of experience of that, but what we know on the fields to-day as "contract" is not contract at all, it is simply task work. It has been said so many times that if evidence was brought forward our friends on the opposite side would be the first to do something to bring about a remedy, but even after a matter is proved to them, I have never seen them on one occasion vote for anything to remedy the evil. So far as the contract system is concerned, on the fields at the present time, the practice is not to give a contract but to set a task. A man is set a task to break a certain amount of ground. In ordinary circumstances one would think that if he broke that ground at a certain price, he would get a certain amount of money, but that is not the case,

as under the task system the cost of every part of the machine that breaks or wears out is charged up against him. A man might be given a new machine and be very careful not to break any part of it, but some little trivial thing might go wrong in the machine and the miner has not the right to send up to the surface to get another part and put it on the machine, but an old machine is sent down to him and he has to pay for any breakages, no matter how small or how large. If parts wear out the company should stand the loss and not the contractor. If men are breaking ground at so much a foot in some of the ends they are taken back and sometimes four, six, or eight feet have to be taken off the side for which these men get nothing, although the company get the value of the ore broken out of the side. It is charged up against these men and one would think that the men got the benefit of it, but under the contract system the men breaking the ground have not the right to put on shovellers and mullockers, and that cost is charged up against them. In the Sons of Gwalia mine the contract system was instituted by one man, and in many instances the minimum charge was paid, but when we reckon the amount of ore broken up by these men, at the price the company said it was worth to break it, there was never a case to my knowledge where the men did not break more ore or ground than the agreement said they should in order to get a certain amount of money. So it was all balderdash to say that some men used their ability to pay for men who did not have ability, and I say that if a man had not ability in Western Australia to earn the wage given by the arbitration board he would not stay at the work very long. In the mines of Western Australia one never sees, as in Victoria, New South Wales and Queensland, old men working, or fathers working with their sons, as in this State the first sign of grey hair is a bar to working in the mines. If work is going to be contract work we want it to be at a stated price and on stated conditions, and we want the price known, and when men tender for that we want some solid ground for knowing the money that is

going to be received. Another question I want to touch upon is the dust evil as it affects miners. I am sorry that when a measure was before this Chamber last session that intended to give the Government an opportunity of doing something to prevent the suffering, and the cause of suffering, in many mines on our gold-fields, that members of the Opposition did not give their support by word or vote. I refer to the clause in the Workers' Compensation Act with reference to miners' phthisis. Not one vote was given by members opposite for the clause that dealt with miners' phthisis on the gold-fields of Western Australia.

Hon. J. Mitchell: We always support reasonable measures.

Mr. FOLEY: That was not supported. In the present Bill the Minister wants an opportunity to put in doctors as inspectors. Under this new system of appointing inspectors, the Minister would have the opportunity, not only of appointing a geologist to go around and sample a mine, but he will have power to appoint a medical man to go around, not taking into consideration whether the mine is paying or not paying, but whether the lives of the men and their health are being safeguarded. In connection with this matter, there was a man in Victoria, Mr. Edward Wilson, who made a lot of money out of mining and left an amount in his will to be used in an investigation as to how miners' phthisis was brought about in gold mines, and how best it could be eradicated. Dr. Summons was the man authorised to make that investigation, and the book is well worth the attention of hon. members. In one part he touched upon the dust evil. That is the reason which I have always held to be the right one, and I am glad to know that in the investigation of Dr. Summons, and after the examination of many witnesses, that that idea was also arrived at. In his report Dr. Summons said—

In this preliminary report I do not wish to enter in detail into the causes of miners' phthisis, but may mention that without dust inhalation there would be no lung disease peculiar to the miners. With the prevention of

dust, miners still would be more liable than any other workers to chest diseases, especially tuberculosis. Without the dust irritating the respiratory system, chest diseases would be much less among them. Dust must be looked upon as the main source of miners' phthisis of a non-tuberculous type, and dust prepares the way frequently for miners to become infected with tuberculosis.

My friend the leader of the Opposition said there was no other country in the world, no other State in Australia with laws as drastic on this question of mines regulations; but let me tell him that in Victoria there is a little subsection in the Mines Regulation Act which, if it were in operation here, would materially assist to eradicate miners' phthisis from our fields. It reads as follows:—

No hole shall be drilled or bored by machinery underground unless a jet or spray of water shall be directed and kept directed into or around such hole in such manner and to such an extent as is necessary to prevent the issue of dust from such hole during boring operations or unless some other means are adopted which in the opinion of the inspector are sufficient to prevent any nuisance being caused by such dust.

I know that the dry treatment process on some of our mines would almost debar the sprays being used. Why? Only because it would stop profit. I say unreservedly that if the death rate is going to advance and the mining companies are going to allow it to increase because they consider that by the use of sprays they would not get the same profits, I reckon it is worth shutting up these mines. I do not think it is right to allow one dry hole to be bored, and I would like to see the Minister for Mines insert a clause in the Bill which would prevent dry holes being bored in our mines. We cannot prevent that under the present Act. There is also another little matter which some of my friends on the Opposition will regard as a very small matter indeed. It is in respect to the ventilation of mines. I only wish the Bill was a little more drastic in the ventilation clauses. Still

when we find the check inspectors and the extra inspectors appointed lately by the Minister for Mines are to be brought into requisition, we at least have the assurance that a better system of ventilation will be brought about. I believe that it is not altogether the quantity of air which goes into a face in a mine, but rather the quality, which counts. We know that where a shaft is to-day an upcast and to-morrow a downcast the air going into these various faces is not ventilation at all, but is only blowing the harmful particles of dust into these places and so allowing tuberculosis to make havoc in the lungs of the miners. I believe the entrances to disused faces and the ends of disused drives should be blocked up, and when the measure, which provides a different passage or airway, is brought into requisition, not as my hon. friend says, to be there as a bar to mining, but when brought into requisition there it will be a benefit by making the best use of all the air we have and will be helping to a great extent in eradicating miners' phthisis from our mines. Now I know that other hon. members wish to speak on this question, and so I will not take up much more of the time. I can assure my friends in Opposition that there is not one man on this side of the House who has the least idea of hurting the mining industry in any way. Most of us have lived the greater part of our lives in mining towns. Most of the mining members have put in almost all of their years working in our mines. Now, if our opinions are to go for nothing, and the opinions of the leader of the Opposition—or those which he had before him and made use of to-night—if these opinions are to be taken notice of as they were last session in another place, anything we can do here to-night is useless. There was one gentleman, alleged to be representing a mining district in another place last session, who moved that the question be not put, which was that the next business be proceeded with, which was practically that the question should not be put. It was said that it was done because there was not time to discuss the Bill. The same excuse was used in regard to other

measures. They have not that excuse this time, but from the tone of the arguments used by the leader of the Opposition, I have not a hope that the Bill will go through in the way the Minister and his supporters would like to see it go. But I would like to see just for once in view of all this vaunted sympathy those gentlemen have with the working class, all this optimism they always consider they have for the mining industry, that our view of the question will be taken into consideration and that when they are giving their votes, they are giving those votes, if they support this measure, to a Bill which is not going to try to make the lives of dependents of miners better once they have this dread disease, but it is going to endeavour to remove the cause of that disease and thus make the home life of the people in this State better. As far as the mining industry in this State goes we all wish to see it prosper. I was sorry to hear the remarks made by the leader of the Opposition on the State battery question. I know he feels strongly on this question, but it is the first time he has come right out into the open and said he does not believe in the State battery system. I was almost tempted to believe that he had been speaking to the member for Pingelly (Mr. Harper) on this question. We all know that the State battery system in Western Australia has done much, and has been the means of opening up many fields. We trust it will be the means of opening up many more. But, speaking individually, rather than see any more mines opened up which are going to be the means of shortening the lives of our workers, going to be the means of bringing down the standard of men to be reared here. I say it is better for these districts not to be opened up. I trust that when the Bill comes before them a little of this sympathy, a little of this kind-heartedness, will be shown to this measure and that it will receive approbation in this Chamber and that when it goes to another Chamber it will be at least considered and the remarks of the gentlemen who do consider it will be taken notice of by those men most seriously affected by the passage of this

measure, namely, the miners of the gold-fields of Western Australia.

