

Legislative Assembly,

Tuesday, 15th August, 1905.

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THE SPEAKER took the Chair at 3:30 o'clock p.m.

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: 1, Papers *re* Play-
ing of Football on Sundays. 2, Papers *re*
Formation of an Association by the
Police Force. 3, Report of Board
appointed to enquire into the proposed
Railway to Norseman. 4, Papers *re*
Suspension of Commissioner of Police
and Censure passed on the Sheriff
(pursuant to Statute). 5, By-laws passed
by the Municipalities of Fremantle and
Coolgardie. 6, Report by the Chief Inspec-
tor of Liquors for the half-year ended 30th
June, 1905. 7, Papers relating to the
purchase of the Midland Railway Con-
cession.

By the MINISTER FOR WORKS: 1,
By-laws passed by the Ashburton and
Buckland Hill Road Boards.

QUESTION—TIMBER LEASES, CONDI-
TIONS.

Mr. HENSHAW asked the Minister
for Lands: 1, Has an inspection been
made of the various timber leases issued
under "The Lands Act, 1898," with the
view of ascertaining whether the sections
requiring the erection of mills have been
complied with? 2, If so, what has the
investigation disclosed? 3, What are the
intentions of the Government in regard
to such cases where forest lands are being
held without complying with the condi-
tions under which these leases were ob-
tained? 4, When is it expected that the
applications for forest land at present
held by the Lands Department will be
finally dealt with?

THE MINISTER FOR LANDS re-
plied: 1, Yes. 2, That only a compara-
tively few leases have mills erected on
them. 3, The matter is now in the hands
of the Crown Law Department, and each
lease will be dealt with as the circum-
stances of the individual case demand.
4, Applications are now being dealt
with.

QUESTION—MIDLAND COMPANY'S
LANDS.

MR. HORAN (for Dr. Ellis) asked the
Premier: What was the total acreage
originally allocated to Midland Railway
Company?

THE PREMIER replied: 3,319,464
acres; but Crown Grants for the whole
area have not been issued.

RETURN—FOREST LAND APPLICA-
TIONS.

On motion by MR. HENSHAW, ordered:
That there be laid upon the table of the
House a return showing—The number of
applications for forest land at present
held by the Lands Department; the ex-
tent of areas applied for, together with
the names of the applicants.

PAPERS—EDUCATION SCHOOL BOOK
WITHDRAWN.

On motion by MR. SCADDAN, ordered:
That there be laid on the table of the
House all papers and correspondence
concerning the withdrawal of Vol. III. of
the "Story of the World" school book
from our public schools.

BILL—PUBLIC EDUCATION AMEND-
MENT.

Read a third time, and transmitted to
the Legislative Council.

BILL—WORKMEN'S WAGES ACT
AMENDMENT.

RECOMMITTAL.

On motion by the MINISTER FOR Jus-
TICE AND LABOUR (Hon. R. Hastie), Bill
recommitted for amendment.

MR. QUINLAN in the Chair.

Clause 5—If money is not so appro-
priated, workmen may sue contractee:

THE MINISTER: At the last sitting
we were considering Clause 5, which pro-
vided that if the contractee made any pay-

ment under the contract to the contractor without appropriating such payment towards the satisfaction, as required by the Bill, of the wages appearing from the statement delivered to be due, he should become liable for the whole of the wages. Some members expressed an opinion that the liability of the contractee, even if he carried out all the requirements of the Act, would be increased. He had since seriously considered that question, and was advised that in no case, if the contractee carried out the requirements of the Act, would his liabilities be increased. However, in order to make the matter clear he would move an amendment that the following words be added to the clause:—

But nothing herein contained shall render the contractee who duly complies with this Act liable to any payment exceeding the amount payable under the contract.

Question passed.

MR. A. J. WILSON asked how far the proposed amendment would go.

THE CHAIRMAN: The amendment had been passed.

Clause as amended agreed to.

MR. RASON: The schedule required an alteration.

THE MINISTER: The mistake was purely a printer's error.

Bill reported with a farther amendment.

MOTION—STOCK ROUTE TO LAVERTON.

Debate resumed from the 9th August, on the motion by Mr. Gregory—

That the Government make early inquiries into the advisability and cost of constructing a stock route from the Sturt River, south of East Kimberley, to Laverton.

MR. W. B. GORDON (Canning): I formally move, on behalf of the member for South Fremantle (Mr. Diamond) and also as suggested by the member for Menzies (Mr. Gregory), the following amendment:—

Strike out all the words after "That," and insert the following in lieu—"in the opinion of this House it is advisable that a stock route from East Kimberley to the Goldfields, in a direction which would render it impossible to injure any Northern or North-Western pastoral areas, should be opened up with a view to the introduction of cattle from East Kimberley to the Goldfields; also the removal of the present restrictions against the introduction of such cattle to the latter areas."

THE MINISTER FOR LANDS AND EDUCATION (Hon. T. H. Bath): In regard to the motion of the member for Menzies, which the member for Canning has just proposed to amend, I wish to say that if it is possible, as the amendment proposes, to provide a stock route from the East Kimberley areas to the Eastern Goldfields—a route which will enable stock to be brought there without the roundabout journey and the expense involved by the present arrangements—I am sure no member will offer any objection. But the question arises whether it is possible to bring stock from the East Kimberley areas to the Laverton district without touching the areas, say, around the Gascoyne district, and without rendering the cattle in that district liable to tick infection. In the last session of the last Parliament this question was discussed at considerable length, and a motion in favour of the removal of restrictions on the importation of cattle owing to the possibility of tick infection was carried, I believe largely by reason of the arguments of the member for Roebourne (Dr. Hicks), who held the opinion that while there was danger of infection in taking cattle from East Kimberley to West Kimberley, the same danger did not exist in bringing such cattle from East Kimberley to the goldfields areas. On this point there was considerable difference of opinion amongst hon. members who might be regarded as authorities; and the same difference of opinion exists amongst the officers of the Department of Agriculture.

MR. CONNOR: But you are allowing cattle to come down now right to Derby.

THE MINISTER FOR LANDS: Mr. Wear, the stock inspector, states that he does not consider there is any danger of infection. But on the other hand, the Director of Agriculture, and the late acting Director of Agriculture and present Under-Secretary of the Department of Agriculture, believe that there is danger in bringing down cattle. The member for Kimberley (Mr. Connor) knows that if, in the opinion of himself and other members who are supposed to know something of this question, it is possible to bring down those cattle to the goldfields without danger of infection, none will be better pleased than I, as a member for a goldfields constituency. I cer-

tainly think there is no danger in securing the fullest information.

MR. CONNOR: Is the Minister in order in discussing this question, when an amendment has been moved dealing with the question of whether cattle from East Kimberley should or should not go to Derby, and when those cattle are coming down now?

MR. SPEAKER: I think that the Minister, after the amendment has been moved, is quite in order in discussing the whole question, as he has so far been doing.

THE MINISTER FOR LANDS: What we have to consider is not the question of taking cattle to Derby, but whether, in opening up the stock route proposed by the member for Menzies (Mr. Gregory), there will be danger to the present stock districts around the Gascoyne, and to similar districts in the North-West. I think we may well secure the information desired by the member for Menzies; and we can then discuss the question whether cattle should be brought down.

MR. CONNOR: They are brought now to Derby.

MR. MORAN: Will you not settle the question whether the cattle can come, before you look for a route?

THE MINISTER FOR LANDS: I understand that we are not now discussing the question of taking cattle to Derby, but the question of finding a practicable stock route to the Eastern Goldfields. I cannot understand what hon. members interrupting are alluding to. I have told them two or three times that we are not discussing the question of taking cattle to Derby, but the question of bringing cattle from East Kimberley to the Eastern Goldfields. That is the question to which I wish to confine my attention; and I say the Government offer no opposition to an investigation into the practicability of such a stock route.

MR. C. J. MORAN (West Perth): I do not intend to deal with this question of bringing cattle to Derby, though I hold it is a public scandal that any East Kimberley cattle should have been allowed to come down through the beautiful Fitzroy Valley.

MR. GORDON: What has that to do with the question?

MR. MORAN: It has everything to do with it, as the amendment proposes to widen the scope of the motion to include the removal of restrictions on bringing down of ticked cattle. To my mind it is grossly unfair to the West Kimberley people that the magnificent cattle country in the Fitzroy Valley should be made the highway for bringing East Kimberley cattle to Derby. I hold it to be the first duty of this State, no matter what experts may say to the contrary, to take all precautions to keep good cattle country free from tick. For goodness sake do not let us be the medium of infecting clean country. The West Kimberley country is absolutely clean, bearing no trace of tick. I know the whole of that country. There is no better cattle country in Australia; and there is no danger of tick getting there, except by the means proposed. The Leopold mountain range runs between the infected country and the clean country. But I am even now in receipt of a telegram from Derby, asking me to co-operate with the member for the district in preventing a cattle traffic between East Kimberley and Derby. Some cattle-owners in East Kimberley districts not yet infected with tick wish to take their cattle to a clean port; but in doing this they would probably endanger tens of thousands of clean cattle. [MR. GORDON: You can prove that?] The hon. member is very anxious to keep away from the question of bringing cattle to Derby; but I am very anxious to keep right on it. This is a live question. The proposed stock route is another matter, a matter of future development. At present there is imminent danger of infecting a magnificent clean country from a country that is not clean. I do not know why the permit to bring cattle to Derby was granted, and why the Government have not revoked it. But I want to enter my protest against it; and when the hon. member brings it up in the House I shall protest still more forcibly. Touching this proposal for a stock route, I am astonished at the remarks of the Minister for Lands. He says on behalf of the Government: "We will go to the extent of getting information about a stock route." That means they will survey the route. "We will look for water." That is what it means. People do not put down metal roads

on stock routes. It is a question of water.

MR. GREGORY: It will cost about a thousand pounds.

MR. MORAN: The member for Menzies says it will cost £1,000. I presume it will cost that at the very least. The survey, to be of any use at all, must cost that; and the Minister for Lands also says that we will then decide whether we can bring the cattle down along the route or not. [THE MINISTER FOR LANDS: Clean cattle.] Is he going to construct the route for the purpose of one station only? To me the matter is an utter absurdity. We have had this tick question before us long enough. We must first come to a conclusion as to whether we can run the risk of bringing these cattle to the Eastern Goldfields; and it is a matter that can be decided without the expenditure of one penny piece. It is a matter for this House, this last court of appeal, to say whether after all these years—and no question has been more thoroughly threshed out than this tick question—we can with safety allow tick cattle to go to the Eastern Goldfields; and then we can talk of the stock route; but to talk of first expending money on a stock route, and then coming to the conclusion that we cannot bring the cattle along the route, is putting the cart before the horse with a vengeance. Cabinet should take upon themselves the responsibility of advising us as to whether it is a good enough proposition to bring tick cattle down through the desert to the Eastern Goldfields. I do not presume to speak authoritatively on the question in the presence of two of my colleagues who have expert knowledge on the matter, and who are deeply interested in it, and I propose to listen to the opinions of those who know all about tick cattle. Personally, if I have any predilection at the present moment, it is that I do not see very grave danger in bringing tick cattle from East Kimberley to the Eastern Goldfields through a desert route. I personally am of opinion that tick would not prosper and thrive in the dry interior of this State, and that if a stock route were constructed far enough inland so as keep away from the outward bounds of the stations there would be no great danger. However, I am not going to

force that opinion. My first desire is, if possible, to preserve the part of the country that is clean. I recognise the desirability and have always done so, of bringing meat as cheaply as possible to the goldfields, and on its feet by driving it there if possible; but there is a serious proposition to be faced in this as to whether or not we should freeze the meat at Derby or Wyndham and bring it down in that state. I protest against this House authorising the expenditure of £1,000, and coming to a decision afterwards as to whether we can use the stock route or not. We ought first to decide whether we can with safety allow tick cattle to go to the Eastern Goldfields, and I hope Cabinet will be able to make a strong recommendation one way or another on this question for the consideration of this Chamber.

