

license could be granted to work any lodes or reefs on the property, and the alluvialist could work alongside. As soon as the alluvialist left the ground, application could be made by the licensee for a gold-mining lease, which would at once be granted. Meanwhile he could under the license remove stone or ore from the ground. True, the licensee's title was not equivalent to a lease; but the Government had determined not to lease to any person ground which contained alluvial. The clause was a desirable innovation.

MR. HASTIE thought less of the clause after the explanation, and must oppose its passing. Had the clause been operative in several places he knew of, there would have been practically no leases on which an alluvial man could work. Most of the alluvial leads, whether surface or deep, were deserted dozens of times. In Victoria they had been deserted 50 and 100 times during the last 40 years. To grant a man a lease of ground simply because alluvial men had been there and had gone, practically meant that there would soon be no ground left for the alluvialist. In Kanowna a number of leads containing plenty of alluvial gold had been deserted for six months or a year, again prospected, and thousands of ounces taken out. Alongside of them were lodes or reefs containing payable patches here and there. The clause would give power to grant large strips of such ground to licensees, who would have all the gold within the pegs after the alluvialist left. Not once in a thousand cases had a payable reef or lode been discovered near a deep-lead; but in consequence of gold discoveries by alluvialists, plenty of persons were always ready to peg out leases with a view to sale. Interim leases, if granted, should be granted straight out for a certain period, and the alluvial man permitted during that period to work on the leases for alluvial. Such a law had been in force for years, without serious friction, until the extremely rich deep-leads were discovered at Kanowna. Give the interim lessee a good title to his reef and there would be no danger.

MR. MORGANS: Surely that was what the clause proposed; for it stated that the license was granted subject to the privileges conferred on miners by Clause

67 to search for and obtain alluvial pending the application for lease.

MR. HASTIE: Frequently big tracts of alluvial ground would be taken up; and the Minister said that when the alluvialists went away the licensee could take up the ground left by them.

MR. MORGANS: No. The Minister had power to grant a lease. The Governor might postpone dealing with the application till such time as he thought fit.

THE MINISTER FOR MINES: So as to allow the alluvial to be worked out.

MR. MORGANS: And the applicant could meanwhile work the reef or lode.

THE MINISTER FOR MINES: In ordinary circumstances, while the application was pending, the applicant could not remove any stone.

MR. MORGANS: The clause protected all parties.

THE MINISTER FOR MINES: The clause would arouse much discussion; therefore he moved that progress be reported.

Motion passed.

[MR. ILLINGWORTH took the Chair.]

Progress reported, and leave given to sit again.

#### ADJOURNMENT.

The House adjourned at 10.26 o'clock until the next Tuesday.

### Legislative Council,

Tuesday, 13th October, 1903.

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THE PRESIDENT took the Chair at 4.30 o'clock, p.m.

#### PRAYERS.

#### PAPERS PRESENTED.

By the COLONIAL SECRETARY: Broad Arrow Municipal By-laws.

Ordered, to lie on the table.

QUESTION—RAILWAY BRIDGE,  
WILLIAM STREET.

HON. G. RANDELL asked the Colonial Secretary: 1, If it is intended that the present footbridge on the western side of William Street railway crossing shall remain for foot traffic after the new roadway is completed. 2, If not, whether some other means of direct traffic for foot passengers will be provided. 3, If neither of the above highly necessary conveniences is intended, will the Government instruct the departmental officers to take into consideration the immense loss of time which will be inflicted on the citizens.

THE COLONIAL SECRETARY replied: It is intended to remove the present footbridge on completion of the bridge in course of erection, which will supply all needs. The consequent rearrangement of running lines, etc., rendered necessary by the new bridge, and the increasing traffic requirements, cause the removal of present footbridge to be imperative.