Mr. MULLANY (Menzies): In rising to support the second reading of this Mines Regulation Bill I do so with the sincere hope that the measure will be more favourably received in another place than was its fate during last session of Parliament. It is indeed a satire almost upon our methods of government in Western Australia when the people who have returned such a vast majority of Government supporters on this side of the House so earnestly desire a measure such as this, that still the means exist by which their desires can be thwarted in another place. I am pleased indeed that the measure has been introduced at a comparatively early stage of the session, so that the excuses put forward last session of it being too late a stage cannot be advanced by the Legislative Council on this occasion. It was indeed a surprise to myself—being present in the Council when the measure was being discussed last session—to find that a representative of a gold-fields province, Mr. J. D. Connolly, who represents, not the same people but the same districts as these mining regulations so vitally affect, when he rose in his place in that Chamber and moved, "That the question be not now put." This, as the member for Leonora (Mr. Foley) has just now explained, effectively stifled any further discussion on the measure. I trust that the measure will be received more favourably in that Chamber on this occasion, but owing to the tone of the debate so far coming from the leader of the Opposition in this Assembly, I cannot say that I have any great hope that such will be the case. But, returning to my friend Mr. J. D. Connolly in another place: it is indeed surprising to find that a man representing or I might almost say, misrepresenting, this section of the people, should have the temerity to move in the manner in which he did. It shows how far we are yet away from anything like democratic rule in Western Australia, that such a state of affairs can continue to exist.

Hon. J. Mitchell: What, free speech?

Mr. MULLANY: It shows the length to which these gentlemen will go when there is a danger of those people whom they really do represent, a danger of their interests or profits being in any way encroached upon by legislation devised for the benefit of the masses. It is interesting also to find that the whole of the criticism against this measure so far has been confined to the one side, that is to an endeavour to make out that the increased cost of production of gold in the State would be so great under these provisions that we would very considerably hamper the mining industry of the State. They appear to me to have almost entirely neglected the side which to me is of far more importance; neglected altogether to discuss the question of whether this measure will be beneficial by way of doing something to improve the conditions of the men employed in the great gold mining industry. The fact that they have not attempted to discuss this phase of the question would seem to suggest that we should take their silence as giving approval to the proposition that this measure would be beneficial. We find in talking of this great gold mining industry that the total dividends disbursed last year in Western Australia amounted to £814,256 and that the total dividends paid in Western Australia up to the end of 1912 amounted to £22,992,515. The gold production for 1912 amounted in cash value to £5,488,385, and the average number of men employed in the gold-mining industry during 1912 was 13,848. The cash value of the gold yield for each man employed in the mining industry during 1912 amounted to £403,058 as against £380,000 in 1911. I quote these figures to give hon. members some idea of the value of this great industry to this State and to show the average gold production and its cash value earned by the men employed in the industry. Figures such as these must show that these men are of great value to the State, or to any State wherein they may be employed, and such being the case, surely it is well for us to look at the other side and consider in some measure the cost in human life and limb, which is being paid yearly in the production of this amount of gold. I

find that in 12 months there were no fewer than 35 fatal accidents in the State and cases of serious injury during the same period numbered 491; in 1911, the number of fatal accidents was 37, and the number of cases of serious injury was no fewer than 528. I think it requires a very slight stretch of the imagination for anyone to realise what these figures mean when we consider that an average of nearly three men per month in the year meet with a fatal accident in the mines. It perhaps does not impress anyone who has not had anything to do with the industry to hear that a miner was killed here or somewhere else, but those who have spent their lives in the mining industry and who know the dangers to which the miner's calling subjects him; those who have seen friends brought home lifeless from the mines and who have seen the families rendered widows and orphans for the State to take care of, these people have sent us here to endeavour to make some alteration in the Mines Regulation Act of this State, and this measure will be going a step forward in the direction of doing something for these men, who are suffering these disabilities. But over and above the ravages caused in the ranks of the miners by accident, and I know that from the very nature of the miner's calling there will always be accidents, but over and above the ravages from accident, we have also to deal with the more insidious but no less deadly miners' phthisis. This is a question which is actively stirring the minds of the mining people throughout the world, and I trust that we in Western Australia will not be behind in trying to meet this dreadful scourge which is decimating the ranks of valuable members of the mining community. There are some clauses in the measure which will, perhaps, for a while disturb the equanimity of those engaged in mining investing, but the whole of the criticism against the Bill has not been that it will not be beneficial to the interests and health of the men, but that it will raise the cost of the production to a certain extent. I believe that if we consider the Bill carefully, and I appeal to hon. members on both sides of the House, it could be shown that if

these amendments were met in a fair spirit by the mine-owners and mine managers, very little increase in the cost of production would result from the carrying out of the new provisions. In passing I could not help noticing that my friend, the leader of the Opposition, in criticising this measure, launched out, I do not know for what reason, on to the public battery system of this State. I could not understand why he did so, and evidently you, Sir, found some difficulty in reconciling the two. But his statement in regard to the public battery system and its effect on mining were about as accurate as the whole of his discourse on mining matters. During the term in which I have served in this House, I have never heard the leader of the Opposition at greater disadvantage than he was to-night. It was evident that he had no grasp of the subject—I will go so far as to say that it was not the information of his own brain, but information provided for him to read out almost, with which he dealt. He appeared to be immensely relieved and pleased when he got through and sat down after finishing his uncongenial task. This is one of the members sent to this House to criticise men with practical experience of the mining industry whenever they endeavour to bring forward legislation of this description. I admit that it is difficult to find someone among the Opposition with practical experience and this shows that the people on the goldfields, the people most vitally concerned, have been at a disadvantage for years past when they have been fighting for and desiring such regulations. I claim that we have a practical knowledge of the industry, and as the hon. member for Leonora has said, all the interests which each goldfields member possesses in the world are bound up in the mining industry, and it is not at all likely that we are going to do anything that will be detrimental to the industry. To turn to a few of the innovations which this measure embraces, one is the proposed appointment of workmen's or special inspectors. That has been agitated for for many years past, and the principle involved has been admitted by previous administrations inasmuch as the

leader of the Opposition when speaking pointed out that some such provision has been made, but though this provision has been made it has been surrounded with conditions of such a nature as to render it absolutely inoperative, and in only one instance, I believe, have these clauses been brought into requisition by men employed in the mines. I refer to Section 16 of the present Act wherein provision is made that if desired by the men in any one mine, they may appoint two of their number at their own expense to examine and inspect any portion of the mine. It is not necessary that the men should be mining engineers. I ask hon. members to consider the probable effect of this regulation if put into operation. The men on the mine were asked in the event of their fearing danger in any part of the mine or of its not being worked satisfactorily to appoint two of their number and act as inspectors and report as to the condition of that part of the mine. If they had appointed two men in this way, and they had carried out their duties and had reported adversely regarding the condition of the mine, what would have been the result when the men faced their employers with such a report? Is it not feasible to believe that they would have been at once discharged? The fear of this has prevented, on many occasions, these provisions from being taken advantage of. But the proposal under this Bill will provide a more workable method, a more equitable method and a fairer method all round by appointing check or workers' inspectors. If this is once given a trial, I am sure that it will result in satisfaction, both to the mine owners and the miners. I do not intend to refer at any length to the innuendo thrown out by the leader of the Opposition, that under this clause the probable result would be that good trade unionists or members of the Labour party would get the positions. I believe the hon. member is judging others by his own bushel and indicating what he himself would do or would be inclined to do, but I believe there is some honour left among poli-