MR. J. ISDELL (Pillbarra): A few years ago this same question came up as to whether the East Kimberley cattle should be allowed out of the Wyndham area into the other northern areas of the State which were clean. I know the country well, and a large portion of the East Kimberley country is not ticked. I can trace the cattle from the time when they first came from the Northern Territory. Tick cattle were shipped to Sturt Creek, and have not had tick on them for years. Why? There has never been a proper investigation as to why these ticks stop at a certain natural boundary. The Linacre River is 80 miles from Sturt Creek, and with no barrier to prevent any animal going backwards and forwards, the cattle intermix; but the Linacre district is one of the worst-infested parts, while Sturt Creek has not got a tick. I can only account for it by the country. The Sturt Creek country is much higher, while the Linacre and Alvira country is known as malarial country, where people get fever and cattle get tick fever; but the Sturt Creek country is sandy, and there the human being does not get fever nor do the cattle get tick. Years ago Mr. Gordon brought over 1,400 head of cattle from the Northern Territory. He lost 450 on the way, but he landed the rest of the cattle in the heart of West Kimberley, at Lenard River, a branch of the Fitzroy River, a place supposed to be a clean district, belonging to Mr. Munro. This

herd formed the nucleus of Mr. Emanuel's herd; but what has become of the tick? Why have the ticks not bred and propagated there? Simply because the country is not suitable. So I am satisfied that there is not the slightest danger in bringing tick cattle through the desert country where the proposed stock route is marked out, because it is tableland country and is dry and there is no soil, being principally sand. Anybody who knows about ticks must be aware that ticks live on the ground and not on the beast, that they only remain on the beast for 14 days and then drop off, and that they make their homes on the alluvial flats. They would never live in sandy country. I am certain from my experience and knowledge of the country and cattle that there would not be the slightest danger of ticks being brought over the desert country; but it is no use talking of spending money before this question is settled. I was one of the first to suggest this stock route years ago, and I had some dealings with the present Government concerning it. A suitable track can be found, but it is no use talking about it, being suitable if we turn round and say that we are not going to allow the cattle to come through. Men would not throw away money on such a risk. I take an interest in this stock route, not only for the sake of the Northern Goldfields but for the sake of the farmers in the South. We are settling farmers in this country but cannot supply them with a single hoof of store stock. Kimberley is the only place where we can get supplies of store stock, but we cannot supply the farmers on account of the law preventing the cattle coming down to the proper market. A mob was taken from Buchanan Station in Kimberley to Narrabri in New South Wales, a distance of 2,000 miles. I contend that those cattle ought to have come down here, and should not have been hunted out of the State altogether. If the Government gave permission for the cattle to come out of East Kimberley, they could make ample provision to inspect them, because stock must cross 600 miles of desert and there would be ample opportunity of ascertaining whether the cattle were diseased by ticks or by pleuro-pneumonia, which is even worse than tick. I am satisfied that the cattle

would come over this desert perfectly clean. It is for the Government to decide whether permission be granted for the cattle to come through. The money should be available to find out the best possible route that will not in any way interfere with cattle stations in the North-West. In fact the cattle would not touch any place so far as the stock is concerned until they came to Lake Way. I would not be frightened to bring 1,000 head of tick cattle out of Kimberley to-morrow, because I am satisfied that the tick will not live. Tick is only virulent in a malarial climate, where a man may get malarial fever from the bite of a mosquito. Cattle are just the same. They will not get the tick out of that area. If they would, the whole of the southern part of this State would have been ticked years ago; for seven or eight years ago, before there were regulations, tick cattle were brought down and sent all over the State. Why did they not spread tick? Simply because the conditions here were not suitable for the tick. Ticks lose their virulence as soon as they get out of the malarial districts. They may live, but they do no harm. If cattle travel for 600 miles through sandy desert they will not have tick on them.

On motion by MR. CONNOR, debate adjourned.

BILL—MINES REGULATION.

SECOND READING.

Debate resumed from the 8th August.

MR. H. GREGORY (Menzies): The Minister, when explaining this Bill, spoke at some length, and remarked that the Bill was first promised in 1902, again in 1903, and again last year. I certainly have not looked up any records, but I have no remembrance of any action being taken by the Government in 1902 for the purpose of bringing forward an amending Mines Regulations Bill. In 1903 there was a promise that in the event of the Machinery Bill being passed there must needs be an amendment to the Mines Regulation Act, and that a Bill would immediately follow the passing of the Machinery Bill by the Legislative Council. In 1904 the circumstances were entirely different. Distinct promises were made. Owing to certain actions which had taken place in regard

to the administration of our mines, it was thought advisable that there should be a new amending Bill, and we had anticipated that the Bill would have been brought forward last session. One excuse, but not for the non-carrying out of that promise, was the appointment of the Commission dealing with the sanitation and ventilation of mines in April of last year, but I feel quite satisfied that the work of the Commission was sufficiently advanced to enable members of the Commission to have given the Minister any points needed to bring forward an amending Mines Regulation Bill, so that the work of the Commission could be embodied in the Bill which it was deemed necessary to bring before the House. Members must understand that the Bill was in draft long prior to the meeting of Parliament last session, and far greater occasion arose for the bringing forward of this Bill by the scandal created in the Boulder Deep Levels mine. A Commission was appointed to enquire into that affair, and the report of that Commission was laid on the table of the House in November of last year. The report of that Commission disclosed some very important matters, sufficient to render it necessary to bring forward legislation at once. I have heard it often expressed in the House that it was necessary for Ministers to get into recess so as to obtain a greater knowledge of their departments; and that excuse was put forward even when the Machinery Bill was before the House as a reason why the Mines Regulation Bill should not be brought forward last year. I want to emphasise that by reading some extracts from a speech made by myself in June of last year. I said:—

I drafted a Bill last year providing that no man without a knowledge of English should be employed as overman, platman, or in any other responsible position; but we must go farther, and in the next session I will introduce a Bill not only providing for a knowledge of English and of certain sections of the Mines Regulation Act for any person occupying a responsible position in a mine, but also stipulating that no man shall be employed underground unless he has a knowledge of English, of which the Inspector of Mines shall be judge.

In June of last year I advised the public that I had this Bill drafted, and these matters were to be placed within the scope of that measure. One reason in

making these remarks is that in perusing the Bill one would like to see some initiation on the part of those who claim to represent the Labour party in this House; and I have not been able to find any change in the old order of things, except those matters which have been brought forward through the reports of the Commissions appointed by myself.

THE MINISTER FOR JUSTICE AND LABOUR: In Committee I shall point out plenty.

MR. GREGORY: I shall be glad if the hon. member will; but I think the hon. member will have to reply to this debate when he has heard what I have to say on one or two matters. There is one matter which the Minister brought forward in regard to the importance of the mining industry. He spoke very emphatically as to certain remarks made in disparagement of this industry, and he said that even members of Parliament made disparaging remarks, and he added, although he tried to make out the remarks came mostly from the Opposition side, that disparaging remarks came from both sides of the House. I agree with the Minister that it is necessary at all times and on all occasions to take advantage of the opportunity of pointing out to members and the general public the great importance of the mining industry. It may become stale to us at times to hear remarks about the great gold yield, the number of people employed, and the wealth of the industry; but these remarks are published all over the world. When we remember the finding of gold first brought Western Australia into prominence, when we remember that the finding of gold gave an impetus to land settlement, and that it was owing to the great mining industry in the past, and owing to that industry at present, that a market is to-day found for the agriculturist and pastoralist, I think the Minister on all occasions would be forgiven for emphasising the importance of the industry. It is the duty of all members, I think, to promote and continue promoting the welfare of the mining industry. This measure should be no party measure. Our object should be, so far as possible, to do all we can to render the life of the men working underground less dangerous than has been the case in the past, and more healthy and freer

from those disasters which we find inherent to the mining industry. This Bill is a good one; there are many innovations in it, and many are very requisite. I am rather surprised the Minister himself made the remark that the Bill is not so drastic in many particulars as he would like to have seen it. What are we to understand from that? Are we to understand that a Minister, occupying a responsible position, is not prepared to bring forward a measure such as he would advocate when sitting in Opposition?

MR. TAYLOR: You have been on both sides; you ought to know.

MR. GREGORY: The short extract which I have read, and I have another extract here which I intend to read, shows that I am not afraid to advocate the same proposals when sitting on either side of the House. When I have brought forward matters I have fought all I could to get them carried out. I was surprised to hear the Minister say that the Bill was not as drastic as he would like. I ask myself, is it because the Minister is in a position of responsibility that he is not prepared to bring forward a measure that he would advocate if sitting on the other side? The object of the Bill is a good one, as pointed out. It should tend to make the conditions of the miner better, and it throws more responsibility on the miner. I think we are justified in throwing a little more responsibility on the miner himself; because men working year after year in a mine become very callous and careless to danger. Dynamite is thrown about, and we find that men sit on a box of dynamite at crib time. Detonators are to be found lying about.

MR. SCADDAN: Both statements are ridiculous.

MR. GREGORY: The Bill is necessary, because so many accidents do occur through the carelessness of men. Men continually being employed in dangerous places take greater risks than others would. I should allow no man to occupy a responsible position in a mine unless he is conversant with the mining regulations. An inspector of mines ought to have power, if he finds men employed below ground or in responsible positions on the surface, having the lives of men at stake, to turn off any man unless he

has a fairly good knowledge of the rules and mining regulations.

THE MINISTER FOR LANDS: He would require to study for the bar.

MR. GREGORY: He may have studied for the bar, but not for the bar the hon. member speaks of. I think we shall be able to turn out a measure that will make investment in our mines better for the investor. There are certain provisions, I think from Clauses 76 to 81, by which greater security is given to the investor. Providing we make the clauses more strict than they are now we shall be giving greater protection to workmen and greater security to the investor by the measure. The Minister, in speaking of the necessity for the Bill, said:—

The next alteration dealt with exemptions. Nearly every hole in the ground was regarded as a mine, but to meet the case of graphite and other deposits which had been found, the new provision would allow the Government to exempt those small areas from the operation of the Act.

I feel satisfied that the Minister could not have meant this. The desire for exemption is not to make every little prospecting show a mine within the meaning of the Bill. Take the clause that provides that every mine shall have a mining manager and that a record shall be sent to the Minister for Mines of the appointment of a manager: I think we should try and amend that by stating when so many men are employed. In New Zealand and in Victoria mine owners are not compelled to appoint a mine manager unless there are twelve men ordinarily employed in the mine. I will not go so far as that, but I will suggest that six men be employed before a mine manager is necessary. There are many provisions which should not apply to every prospecting show; although there should be power for an inspector to go to every prospecting area and compel certain provisions to be carried out for the welfare of the men working there. It should not be necessary to make it compulsory that all shows should comply with all the conditions provided in the Bill. There is a new feature in the measure recommended by one of the Commissions—power to appoint check inspectors. I cannot quite follow the Minister in the drafting of this clause.

The Minister says persons working in a mine, or any industrial union of workers, may appoint one or two check inspectors. They are not recognised by the Minister, but in Clause 6 it says that any industrial union of workers, provided they can satisfy the Minister that they represent one-third of the miners working in a district, may appoint one or two check inspectors who shall be recognised by the Minister, provided of course that the Minister approves of them. I thought members on the Government side believed in majority rule.

MR. TAYLOR: You did not always think that.

MR. GREGORY: I should imagine, in drafting regulations of this sort, that that principle would have been made to apply, because the Minister has power to draft regulations as to how check inspectors should be appointed. I should have thought the Minister would have provided for a ballot of the miners working in any district, and they should be allowed to appoint check inspectors. How is it that one-third of the miners working in a district are to be allowed to appoint check inspectors? Suppose the miners are divided, we might find one-fifth of the miners present appointing the two check inspectors for the district. Are these check inspectors to be paid, and by whom? The Commission reporting on this matter said check inspectors were to be paid to some extent by the Crown. The Bill is silent in that respect. I hope the Minister will say, when replying, whether it is his intention to make the check inspectors a charge against the working of the Act, or is the matter to be dealt with entirely by the miners of the district or the unions who appoint the check inspectors?

MR. TAYLOR: It is a matter of detail.

MR. GREGORY: Yes; it is a matter of detail, but the expenses in connection with check inspectors will be fairly heavy. Take the Mount Margaret district, which embraces Kookynie, Murrin Murrin, Laverton, Mt. Morgans, and up to Duketon and down to Burtville; two check inspectors would hardly be able to work the whole of that district. Probably the idea of the Minister is that the check inspectors are only necessary where there are big mines, and not in the small centres. In places like Kalgoorlie I have

no doubt they will be able to do a great deal of good; but in the outside centres the appointment of them would, I think, be to some extent a farce, unless they were allowed a check inspector for each district. If check inspectors are to be allowed at all, the majority of those working in the districts should be the men who would appoint the check inspectors. Clause 26—although this is a very unimportant matter—deals with an alteration in the old Act, and states that the manager shall in every case be deemed guilty of an offence. While in the old Act the reading of this clause was of a negative character, this is affirmative. Although the case from a legal standpoint may not be much different, the inference in the Bill is of a distinctly affirmative character, that the responsibility shall be placed on the manager unless he can point out that he is not responsible. On the other hand, in the old Act it is more of a negative character, and I think a magistrate would be more inclined to compel the other side to prove the case; whereas in this instance it is of so affirmative a character that the manager will be compelled to prove not only that he had given instructions for certain things to be done, but in every instance that he had seen that all these things were carried into effect. I think that is rather stringent. I would prefer to have the old reading rather than this. Then we come to the limit of the hours of employment. I would wish first to deal with the granting of certificates to mining managers. We provide here that the Crown in future shall be able to grant certificates to mining managers. Of course, they are not making that compulsory, and I think the Minister is wise in not making it compulsory at the present time that every manager should be compelled to hold a certificate—[MR. SCADDAN: Why not?—because to do so at the present time would cause a complete upheaval of our mining conditions; and if anything is going to be done, it should be decided that after a certain date—for instance, one year or two years from now—all mining managers shall be compelled to hold certificates, to be granted within the State. [MR. SCADDAN: You grant certain certificates.] I know. Still, I

am not satisfied, and I think we may point out to the hon. member the mistake of this Bill. The man to my mind most responsible for the lives of the workmen is the underground boss, the man who for the time is studying and looking after the underground workings. In nearly every instance the accident occurs underground, and that is the man you want to have competent; that is the man who should have a certificate granted to him, so that one may be quite satisfied that he is not only a careful and steady man, but a man who has a good knowledge of underground workings. It is my intention to move when we get into Committee that the certificates granted shall be to the managers and submanagers, or, if members like to call them so, the underground bosses. Submanagers would be the better term, because persons would be more inclined to go for the position of submanager. Here is a man who perhaps is legally responsible, but as far as the men are concerned they place the greatest reliance on the underground boss. The greater responsibility is always on the underground boss, and if we want an examination at all, if we want to be satisfied that the lives of the workmen are being properly looked after, that is the man who should be granted a certificate, if any certificate is granted at all. Then we come to the question of the limitation of the hours of employment. I have no objection to urge against this, but at the same time when we have an Arbitration Act it would be wise for us to leave to a great extent the hours of working and all matters pertaining thereto to the Arbitration Court.