## INSPECTION OF MACHINERY BILL.

## SECOND READING (MOVED).

THE COLONIAL SECRETARY (Hon. W. Kingsmill), in moving the second reading, said: This Bill, which has come to us from another place without being very much altered from the form in which it was originally introduced, has for its object the protection of life and property throughout the State. The Bill, it is hoped, will protect at once the owners of machinery, their employees, and the public generally against accidents due to mishaps in regard to machinery, or to any defect, fault, or negligence on the part of owners or employees. Members who look into the matter will find that the provisions of the Bill have a place in the legislation of practically every civilised country. Some of its provisions are taken from English legislation on the same subject. The Bill itself is modelled on the New Zealand Act of 1902, an Act which consolidates and improves legislation on this subject, and which has been in force in New Zealand since 1882. The advice of the expert officers in Government employ who deal with this matter under the Inspection of Boilers

Act and the Mines Regulation Act has been largely availed of by the Government in the preparation of this Bill; and altogether I think I may say that the Bill has a consolidating tendency rather than a tendency towards innovation. Members will see in the first schedule the Acts which the Bill is intended in part or in whole to repeal. The first is the Boat Licensing Act of 1878, which contains amongst its other provisions a certain procedure for the licensing of marine engineers and the inspection of marine boilers in that branch of trade which we may term the 'longshore trade of Western Australia; that is, for the licensing of engineers and the inspection of boilers employed in vessels which have to obtain their licenses in this State, and which come under the scope of the Boat Licensing Board. Again, the whole of the Steam Boilers Act of 1897, under which we have been working for the last six years, is to be repealed; and it practically finds a place in the Bill before the House. Again, certain sections relating to the efficient protection and inspection of mining machinery, which are now contained in the Mines Regulation Act Amendment Act of 1899, are repealed, and equivalent sections find a place in this measure. Lastly, the Coal Mines Regulation Act of 1902 has certain sections repealed and their equivalent placed in this measure. The Bill, while enabling any member of the general public to find in a handy, condensed, and easily get-atable form all the legislation on this subject, provides also for what we may term a more central authority than has hitherto existed for the inspection of machinery. In another place a certain alarm has been expressed at the wide powers of administration which are contained in the measure; and I do not suppose the same thing will be wanting here. But I think it inevitable in a Bill of this sort that wide powers of administration should be given; for we know that such a Bill defines what is practically the maximum power—a power which is not necessarily always to be used—to be given to the inspectors; and this of course calls for the greatest caution in the appointment as inspectors of men who can be trusted with the very wide discretionary powers undoubtedly given to them, and who will use those powers

with due regard both to the public who are interested as owners of the machinery and to the public who have to be guarded against any mishap which may arise through defective protection or defective inspection of such machinery. Taking the Bill clause by clause, the first thing noticeable is that the Bill is to come into operation on a day to be fixed by proclamation. Next we have the usual interpretation clause; and Clause 3 provides for the repeal mentioned in the first schedule, and also saves the effect of regulations, orders, notifications, and certificates which have been granted under Acts now embodied in this Bill. Again, Clause 4 stipulates that in certain cases the Bill shall not be applied. Clauses 5 to 13 are administration clauses, and give power to the Governor to appoint certain persons to carry out the provisions of the Bill, and to define the districts in which the Bill shall be operative, providing also for the powers and duties of the officers who are to be appointed under the Bill.

HON. J. W. HACKETT: Are these inspectors to undergo examinations? Some of the inspectors appointed in the past have been absolutely ignorant.

THE COLONIAL SECRETARY: I was not aware of that.

HON. J. W. HACKETT: It is true.

THE COLONIAL SECRETARY: Can the hon. member give me an instance?

HON. J. W. HACKETT: Yes. Men have been taken from office stools and appointed inspectors of machinery.

THE COLONIAL SECRETARY: No doubt the Minister for Mines will be glad to look into any cases which the hon. member may cite.

HON. J. W. HACKETT: That is all the consolation I get.

THE COLONIAL SECRETARY: Well, I think that when the hon. member asks such a question on the spur of the moment, that is the only answer he can expect to get, more especially as the matter is not in the province of my department. Clauses 14 and 15 specify the machinery which is subject to the Bill, and provide that persons having or acquiring machinery subject to the Bill shall give notice of the possession or acquisition of the same to the inspectors. Clause 16 comes almost word for word from the New Zealand statute, and pro-

vides certain restrictions as to the age of young persons who are to be employed about machinery. Clauses 17 and 18 also are taken almost word for word from the New Zealand Act; and the same terms are observed here, in the majority of instances at all events, as are observed in Acts dealing with the same subject in the old country. Clause 19 provides, as members will see, for the veto by the inspectors of the working of faulty or defective machinery; and then from Clause 35 the Bill goes on to deal with boilers, pretty nearly on the lines of the present legislation, which has been in existence since 1897, and which I do not suppose has worked any great hardship on the owners of machinery. Clauses 36 to 38 deal with the fees for inspection, and by the seventh schedule members will see the fees are calculated on a sliding scale, regulated by the horsepower of the machinery inspected.