ticians and the average Minister for Mines, whether belonging to the Labour or Liberal side of politics, would have the decency and fairmindedness to appoint none except those fully competent to fill the position. I think this would be the outstanding and only consideration in appointing these men and they would be judged by this standard only. I have sufficient confidence in any gentleman who administers the Mining Act to believe that such would be the case. Then there is the proposed abolition of the night shift. This I have always spoken in favour of on every opportunity which has presented itself since I have been a member of this Assembly, and until such a measure is passed in this State I intend to take every opportunity to urge that the abolition of the night shift should come about. When this Bill was going through this House last session, a similar provision was attacked most vindictively and attempts were made to bring it into ridicule by newspapers and by our opponents. I find, however, that their opposition to the measure is not so strong on this occasion: at any rate they are not voicing it as strongly as they did last year. As the Minister has pointed out the Great Boulder, one of the greatest mines in this State, has already voluntarily adopted this method. I know of other mines not so large as the Great Boulder certainly, which have also adopted this method of working. I refer to one, the Sands Queen, one of the most promising mines in this State outside of Kalgoorlie, which is now working on the two shift principle. I was in conversation with the underground mine manager some little time ago and he said that in his opinion a mine such as that could be worked without having to resort to the night shift; he got better results from the men and it was more satisfactory in every way. While not desiring to labour the question, I believe that of all the practical methods of doing something to combat miners phthisis, this is one of the first steps to be taken, which would be likely to prove effective and not likely to cause the industry or

the State more than a very small amount annually. It has been said that the mines will have to discharge some of the men. Perhaps that would be the case to a limited extent, but there are provisions in this Bill that the abolition of the night shift would not come into operation for 12 or 15 months, so that the mine owners and mine managers could adapt their mines to the altered conditions. Referring to the question of cost, anyone, whether he has worked on a night shift or not, knows that it is impossible to get the same results from any man who has not had proper rest for two or three nights following. When it was necessary for us in this Chamber to sit for two or three nights following rapidly one on the other, the leader of the Opposition, the hon. member for Kimberley and several other members of the opposition complained that we could not expect to do good work at that time of the morning. I remember the leader of the Opposition particularly on one occasion voicing his opinion in this way. If hon. members in this Assembly who are not bound to work hard during the whole of the time, and who when wearying of listening to one another talking have the corridors to rest in and other recreation provided on the premises, complain that they do not feel fit to do good work in the early hours of the morning, is it fair or reasonable to expect men underground to do so, men who are doing laborious work at all times? It is an absurdity for anyone to claim to get good results from men who are working underground on the night shift, and it goes further. The men not only lose their efficiency while working on night shift, but they are not in a fit state even to carry on work on any other shift. They get into such a condition that they are never able to do justice to themselves or to their employers; at any rate not that justice that they would be able to do if they were working on one shift only. I have said the same thing in this Chamber before, and I would ask hon. members to reflect for a moment. Many of them have been on the goldfields in summer time, and they know the extremely trying

weather conditions which exist there. I would ask hon. members to think for themselves what must be the physical condition of a man who has been working for three or four days, or who is getting to the end of the week or to the end of a fortnight's work on night shift, a man who has tried to get rest in the best way he could during the day, sometimes with the temperature at between 100 and 110 degrees. Is it any wonder that accidents frequently occur after such an experience? We find that men go on night shift who are not in a physical condition to look after their own safety, let alone that of their mates, and who are not able to do justice to their employers as far as the amount of work they can carry out is concerned, and therefore we find that they are not in a position to ascertain whether the ground they are working in is safe. These men are not alert as they should be, and in many instances this feeling has been responsible for serious accidents on the Golden Mile and in many other mines in the State. There is another side also, and to my point of view a most important one. It is known that in working underground explosives are used to a considerable extent, and that the fumes are not at all conducive to the health of those who inhale them. There is also a large amount of dust continually going through the working places, and if the mine is kept working continuously from 12 o'clock on Sunday to the following Saturday night, it stands to reason that that mine has no chance of being cleared of foul air. This cannot be driven out because work is going on continuously. Explosions are occurring at frequent intervals and there may be between 200 and 300 men underground burning candles. What possible chance therefore have men of getting anything like decent working conditions under a system which permits of these things taking place? On the other hand, whilst we can never get ideal conditions underground, if those mines were laid idle for eight hours out of the 24 there would be a chance of getting rid of the foul air and fresh air would take its place before the men returned. Anyone who has worked underground knows the difference

in the conditions of a mine which has lain idle for some time and a mine where work is being carried on continuously. This is one of the main arguments why there should be a cessation of work for a period in the 24 hours. I believe that if the night shift were abolished the increased efficiency which the men would display would more than compensate the mine-owners for any loss which might be occasioned by that temporary cessation of work. Another very important innovation is the proposal to restrict in some measure the height of stopes in a mine. This matter has also been dealt with exhaustively upon different occasions, but like the other clauses in the Bill, I think it cannot be stressed too much. As the Minister pointed out when introducing the Bill, it is an impossibility for any man working underground to know the conditions of the place he is working in if he is unable to reach all parts of the stope and the roof of the chamber. This must appeal to everyone. We know that although the ground may appear to be perfectly safe to-day, after a few hours some disturbance may have taken place, and there may be grave danger. When a man cannot reach the roof of a stope, it is then that an accident is liable to happen. After all, it only means that a man has to test the roof with a steel bar, and we know that an average man can in this way reach to a height of 10 feet. I know of instances where stopes have been worked up to heights of from 20 to 30 feet. Here, again, the question of costs comes in, and it appears that that is the main question that we must adhere to in discussing a measure such as this. We know in some cases it is cheaper to break ore than to have a high stope, it saves filling up and perhaps will keep the mill going, whereas otherwise the mill might have to remain idle for an hour or two. There is another important phase of the question. Anyone with experience knows that where men are working a machine underground, the machine will probably weigh anything up to 350 or 400 lbs., and that the machine will have to be taken up to the roof of the stope where the men may be working, and it has to be removed on every occasion when firing takes place.

The machine cannot be left there at the risk of being injured by the explosion, and it is easy to understand, therefore, that if these machines have to be taken away on every occasion that firing takes place all this takes up considerable time. I know of cases where a whole shift has been engaged in the removal of one of these machines. Again, I say that this question of limiting the height of stopes has two sides. I believe with safe and proper methods of working and keeping the filling well up to the stopes, the men feel an extra sense of security, and the easier facilities provided for the men getting to their work will also tend in a great measure to keep down the cost of ore extraction. There is no clause in this measure which will increase the cost of breaking ore to any great extent, and if the bogey of the cost of extraction were met fairly and squarely it could be annihilated, and these reforms could be brought about. Then we have a clause to abolish contracting underground. This has always been the cause of considerable controversy, and even amongst working miners there has been a difference of opinion on the matter. I know that many men have left their employment on mines in this State, particularly in the outback districts, rather than work under contract. The reasons in connection with this are many and various. If a proper system of contracting were in vogue there might not be a great objection to it, but, as the hon. member for Leonora has pointed out, it is hard to define exactly what the contract system is. Although the men are under some sort of piece or contract system, the management have the power to stop them at any minute they desire to do so. Therefore, in no sense can this be termed contracting. I believe that the system in vogue in the mines in Western Australia is the worst that can be devised from the health point of view. There is no doubt that an incentive is held out, as the leader of the Opposition showed when he read the figures of the wages earned by some of the men under this system. We know that while some do earn more than the ruling rate, they earn it at the cost of their lives, and in many instances at the cost of their