THE MINISTER FOR JUSTICE: Can all miners throughout the State apply to the Arbitration Court?

MR. GREGORY: The Arbitration Court has power to fix the hours of employment, and I think it has been applied to. I do not follow the proceedings of the Arbitration Court much, but I am satisfied it has the power to fix the number of hours the people shall work in any industry. And I should like to point out to the Minister that in many of our State batteries we find a large quantity of stone brought forward, and if they were only able to work one shift the manager would, with a view to giving

facilities to small leaseholders and inspectors, allow the men to work nine or ten hours a day to get over that difficulty. He does not want another shift of men, but he will not be allowed to work that mine with one staff unless he gets a permit from the inspector of mines. He would have to get a permit every time before he could run his battery an extra hour a day. If he were running through a parcel of stone which would take another hour or two hours, instead of employing them and giving them a little overtime he would be compelled to stop or send to the inspector of mines for permission to run that battery a little bit longer. Does not this seem the height of absurdity? A battery will be a mine within the meaning of this Bill—an alteration which the Minister did not point out when dealing with this measure. I must read that definition, because it is a fairly important one:—

“Mine” means a place where any operation for the purpose of obtaining any metal or mineral has been or is being carried on, or where the products of any such place are being treated or dealt with.

So within the meaning of this Bill the Fremantle Smelting Works are a mine. Taking these matters into consideration, I would like the Minister to consider whether it would be wise to have this strict limit with regard to the hours of employment of workmen. [MR. TAYLOR: We will deal with that in Committee.] Clause 46 deals with engine-drivers. We found last year, when the Machinery Bill was before the House, that there was nothing provided in that Bill in connection with certificates for any person who may drive a winding engine upon a mine, and the Minister promised to make an amendment of that as speedily as possible. In this case, he has done so. But I would like to know what the Minister means by this paragraph (c.) in Subclause 1 of Clause 46. I want to know whether the boy at a telephone on any of those big mines is to have a certificate? Will it compel a man in charge of a filter press to hold a first, second, or third-class certificate? Is the man who has to look after the pipes in underground workings to be compelled to hold a certificate? Is the man in charge of a lathe in a fitter's shop to hold a third-class certificate

unless the Minister exempts him? Or is even the distributor in a cyanide plant or a man who looks after the tailings to have a certificate?

THE MINISTER FOR MINES: Are you opposing the clause?

MR. GREGORY: The clause says any person is to hold a first, second, or third-class certificate who takes or has charge of any machinery on a mine. As I pointed out just now, a "mine" means a battery, or even the Fremantle Smelting Works, or any part of a mine. The clause applies to any man who takes charge of any machinery on a mine.

"Machinery" means every kind of mechanical appliance, and includes boilers, air receivers, steam pipes, air pipes, electric wires—

That is where the telephone comes in; even a boy on a telephone would have to have a certificate unless a special exemption were granted in regard to it—

cables, belts, and ropes employed in or about a mine or in or about any work used for the treatment of metals or minerals—

I am going to ask the House to delete the clause.

MR. SCADDAN: Why do you not complete reading the clause; why stop half way?

MR. GREGORY: I did not stop half way. The paragraph says:—

without holding a first, second, or third-class certificate or certificate made equivalent thereto under the aforesaid Act, takes or has charge of any machinery on a mine except sinking pumps, boring machines, and other small machines that may from time to time be permitted to be exempted by the Minister.

I have pointed out that the Minister may exempt these things. The Minister can exempt a lathe man in a fitter's shop; he can exempt a telephone boy or a person who looks after the air-pipes. What does the Minister desire? The Bill provides with regard to steam engines that the person in charge shall be compelled to hold a certificate. It does not matter whether the work is done on the mine or not. Does the Minister desire that any person who goes to switch on the electric motor shall have a certificate? Is that what we desired to be pushed through last session? Is every person in charge of a small oil-engine to have a certificate? Is the man at the filter press to have one? If that is the case, why not state it distinctly here? The Machinery Act to my mind is quite

comprehensive enough. It makes full provision for all matters except in regard to our winding plant. Subclause 3 is the most arrant absurdity I ever saw put in a Bill. Then with regard to the general rules. I think the Minister might have elaborated a little more in regard to them than he has done. Members might look at the regulations and see the great powers given to the Minister in these regulations, powers that will involve very large expenditure in regard to ventilation, powers that will mean the expenditure of a very large sum of money in reference to sanitation, and several matters in relation to getting rid of dust and many other things. I would have liked to hear from the Minister himself how far he intended to go as to the recommendations which have been made by this Commission. We have a very long list here of regulations which the Minister will have power to make. We do not know how far he proposes going. It simply says he will have power to make regulations in dealing with the ventilation of mines—they are very voluminous—in dealing with the prevention and laying of dust—which are not very voluminous—in dealing with the use of explosives. In dealing with ventilation he can compel the sinking of winzes, the connection of chain mines. These are very important powers, and I would like to have had—and I think we are justified in demanding them before we give these great powers to the Minister—the draft regulations under which he intends to work. They should be laid on the table of the House concurrently with this measure. It is months since the Commission finished their labours. They have been able to make their recommendations. The Minister months ago at any rate knew that these regulations should be ready, and I think we are justified in asking for them when giving such great powers to the Minister. I have no objection whatever to the giving of these powers. I say we must give them, because, as the Minister has pointed out, the conditions change so much that what would apply to a mine in Kalgoorlie will not apply to mines in other places where the sinking is not so deep. Therefore I am prepared to give great powers to the Minister. But I should

want to know and should have liked to hear something as to the Minister's intention regarding what I may term the dust nuisance in our big mines. The report of the Royal Commission on the Ventilation and Sanitation of Mines states:—

In view of the investigations of the Transvaal commission and those of Messrs. Haldane, Martin, and Thomas, it is therefore disquieting to note that cases of phthisis have been much more common at Kalgoorlie than in other parts of the State, indicating a warning that the deep and dusty mines here may be assisting the development of this dread disease. The immunity hitherto enjoyed from its ravages does not justify any optimistic anticipations that the same happy state of affairs will continue; and on the contrary there is every reason to believe that dust and vitiated atmosphere here will in time, unless preventive measures are taken, have the same evil effects as they have had in Bendigo, Johannesburg, and Cornwall. The dust here certainly does not appear to cause lung trouble as quickly as in some other countries; but there is no escape from the conclusion that sooner or later its effects must be shown, and to ignore it now is to live in a fool's paradise. The hospital returns show that diseases of the respiratory system fall heavily upon miners, constituting in the Kalgoorlie hospital 23·21 per cent., and in 24 other hospitals 14·82 per cent. of the total cases recorded of miners in the last five years.

And the Commission recommend that—

If spraying with water is used either on the surface or underground for the purpose of laying dust, the water so used shall be free from pollution with organic or other noxious matter. When respirators are supplied to the men working in dusty places, each one shall be used by one person only; and when returned they shall be thoroughly cleansed before being again issued. In all mills and reduction works where dry dust is produced at any stage of the treatment process, such appliances shall be used as will be sufficient to prevent the dust from mixing with the atmosphere breathed by the workmen.

That is all we have as to the pulmonary complaints of miners. Within the past few years exhaustive examinations have been made in different countries, more especially in Victoria, as to rock-drilling with spray; yet nothing has been said by the Minister as to the efforts of the Government to try to make the conditions better for the miners. Not one word have we heard in reference to these matters; yet the Commission were appointed to devise some means of improving the conditions and improving the miners' health. The report I have just read,

showing the large number of pulmonary cases in the Kalgoorlie hospital, makes it certain that the Government should take a far greater interest than they are taking in this question.

THE MINISTER FOR LANDS: What about Subclause 4 of Clause 90?

MR. GREGORY: The subclause is not complete. It simply gives the Governor power to make regulations dealing with the use of water-sprays, atomisers, and other damping appliances in working places, especially while boring.

THE MINISTER FOR LANDS: And now you want to prevent that.

MR. GREGORY: No. I say the Minister in charge of the Bill should have explained to us the results of the investigations made by the Mines Department with a view to improving the conditions. I say we have heard nothing of that. We are told simply that, the Commission having made certain recommendations, the Government ask for power to make regulations to compel the use of atomisers and vaporisers. That is about all. The Minister has not even told us that; but simply that it is necessary to have regulations because the conditions are so different in different places that the regulations cannot form part of the Act.

THE MINISTER FOR JUSTICE: I said it was intended to carry out the Commission's recommendations, so far as we could.

MR. GREGORY: It would be too tedious to go through the Minister's speech again. I have not the *Hansard* report here; but the report I have states that the Minister pointed out the necessity for having regulations, but did not point out how far the regulations should go. I contend that the Minister should have been able to state that the Mines Department were making special inquiries as to various rock drills, with a view to obtaining a rock drill, even if Government paid a big bonus for it, that would better prevent dust. Members would have been highly pleased to hear that something was being done to improve the conditions. Of course, the Minister for Lands, who knows so much about the tick question, smiles at the idea of a Minister doing that sort of thing.

THE MINISTER FOR LANDS: I smile at your idea of a rock drill.

MR. GREGORY: I think a Minister should in such matters take the House as far as possible into his confidence; because we earnestly desire that something should be done to make conditions better. I said at first that I was surprised at the lack of initiative displayed in this Bill. In spite of the reports of the various Commissions, we see nothing new in the measure.

THE MINISTER FOR WORKS: You never had such an eye-opener.

MR. GREGORY: I thought, after hearing in the back country the speech of the Minister interjecting, he would draft this Bill on somewhat similar lines; but like other members he finds it inexpedient to carry out in Parliament the proposals made in back-country speeches.

THE MINISTER FOR WORKS: You got some new ideas from my speech.

MR. GREGORY: Ministers do not like being told anything about the welfare of the miner. That is their perquisite from beginning to end.

MR. SCADDAN: I have not yet heard you say anything valuable about it.

MR. GREGORY: I think the hon. member interjecting was one of those who at the time of the general election howled about the employment of foreigners in our mines. We have in the Bill clauses dealing with such employment. I remember the trouble some time ago, when we were told of the difficulty which Britishers found in getting employment; and the member for Ivanhoe (Mr. Scaddan) made at that time some rather strong statements, in company with some other goldfields members, to the effect that it was impossible for a man to get employment if he happened to be English, or Scotch, or Irish. The hon. member wanted to remove that difficulty. Anyhow, the Ventilation and Sanitation of Mines Commission were asked to take evidence on this matter, and reported on it. Moreover, some questions were asked of the inspectors of mines. Here is an extract from a report by Mr. Lightley and Mr. Hodgson, inspectors of mines, Kalgoorlie. They say, in reply to a question whether men who did not understand English should be allowed to work underground:—

We beg to submit that it is necessary that every man who is employed in or about a mine, of whatever nationality he may be,

should be able not only to speak English fluently, but should also be able to read and to understand it. Every man who is employed in mining operations in this State should himself be able to peruse and to study the Mines Regulation Act, as well as the general rules that are embodied in the Act and that are posted for his information, together with the signal code, at every mine. The Act itself contains sections with which every man working in a mine should be conversant. To persons who are acquainted with the methods under which mining operations are carried out, it will be apparent that the absence of the above-mentioned qualifications on the part of a man who is employed underground might upon occasion lead to serious consequences. Emergencies might arise in connection with which distinct and rapid verbal communication between man and man might be of vital importance. That being so, it becomes desirable that it should be compulsory that the manager of a mine, prior to his giving employment to any foreigner, or prior to his authorising any of his subordinates to do so, should ascertain by personal interview and actual test that the man could readily speak and read English, and was therefore, in those respects, competent to work in or about the mine.