HON. G. RANDELL: That is simply a copy of what already exists.

THE COLONIAL SECRETARY: Yes. Clauses 39 to 44 deal with the issue of certificates of inspection, and of the proper exhibition in a conspicuous place of such certificates. Clauses 45 to 49 deal with the duties and liabilities of owners of boilers and machinery. The title of these clauses is somewhat misleading, because in the second part of Clause 46 not alone is the liability of the owner laid down, but also, where it can be proved, the liability of the employee through whose fault any accident or defect in machinery arises is dealt with. Clauses 50 and 52 deal with inquiries as to accidents, and practically all the clauses which I have specified from Clause 20 onwards are similar to the provisions which already exist in our present legislation. In Clause 53 we begin to deal with the examination and certificates of engine-drivers, and one of the most important clauses of this part of the Bill relates to the appointment of a board for this purpose, and lays down the constitution of the board. In this clause one of the few alterations which were effected in another House was made. As the Bill was introduced it provided that the board should consist of a Chief Inspector of Machinery, to be appointed under the Bill, the State Mining Engineer, and a qualified engineer, which

provision subsequently was altered so that the third member of the board should be a certificated engine-driver. This clause also provides in the usual form for the examination and issue of certificates, and Clause 60 lays down the conditions under which certificates of service may be granted. It also provides what may be called *ad eundem gradum* certificates—the recognition of certificates of equal value from places beyond the State. Clause 65 points out the various conditions under which the holder of a certificate may be disqualified. Clauses 66 and 67 provide penalties for acting without certificates, and for obtaining certificates improperly. From Clause 68 to Clause 80 the Bill deals with miscellaneous matters which are incidental and necessary to the proper working of the Bill. Very many of these are machinery clauses, and there is the usual clause, Clause 80, giving the Governor from time to time power, by order in Council, to make alterations. There is one point to which I would draw the attention of members who come from agricultural districts. It is contained in Subclause 5 of Clause 80, which provides that regulations may be drawn up prescribing how and under what circumstances engines used for agricultural, dairy, or any other purposes may be driven by uncertificated persons. I have to ask members to consider the point which I mentioned when I began to speak, that it is absolutely necessary to make a Bill of this sort more drastic in appearance than it will be in effect, for the reason that the maximum powers of inspectors have to be laid down. I do not think it is possible within the compass of an ordinary Act of Parliament to deal with so many large questions which have to be dealt with by an inspector of machinery, and which involves as it does the inspection and thorough overhauling of the machinery used in the number of industries in this State, which I hope will continually grow. I do not think it is possible to place within the four corners of an Act of Parliament every specific case that may arise. For that reason it is necessary to give a large amount, I freely admit, of discretionary power to persons who administer the Bill, whether the Minister or the officers appointed under the Bill. It is for that reason,

and because the maximum of power has to be stipulated in the Bill, that I say the appearance of a Bill of this sort is bound to be more drastic than its effect will be. I ask members—I know there are several in the Chamber who have a large knowledge of the working of machinery—to freely express their opinions on the Bill, and give it their serious consideration in common with other members of the House.