health, if they do not break down entirely. And we find that not only this State but other States in Australia are obliged to a great extent to support these unfortunate men afterwards, while the profits the men have made for the companies have been distributed as dividends by the mining companies. We therefore have to bear the burden. Why should we not endeavour to legislate as we think best in this direction? We know well that men working under the contract system will take risks, we know that they will go back into smoke and dust and fumes in a way they would not think of doing if they were working for wages. We know there is not the same supervision under the contract system as there is under the wages system. It is not known how these men are carrying on their work underground. I claim there should be proper supervision by the underground manager or someone representing him. He should go round every day to all the working places and see as best he can whether the work is being carried on with due regard for the safety of those employed there. Under the contract system there is one viewpoint taken, and that is to get the ore out as quickly as possible. Due regard is not always given to the state of the surrounding ground, and therefore there should be better supervision. As it is at present, the men just simply want to get out the ore, and the bosses or the managers have no wish to hamper them in their work. One of the main reasons advanced by mine managers in favour of the contract system is that it reduces the cost of supervision. That supervision, however, should be there, and if it were there, there would be a diminution in the number of accidents. On the subject of the contract system, I have here the *Chamber of Mines Journal* dated 31st July last. The particular portion to which I wish to refer deals with the Rand miners' strike, and here I would like to say that I find it rather hard to understand why the *Chamber of Mines' Journal* should deem it necessary to reprint some of the statements. On our Western Australian goldfields we have been remarkably free from strikes or labour troubles of any kind, and I think we should be thankful that

such has been the case; yet we find in this journal some reprints of the occurrences which have taken place recently in South Africa. Amongst other things, this extract says—

It may be noted here that for some time past contract prices and miners' wages on the Rand, which originally were abnormally high, and that the persistence with which the men have demanded the recognition of their unions, has been caused by an idea that such recognition would check the tendency of wages to decline, and keep them at their fictitious appreciation. For years, therefore, efforts have been made to unionise those engaged in every branch of the mining industry on the Rand. The mine owners, however, have steadfastly rejected the principle of unionism. Many organisers have attempted to dictate terms for the men since the salaries of the miners have been showing a falling off. Instead of being placed on contract work now, a large percentage of the miners, in charge of natives and machine drills, are on salary or on contract rates in difficult "country." Some years ago good miners on the Rand could make their £80 and £100 per month, or more. When the Chinese were brought to South Africa their position was made more difficult, for it was the duty of the miners to break in men whose ways and language they did not understand at all.

Something like the position which exists at times upon the mines in this State when we have an influx of unnaturalised foreigners.

On the repatriation of the Chinese, however, the mining groups had to fall back on African natives, recruited from all parts of the continent. This little pamphlet is also rather interesting where it goes on to say—

Numbers of these men are weedy, and die during the first winter they experience on the Rand. It is not difficult to handle them, however, and contract prices have been lowered.

Not difficult to handle them. I myself have heard mine managers in this State repeatedly say that the foreigners and

aliens in our mines are most tractable and docile. The pamphlet continues—

Of course the labour unions and agitators have persistently represented the decline in wages and contract prices as due to the machinations of the mine owners.

They imported Chinese at one time to an unlimited extent before they gathered the black weedy gentlemen from all parts of the continent. The pamphlet continues—

But as a matter of economic fact the causes of it are to be found, first, in the operation of the inevitable law of supply and demand, and, secondly, in the competition for contracts among the men themselves.

These factors, it is held, have decreased the miners' wages on the Rand. Now, I would not like to accuse even the Opposition members of having a desire to import aliens or coloured labour into this State, but when we find that occurrences have taken place on the Rand recently which have been reported in the newspapers throughout the world, I certainly say we have no wish to see such happenings here. I must give credit to the miners employed in this State for having shown sufficient sense to adopt other methods of redressing their grievances, with the result that we are never likely to have anything of the sort occurring in Western Australia. Our friends opposite will agree with me in this. I say the active political interest miners have taken in Western Australia has saved us in the past and will save us in the future from any such scenes as those occurring upon the Rand recently. The leader of the Opposition was also much concerned about the proposed new clause which provides that there must be a second mode of ingress or egress from any mine, that when considered practicable this second mode of egress must be made. He was very solicitous also for the small mine owners, and pointed out that when a shaft has been sunk 10 or 20 feet it would be practicable to make a second mode of ingress and that, consequently, this provision would then be enforced. But it must be remembered that the Act will be administered with common sense and

that consequently there is not the slightest danger of this fear expressed by the leader of the Opposition being realised. Still, as the Minister for Mines pointed out, it is necessary in large mines that there should be a provision of this sort to prevent disaster such as occurred in Tasmania lately. Under conditions existing there it would not have cost a great deal to provide another mode of egress from the mine, and in such a case that terrible accident would never have taken place. There is also another little matter which very much concerns my friend the leader of the Opposition, namely, the deletion of Subsection 2 of Section 62 of the present Act. This, he claims, would be giving people powers under the Act which they should not possess. Let us see exactly what this little subsection is which we propose to delete. The subsection reads as follows:—

Nothing in this Act contained shall confer on any person a right of action which would not have accrued to him if this Act had not been passed.

As much as to say that we pass all these regulations and expect them to be carried out, but if you do not feel disposed to carry them out you cannot be penalised in any way, except to the extent of a small fine which may be inflicted upon you. If a mine owner at present can be proved to have committed the most flagrant breach of the regulations, the employees injured by such breach, the relatives of such employees, have no possible claim whatever to any damages over and above those which the Workers' Compensation Act confers upon them. I say this entirely misconstrues the intention of the Workers' Compensation Act. The Workers' Compensation Act is there to make provision for some compensation being paid upon any accident occurring, notwithstanding whether it was caused by a breach of these regulations or not. As we know, accidents will occur in the most carefully conducted mines or factories, and such being the case the Workers' Compensation Act was considered necessary to provide recompense for those who have, unfortunately, met with accident. But when deliberate

breaches of these regulations are made I claim that we should not take the right away from any person to sue those responsible for damages which may have occurred to him. The Workers' Compensation Act was never intended to protect those responsible for accident, and I think it is time the subsection was deleted. We are not putting anything new in to meet it. It is simply deleting Subsection 2 of Section 62 of the present Act, which directly takes away the right to sue an employer for a breach of the regulations which may result fatally, or at least seriously. Under present conditions all that a mine owner has to do is to see that the men are insured under the Workers' Compensation Act and, as far as damages are concerned, he is practically a free agent to do what he likes. I trust the subsection will be deleted when the measure goes through. Coming to the question of aliens employed upon our mines, this is also a hardy annual which has been coming up for years past. I find the opponents of this legislation persistently refer to this legislation dealing with foreigners. It does not deal with a person because of the fact of his having been born in any foreign country. If he comes here and remains here for a sufficient time to become naturalised, to conform with our conditions, he ceases to be an alien under the provisions of this Act, and once he is naturalised he would not come under its provision that only one in ten can be employed. If these men think Australia, and Western Australia in particular, is good enough for them to live in, they should take upon themselves the full responsibility of citizenship in this State. Another misconception which we find entertained was voiced by the member for York (Mr. Monger) to-night when he interjected to the member for Leonora (Mr. Foley) something about his electioneering speeches having been directed to Italians with a view to securing their votes. The hon. member knows, or ought to know, that no alien has any vote until he becomes naturalised, so it would be quite unnecessary for the member for Leonora to adopt electioneering tactics of that sort. I claim that the