Yet we have the Minister asking us to allow the employment of men who cannot speak or read English, in the proportion of one to every seven miners, and of any other men who cannot speak or read English, provided they hold his permits. I would ask members to read Subclause 6 of Clause 63, providing that—

In no mine employing ordinarily more than six men underground shall there be employed a larger proportion of persons unable to speak English fluently than one-seventh of the total number of workers, except with the consent of the Minister.

I hold that it is dangerous to allow any man to be employed underground if he cannot readily speak and understand the English language. I shall not ask that he be able fluently to read and write English. I have a vivid remembrance of a test applied to a Chinaman who was asked to write out a certain paragraph. I think the test would have been strict enough for a good many of us; and I should not like to see it applied to any person desiring to work underground. The wording of the clause certainly needs some alteration; but I think no person should be allowed to work underground who cannot readily understand English. We had a lot of evidence given on this subject before the Royal

Commission on Non-British Labour, in the report of which I find that—

Mr. H. A. Heitmann, Day Dawn, stated that he was once working with an Italian trying to lift a rock drill. Instead of pushing when told to do so, the Italian pulled, and brought the machine down on Heitmann, fortunately without doing much harm.

That may have been an unimportant incident; but here is an important one. The report continues:—

Inspector of Mines Deeble stated that on one occasion he was going along a level in the Lady Loch mine when an Italian tried to prevent him from passing, but could not tell him what was the matter. On the mine manager coming up to them it was found that the Italian was firing in the face, and an explosion was expected any moment.

Mr. Deeble was nearly striking the Italian for interfering with him in his duties. Firing was going on in the face; and had Mr. Deeble proceeded he would have been blown to pieces. Much more evidence was given before the Commission showing how dangerous it is to allow the employment underground of any person who cannot readily speak and understand the language; therefore, when we come, in Committee, to these clauses, I hope we shall have them fully discussed. Probably the Minister thought that he need not put in the Bill provisions so drastic as he would have advocated on the public platform, because the report of the Commission recommends that—

In no mine employing ordinarily more than six men underground shall there be employed a larger proportion of aliens than one-seventh of the total number of workers, except with the consent of the Minister for Mines.

I do not agree with the recommendation, and never could. I do not care of what nationality a man is, I think we ought to encourage good men to come here, but we ought to take care of the lives of the men below surface. Men should have a sufficient knowledge of the English language before they are placed in positions of responsibility, especially underground. This should apply only in important positions. In regard to men working about a cyanide plant, the same conditions do not exist. [MR. SCADDAN interjected.] The hon. member is speaking about the big mines in Kalgoorlie, while I am speaking of the mines out back. We should try to make the provision read that no workman should be

employed underground who, in the opinion of the Inspector of Mines, cannot readily speak and understand the English language.

THE MINISTER FOR LANDS: Subclause 2 applies.

MR. GREGORY: Subclause 6 qualifies that. The hon. member can understand that where more than six men are employed underground one man can be employed who is not conversant with the English language.

THE MINISTER FOR LANDS: Suppose a mine was owned and worked by Italians, we should require a section like that.

MR. GREGORY: Decidedly not. Italians who come here to manage mines generally understand the English language.

THE MINISTER FOR LANDS: Not always.

MR. GREGORY: I would like the hon. member to tell me one mine manager who does not understand the English language.

THE MINISTER FOR JUSTICE AND LABOUR: I know of one.

MR. GREGORY: The hon. member may know of one man who has bought an interest in a mine, but we are not passing legislation for one man whom the Minister may know. We are speaking generally, and in regard to responsibility I say that a man ought to be able to speak and read the English language, and that no one should be employed underground who, in the opinion of the Minister, can not readily speak and understand our language. I notice one thing—and I give the Minister absolute credit for it—that is in regard to Sunday labour in mines. We are repealing the Sunday Labour in Mines Act, and making it portion of the present measure. I have not looked up the Sunday Labour in Mines Act, but so far as my memory serves me, a battery at which a continuous process is carried on can work for seven days a week. When this Bill becomes law that will not be the case. Batteries will not be allowed to work on Sundays. I was one of those who in the old days was opposed to allowing batteries to be worked on a Sunday. I did not think it was necessary to have stamps going, and I think it would be wise had it not been allowed. But has the Minister looked at the position he is

going to cause if this measure is passed into law? It will mean at once the closing down of a large number of batteries on the goldfields of Western Australia. In Kalgoorlie at the present time there are 670 head of stamps, and 109 other mills which are turning out, on an average, 100,000 tons of stone each month. That is the quantity treated. Deduct one-seventh from that—they are working continuously—and it will bring the amount down to 86,000 tons. That means that 600 or 700 workmen will be turned out of employment. Will that be wise, looking at the present condition of the labour market? If the Minister had carefully looked into the matter, he would have said that this law was to take effect six or twelve months from date. Then I should have thought he had considered what the effect of closing down the mines would be. It would have also given time to mine owners to put up extra plant, if they desired to do so, or gradually to reduce the number of men employed. But the Minister has thought nothing of that. He has said, "We will pass the law, and, instead of the batteries working seven days a week, they shall work six days in the future." If the batteries are prevented from working on seven days straight away, in Kalgoorlie alone it will throw out of employment 600 or 700 workmen.

THE MINISTER FOR LANDS: How do you make that out?

MR. GREGORY: At the present time the output of ore is about 100,000 tons a month. Take off one-seventh, that will bring the amount down to 86,000 tons. Just over 6,000 men are employed on the Kalgoorlie field, and if the batteries cannot put through the stone, the mine managers are not likely to have men underground taking the stone out.

THE MINISTER FOR LANDS: But there are men working overtime now.

MR. GREGORY: Then I cannot understand how it is the Minister has not been looking after the administration of the Act. If men are stoping stone to-day, they are doing something which was never dreamt of when the Sunday Labour in Mines Act was passed, and I cannot believe it. Only in exceptional circumstances are men allowed to break stone on a Sunday. Sometimes, when the men want a holiday, a permit is

given to the manager to have stone taken out on a Sunday to enable the men to have a day off on the Monday, or some other day; but to have men working down a mine taking out stone on a Sunday is a travesty on the Act, and I cannot believe it is being allowed at the present time.

MR. TAYLOR: When Minister for Mines, you did not allow miners to break ore on Sunday except under a special permit.

MR. GREGORY: Only to keep up the output, so as to give men a holiday on some other day. This shows how badly the Sunday Labour in Mines Act has been administered.

THE MINISTER FOR JUSTICE AND LABOUR: Fewer men are working now on Sunday than in your day.

MR. GREGORY: Then they cannot be breaking ore on a Sunday.

THE MINISTER FOR LANDS: Your intentions were all right, but you did not carry them out.

MR. GREGORY: I could not always carry out my desires. We had reports on the matter in those days. Had the Minister carefully considered the working of the clause, he would have provided that it should not come into force for six or twelve months, to enable the management to provide for a smaller output in the future or to erect additional plant so as to be able to find employment for the men working to-day. Take the Great Fingal, for instance. If the battery were to be stopped working on Sunday, would there be as many men employed during the ordinary week days as there are to-day?

MR. HEITMANN: I think more would be employed putting up extra head of stamps.

MR. GREGORY: But that could not be done all at once.

MR. HOPKINS: And it could not go on for ever.

MR. GREGORY: I was opposed to batteries running on a Sunday, and I am now. But I say it is improper, in the interests of the working man, to stop suddenly the working of batteries on a Sunday, because it will throw out of employment from 800 to 1,000 men.

MR. SCADDAN: That applied when the first Sunday observance law came in.

MR. GREGORY: It is said there are men breaking down stone and drivers

bringing the stone in to the battery. It is a strange thing that this is going on now when we have members talking about the Sunday labour in mines. There is a great deal of humbug in these matters, and such things ought not to be allowed, for the Act is so specific. The inspector has not power, except under special conditions, to give a permit to the manager to raise dirt on a Sunday.

MR. HEITMANN: They never trouble to get a permit.

MR. GREGORY: Then how is it the inspector, or the secretary of the union, or the police do not take action?

MR. HEITMANN: The police carrying out the Mining Act!

MR. GREGORY: It is not the Mining Act, which shows the ignorance of many members of this House.

MR. HEITMANN: I have as much knowledge of the mining laws as you have.

MR. GREGORY: I suppose the hon. member has, and I hope when he speaks he will point out how his constituents will be affected if this provision is carried out. I say it is unwise to bring this proposal in immediately. An inspector could not give power to a manager to raise stone on a Sunday. I remember raising some objection to mullocking up on a Sunday.

MR. TAYLOR: There is a difference between raising stone and breaking ore. I think the Act prevents breaking ore.

MR. GREGORY: We want to prevent the raising of ore also. Perhaps the Minister does not bother about these things, but I used to get monthly reports showing the number of permits granted by the inspectors, and the inspectors had to give reasons for the granting of the permits. I found that a number of persons were allowed to work in mines mullocking up. We went to some trouble in considering whether we should allow men to mullock up, and it was only under special circumstances that we would allow men on the mines to mullock up on Sunday. I do not think men under present circumstances are allowed to break stone or bring it to the surface. If so the Government are going a long way farther than was the case in the past. Clauses 77 to 81 deal with matters which were the outcome of the report of the Boulder Deep Levels Commission.

To my mind they are very necessary. They are certainly not nearly as stringent as the Commission recommended, but every manager will have to keep certain records, and how they will be kept will no doubt be prescribed by regulation. Every manager will have to give local publicity to reports, and they are to be made public here at the same time as in London; that is in reference to monthly reports. But these reports should be substantiated by a statutory declaration, and the manager should be made absolutely responsible, not as the Minister in the Bill makes them responsible, by a fine of £50, because a false report may be worth £50,000. Dealing with this question last year in a report which I gave to one of the morning newspapers in July, I said:

I think power should be given to the State Mining Engineer or an officer appointed by him to report upon any mine, and at any time he should see fit, as to values, ore reserves, etc. The fact of having this power would be a lever which, I think, would not often require using. All official reports should be signed by the manager, and supported by statutory declaration.

We have nothing here which makes it compulsory that the monthly report should be verified by a statutory declaration. I also went on to say at that time:

All monthly reports should show full costs and working expenses and full values of gold won. All quarterly returns should show the above and estimated ore reserves and values; all cables dealing with values to be published here simultaneously with their publication from head office. Local directors should be appointed and a share register kept, enabling immediate transfers to be effected. A copy of working plans, showing size and assay values of lode, should be open to inspection at the office of the mine, to any shareholder. Any shareholder should have the right to inspect the mine upon payment of a small fee.

I am simply pointing that out to let one see that in July last year I announced then what was my intention in regard to the new legislation that we proposed bringing forward last year. But we are going to make that legislation strict. I do not want to do anything that is going to harass the mining industry, but I want to do everything we possibly can to make that industry as clean as most industries. We want to make it compulsory to have assay plans showing the assay value of the mine. They should be certified to by an officer responsible for the mine. It

may be the manager or it may not be the manager at all: it may be the assayer. Then with regard to monthly reports, we have nothing in this Bill in regard to making any statement. I would insist that monthly reports should be published and verified by statutory declaration, so that in the event of any manager making a monthly statement which should be proved to have been made for the purpose of market-rigging, we should not only be able to accuse him of having committed a breach of the Act, and fine him accordingly, but we should be able to accuse him also of having committed perjury. I think if we did that we should do a great deal towards making the Act more clear. Then with regard to the limitation of bullion reserves, I quite agree with that which the measure has provided. The Minister says personally he did not think there was any necessity for it; his opinion being that those mining managers should be allowed one month. I think half a month is a fair thing. The reason is that it would be wise, with a view to enabling the manager to keep his ordinary monthly returns as consistent as possible, and not have the market jumping up one month and down the next; because, if you have a rich chute in one place, a medium in another, and poor in another, and you try to have a certain output each month, it is absolutely impossible to work and regulate a battery so as to have a consistent return. By having assay plans, and having those assay plans open to all who invest in the mines, a man who sees an assay plan is able to get a far better knowledge of the mine. By doing this we should be able to give the investor a far better knowledge of the mine than we have been able to do in the past. Then in reference to the inspection of a mine by shareholders, I think the Minister should agree to allow a small fee to be charged to any person who desires to go underground in any of these big mines. Every person who desires to go down will necessarily require the services of some person to show him down the mine. The manager could not allow a stranger to go down a mine and walk about it alone with a view to inspecting it himself. It must entail expense. Some person will have to be told off to show visitors round the mine, and the person who desires the

information should, in his own interest I think, be compelled to pay a small portion of the cost of that inspection. Therefore, I think we should have it provided in the Bill that the manager shall, if he desires, be able to insist upon a charge not exceeding, say, 10s. The Minister has a right to say whether that shall be allowed or not, and the only thing I wish to impress upon him is that if a shareholder desires to go below for the purpose of finding out the value of his property, although his interest may be a very small one, it may take three or four hours on a big mine to show him round. The salary of the man who shows him round will amount to 7s. or 8s., and there is the cage to the level he desires to go and inspect. I think that taking it all round we should enable a manager, if he so desires, to charge a small fee to a party desiring to go down the mine. This clause giving the power to the Minister for Mines to insist upon an inspection of a mine is necessary. But I am of opinion that if we have that power it will be very seldom used, very rarely indeed; yet when we hear of scandals being perpetrated, there must be some power given to the Minister not only to enable him to send an officer to the mine to report in regard to the value of the mine, but also to enable him to publish, if he thinks fit, his opinions of the value of that mine. Clause 74 gives power to the Minister to cause any report of any inspector to be published. The Minister may not send an inspector. I think we shall have to qualify the words there. I fancy it will be wise to put qualifying words in Clause 81, and that the Minister shall also have power to publish such report if he thinks fit. Getting back to the question of Sunday labour in mines, the Act says:—

This Act shall not apply to the employment of persons engaged in (a.) connection with smelting or roasting furnaces or ore reduction plants using cyanide or chemicals in a continuous process; (b.) the protection of property in and about a mine; (c.) attending to any furnace, engine, boiler, or machinery, so that the same may be in working order at the close of Sunday; (d.) pumping or otherwise clearing a mine from water so that work may be resumed at the close of Sunday; (e.) doing any work required by a dangerous emergency; or (f.) doing work authorised by an inspector of mines, as hereinafter provided.