HON. Z. LANE (Metropolitan-Suburban): I hope members will bear with me in this my first effort to address the House. I will try and make myself as clear and lucid in my remarks as I can, and anything I oppose or support I shall do so consistently. Not being an orator, my remarks will be pointed and they will be short, sharp, and concise. This measure, as the Colonial Secretary has said, is one that appeals to several members of the House who probably know a good deal as to how the Bill will work in regard to winding machinery and inspection of boilers in this State. This measure seems to be only a rehash of the Mines Regulation Act of 1895, the Mines Regulations Act Amendment Act of 1899, together with the Steam Boilers Act of 1897. There are a few amendments and additions made thereto which I consider of no importance to either of the old Acts; in fact quite the reverse. As far as I can judge, this Bill will be very costly to administer; it will cost at least another £5,000 or £6,000, and this cost will have to be tacked on to the mining industry now labouring under a very heavy burden of taxation. I will point to a few of the amendments and additions which I think are unwise, unjust, and unreasonable, and do not tend to improve matters, but will make the burden harder to bear on the struggling industries in this State which are using steam-driven machinery. The first clause that appeals to me is Clause 16, which provides for the employment of young persons, and which states that a young person under the age of 15 years shall not be allowed to clean any part of the gearing of any machinery while the same is in motion. Most members are aware that we have to educate our engine-drivers, in fact we have to make them. The first start a prospective engine-driver gets is as a cleaner. We have in

this country on many mines, and in connection with many industries, machinery that is always in motion: it is never stopped night or day; therefore it is impossible under the Bill to employ boys to educate them to become engine-drivers. Boys cannot be employed, according to the clause, where there is any machinery in motion. Therefore owners of machinery will have to employ fully competent men to do the cleaning which is now done by boys who are being educated to take the place of the men who grow out of this class of work. This provision will press heavily on a man who has a family of boys, and who wishes to bring them up as engine-drivers. It will fall heavily on an engine-driver whose boys generally follow their father's occupation; they become cleaners first, and in due course qualify as engine-drivers and get certificates. Subclause 3 provides that no boiler or machinery shall at any time be left in charge or control of any person unless he is a male of at least 17 years of age. That provision is not in accord with the former portion of Clause 16, which deals with boys of 18 years of age; but that is a trifle. Clause 19 provides that where any machinery subject to the provisions of the Bill, or any compliance or contrivance connected or used for such machinery appears to be faulty or defective, the inspector may order the machinery not to be used. I contend that no such power should be placed in the hands of any such person. There are many places where machinery is working continually, and if power is given to stop machinery on the mines it will mean a great deal of expense. We know perfectly well what means persons have recourse to when they wish to lower stock, and there are several instances, one of which occurred quite recently where a man caused serious injury to his fellow-workmen. Men will make up cartridges to burst up machinery, and we have already had damage done at the Perseverance mine and the South Kalgurli. I was at the South Kalgurli mine when the damage was done, and we had no hesitation in saying it was done with that object. It is a serious thing, and we should use our best endeavours to stop it. There is no provision dealing with unscrupulous persons causing the stoppage of large plants; and it is a serious thing

to stop some of the plants, such as that on the Perseverance or on the Great Boulder mines. It costs thousands of pounds to stop these plants and start them again. I do not think such a power should be placed in the hands of an inspector, and, as Dr. Hackett says, these men may not be responsible or proper persons. I would like to draw attention to Clause 24, which states that all boilers set in brickwork or other material shall be provided with flues of ample dimensions to allow an inspector to pass through, and where necessary shall be provided with doors of sufficient size to the approval of the inspector. I should like to point out the absurdity of this. The boilers mostly in use on the mines are the Cornish flue boilers. There are hundreds and thousands of them to-day working in this State. The way the boiler is set is simple. The boilers are set on a foundation, the bottom flues being 24 inches wide and 26 inches deep; and the return flues through which the draft returns is about a foot from the bottom of the boiler, and nine inches wide; it goes to the water line of the boiler in a circle and is sealed on to the boiler. In a Cornish flue the steam goes to the back of the boiler, returns to the side flues, back under both, and thence to the outlet. If the side flues or the flue underneath were made large enough for the inspector to go through, they would have to be about four feet square, and that would be absurd, for the driver could never raise any steam. I should think this clause has been suggested by some coalmine owner or some firewood company promoter in order to increase his business; for if the provision were enforced, there would not be enough coal or wood in the country to fire such boilers. Clause 29 provides that—