necessity for a business firm in Leonora, or anywhere else, to print its advertising matter in a foreign language is sufficient to show that there is something seriously wrong there. If these men cannot read ordinary literature sufficiently well to be approached by advertisements in English, is it reasonable to think that those men can be safely employed underground? I say, no. But when these men have been here long enough to be naturalised they mostly learn sufficient English to render it safe for them to work underground. I trust the provisions dealing with aliens will go through and, notwithstanding there may be a danger of driving these men away to other industries, if they will not conform to our conditions of life here. I say we are better without them. I have no differences with them based on racial grounds, for they are as good citizens, when they conform to our conditions and settle down in Australia, as members of any other nationality which we can get. I would by no means cut off immigration of every sort, for undoubtedly there is room in Australia for millions of immigrants, so long as we make the conditions right. I realise that we want immigration, but if these people desire to live here the least they can do is to conform to our modes of living and take upon themselves the duties of citizenship. In concluding, the leader of the Opposition said that legislation such as this did not exist in any of the other States, and that they got on very well without legislation such as is proposed. At the same time he proceeded to eulogise the mining engineers of Western Australia for the good they had done. Undoubtedly they have done good work. They have practically led the world in mining engineering. Also, Western Australia leads the rest of Australia in gold production. I would say, too, that the miners of Western Australia, the men employed in the industry in this State, stand second to none in the world. Therefore, I believe that if we pass legislation such as this, we will be leading the world in mining engineering, we will be leading Australia in gold production, and in passing a measure such as this we will undoubtedly lead in mining

legislation from a humanitarian point of view.

On motion by Hon. J. Mitchell, debate adjourned.

BILL—FISHERIES ACT AMENDMENT.

Received from the Legislative Council and read a first time.

BILLS (2)—RETURNED FROM THE COUNCIL.

- 1, North Fremantle Municipal Tramways Act Amendment.
- 2, Wagin Agricultural Hall Transfer. Without amendment.

BILL—TRAFFIC.

In Committee.

Resumed from the 28th August; Mr. Holman in the Chair; the Minister for Works in charge of the Bill.

Clause 4—Traffic Inspectors and other officers. [An amendment had been moved by the Hon. J. Mitchell that in line 2 the words "with the approval of the Minister" be struck out]:

Hon. J. MITCHELL: The Minister should again consider whether it was wise for him to retain this power. Speaking on Thursday last the Minister had said that the local authority might appoint an unsuitable person and he wished to guard against that. This provision was a reflection on the local authority. A roads board was just as capable of appointing a man as was the Minister, and was in fact more likely to know the qualifications of applicants. He wished to enter his protest against the inclusion of these words.

Amendment put and negatived.

Hon. J. MITCHELL: Paragraph (d) of Subclause 2 provided that the inspector should be reimbursed out of the ordinary revenue of the local authority all costs and expenses which he might incur. Would that mean in the metropolitan area that such costs and expenses would be a charge on the ordin-

any revenue whilst the Minister retained all the license fees? Would it not be wise to debit the license fees with the costs of any prosecution.

THE MINISTER FOR WORKS: There was on the Notice Paper an amendment which removed the license fees from the ordinary revenue, and, if the Committee adopted that, this Clause could be re-committed.

Hon. J. MITCHELL: Paragraph (e) of Subclause 2 provided that the inspector might be dismissed by the local authority only with the approval of the Minister. It was not wise that the Minister should control the power of dismissing an officer who had to work entirely under the local authority. The authority who employed him could exercise no control if he was able to defy them.

Mr. George: The roads board secretary might be the inspector.

Hon. J. MITCHELL: That might happen, and it would be awkward if the roads board wished to get rid of the secretary and could not because they had to obtain the approval of the Minister. He moved an amendment—

That in paragraph (e) of Subclause 2 the words "but only with the approval of the Minister" be struck out.

THE MINISTER FOR WORKS: This question had been discussed when the matter of appointments being subject to the approval of the Minister was under consideration, and the reason why the Minister should have control over dismissals was identical with the reason why he should have control over appointments. The object of the Bill was to get uniform conditions and regulations, and unless the Minister had power over appointments and dismissals of inspectors that could not be attained. There might be in one district an inspector who would carry out the conditions of the Act in its entirety, but in the adjoining district the measure might be a dead letter. If the administration of the Act were left entirely to the local authority there would arise the same conditions as obtained to-day. In order to ensure

a uniform system there must be uniform control. The Minister would be able to see that the local inspector was doing his duty, and if he was not the local authority could be called upon to dismiss him.

Mr. Layman: He may be a very good secretary.

THE MINISTER FOR WORKS: The secretary of a roads board might be appointed an inspector, but the cancellation of his appointment as inspector would not affect his position as secretary.

Hon. J. Mitchell: But suppose the local authority dismiss him as secretary, he will still retain the position of inspector.

THE MINISTER FOR WORKS: It was not to be supposed that a bad secretary would be retained as inspector by the Minister. If a man was not giving satisfaction as secretary the local authority would dismiss him from his secretarial position. Then the board would appoint another secretary and the Minister could appoint him inspector.

Mr. George: Then you would have to approve of the cancellation of the appointment of his predecessor.

THE MINISTER FOR WORKS: It would be an absurd position for a Minister to take up that, because a man was an inspector he must be retained as secretary of the local authority. This provision was absolutely essential in order to get uniform administration, without which the Bill would be of no use at all.

Mr. GEORGE: It might happen that a roads board secretary who was also the inspector was discharged from his secretarial position, but he would still retain his position as inspector until the Minister approved of his dismissal, and he might make himself a confounded nuisance all round. It might be assumed, however, that if a roads board showed good reason why they dismissed their secretary the Minister would approve of his dismissal from the position of inspector.

Hon. J. MITCHELL: One could sympathise with the desire of the Minister to

have uniform regulations, and this Bill went a very great distance in that direction, but the Minister could very well ensure uniformity through the local authorities and still leave to them the power of dismissing the inspector. The Minister was wrong in attacking the authority of the roads boards.

The Minister for Works: If I am wrong the local governing bodies are all wrong because they adopted it.

Hon. J. MITCHELL: Then they were all wrong. However, he had done his duty by entering a protest.

Mr. LANDER: The Minister ought not to take any notice of the hon. member for Northam. After 17 years' experience he considered all inspectors should be under the Government. If members only knew the influence which it was attempted to bring to do inspectors harm they would realise the necessity for the Minister standing firm. Influence of this kind had been brought to bear in a country district where a constable was dealing with stray cattle. In another instance at Donnybrook where a constable took action on behalf of the roads board in connection with the licensing of vehicles, certain individuals had for a long time tried to make it unpleasant for the officer, and but for the fact that he was a Government servant they might have secured his removal.

Amendment put and negatived.

Clause put and passed.

Clause 5—Licenses:

Mr. GEORGE: A number of farmers owned five or six carts and used only one on the road. They must pass over a road in the first place in order to get from the station to the farm, and probably several of them would never go on the road again. If they used the roads regularly they should pay a license fee, but if merely taken over the road to get to the farm, would it be necessary to take out a license for each vehicle?

The MINISTER FOR WORKS: It would largely depend whether the inspector was looking.

Mr. George: Supposing he was?

The MINISTER FOR WORKS: Then the owner could be compelled to take out

a license, but at the worst it could only be for one year. Personally he thought no inspector would insist on a license for a vehicle when it was proved that it would not use the roads. The license was intended to be imposed on vehicles which used the roads. While it was true that in reaching the user from the maker a vehicle had to pass over the roads, it would be extreme action to require it to be licensed.