The proviso is:—

An inspector of mines, on being satisfied that the employment of labour on a Sunday is necessary to avoid the risk of injury to a mine or its operations, may give authority for such employment by a writing, stating therein the reasons therefor, the number of workmen who may be so employed, the nature of their employment, and the period for which the authority shall extend.

That is the old Act. And there is no power there given to the inspector to enable men to break stone down below or raise stone to the surface. I do not think that in many instances their giving the men a holiday one day a week would enable them to work on Sundays to keep up their output. The Minister can easily find that out, because I had my monthly reports about that. These are the main points. There is one other matter, and that is with regard to laying information and taking proceedings under this Bill. This Bill says that proceedings against a manager for a breach of this Act as to any workman employed underground shall be commenced within six months after the commission of the offence. To my mind the period is too long, and the reason I mention it now, instead of leaving it to the Committee stage, is that I would like the Minister to refer that matter to his legal advisers to see whether it would not be wiser to alter the term; because I wish again to emphasise the fact that I am going to deal with this Bill in every sense as a non-party measure. It is too big and the interests involved are too great for it to be dealt with otherwise. On the one hand we want to try and promote the industry, to get people to put money into gold-mining. We wish to endeavour to satisfy them that we are trying to give them a clean deal every time. On the other hand, we desire to make every provision we can for the welfare and safety of the men working underground. As far as I am concerned, I can assure the Minister I shall do all I possibly can, apart from party politics in any shape or form, to make the Bill a good measure, and give the Minister every assistance where I think it necessary in that direction.

MR. A. A. HORAN (Yilgarn): After the views expressed by the member for Menzies, I am bound to say something in reply. I observed during the course of his address that he made special reference

to the Royal Commission on the Ventilation and Sanitation of Mines, inferring that the commission performed a very valuable service to the country, and also that the present Minister for Mines was in a position—as I understand the hon. member for Menzies to say—to introduce this Mines Regulation Bill at a very much earlier period than he has done. In regard to the commission, I observe from what appears above the exclamation “God save the King” that the commission was appointed on the 20th April last. I question whether there has been a more useless commission in this State. [MR. TAYLOR: Is it worse than the ocean freights?] Yes; because the Ocean Freights Commission did something definite. The commission when appointed was given certain subjects to bring in and report upon, and strangely enough, after examining about a couple of hundred witnesses and costing the country about £4,500, the commission, like a character in literature, dallied with its golden chain and, smiling, passed the matter by. It passed all the subjects which it had to deal with on to a board of inquiry. The question of ventilation cropped up, and the commission gave us no information except that which could be furnished by a schoolboy who has studied physics. So with many other subjects. Therefore, as far as the commission is concerned, I think the member for Menzies cannot lay very much claim to credit on the score of this commission throwing much enlightenment upon the management and regulation of mines. I will deal with that in detail later on. I must congratulate the Minister for Justice on the introduction of this Bill. It is a long time since we have had a Mines Regulation Bill. Nearly ten years now. While I am not one for speedy legislation, as I believe the legislation of the country should be always a reasonable distance behind the ideas of the people in order that we should have no rash enactments passed by our Legislature, still I fancy somehow that much of the material that we have in this measure could certainly have been brought in whilst the member for Menzies still presided over the Mines Department. I am obliged to go through this Bill somewhat critically, and I hope with the object of gaining information, not only for myself, but also for the

House, in some respects. I find I agree with the member for Menzies in regard to many of the subjects he has brought forward. The definitions, to commence with, are somewhat peculiar. For instance, we find the "machinery" definition depends largely upon that given under the Inspection of Machinery Act; and we discover that the provisions in that Act appear to overlap the provisions of this measure to a great extent. Therefore, I think it would be advisable to have the definition of machinery in this Bill practically the same as that given in the Inspection of Machinery Act. I was also struck, like the member for Menzies, with the definition of "mine." I have on my notes Fremantle Smelting Works. As a matter of fact I go farther, and it appears to me that this rather extraordinary interpretation would entitle a foundry, for instance, to be included as a mine; because the manufacture of a battery would be for the purpose of obtaining any ore or mineral. In Committee I shall have occasion to suggest an amendment reading thus:—

Where any operation for the purpose of obtaining any metal or mineral has been or is being carried on, or any place adjoining thereto, where the products of such mine are being treated or dealt with.

There is no such definition either in the Victorian Act, the Queensland Act, the New South Wales Act or the South Australian Act. [MR. SCADDAN: I will read it presently. The hon. member is not correct. Coming to the appointment of inspectors, I notice from Clause 5 that the Governor may appoint fit and proper persons to be inspectors of mines. I presume this will be by competitive examinations. I am not sure whether it will be so or whether they will be brought under the Public Service Act. As members are aware, the Public Service Act operates in the Mines Department, and it would appear that the words "subject to the provisions of the Public Service Act" should be incorporated here. I ask the Minister at this stage whether he would not agree to have something similar to the process in the Eastern States, having a competitive examination for the appointment of inspector of mines. That has been found to work very satisfactorily in New South Wales, and I think the same thing could be done here,

and it would be found of great advantage. I am very pleased to observe from Clause 8 that the Minister proposes to introduce a system of check inspectors. This is a matter which received general support on the Goldfields about twelve months ago, and I think it would be a very satisfactory method of settling contentious questions that come within the province of such inspectors. But I should like to draw attention to the rather clumsy wording of Clause 8 of the Bill. I shall have occasion to deal with it later on, and to give notice of an amendment. Turning for a moment to Clause 17, we find that every check inspector is subject to the provisions of Clauses 9 and 10, in like manner as if he were an inspector. Clause 10 reads as follows:—

An inspector who contravenes any of the provisions of the last two preceding sections shall be liable to a penalty not exceeding one hundred pounds, or to imprisonment, with or without hard labour, for a term not exceeding twelve months.

Clause 10, therefore, covers both 8 and 9, because it refers to the two preceding clauses; and the disqualifications prescribed by Clause 8 refer, in line 35, to any person who "is otherwise employed . . . in any mine within the State."

Any person employed in a mine is therefore disqualified from being a check inspector; and if he be appointed to carry out the patriotic duties of a check inspector, he is not only disqualified from carrying it out, but he is liable to be fined £100 and to get twelve months' hard labour as well. So his position is rather awkward.

THE MINISTER FOR JUSTICE: That is not the intention.

MR. HORAN: Exactly. But Clause 10, imposing the penalty, refers to the last two preceding sections. In Clause 12 we find that an inspector shall, after every inspection made by him, forthwith enter particulars in a book to be kept at the mine. It would be better to make it "at the mine office," in order to have a definite place for the record book.

RULING AS TO SPEECHES.

MR. SPEAKER: I think I should draw the hon. member's attention to the fact that on the second reading of a Bill it is not strictly in order to refer to

clauses by numbers. If we allow this debate to go farther on the lines now being followed, we shall be practically doing Committee work. In a second-reading debate principles only are supposed to be discussed; and after the House has affirmed the principles of a Bill, the Bill goes into Committee for discussion of details. If the House disagrees with or negatives the principle of a Bill, the Bill is defeated. The hon. member has but followed previous speakers in discussing the clauses; but I think it my duty now to point out that it is not in order on the second reading to go into the clauses as he is now doing. In connection with the large number of machinery Bills which come before the House, I hope we shall be able to deal on the second reading with the principles involved, leaving the discussion of details to its proper place, at the Committee stage.

DEBATE RESUMED.

MR. HORAN: I recognise, Mr. Speaker, the wisdom of your remarks, and will confine myself to general principles. One important provision gives the Minister authority to dismiss any check inspector from office without reference to the union that has appointed the inspector. At the same time the preceding section gives authority to any body of workers, not a union, to appoint a check inspector; and it would appear that the Minister cannot exercise authority over a check inspector so appointed.

MR. GREGORY: He does not recognise such inspectors.

MR. HORAN: Apparently so; such inspectors occupy a peculiar position. As to managers, I find that the definition of "manager" is comprehensive; and in reply to statements of the member for Menzies (Mr. Gregory) that the great responsibility for the lives of the men rests rather with the underground manager than with the manager, I would draw the hon. member's attention to the provision in the Bill that every mine shall be under the control and daily supervision of the manager. I am not sure whether that is altogether practicable; but the Bill amply indicates the position the Minister for Justice took up when introducing it. If the mine be under the daily supervision of the manager,

the manager can accept the responsibility; and there is then no need to transfer the responsibility to the underground manager. I may point out incidentally one feature I should like to see removed from the Bill. That is, in every case of accident or irregularity, notice must be given to the warden, the inspector, or the registrar. I think the Minister will find it will be better to put the responsibility on one officer, and let it be the inspector only; provided always that the inspector lives adjacent to the scene of the accident.

THE MINISTER FOR JUSTICE: That is the difficulty.

MR. HORAN: Probably it is; but I think that would in a great many instances be a much more workable provision, and would avoid the divided responsibility which is a defect of the present Act. In a later clause I find that the Inspection of Machinery Act trespasses on the province of the Mines Regulation Act. A section of the Mines Regulation Act defines "serious injury" as an injury that incapacitates a person from work for two weeks or more; whilst "serious injury" is defined by the Machinery Act as an injury that incapacitates a person from work for 48 hours. I imagine it would be a delightful question for the legal fraternity whether a person was injured under the Inspection of Machinery Act or the Mines Regulation Act. To save needless trouble, I think it will be necessary to bring these definitions into line. I appreciate the action of the Minister in bringing in the proposal to grant certificates to managers, with the right of cancellation in the event of any action of theirs which shows they are incapable of carrying out their duties. I must express appreciation also of the method by which the Minister proposes to conduct the examinations; but I may mention that it is possible, as has been found in the Eastern States, when set examination papers are used, that a candidate may pass a set examination and still not have the all-round knowledge necessary to qualify him for the position he is to hold. With all respect, I suggest to the Minister the advisableness of having the examinations partly oral and partly in writing, so that they will not be of a regular character, and that it will be impossible for any candidate to gain a previous know-

ledge of the questions to be asked. I notice, too, that considerable stress is laid on the fact that candidates for managers' certificates should give satisfactory evidence of sobriety and general good conduct. This provision is not found in several of the Acts of the Eastern States, though it does appear in another form in the Act of New South Wales; but I think that a little more should be required before granting a certificate of service to a manager than is specified in Clause 38, namely that he shall give full information as to his name, and the date and place of his birth, as to the length and nature of his previous employment, and as to his sobriety and general good conduct. He should have ability and experience as well; and the Minister should incorporate the necessary provision in this clause.

THE MINISTER FOR JUSTICE: He must have previous experience.

MR. HORAN: But the clauses do not state what experience he must have. Regarding the cancellation of mine managers' certificates, I heartily approve of the proposal, but at the same time it appears to be somewhat one-sided, in view of the fact that the inspector may lay a charge of negligence or incapacity against the mine manager, while apparently the mine manager has not the privilege of calling evidence in defence, as I presume he would like to do. As the inspector will probably call evidence in support of his case, the mine manager should be entitled to call rebutting evidence. A very good provision is that for a half-holiday for persons who work on Sundays; and I hope the House will agree to it. I think the intention of the Minister is that the half-holiday shall be on full pay. I think it certainly ought to be; and if it is stipulated in the Bill, it will be very acceptable. Coming to the question of the general rules, I rather regret that the Minister has not been able to prescribe the definite volume of air that must go into each working place. The provision in Subclause 1 of Clause 47 is, I think, practically the same as we had in the Act of 1895. Notwithstanding the fact that the Ventilation Commission went to so much trouble, it does not appear to have gone a single step farther towards solving the difficult question of ventilation. In the

Queensland and Victorian Acts, the quantity is fixed at 120 feet per man or boy.