All boilers shall be inspected at least once in every year, or oftener as occasion requires. To my mind this is the only redeeming feature in the Bill. The existing Act provides for inspection every six months, which is rather rough on the inspector and a very costly picnic to the companies where there are many boilers in one nest. To have them inspected twice a year or more frequently is quite unnecessary. This is a very good clause, and it is the only alteration for the better that I see

in any clause copied from other Acts. Clause 30 provides very reasonably that the inspector shall give seven days' notice of the time at which he intends to inspect, and that if he fails to attend at the time appointed anybody who happens to be around the premises may inspect the boiler, write a report in the book, and the matter is done with. But if this is sufficient, why have an inspector at all? An inspector is not necessary if this clause is to be carried out in its entirety. According to Clause 31—

For the purpose of inspection the owner shall, if required, cause every boiler to be emptied and made cool, and all manhole doors and mud-hole doors to be taken off—

That is the usual practice.

and all furnace doors and bridges to be taken out—

I do not know about the bridges.

and the interior of the boiler freed from incrustation; and, when required by the chief inspector, all brickwork and other material in which a boiler is set shall be taken down, and all tubes shall be taken out.

It is hardly necessary for me to say that the latter part of this clause is a very brilliant idea, whoever formulated it; and it is quite in keeping with the size of the flue provided for in Clause 24. In ninety-nine cases out of every hundred, with certain boilers, including the Cornish flue, it would be much cheaper to get a new boiler than to comply with these requirements; and I must say that in any case, if the inspector chose to have the flues taken out—I do not know for what reason he might want to have a look at them—in any ordinary boiler about 30 feet long and six feet round, it would cost £250 to take them out and put them back, and the boiler would not be so sound as it was before. Besides, there is the loss of time. Clause 36 is one of the old clauses:—

There shall be paid to each inspector, on behalf of His Majesty, or to such other person as may be prescribed by regulations under this Act, on making inspection of machinery or of a boiler, and before the grant of any certificate as hereinafter provided, such fees (not exceeding those prescribed in the seventh schedule hereto) as the Governor may from time to time determine.

Employers claim—and we have fought against this before—that it is a most unjust and iniquitous provision, and presses very heavily on some mines.

Farther, it is well known that inspectors in some of the back country places examine boilers needlessly, to show by a big return and numerous fees that they are doing something. To guard against this I think that such a clause should be struck out. If it is compulsory to examine those boilers, I think the State ought to bear the cost. I do not know why anyone who is using a boiler should have to pay a fee at all in order to get his certificate. By Clause 52—

Examinations for engine-drivers' certificates, locomotive and traction engine-drivers' certificates, and marine engine-drivers' certificates shall be supervised by such persons as may be appointed by, and under the direction of, a board consisting of the Chief Inspector of Machinery, the State Mining Engineer, and a third member, who shall be a certificated engine-driver appointed by the Governor.

This is quite a new departure, and one to which I think the whole of the mining community will object. No. 16 of the Mines Regulations provides that examiners shall be properly qualified mining engineers, which I think is just and right. It is most ridiculous to employ an engine-driver to examine a fellow driver who is seeking a certificate. In addition to the fact that the examiner may not be competent, the questions put to drivers at different examinations are not always the same; and some of the drivers, after getting their certificates, quite forget all the knowledge they have gained by study in order to pass the examination. Of this there are many instances. Clause 69 refers to the removal of portable machinery, and provides that every person who removes any boiler or machinery from any part of a district to another part in the same district, for a longer period than one month, shall within seven days after the removal give particulars to the inspector of the district, or if not in a district, to the chief inspector. Therefore such a person situated in an agricultural district, which is usually far removed from a mining community, would have to keep a secretary, whose time would be fully occupied in going to and from the nearest post office—perhaps several miles from where the threshing or other occupation was being carried on—communicating with the inspector as to the whereabouts of the boiler; and if the owner failed in any single instance to send such

notification, he would be liable to be fined £10. Such a clause will I think press very heavily on the agricultural districts; not so, of course, on the mining, where as a rule boilers are all fixtures. In this Bill I think it is also very objectionable that neither the inspectors nor the Crown is in any way liable for the mistakes made by the inspector. This is provided in Clause 78. I contend that the inspector should be responsible for the inspection. We have dozens and dozens of instances where an inspector has practically destroyed a boiler. In one particular case I have heard of and know of, the inspector did destroy the boiler, and repaired it at his own cost, and a considerable cost too. There is no doubt that if the inspection of boilers under the existing Act was properly carried out by qualified men it would be satisfactory; and I do not think that any man appointed under the Act should be other than a properly qualified, experienced boiler-maker. There is no other man who knows or should know as much about a boiler as the boiler-maker himself; and it is cheaper to get such a man and to pay him well. It is no use having an Act unless we have competent men to administer it. I shall not detain the House longer. I think some clauses need alteration and amendment; and I am sure that though they may be copied from the laws and regulations of the United Kingdom, they will not properly apply to Western Australia.