Hon. Frank Wilson: If the owner hitched it to another vehicle it would not require to be licensed.

The MINISTER FOR WORKS: No.

Mr. MUNSIE: The point had been raised by him last session and he would like the Minister to explain whether a person who hired a vehicle to remove some furniture, and the vehicle was not licensed, be liable to the penalty under this clause? If so, it was unjust.

The MINISTER FOR WORKS: The man hiring the vehicle would be responsible. A person removing his own furniture under the circumstances suggested by the hon. member would have to be licensed; otherwise stables would be advertising carts for hire and would avoid the payment of the license fee. This would result in injury to the owners of vehicles which were licensed. Unless the man actually in charge of a vehicle was held liable, it would be impossible to enforce the provisions of the measure.

Hon. J. Mitchell: You only want one man.

The MINISTER FOR WORKS: Yes, but the trouble would be to trace the owner. The responsibility would be on the local authority in the country and the inspector in the metropolitan area to ascertain the actual owner and considerable expense and trouble would be incurred. No hardship was involved in requiring the man in charge to guarantee that the vehicle was licensed.

Mr. George: You could trace it by the number.

The MINISTER FOR WORKS: There would be no number if the vehicle was not licensed. The provision was necessary. Though it appeared drastic, the purpose

of the measure would be evaded if the driver was not held responsible.

Mr. LANDER: On this point he could not agree with the Minister. If a man hired a trap from a livery stable and went on the "booze" anyone taking the vehicle home would be liable for an infringement of the law and that would be very hard.

Mr. MUNSIE: Unless the Minister could offer a better explanation, he felt inclined to move to strike out the words of the clause which made others than the owner liable. If a person unwittingly hired a vehicle which was not licensed it would be unfair to penalise him.

The Minister for Works: Supposing the man who let it out for hire was not the owner of it?

Mr. MUNSIE: Then that man would be responsible under another clause. There was protection so far as the license was concerned. It was hardly likely that a person hiring a vehicle would refuse to give the name of the party from whom he hired it and there was no possibility of the owner evading the payment of the license in that way. Clause 8 provided that the license should be in the hands of the driver.

Hon. H. B. LEFROY: There was no need to place the responsibility upon the person who used the vehicle. If this was done the teamster using a wagon would be responsible. It was very easy to ascertain the owner of a vehicle if such vehicle was being used without a license. There was no necessity to place any onus on the person using the vehicle. The owner, and the owner alone, should be responsible. That was the law under the Cart and Carriage License Act, and it had always been possible to penalise the owner under that law which had been in existence for many years. It was scarcely fair that a person driving a cart should be held liable. Under this clause directly a man went on a road in a cart he became liable if it was not licensed.

The Minister for Works: How will the inspector know it is not licensed?

Hon. H. B. LEFROY: The inspector ought to know. He had authority and

every cart used for carrying goods had to have the owner's name on it. If the Bill was framed on the lines of the old Cart and Carriage License Act, the owner would be compelled to have the number of his license on it. The name, however, was sufficient for the inspector to identify the vehicle. It would be unfair to place the onus upon people using vehicles in good faith and believing that they were licensed.

Mr. UNDERWOOD: The clause seemed to contain a double-barrelled penalty. It might be all right for the city, but in the outback part of the country a man often borrowed a vehicle, and it might be impossible for him to ascertain whether it was licensed or not. The clause would at times cause considerable difficulty, and a man might easily be liable to a fine of £10 while having absolutely no intention of committing an offence. The clause might do all very well for the city, but in the back country, where vehicles were identified from a long way off, a reasonably good inspector who knew his business at all could get the license from the owner. Under the clause a teamster might be liable to a fine of £10 for driving a vehicle in respect to which his employer had failed to get a license. That seemed to be over the odds. If the clause was not sufficiently stringent to get at the owner something else should be put in so that it would apply to him.

Hon. W. C. ANGWIN (Honorary Minister): This clause was not as strong as the one which the hon. member for Moore had cited, as the latter stated any person "keeping or using." This clause only applied where a vehicle was used on the road or caused or permitted to be used. If a friend of the hon. member had the loan of a conveyance to move some furniture, perhaps free of charge, and did not make inquiries at the time as to whether it was licensed or not, he took the vehicle at his risk, and surely the authorities would not come upon the owner of that vehicle to pay a fine as well. Yet the clause said the owner was liable for permitting the conveyance to be used. The hon. member knew very well that if an offence was committed in regard to hav-

ing no license the inspector was only going to take action against one person.

Mr. Underwood: How do you know that?

Hon. W. C. ANGWIN (Honorary Minister): That could be relied on. Both persons would be liable to be fined under the passage quoted by the hon. member for Moore. Under it any man who kept a vehicle in his back yard and did not use it would be liable to pay a license fee as the words were "any person who keeps or uses." The clause before hon. members was a safeguard to persons who wished to hire a vehicle. It was the duty of such persons to see whether the vehicle was licensed or not. If it went out without a license, action was to be taken against the person who permitted it to go out.

Mr. GEORGE: And against the one using it. The authorities could go for the two if they liked, as the wording was "and every person so using the same." A man might want to move his furniture and might ask a friend for the loan of a cart. Probably nothing would be charged for it and if the man who wanted the loan of the cart took it upon himself to ask the owner if it was licensed he would probably be told to mind his own business and would lose the chance of using the cart.

Hon. H. B. LEFROY: The Honorary Minister was not quite correct in stating that the words in the section which he (Mr. Lefroy) cited were "keep or use." The words in the existing Act were "keep and use," so that a man was not to be liable for a penalty for keeping a cart, but only if he kept and used it on any road did he become liable. The Honorary Minister, probably under a misapprehension, had made use of the word "or," whereas he (Mr. Lefroy) had used the word "and." The present Act distinctly said "keep and use," so that a man could keep a cart in his shed or about his farm, but so long as he did not go on to a road he was not liable in respect to it. That, he thought, was all we required under this Bill. If the clause was carried with its present wording anyone who went to a livery

stable, hired a carriage, and went out for a drive, became liable in respect to that carriage if it was not licensed. Many people probably did not even know it was necessary that the carriage should be licensed, and it was not likely that they would ask the owner of the vehicle whether it was licensed. We should not make it incumbent on those persons to ask regarding the licenses. The owner alone should be liable for the license.

Mr. LANDER: The Minister should delete the words in question. The Honorary Minister had stated that no two persons would be fined under this clause, but in the Police Act would be found the words "causing or permitting," and they proved very tricky.

Mr. BROWN: The Minister should delete the words "and every person" as they would only place a hardship on the person using the vehicle. All that was necessary was to make the owner of the vehicle liable and not a man who had the loan of the vehicle. If the words in question were included even a man's employees would be liable to prosecution.

The MINISTER FOR WORKS: This was an important clause of the Bill. If we did not provide for the licensing of the vehicles we did not want the Bill at all. Therefore, were we going to frame it loosely or frame it so that we would get a guarantee that every vehicle would be licensed? Every vehicle was supposed to be licensed to-day but they were not licensed.

Mr. Underwood: I know I have to pay.

The MINISTER FOR WORKS: The hon. member, perhaps, was too anxious to pay, but if he had wanted to evade payment he could easily have done so under the old Act. The clause was made as definite and as distinct as possible, so that if the owner of a vehicle was missed, action could be taken against the man who was in charge of it at the time, and he could be proceeded against for using an unlicensed vehicle. If we were going to make inspectors do all the work, the measure would become the burden that hon. members were trying to make out it was. If the words proposed to be struck out were taken out it would

become imperative to station inspectors everywhere, and provide them with special facilities to track up owners of vehicles. All that was wanted was an absolute guarantee that we could enforce at a minimum of cost the provisions of the Bill. A clause of this description only operated against a man who evaded the law. It was not too drastic.