MR. GREGORY: That is in our existing Act.

MR. HORAN: In the New South Wales Act there is no quantity stipulated so far as the gold mines are concerned. I think we should stipulate something. The question will be always open as to what is an adequate quantity of air. Some persons can live and work under conditions different from others; and members referring to the report of this commission will see that some people are probably not affected by the fumes from explosives, while others are. It would be advisable to have some quantity stated as a minimum. In another part the Bill refers to signalling and the provision of manholes. The Minister should agree to have all manholes painted white, similar to the regulation obtaining in some of the Eastern States, so that the manholes would be ready of access in case of accident or in circumstances where there would not be otherwise sufficient light to see where they were. In the old Act, provision is made for a line or other appliance in the shaft for giving a danger signal to the driver. I do not know why this provision has been dropped out of this Bill. It exists in all the Eastern Acts, and it seems to be a suitable provision.

THE MINISTER FOR JUSTICE: Has it been carried out?

MR. HORAN: I do not suppose it has, unless there is occasion for it. I think the Minister, on reconsideration, may agree to include such a provision in the present Bill, seeing that it exists in the Acts of the other States, and has been in effect in this State. On page 16 we find the words "no verbal communication or signal." I presume the Minister means "no verbal signal or communication," as it is in the Victorian Act. That may be dealt with in Committee. Again, on page 17 we read:—

In raising or lowering men, the rate of speed shall not exceed 200 feet per minute when the cage, skip, or bucket is within 100 feet of the surface, nor 500 feet per minute when it is in any other part of the shaft.

Evidently this is intended where two cages are working in a shaft, and of course the provision will be useful; but where there is only one cage working,

apparently the driver would not be prohibited landing men at the bottom at the rate of 500 feet per minute, which would be very uncomfortable. A similar provision to that in the New South Wales Act should be inserted in the Bill. It would be advisable to authorise the engineer on a mine, under this Bill, to make a daily inspection of all the winding machinery and ropes, or the portion that deals with the transit of men from the surface to the bottom. I have been accustomed to this sort of thing in the Eastern States. We had there an engineer who examined the winding ropes and engines every morning; and if there was any flaw or any strand broken in the ropes, it was detected; and the engineer was obliged to report every morning as to the condition in which he found the appliances that were necessary to convey men from the surface to the place where they had to work. This Bill only requires that the machinery be examined once a week. That may be sufficient for a general overhaul; but so far as the conveyance of workmen is concerned, I think the appliances should be examined daily. I think it would be better to insist upon a fixed light being placed over winzes and any other headings such as are left open and uncovered. This should be done for the protection of the workmen. [THE MINISTER FOR JUSTICE: Supposing no one is working in that level?] Then there would be no necessity for it, and the place should be covered. Authority is given in Clause 48 to the Governor to suspend any rules that apply to any mines. Notwithstanding this, we find in Clause 90 that there is similar authority given again, which appears to me to be quite unnecessary. Either one or the other should be removed from the Bill in Committee. I must congratulate the Minister on the introduction of the portion of the Alien Commission's report on the employment of foreigners; but I am rather sorry he adopted the report exactly as the commission gave it, because I find that it is open to correction. The word "fluently" crops up frequently.

MR. GREGORY: This is not the report of the commission at all.

MR. HORAN: It is founded word for word upon the commission's recommendation.

MR. GREGORY: Nothing of the sort.

THE MINISTER FOR JUSTICE: Where is it different?

MR. GREGORY: It says that no alien shall be employed, no matter whether he speaks English or not. That is the difference.

MR. HORAN: The word "fluently" crops up so often that, if members underwent the same examination the aliens are to be subjected to, I think the member for Hannans alone would escape the ordeal. I should be inclined to favour an increase in the percentage to say one-tenth. I may remark in connection with this matter on a subject of which I gave notice this afternoon. There are to-day numbers of Italians and Austrians coming into the State who are not subjected to the slightest examination by the Customs authorities, who hold that as long as these men have a few pounds in their pockets and are not likely to become paupers on the State they are not liable to examination under the Commonwealth Act. In regard to the clauses which are the result of the recommendations of commissions, it would be well to make one of the conditions of publicity be at the mine office as well as at the Chamber of Mines and the Minister's office. These two are very well, but I think it would be also well to add the mine office. A document might come to the Minister for Mines and not be made public in any sense of the word. We are not dealing with the present Minister. It may not be altogether out of question that a future Minister for Mines may have a little more than an ordinary departmental interest in a mine; so it would be well to have any developments in connection with the mine published at the mine office as well as at the Chamber of Mines. It would overcome one or two of the matters pointed out by the recent commissions. The Minister has practically taken, word for word, the recommendations of the Ventilation Commission, and stated that it would be competent for him to make regulations concerning explosives; but I think we now have 20 or 30 regulations in the Act dealing with them; so that it should not be necessary to travel over the same ground. Generally speaking, I congratulate the Minister on this measure; and with the member for Menzies, I think we can treat it as a non-

party question and do all we can to forward the interests of this great industry of the State. I regret that the Ventilation Commission did not have time to complete the examination of gases given off from explosives, that have caused many deaths in the past. Possibly some information may come from the investigations which, as the member for Menzies stated, the Minister for Mines is carrying out. However, the measure is one that commends itself to all members, and it will be far and away ahead of anything we have up to the present in any of the Australian States.

Mr. J. SCADDAN (Ivanhoe): In dealing with this Bill, or more correctly this power given to the Governor to make regulations, I desire to voice many of the opinions given by the member for Menzies. I think the most vital point of the Bill is the power given to the Governor to make regulations. There are no less than three clauses in the Bill giving power to make regulations, or to repeal or amend any of the general rules in this Bill. This is a very unwise thing; and I shall have more to say in regard to this matter as I proceed. The main object of the Bill is the better protection and safety of the men working in mines. It has been loaded in one or two instances with matters that more properly should be in a Companies Act, such as dealing with assays and plans; but generally speaking the Bill is a good one. It certainly has many faults which I hope will be amended in Committee, and many clauses that should be made more effective. The member for Menzies had something to say with regard to the position of the mining industry to-day and in previous years; and he said that the Minister should take every opportunity of explaining the position of the industry as brightly as possible. I think that is a wise course. Unfortunately, very often we find members taking the Minister to task for explaining things too tersely or for making the industry appear to be brighter than it really is. Some members talk about the gold output decreasing. I believe the member for York mentioned nearly a week ago that the gold production is decreasing. I believe it is a fact, so far as the ounces are concerned; but when we consider other matters we find

that there is nothing at all to be alarmed about. We find that there are better methods adopted in our mines, and that with the more improved machinery used, ore that previously had to be passed out on account of being too low-grade is now treated at a profit. We also find to-day that, although there are less men employed, there is a greater production of stone, and that dividends are greater every year, which shows that the gold-mining industry is in as good a position as it ever was, if not in a better position. I shall give the member for York some figures. He can make them out afterwards. In 1903 we treated 2,160,656 tons, which produced 2,064,801 ozs., an average of about 9oz. per ton. During that year, there were 9,849 men employed below and 7,980 employed above ground, or a total of 17,829. The dividends paid during the same period amounted to £2,024,154. In 1904 the tonnage was 2,437,171 tons, or an increase of something like 300,000 tons during the year. That year the total number of men employed was 16,848, or 560 less than in 1903, yet the dividends in 1904 amounted to £2,053,559, or an increase of something like £30,000 on those of the previous year. For the first half of 1905 the tonnage has been 1,259,544, or an increase compared with the previous six months. The gold production has slightly decreased, 965,374 ounces having been produced, and we find again there have been less men employed during the half-year than during the previous half-year. I have not the exact figures, but I understand that less men were employed this half-year than in the previous half-year, yet we find that the dividends total during this half-year £1,068,308, a considerable increase on the amount for any previous half-year since the inauguration of the gold industry in Western Australia. This proves there is an increase in the gold-mining industry and that it is not going back. We treat ore to-day that could not previously be treated, and when we take the figures into consideration and the dividends paid we find that nearly 25 per cent. of the gold production goes towards paying dividends, so that members will see that the gold-mining industry is in a flourishing condition to-day. After all our gold-mining industry is like other

industries, everything is done to make a profit; and I say that the industry is flourishing and not decreasing. The member for York knows that sandplain country will not produce as much wheat as forest country, but if sandplain country would give a better return than forest land it would be put into cultivation at once. The hon. member knows full well that if we could make our sandplain country produce even two-thirds of the quantity that forest land will produce, that would do something towards settling the lands that have never been thought of up to the present time. Would it be an argument that because the sandplain country does not produce the same quantity as forest land, we should not use it, or that land settlement was going back? If we can by improved machinery and other means—that of giving closer communication, and a better water supply—treat lower grade ore and bring a greater amount to the surface, though the average is decreasing that does not show that the industry is going back. While we can treat low-grade ore, our mines will extend over long periods. Our mining industry cannot last for ever, as I have heard the member for York say; but by treating low-grade ore we can make our gold-mining industry last longer and be of greater benefit to the State than it otherwise will be. This measure, I understand, is for the purpose of preventing accidents and for looking after the condition of the men now employed underground. Looking up the reports of the Mines Department—and here I may say it seems passing strange that the reports made up to the 31st December are not prepared until eight or nine months have passed in the following year—it seems strange that the reports cannot be made up for fully eight or nine months. Here we are eight months into 1905, yet we have not got the report for the year 1904, made up to December 31st. How are members to know how the industry is standing if we have to wait twelve months for the report of the Mines Department? Something should be done to bring the reports before members within a reasonable time. This is not the fault of the present Government only, but of previous Governments, and officers should be encouraged to send in

their reports sooner than they do at the present.

THE MINISTER FOR MINES: The hon. member will change that some day when he gets here.

MR. J. SCADDAN: The member for Kalgoorlie will no doubt change it. Looking up the figures in regard to accidents I find that in 1903 there were something like 496 less men employed, and yet the accidents increased over those for 1902 by 47: there were 43 men killed and 179 injured, total 222. In 1904, with still 560 less men employed than in 1903 there were 42 men killed, or one less than in the previous year, and 152 injured, making a total of 195, in spite of a slight decrease in the number of men employed in the industry, which shows that the men are not protected in the manner which they should be. No matter what is done, these accidents seem to go on. Many of them are not accidents at all, they are wrongly named: many are neglect on the part of responsible persons. Members know instances in which this has been proved. I hope in Committee the Minister will provide that although these persons may be penalised under the Bill, that will not remove them from being placed on trial, as was the case in regard to the accident at the Boulder deep levels. I have no knowledge of the person sued in that case, and I have nothing to say against him as an individual, but the warden of the district distinctly stated in his verdict that it was through pure neglect that the man lost his life, yet the responsible person was let off with a fine of £10, which prevented farther action. That is not fair. We are told that managers are humane, and liable to be tried for manslaughter.

THE MINISTER FOR JUSTICE: That is all in the measure.