HON. G. RANDELL (Metropolitan): I am pleased to congratulate the preceding speaker on his very effective and practical speech on this question, a question on which I believe he is thoroughly competent to give advice. I have little knowledge either of mining machinery or of big boilers; but the points the hon. member has drawn attention to claim my attention. By Clauses 24 and 31 flues have to be provided of dimensions large enough to allow the inspector to pass through. The inspector would not have to be of the dimensions of the hon. member who has just spoken, or there would be no chance of getting up steam in the boiler. I do not know where that clause comes from.

THE COLONIAL SECRETARY: It is a new clause.

HON. G. RANDELL: I think it must be. Having had some experience of superintending boilers and driving engines, although I have not had much experience of boilers set in brickwork, I feel sure that if flues of the dimensions necessary under these clauses were provided, it would be impossible to get up steam in the boilers. It is well known that the setting of boilers is almost a business in itself; and I know that a great many mistakes in the setting of boilers in brickwork have been made in this country, and even I believe in the old country. I have had plans sent from the old country for the purpose, and some of them are not good. It is really necessary that persons appointed to fix boilers of the type to which Mr. Lane has referred should be well instructed in their duty. I do not know that there have been many boiler accidents in this country; I remember only two. One arose through sheer recklessness on the part of the drivers, in consequence of a defect in the construction of the boilers. These were made in England of excellent material, but the manholes had the bridges inside and the manhole lids on the outside. Mr. Lane will know that this was a very stupid defect. The men applied a long wrench to the manhole, which was leaking at the bottom of the boiler; and not satisfied with one of them pressing it down, they put all their strength upon it, put their feet upon it, and broke the bolt of the door; and of course the steam immediately rushed forth and killed both men. The other accident was a case in which inspection would have been very valuable. The boiler was of the type which as far as I know is the worst—a circular boiler fired underneath. It had been neglected, and silt had accumulated inside, principally from the muddy water, and the fire had eaten away the plate until one day it became too weak to resist the inside pressure, and as a result an unfortunate man was killed. Those are the only two cases I can bring to remembrance of boiler accidents in this country; and I would here say that on the day after an inspector has visited and tested a boiler an accident may happen through the carelessness, the drunkenness, or the ignorance of the driver; so that we cannot entirely guard against accidents.

Still I do think it necessary to have a periodical inspection of boilers; but such inspections should be made by thoroughly competent and reliable workmen, and I think there should be an appeal from their decisions. One clause apparently gives a right of appeal, but it contains what is to my mind a very strange feature. I refer to Clause 48, which provides that—

If the party complained against intends to bring forward any person skilled in the construction of the machinery as a witness at the hearing of the case, he shall give notice of such intention to the inspector at least 48 hours prior to the hearing of the case.

That seems to me a very awkward provision; and I see no reason why a man intending or trying to prove his case should be compelled to give that notice. He should be allowed to bring forward what evidence he is able to produce at the time of trial.

THE COLONIAL SECRETARY: There is no great objection to the provision.

HON. G. RANDELL: I think it would inflict great hardship, and would be a very unjust provision to make against a man who is on his trial on the complaint of the inspector. Then Clause 31 is decidedly open to the objection taken by Mr. Lane. It would be a very serious matter to have the whole of the brick-work taken down from about a large boiler for the purpose of inspection; and I believe that it is utterly unnecessary if proper tests and trials are applied to the boiler.

THE COLONIAL SECRETARY: The provision is in the existing Act.