Hon. Frank Wilson: What about a farmer's employee who might be driving a dray?

The MINISTER FOR WORKS: If the farmer sent out an unlicensed vehicle in charge of a man, the average inspector would take action against the owner, but if he had any difficulty in regard to the matter he would take it against the man in charge of the vehicle.

Hon. H. B. LEFROY: Those who drafted the Bill did not go very deeply into the matter. It provided in Clause 33, in the case of a cart or wagon used for carting goods, that the owner's name should appear on the offside, and there was a penalty of £2 if the name was not there. In that case it did not make the person who used the vehicle responsible; the owner was responsible.

The Minister for Works: The owner's name will not be on unless the vehicle is licensed.

Hon. H. B. LEFROY: In the first instance he would be liable for not having his name on the cart, and then he was liable for having an unlicensed vehicle. The two matters were separate and distinct. If the cart had the owner's name on it the proceeding could be taken against the owner. Why should the unfortunate man in charge of the vehicle be made responsible. This was a provision placed into the Bill for a good end, no doubt, but it was going too far and in his opinion it was not necessary to make anyone but the owner responsible.

Hon. W. C. Angwin (Honorary Minister): The present Act does not provide for action to be taken against the owner.

Hon. H. B. LEFROY: The person who kept it could be proceeded against and that person, of course, would be the owner. There had never been any trouble in the past in dealing with this matter.

The Minister for Works: There has not been any general effort on the part of the governing bodies to enforce it.

Hon. H. B. LEFROY: It had been thoroughly enforced wherever he had been.

Hon. J. MITCHELL: The clause might be amended by the addition of the words, "Provided the owner was not known."

The MINISTER FOR WORKS: There would be no objection to adopting an amendment on the lines of that proposed by the hon. member for Northam, and he would promise to get a proviso drafted to that effect and have it inserted on the recomittal stage.

Hon. W. C. ANGWIN (Honorary Minister): There would be a difficulty in such an amendment. A large number of vehicles were purchased on the time payment system.

Hon. Frank Wilson: Who is the owner then?

Hon. W. C. ANGWIN: (Honorary Minister): The person who sold the vehicle was the owner, and if the vehicle was on hire and an action were taken against the man in charge, a hardship would be caused. The existing Act spoke of "any person." Nothing whatever was said about the owner. The amendment might serve to throw the responsibility on a person hundreds of miles away.

Mr. A. E. PIESSE: When re-drafting the clause the Minister might also make it clear that when a person using the vehicle was an employee of the owner there should be power to recover against the owner.

The MINISTER FOR WORKS: In the amendment he would endeavour to meet the desires of hon. members without undermining the clause. He would re-commit the clause for the purpose of considering the amendment, which he would put on the Notice Paper.

Hon. J. MITCHELL: The penalty fixed seemed unnecessarily high. The Minister should agree to the deletion of the £10 penalty with a view to making the penalty twice the amount of the license fee.

The Minister for Works: That may be greater.

Hon. J. MITCHELL: The penalty was very drastic.

The MINISTER for WORKS: It is the maximum.

Hon. J. MITCHELL: There could be no object in having so heavy a penalty.

The MINISTER FOR WORKS: The penalty set out in the clause was merely the maximum amount. The hon. member proposed to make it the definite sum of twice the amount of the annual license fee.

Hon. J. Mitchell: No, that could be made a maximum amount.

The MINISTER FOR WORKS: It would be only in exceptional circumstances that the maximum amount named in the clause would be imposed. The amount of the fine would be in proportion to the offence committed. It was better to fix a maximum and leave it to the discretion of the magistrate to determine the actual amount of the fine.

Hon. J. MITCHELL: Magistrates and justices sometimes inflicted very heavy penalties. The suggested amendment would mean that the maximum penalty would be twice the amount of the annual license fee. He moved an amendment—

That in line 6 "£10" be struck out, and "Twice amount of annual license fee" be inserted in lieu.

The MINISTER FOR WORKS: It was quite unnecessary to amend the clause. No greater hardship would be inflicted under the clause than could be imagined under the proposed amendment.

Amendment put and negatived.

Clause put and passed.

Clause 6—Licenses, when required.

Hon. J. MITCHELL: The word "cycle" should be struck out. If it were allowed to remain every schoolboy with a bicycle would have to take out a license and incur certain penalties. He moved—

That in line 11 the word "cycle" be struck out.

Mr. TURVEY: It was to be hoped the amendment would be agreed to. Whilst agreeing with the Minister that some goldfields roads boards went to a considerable amount of expense in providing cycle tracks—

Mr. O'Loughlen: They generally have a special grant for such purpose.

Mr. TURVEY: Yet if the word "cycle" were allowed to remain it would make it absolutely necessary for any resident in any part of the State, who owned a bicycle, to take out a license. The bicycle represented a cheap mode of travelling which was open to all classes. Hundreds of school children used the bicycle, and so, too, did many low-salaried school teachers.

The MINISTER FOR WORKS: The local government bodies of the State had in conference given special consideration to the licensing of bicycles, and after a considerable amount of discussion and mature thought had decided in favour of the issue of licenses.

Mr. O'Loughlen: Are you supporting it from a revenue point of view?

The MINISTER FOR WORKS: Certainly not.

Mr. O'Loughlen: Then let it go.

The MINISTER FOR WORKS: To-day the license fee on the goldfields was 5s., and the local bodies were protesting against the proposed reduction of the fee to 2s. 6d., while the cyclists also were objecting, because they realised that if the reduction was made the cycle pads hitherto maintained on the goldfields would be allowed to go. There were thousands of miners on the goldfields whose only means of getting to work was represented by the bicycle. These men desired special pads so that they could get to and from their work with some degree of comfort. They willingly agreed to the tax. He distinctly remembered a letter from Coolgardie protesting on behalf of the local roads boards against the proposed reduction of the fee, and this protest was supported by local cyclists.

Mr. O'Loughlen: It is the first time I have known people ask to be taxed.

The MINISTER FOR WORKS: It was only because the tax represented the maintenance of cycle pads. In Kalgoorlie, Boulder, and Coolgardie special provision was made for cyclists, and so, too, in the outside districts, as for instance, at Leonora, where there was a special pad leading out to the Gwalia mine. Hon.

members held that it was not fair to penalise school children. But there was need for some control over cyclists. One of the difficulties experienced to-day lay in the fact that cyclists did not carry numbers. At times these cyclists did damage, and jumped on their machines and vanished. One hon. member had a daughter injured by a cycle and had not yet discovered the identity of that cyclist.

Mr. Lewis: It was a motor cycle.

The MINISTER FOR WORKS: However, cyclists had frequently done damage and succeeded in getting away through having no number on their machines. To compel them to carry a number meant the imposition of a license fee. He was not wedded to the half-a-crown fee, provided he could make provision for the imposition of a tax on the goldfields alone, as distinct from the coast. He questioned very much whether that could be done. Alternatively they might make the fee a nominal one, or make it not more than 2s. 6d. on the coast and not more than 5s. on the goldfields, leaving it to the local governing bodies to impose the fee they considered requisite, but at the same time ensuring that every cyclist was registered and numbered. A cyclist could do as much harm as a motor car, and under existing conditions he could not be caught. Visiting the Swan district on one occasion, one of the greatest complaints made to him was of the damage done to orchards by cyclists raiding the gardens for the fruit and then jumping on their machines and hurrying away. If they were licensed and numbered the police would be able to track such offenders. He trusted this provision would be retained, and he would see whether the provision in regard to the fee could be limited to the goldfields or whether a maximum could be fixed. He had no desire to raise revenue from the cyclists on the coast, but he did want power to have control over them and not be out of pocket by such control.