MR. J. SCADDAN: I hope so, and that men will not be let off with a fine of £10 for pure neglect through which a man loses his life. Then we find a reduction in the cost of treatment in the mines, and in this regard I want to say, when we take into consideration the figures showing the accidents during the last few years we find many managers in their eagerness to reduce costs do not sufficiently consider the men employed. We want to take such precautions in future

that all protection possible should be afforded the men, for there is no more injurious or dangerous calling in the State than that of a miner. When we consider that there are some 17,000 or 18,000 men employed in the mining industry and only something like 12,000 in all other industrial works, it shows that there should be considerably more protection given to the miner, for more than half the workers of the State are employed in this industry. I think the Government should give all the protection possible to miners. Look at the risks that a miner is subject to: his risks are never ended from the time he places his foot on the mine until he returns home. Miners never think of this. I know that when I used to work on a mine I used to go there as happy as I come here, perhaps happier because we find so many stumbling-blocks here. From the time the miner commences to descend he is in the hands of others, and one fault of the engine-driver may send him into eternity. The miner also runs the risk of a faulty rope when descending, or not having proper inspection of the rope. I hope the Bill will be effective in minimising these risks. From my reading of the measure it is better than previous measures we have had. When we know the risks that miners run, we should endeavour to make those responsible for their care and protection as careful as possible. We know that over and above the danger that a miner runs from being injured, he runs the risk of being damaged in health. Men who have worked for fifteen or sixteen years underground behind a machine are to-day unable to do a hard day's work. This will be brought more prominently before the people of the State in years to come. In spite of what the Ventilation and Sanitation Commission said, I am sure that the dust in our mines is more injurious to the health of workers than the dust in any mine in the Commonwealth of Australia. Men behind machines, most of them rock-boring by contract, have to work hard to earn their daily bread, regardless that their health is being rapidly injured, and they must be exceptionally strong to continue eight or ten years at this work. I know men who have been mining for sixteen or seventeen years, nine or ten years of that time behind

machines, and these men are not able to do a hard day's work to-day. If it is possible to remove injury through dust which the men are inhaling to-day, we should do all we can to remove it. The member for Menzies says that he hopes a rock drill will be introduced that will not make any dust. I hope the member for Menzies will take early opportunity of inventing such a machine. I do not know of one yet, but I know that the dust can be laid to a great extent by proper regulations, and when the Minister is framing the regulations I hope he will make them as effective as possible, looking to the health of the men in every respect. Then there is the danger to the health of miners by bad explosives. A considerable quantity of the explosives used in the mines should be condemned before ever reaching those mines. I know that was the case twelve months ago. I think they are better now, but my being so far from Kalgoorlie perhaps is the reason I have not heard so many complaints. I think we should make regulations to prevent cyanide sand being used as filling in for stopes until the sand is properly dry and all fumes evaporated. I know men have been brought from below because the fumes arising from the cyanide sand have been so bad that men have not been able to continue working, sometimes for days. These are matters not of a technical nature at all. It only requires a man who works in mines to know that they affect the working, and I say it is our duty as legislators to prevent the evil I refer to as far as is in our power. As to the election of check inspectors, I believe the provision is a wise one, and in my opinion it has not come any way too soon. We have had an agitation throughout the goldfields by the miners themselves that inspectors of mines should be elected from the ranks of the workers instead of being appointed. This appears practicable when we know the duties of inspectors of mines. It does not follow that because a man is popular, or can use high-flown language, he is a fit and proper person to be inspector of mines. I believe the system is a good one, and with the appointment of check inspectors as provided for in this measure will have the effect at least of removing that agitation and preventing responsible persons

from evading the law as they have done up to the present time. I have frequently said in this House, and I repeat the statement, that inspectors of mines are not as energetic as they could be. We complain continually about the way in which mines are worked, and in Kalgoorlie in particular—I speak of Kalgoorlie because I have a better knowledge of that district than any other—there is, I was going to say, little or no regard paid to men; but in some mines there is. I believe that in some mines every regard is paid, but where inspectors do not pay as frequent visits as they ought to do the men are not regarded as they should be. I think that every protection should be given to men and that the inspectors, instead of being inspectors of accidents, should be inspectors of mines and should take the responsibility of preventing work of a dangerous nature being carried on. These check inspectors, I understand, will be elected by the unions. In my opinion it is a wise provision, and where one-third of the workers in the district are members of unions that percentage should be high enough. It is almost impossible to get every man to join a union, and considering it is through them that these matters are brought forward, we should give them the opportunity of appointing these check inspectors. And after all, there is no easier or better method of appointing them. We could not say by taking a ballot in any place that miners only were voting: it may be shopkeepers, or those whom managers may send to the poll. We could not do better than let the unions take the poll and elect the check inspector. After all, the check inspector should not be regarded as dangerous. His powers are limited. He can only inspect and advise, which, after all, is not very much, and in that regard there is nothing dangerous in the appointment of check inspectors.

MR. TAYLOR: What is the good of having them if they have no power?

MR. SCADDAN: Such inspector would not have power to prosecute or attend an inquest, or examine witnesses at an inquest. This restriction of power is too much. He should be able to attend inquests and cross-examine witnesses, because he may have a better knowledge of the place where the accident happened

than the inspector of mines in the district. Then there is provision in this Bill for mining managers to hold certificates. This is nothing new or original. In the Victorian Act of I think 1897 or 1896, Mr. Foster, then Minister for Mines, introduced a measure much of the same class as we are indicating in this measure. He says:—

It is found that under present conditions mining is becoming so scientific that there is a necessity for more technical knowledge on the part of those doing important work under it. It is therefore felt to be necessary that every precaution should be taken by the State to protect the lives of the workers and the property of the owners of mines.

If mining was scientific in Victoria in 1896, we know that in Western Australia it is more scientific than in any other State of the Commonwealth. We have a different class of deposit here; and if more scientific treatment was necessary in 1896 in Victoria, it is absolutely essential here to-day. There is one wise provision, and that is that these examinations should be of a practical nature. I do not think it wise that men who study in schools of mines away from mining fields and get a theoretical knowledge of mining should be allowed to take charge of mines where men's lives are in danger, unless they have practical experience as well. I think the two require to go together. A man should first have a practical knowledge of mining. With all the knowledge a man could get he would probably require more knowledge in Kalgoorlie than in any other district in the States. Supposing that in Bendigo a man had been in a mine for 50 years and he took charge of a mine at Kalgoorlie, the knowledge he acquired at Bendigo would not do for Kalgoorlie. We have a different system of working our mines, and a different method of treating the proceeds therefrom. We have at the present time a Coal Mines Regulation Act which contains a provision that the managers of coal mines shall hold certificates and pass examinations. If that is necessary in coal mines, where there is not so much danger, certainly not so much danger as in some of our gold mines, it should be necessary in this industry. I hope the House will pass the provision in its present form, and that in the near future we shall make it compulsory on

all managers above and underground, as pointed out by the member for Menzies (Mr. Gregory), to pass a prescribed examination. I do not know that it would even be a hardship on the present managers if it were made compulsory from the enacting of this Bill. We are providing here for the granting of service certificates, and those at present in charge of mines would be granted certificates exactly as was done when we made engine-drivers' certificates compulsory, and when we passed a Machinery Bill it was compulsory that all in charge of steam engines should have certificates. [MR. BOLTON: Certificates of service.] We also pointed out that those in charge of engines at the time of passing that measure should be provided with service certificates. It was no hardship to them, but a qualification for those coming afterwards. [MR. BOLTON: A bad one.] Undoubtedly there it was, because a man on the coast could get a certificate of service and take charge of an engine on the Great Boulder. In this case, we have no other certificates in the State. We could make it compulsory, and yet it would be no hardship on the present managers, and certainly in the future it would prevent men from taking charge of our mines without any practical knowledge of the working of them. I do not know that we have very much to complain of in this State. We have been fortunate in procuring men who have a thorough knowledge of proper scientific mining. In Kalgoorlie, where the nature of the ore requires some scientific method of treatment, we have had men from all over the globe. Those men have been of assistance, because they have put their scientific knowledge to good use, and I think we are treating the ore at Kalgoorlie more cheaply than ore is treated elsewhere. In my opinion, this speaks volumes for the men we have procured up to the present to take charge of mining in that district. The *Morning Herald* of the 10th August relates one instance to which I wish to refer, showing that it is necessary for managers to hold certificates at present. I find that in many cases the manager is desirous of protecting the lives of the workmen and keeping the mine in good order, but is prevented from doing so by instructions from home. If we held people responsible for their

actions by suspending or withdrawing their certificates, we should have a class of men similar to the man referred to in that particular instance by the *Morning Herald*. A man would have the courage to say that unless he did certain things for the protection of the lives and welfare of the men his certificate might be suspended or cancelled altogether. It would not be to the benefit of that man to take instructions from men in London contrary to our Act in this State. That has been done, and is being done continuously. Men have complained that they have had instructions from London of no use to them, which were not in the interests of safe mining. I think that by certificating mining managers it would make them more particular and make them personally responsible. It would have the effect of these men taking more responsibility upon them than they take to-day. [MR. GREGORY: We are not making it compulsory.] The member for Menzies is away when a member speaks, and returns and makes some idiotic interjections. After having spoken for an hour he has found that these certificates are not made compulsory. I listened to him and heard him say so, and I know from the measure itself that the certificates are not compulsory. I think they should be, and it would not be any hardship on the present managers. If the member for Menzies had been present he would have heard me say so. There is one other matter which should be included in this Bill, and that is the appointment of mining boards. I notice in regard to the Ventilation and Sanitation Commission one of their very first recommendations is the appointment of these boards. They say:—

In the Act itself we think it would be sufficient to provide for—

- (1.) The appointment of a Mines Regulation Board, for the purpose of advising as to the desirability of repealing, amending, or issuing regulations under the Act; arranging for and conducting experiments and investigations for the purpose of deciding questions relating to the ventilation and sanitation of mines, and the safety of persons employed in them; entering into and examining mines, summoning witnesses and taking evidence on oath for these purposes, and exercising any special powers which the Governor in Council may from time to time confer upon it.

MR. GREGORY: How you people do love new appointments!

MR. SCADDAN: I do not know that I am anxious to make new appointments, and the fact of being new or old does not weigh with me in the slightest degree. I say that in the interests of miners of this State mining boards should be appointed. Some day the hon. member may hop over to this (Government) side of the House, and he does not require any of these powers of the Minister for Mines removed, because, as I say, he may some day be in power again.

MR. GREGORY: That is not a mining board, but a Mines Regulation Board.

MR. SCADDAN: The duties of the board may reasonably be extended. They have mining boards in Victoria, and having failed in some respects, we can learn from their experience. We can have mines regulation boards and make them permanent. The member for Meuzies when attending the Prospectors' Association as a member—I believe he is a genuine prospector—

MR. GREGORY: I did more of it than you did.

MR. SCADDAN: I understand he said there should be a local board appointed to control the State battery. If we want a local board to control a State battery, is it not more advisable that we should have district boards appointed to control other branches of our mining industry?

MR. GREGORY: They asked that a mines regulation board should be appointed to help the Minister to make these regulations.

MR. SCADDAN: If we appoint these mining boards, it will be for the same purpose, to assist in the direction of giving advice to the Minister and those in charge with regard to matters coming under their notice in those particular districts. They could advise the Minister with regard to this measure and in relation to the working of the Mines Act itself.

MR. GREGORY: He needs it.

MR. SCADDAN: He does. And the Ministers who preceded him needed it. The one who immediately preceded him required it more than any. [MEMBER: Rough on Hastie.] I wish to make it quite clear that I was not referring to the member for Kanowna at all. I was going to say these boards would certainly tend to do something that we are desirous

should be done. To-day as in the Lands Department we find too much centralisation, so in the Mines Department there is too much power given to heads of departments in and around Perth. I say it is not wise that this should be so. When the powers of the mining boards were being considered in the Mines Bill in 1896 in Victoria, the Minister then in charge of the measure, Mr. Foster, said:—

I believe in decentralisation as much as possible for this growing industry, and I think it would be a great blunder if we were to assume in the Mining Department that we know everything, and that the people who live in country which we have never seen know nothing about it.

We sometimes find that the heads of departments in Perth consider they have a greater knowledge of local matters than those people living there day after day. I think it would be wise for the Minister to take into consideration the appointment of these boards, and he would then get some really sound local advice; and when we consider that nearly every clause in the Bill is at the mercy of the Minister and the heads of this department, he should get all the advice possible.

MR. TAYLOR: You do not want the governing power of the Minister to be by boards, do you?

MR. SCADDAN: The member for Mt. Margaret (Mr. Taylor) knows that when he was in office he used to take advice from every quarter he could get it from, and he would be foolish if he did not do so.

MR. TAYLOR: I was responsible.

MR. SCADDAN: If the member for Mt. Margaret had listened to me, he would have heard me say it was for the purpose of giving advice. I am not saying that these boards should be given power to act, but to advise, and the Minister would get advice from practical men with local knowledge which he cannot possibly get from the department.

At 6:30, the SPEAKER left the Chair.

At 7:30, Chair resumed.