HON. G. RANDELL: Yes; and I objected to it as being an unfair provision. No doubt that will be a very great expense to the owners of boilers. I need not labour the point, as the hon. member (Mr. Lane) has already dealt with that fully. The great preventive of expense is to have men of sober habits, men who are interested in the work they have in hand and who care for the interests of their employers. However clever a man may be or however much he may know about machinery, if he is unsteady in his habits and utterly indifferent to the interests of his employer, trouble and difficulty will arise. While I say this, we have had sufficient evidence before us from time to time to show that

an inspection of boilers should take place. I am addressing myself more particularly to boilers rather than to machinery on coal mines or on the goldfields. With regard to agricultural machinery and the point raised by Mr. Lane, no doubt the agricultural members will take notice of those remarks; but it struck me that there must be a serious difficulty to the owner of a steam threshing machine which is moved about from place to place, perhaps a considerable distance, to have to report from time to time the movements of the machine. Mr. Lane did not point out that it was longer than a month that the owner had to report. I hardly see how the clause would work, because a man may be absent from his home more than a month but he may not be on a farm more than a week, perhaps only two or three days before he moves to another place, and the month would then have expired, and he would have to give notice and have to follow it up. I wish to draw attention to Subclause 5 of Clause 80. I do not see any provisions in the Bill which necessitate such power being given to the Governor. So far as I can find after somewhat carefully reading the Bill, agricultural, dairy or other machinery is not mentioned, and I thought seeing the subclause of Clause 80, probably there would be some reference to these matters. I do not see on what ground the Governor has power to release anyone altogether from having a certificated engineer. I see the desirability of the clause providing for a man who does not hold a certificate, but who is a competent driver of machinery, being employed. A man who has his wits about him, but who has not been trained to the business of a boiler-maker or an engine-driver, may be competent to drive simple machinery under certain circumstances. Generally speaking the law which it is proposed should be re-enacted here is pretty well the same as that in existence at present, especially that applying to boilers, and I am inclined to support it. I would like to mention one case in reference to inspection, for the Minister has asked us to state cases of this kind. I had a boiler which had to be inspected in accordance with the Boat Licensing Act. Steam was up and the boiler was hot, and the man who was to inspect it—he was a competent man,

for he occupied the position of second engineer of one of our coasting steamers—ordered me, and I had to do it, to blow the boiler off and immediately fill it with cold water, so that he could apply the hydraulic pump to test it. It is very injurious to blow off a boiler and then refill it with cold water immediately after. The sudden contraction is a very serious thing to a boiler and interferes considerably with its life. Under ordinary circumstances the contraction of a boiler injures it, but to do what I was compelled to do by a competent inspector I think was wrong. There are other methods of testing boilers which are perfectly satisfactory and should be carried out. Generally, I will give the Bill my support, and I shall carefully consider any amendment which Mr. Lane may see fit to move on the various clauses.

HON. T. F. O. BRIMAGE (South): There is no doubt that this is the old Factories Bill we had before us last year. For my part, the State is far too young to have a Machinery Inspection Bill brought forward, because we have not many manufacturing in the State, and moreover I do not think the population of the country is sufficient to warrant the extra expense which this Bill will entail in administration. In the matter of employing young persons, I think it should be left to mine managers or the person who has the control of machinery to see that a youth is sufficiently old to have control of whatever machinery he is placed in position to look after. I do not see the necessity of legislating for that purpose, and if an amendment is moved to excise the clause I shall vote for it. By Clause 22 it is provided that certain fittings and mountings shall be provided for every boiler, and most parts of the machines are to be flange-jointed. Modern engineers as a rule get all flange-jointed cocks for boilers, because they are the stronger joints and much better. I do not see any reason for making such a provision.

THE COLONIAL SECRETARY: It is the same as at present.