Hon. J. MITCHELL: Would the Minister recommit this clause after the question of fees had been dealt with?

The Minister for Works: When we get to the schedule I will be prepared to meet

the wishes of hon. members as far as I possibly can.

Hon. J. MITCHELL: The Minister had made a poor case when he said that cycles were ridden to the serious danger of the public. The Minister said that they were as dangerous as motor cars, but he must know that if his motor car struck a pedestrian that would be the end of that individual. It was regrettable that the Minister still insisted that the license fee should be charged. He doubted whether there was any expenditure on the cycle pads on the goldfields.

The Minister for Works: Oh, yes, there is.

Hon. J. MITCHELL: The Committee should join with him in striking out the word "cycle" in order not to make the local authorities impose a license fee on school children and people going to their work.

Mr. TURVEY: Would the Minister let the Committee know how far he was prepared to go when the Schedule was reached, because on this clause the Committee must decide whether cycles were to be licensed? He would remind the Minister that one complaining orchardist in any part of the State did not mean that the orchardists generally complained that cyclists were in the habit of robbing their gardens. Although hundreds of cyclists toured through his district he had heard only a few complaints, and these same objections had in one or two instances been heard in connection with the running of Sunday excursion trains. Those few complaints were not an argument for the licensing of cycles. Perhaps it was necessary to have some control over cycles and to have them numbered, but the Minister should inform the Committee exactly what he proposed to do in regard to the license fee.

The MINISTER FOR WORKS: Cycles must be licensed, but as to what the fee should be he was open to conviction, and when the schedule was reached he would try to assist hon. members as far as he possibly could. On the point that cyclists must be licensed he was firm, and therefore this clause must be inserted.

Mr. A. E. PIESSE: While sympathising with the Minister in endeavouring to get absolute control of cyclists and to see that they were numbered so that they might be identified, he did not think they should be charged a fee more than was necessary to pay the cost of the license.

The Minister for Works: That is all I want.

Mr. A. E. PIESSE: If the Minister would agree to an amendment of the schedule on those lines, one would be inclined to support this clause.

The MINISTER FOR WORKS: Whilst prepared to consider an amendment of the schedule, he thought it unfair for hon. members to take up the attitude that a cyclist should be charged only the cost of the disc. This provision applied more to the goldfields than to the coastal districts, because practically everyone on the goldfields used a bicycle. He was anxious to meet the wishes of those people, and at the same time he desired to fall in with the views of those members who were speaking for the coastal districts. He repeated that he had no desire to raise revenue from the coastal cyclists; he simply wanted to license them, and to make the license fee the smallest amount necessary to cover the cost of the license. In regard to the goldfields, the position was different, and he had asked the Crown Law Department to frame a clause that would meet both sets of conditions. That would be ready when the schedule was reached; in the meantime he took up the position that there must be control of the cyclists.

Amendment put and negatived.

Clause put and passed.

Clause 7—agreed to.

Clause 8—License to be kept by driver:

Hon. J. MITCHELL: Sometimes it would be difficult for the driver to carry his license with him, and if he happened to leave behind his coat, in which the license was carried, he would be liable to a prosecution. Such an omission could not be considered a serious offence. Then again the driver of a vehicle might be changed and the owner who dismissed him might have a difficulty in getting the license back. He moved an amendment—

That the word "three," in the last

line of the clause, be struck out and "one" inserted in lieu.

The MINISTER FOR WORKS: This was exactly the same amendment as was suggested to a previous clause. The penalty represented the maximum and unless there were grave reasons for inflicting the maximum, it would not be imposed.

Mr. Broun: Why not say not exceeding that amount?

The MINISTER FOR WORKS: That was provided for in the Interpretation Act, and it would be superfluous. It was left to the magistrate to decide what the penalty should be. It might be 1s. If a man deliberately left his license at home over and over again he must be penalised, and even then it was questionable whether £3 would be too much.

Mr. Allen: There will not be much left of a license after six months unless it is on parchment.

The MINISTER FOR WORKS: The license would bear carrying about. It would be carried in some receptacle on the vehicle. It would be in a form easy to carry about and would not deteriorate. There was no need to alter the penalty.

Hon. J. MITCHELL: When a man was driving within his own district it should not be necessary to carry the license, because the traffic inspector would have a list of all licensed persons. Outside the district it would be necessary. Under this clause we were asking more than we were entitled to ask. The offence would be a very trivial one.

The Minister for Works: Then the fine will not be £3.

Hon. J. MITCHELL: But it might be. We should only inflict a penalty according to the offence. This penalty was too great.

Mr. LANDER: The Minister should not agree to alter the penalty because it would establish a dangerous precedent. In the past bludgers had been found in charge of cabs and in the event of a brawl a constable might have difficulty in ascertaining who was the licensed driver. The penalty was necessary for the protection of those who hired cabs.

Amendment put and negatived.

Clause put and passed.

Clauses 9, 10, 11—agreed to.

Clause 12—Fees:

The MINISTER FOR WORKS: It was his intention to move to strike out Subclause 2 in anticipation of moving a new clause to deal with trunk roads. If the money became part of the ordinary revenue there would be no guarantee that it would be expended, and it was questionable whether the Government could compel the local authorities to expend it on main roads. It was proposed to earmark this money plus the subsidy for the special purpose of the maintenance of main roads.

Mr. A. N. Piesse: It will still be paid into ordinary revenue.

The MINISTER FOR WORKS: But under the new clause it would be earmarked. He moved an amendment—

That Subclause 2 be struck out.

Amendment passed; the clause as amended agreed to.

Clauses 13, 14, 15—agreed to.

Clause 16—Apportionment of fees between districts:

Mr. GEORGE: The clause appeared to be rather complicated. How would it be possible to ascertain where a license had been mainly exercised? A cab might be hired to drive from one district to another, and the driver would practically have to give a return showing the running of his vehicle during the term of his license. He could understand the desire that the district which carried the most traffic should get the fee. Then there were duties imposed upon the inspector and upon the licensing authorities consequent upon this provision. The Minister should have the clause further considered.

The MINISTER FOR WORKS: The object was to overcome the difficulty which had confronted local authorities for many years. It would not apply to the metropolitan area, but it was possible for a vehicle doing all its work in the Northam roads board district, for instance, to pay its license fee to the Northam municipality. The owner might stable his horse in Northam but use the roads of the Northam roads board all day and only return in the evening.

Practically he would not have used the roads of the Northam municipality, but they would get the fee. The clause was framed so as to get some guarantee that the district where the roads were being used would obtain the license fee. The clause was absolutely necessary as there was a difficulty to-day, and the desire was to overcome the difficulty. As these license fees would earn a special subsidy we ought to give some guarantee that every local governing body would get the amount of subsidy to which it was justly entitled.

Mr. GEORGE: It was not his purpose to object to the principle the Minister was trying to arrive at, but to point out that the means which he was proposing to adopt were very cumbersome. It was interesting to recall that in the Old Country there used to be toll bars and a fee was collected as vehicles passed through each of the toll bars. That system worked splendidly for a long time until, with the march of progress, toll bars were considered to belong to the dark ages. The Minister would find it would repay to have this clause gone through again as it was very cumbersome; and if we could get a simpler one it would be much better.

The Minister for Works: A clause of this description is absolutely necessary.

Clause put and passed.

Clauses 17 to 20—agreed to.

Progress reported.

House adjourned at 10.44 p.m.