HON. T. F. O. BRIMAGE: I think it is wrong. Take a half-horse power steam boiler: the diameter of that boiler will not be more than two feet, and to have a flange joint anywhere on the round part would mean that the boiler would have

to be much larger than necessary. A person is prevented from putting in a screw pipe of any kind as a kind of stop valve, or any other valve in the way of a piece of gaspipe. Many boilers are fitted with such things. I think the clause wholly unnecessary. I quite agree with the remarks of Mr. Lane as to Clause 24. The Cornish boiler and the Lancashire boiler are mostly used on the goldfields, and to have a flue large enough for any man to get through is ridiculous. As a rule a few bricks are left out at the end of the boiler to rake out the soot, but the hole is not large enough for a man to get through. I also think once a year is quite often enough to examine boilers. With reference to the examination for certificates for engine-drivers, the other day I heard of a question which was put to a man who was applying for a certificate. The question was, "What should be the grate area of a 10 horsepower boiler?" A man who is trained to drive an engine seldom knows anything about the grate area of a boiler: he does not know the necessary area for a particular horse power. That is a question which should not be put to a person desirous of holding an engine-driver's certificate. Many of the applicants for engine-drivers' certificates at the present day are required to give an idea of knowledge that they should not be expected to possess, and which they are not taught. It is not necessary for them to have the knowledge. I think a board consisting of the mine managers in a district, or the general machinery men in a town, to grant certificates would be sufficient evidence of a man's ability to drive an engine. I fail to see the necessity for making it difficult for engine-drivers to pass examinations. I think we might send the Bill to a select committee. If that were done and a little evidence taken, we might be able to make a good Bill out of this measure; but I am not prepared to support it in its present state.

THE COLONIAL SECRETARY: Move for a select committee when the Bill gets to the committee stage.

HON. T. F. O. BRIMAGE: Is that the time to move for a select committee?

THE COLONIAL SECRETARY: Yes.

HON. T. F. O. BRIMAGE: If the Bill were sent to a select committee we

could make a good working measure of it.

SIR E. H. WITTENOOM (North): I only propose to say just one word in connection with the Bill, and that is that I am in accord with most of the Bills brought down which have for their object the consolidation of many other measures, because legislation is then put in a more circumscribed space, and from that view the measure has my support. I have no particular knowledge of boilers or anything of that sort; therefore I listened with a great deal of interest to the experts in the House, and I shall in a great measure be guided by their views. I understand this Bill is to be administered by the Mines Department; therefore when we come to Clause 4 of the measure, where it says that the Bill shall not apply to any boilers or machinery used on or employed in the working of the Government railways under the control of the Commissioner of Railways, I shall propose an amendment that the measure shall not apply to any boilers or engines that have hitherto been under the inspection of the Railway Department.

THE COLONIAL SECRETARY: Do you wish to conserve the existing system of inspection of railway material by railway officials?

SIR E. H. WITTENOOM: Yes; for railway boilers and engines. As far as I know, the present system is satisfactory to all parties. I intended to ask the same question Mr. Randell put in respect of Clause 80, as to where the Government are to get authority for prescribing regulations as to how and in what circumstances engines used for agricultural, dairy, or any other purposes may be driven by uncertificated persons; because it seems to me that the whole policy of the Bill is, as far as possible, to make every driver a certificated driver, and it was with some curiosity that I waited to hear the Minister explain whence the power would come to make such regulations. I think the power is necessary, and I want to have clearly pointed out how such regulations can be made. I shall have pleasure in supporting the second reading as far as I possibly can.

On motion by HON. C. E. DEMPSTER, debate adjourned.

# REDISTRIBUTION OF SEATS BILL.

Received from the Legislative Assembly, and read a first time.

## ADJOURNMENT.

The House adjourned at two minutes past 6 o'clock, until the next day.

## Legislative Assembly.

Tuesday, 13th October, 1903.

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

## PRAYERS.

## URGENCY MOTION—RAILWAY SERVANTS AND THE ARBITRATION COURT.

### AMENDMENT OF THE LAW SUGGESTED.

THE SPEAKER: The member for Subiaco (Mr. Daglish) has placed in my hands notice of a motion he desires to move, which reads thus:—

To move the adjournment of the House with a view to drawing attention to the decision of the Arbitration Court, that the Court had no power to make an award which should bind the Commissioner of Railways in any dispute between him and the railway employees.

The question is, That the hon. member have permission to move this motion.

Question passed.

MR. H. DAGLISH (Subiaco): I beg to move the adjournment of the House for the purpose of bringing this case under the notice of members, with the object of getting from the Premier a statement whether he is prepared to amend the law in order to bring it into approximation with what I think was the opinion of this House and another place when the Conciliation and Arbitration Act was passed. Briefly I may refer to the case which has led up to this motion.