MR. SCADDAN (continuing): Before the adjournment I was referring to the necessity for the appointment of local mining boards to give advice on mining matters to the Minister and the heads

of his department. Many matters dealt with by this measure could well be referred to such boards; and this would I think be preferable to the course now adopted. When we consider that no less than three clauses of the Bill give the Minister power to grant exemption from and to repeal any other clauses, we must admit it is advisable that the Minister should acquire some local knowledge before he repeals or alters such clauses. By one clause the Governor may from time to time exempt from the operation of the Bill or any provisions thereof any mine or class of mines, for such period and on such conditions, if any, as he may think fit. My suggestion would remove the objection that there must be power to alter or repeal from time to time the other clauses I have referred to, because the clauses cannot refer to all districts equally. But by another clause the Governor may vary rules where their observance is not reasonably practicable in any mine; that is, by the advice of the inspector of mines. After all, an inspector's duties are in some districts so onerous that he cannot possibly acquire all the knowledge necessary to advise the Minister as to amending or altering any of these general rules. The general rules form probably half of the substance of the Bill; yet the Minister may alter, amend, or repeal any of them. I say that is absolutely unwise. The proper method of repealing or altering them is to place the general rules in the measure itself, and bring in a short amending Bill; but by Clause 90 the Governor may make regulations for all or any of the purposes following; that is to say, amending or repealing any of the general rules herein enacted. Those general rules have to be posted at the mine office, and at another conspicuous place on the mine; and the men themselves are made responsible for the carrying out of those rules. If we are to bind people to carry out rules, it is unwise to allow the rules to be altered, amended, or repealed at the will and whim of a Minister and the heads of his department, without publicity in Parliament. The same attempt was made in Victoria by the then Minister, in 1896, with the difference that he inserted his general rules in the schedule instead of in the Bill, with a clause providing that they

might be repealed, altered, or amended by regulation. That proposal was strongly opposed in Victoria, and I think it ought to be strongly opposed here. There is a sufficient safeguard in Clause 48 without this extra provision in Clause 90. I hope that in Committee Subclause 2 of Clause 90 will be struck out, so that the rules when once made will be binding, and will not be altered without an expression of opinion by mining members of this House. My amendment is necessary for the safety of the managers as well as of the workers. The managers also are responsible for carrying out these rules, which are half the substance of the Bill, because many other clauses are made up of formal definitions. Yet the rules can be amended or repealed at the will or whim of the Minister, on the advice of the heads of his department. Although that has been the existing custom here, I think we should depart from it when we find it does not work to the best advantage. Then we have a provision that the manager or the owner of a mine may make special rules. These are to be submitted to the Minister, and will I suppose be submitted in turn to the local inspector of mines for his opinion; and if the Minister adopts them, I suppose they will be quite as binding and will have the same force as the general rules contained in this Bill. If so, it is advisable that the special rules should have more publicity than the Bill will give them. If the miners have to abide by these special rules to the same extent as by the general rules, greater publicity is needed. The manager should send the special rules to the union concerned in the district, and allow the union officials who can spare the time to go through the special rules and to lodge any objection they may have to make. I believe that mines regulation boards could do good work if the special rules were referred to them, so that there might be a set of rules useful to the whole district, instead of different special rules in different mines. One mine may have special rules with which a man who works in that mine will become acquainted; but when he goes to another mine he will find another code of special rules fully as binding on him as are the general rules in the Bill; and of those new rules he has to gain a knowledge. Miners cannot hunt up the special

rules on entering a strange mine, to see how they differ from the special rules of some other mine. We should be careful in permitting the managers to make special rules in addition to the general rules to be passed by Parliament. I am pleased that some of the recommendations of the Royal Commission on the Boulder Deep Levels scandal are to be given effect to in this measure. I think they will be of considerable use to the investing public, though personally I leave such questions to share dealers.

MR. GREGORY: The Minister has power to apply the general rules to any company, without making special rules.

MR. SCADDAN: I know he has. As to the recommendations of the Deep Levels Commission incorporated in this Bill, I think the local publicity of developments at the same time as they are published in the London or other head office of the company is a wise provision, by which no harm can be done. Mining concerns and trading concerns differ in that regard. People often object that it is not advisable to make known developments in mines immediately on their taking place. It is often advisable one trading concern should be able to conceal from another some steps taken with a view to profit making. But the whole value of a mine consists in its developments and values in sight; and no possible harm can be done by letting the mining community know of the developments. In my opinion it is as much a robbery to get rid of shares in a collapsed mine to a person not knowing of the collapse, or to buy shares from a person ignorant of recent developments, as to put one's hands in a man's pocket and take out money; and I say that in the interest of the investing public we should compel the local posting of developments at the same time as news of them reaches the office of the company in London. I hope that in Committee many items in the general rules will be amended. In my opinion some of them do not give sufficient protection to miners. Take the matter of rises. The Bill should specially provide that all rises shall be put up with boxes. I have worked in rises with boxes and without boxes; and I know which are the most dangerous and which the safest. In my opinion it is absolutely

dangerous to put up rises as they are put up to-day in some of our mines. Only the other day I heard of a rise being put up something like 50 odd feet without anything in it except a staging from time to time. That rise was put up with rock drills; and after firing out a round of holes, it took the men sometimes from one and a-half hours to two hours to get to the top. During all that time they were rigging crossbars and other props to get to the top of the rise, while there was loose ground hanging over their heads from holes just fired. For a man to be one and a-half or two hours under loose ground is absolutely dangerous; but with a system of box rises he could be protected, could get to the top of his rise under cover, and could proceed to work down the loose ground without any danger to himself. I say it is absolutely unwise to allow the present system to proceed farther; and the Bill should provide that all rises shall from this date be put up on the box system. I believe this is a recommendation by the Royal Commission on the Ventilation and Sanitation of Mines. They recommend it for another reason than those given by me—for the purpose of ventilation; and that, too, would certainly be of great benefit to the men. The bottom of the drive immediately underneath the rise could be closed, so as to prevent the draft going through until it proceeded up the rise and down again; and in this regard the box system is certainly highly advantageous to men working in the rises. Regarding the utility of the box system, there is no difference of opinion among the men employed in mines. They are absolutely unanimous that it should be compulsory in all rises; and I think we should listen to them to some extent, when we consider that this measure is for their safety and protection. As they are unanimous, we should not hesitate to incorporate that suggestion in the Bill. Then there is the provision for the inspection of safety-cages. In Victoria the system for many years has been that, prior to any cage being used in a mine, it should be personally inspected by the inspector of the district and should undergo a test in his presence. I believe the present method in the mines here is to put a safety-cage into work before the inspector tests it. That is unwise in

my opinion. Many cages have been condemned in Victoria and have been turned out after a testing. At present on our goldfields there are many cages working that, if the rope broke, would go to the bottom. As the member for Menzies pointed out, there are something like three thousand to four thousand men travelling in these cages every day, and we should protect them. We should be particular that these cages, before being put into a shaft, should be inspected by an inspector of mines. I think no cage should be worked for more than a month without undergoing a trial. Springs get out of order by the cage being continually taking heavy and light loads; and I think they should be tested at least once every month.

MR. GREGORY: They have to be tested every fortnight according to the Bill.

MR. SCADDAN: Yes; but only by the manager, who records it in a book. They should be tested by the inspector every month. In Victoria an inspector can go on to a mine to inspect the cages, and does not take a quarter of an hour to do so. For the sake of the men we should have these cages tested in the presence of the inspector, and he should himself record the result of the tests in the record-books. The clause referred to by the member for Menzies, I understand, provides that the managers shall inspect the safety-cages by casually looking over them once a fortnight. That is not what I desire. It is not a proper test. The cages should be practically tested once a month, and inspected by the managers once a week. [MR. GREGORY: Regulations may point out that they should be tested once a week.] They may say that; but I want this to have the force of law. It should be done for the sake of the men employed in the mines. It is useless to say, "Anything can be done by regulation." As a matter of fact the whole of this Bill is a matter of regulations. All could have been done by regulation. This matter I refer to should have the force of law, and should not be altered until we have an amending Bill; and it could be made to apply to the whole State, because there is plenty of provision in this Bill that if anything, in the opinion of the inspector, does not apply to a particular place the Governor may alter these regulations. That is

quite sufficient. There is also the matter of the inspection of ropes. I notice that in the annual report of the Mines Department the inspector of mines at Coolgardie says:—

For the farther protection of life, I am of opinion that provision should be made for the following: That means should be provided to prevent the dust that is caused by rock-drilling from vitiating the atmosphere under ground; that a uniform return code of signals should be posted, under same conditions as present code; that ropes be re-capped at least once in every four months and a record of same kept. In my opinion once in four months is insufficient, and that it is necessary these ropes be re-capped every three months. The Bill does not provide for it; and if we are to provide for the safety of men in our mines, we should do something in this direction. The Boulder Deep Levels accident is an instance. Had the rope been re-capped as suggested, the accident might never have occurred. The inspector of mines at Coolgardie also says, "Cages should be tested once a month and a record kept." That is what I have just pointed out. Also, I think they should be inspected in the presence of the inspector. We cannot be too particular when we have regard for the big mines. In mines like the Great Boulder and the Horseshoe, where they are continually going three shifts six days a week hauling dirt and men, the ropes must get into disrepair; and in the interests of the men trusting to these ropes, provision should be made in this Bill that the ropes should be re-capped at least every four months. Then we would know the condition of the ropes. If this had been done, many accidents that have occurred would never have happened. It is absolutely necessary to have some provision for pent houses when men are sinking. Had there been pent houses above the men's heads in the Boulder Deep Levels case, the accident which occurred would never have had the result it did. These pent houses can be put in with very little expense, and would occasion very little loss of time. They should be put in for the protection of the men. I have myself been on an engine hauling 700ft. directly over the heads of men in the shaft without any protection for them. We know what will occur when material falls that distance. The men in the shafts should be able to get

away where there would be safe protection from any falling substance. We know of many accidents that have occurred in this way, and there is a general opinion among men working in shafts that they should not be allowed to sink to a greater depth than 200 feet below a pent house. It would not cost the companies any more, because now they rarely sink to a greater depth than 200 feet each lift; but I think it should be compulsory where there is any shaft sinking to any depth. Now I come to the question of ladders and footways. The present law does not make it compulsory that in shaft sinking there should be a proper system of ladders to get away from the shaft. The men depend solely on the engines to get away at any time, and it is unwise that men should be absolutely at the mercy of an engine when a breakdown may occur. It is advisable that it should be compulsory to have ladders for the men to get away by in case of an emergency. I know of instances of men being left in the bottom of the shaft through a mistake on the part of the driver, or through a breakdown of the engine. Anything may happen to prevent the driver from taking away these men when they desire to leave; but where they have a ladder, to the bottom, probably a chain ladder, the men get away to safety to the first manhole or plat. A provision such as I suggest should be in the Bill. Of course, these are matters that ought to be dealt with in Committee and not so much on the second reading; but I desire to bring them under the notice of the Minister, so that he may get an opinion from the State Mining Engineer, or from those from whom he gets advice, so that we will not be arguing the points in Committee at any greater length than is necessary. There is also the matter of protected braces. I believe there is a similar provision in the old Act that all braces should be properly protected to protect the men from the inclemency of the weather. We cannot cover the braces altogether; but we can give the men proper protection in other ways. As a matter of fact it has not been done. This provision is merely in the Act. It is never carried out. There is usually a small house on the brace to protect the men from the inclemency of the weather;

and that is all that can be done. Then I notice that at inquests in the case of men killed in mines, representatives of the miners' industrial union in the district may be present and cross-examine if necessary. I think that is a wise provision. It has been asked for many years by the men in industrial unions. [THE MINISTER FOR JUSTICE: It is in the present Act.] It is a wise provision that should be re-enacted. I do not think it is much utilised; but I am sure the unions will appreciate it. Then there is the matter of persons unable to speak English working in our mines. I agree *in toto* with the member for Menzies that it is not wise to allow one person in seven to work below unable to speak English fluently. I am very much of the same opinion as the member for Yilgarn (Mr. Horan) that it is hard to say when a person is speaking fluently. I have been told that I speak fluently. I agree that no person who cannot speak English fluently should be allowed to go below and work. It is an absolute menace to those working below; and I shall assist the member for Menzies in striking out this provision which allows one such person in seven. Another matter is the question of Sunday labour on mines. This measure repeals the Sunday Labour on Mines Act brought into force some time ago. That Act certainly had some effect on the amount of labour employed on Sundays; but it did not have the effect that those who introduced it expected. The member for Menzies seemed righteously indignant that the statement should be made that men are employed hauling dirt from our mines on Sundays. [MR. GREGORY: Hauling stone.] I hardly know the difference. No one knows better than the member for Menzies that this has been going on for some considerable time, though not so much as when the member for Menzies was Minister. Only a little time ago an accident was brought under my notice. It was an accident which was not reported at the head office. I inquired into it and found that the man was injured on a Sunday shift. He and two Italians were sending up dirt; and when they knocked off they had to go from one level to two levels higher up; and in doing so they got in the dark. The Italians started throwing their arms

about. I do not know whether he understood them, but this individual got stuck underneath the centres and was injured, which laid him up for a fortnight. He had been employed sending up dirt, or stone as the member for Menzies says, and the papers did not state that it was on Sunday, though I knew it and was watching the case. The inspector omitted that fact also. The papers gave the date, but did not mention that it was Sunday; and as it was reported something like three months afterwards, if a person had not looked up the date he would never have known that it happened on a Sunday. The member for Menzies knows well that we have not rigidly enforced this Act. The member for Mt. Margaret (Mr. Taylor) has pointed out that the control of the Sunday Labour on Mines Act has been divided. We had the Mines Department allowing inspectors to grant permits to employ men on Sundays, and these have been distributed almost wholesale. We hear many complaints as to who are permitted to work on Sundays and who are not. The only persons who can take action against the managers are the police. The position was ridiculous without the slightest doubt. The inspector would grant a permit, and the police would proceed to the mine and ask who were employed. These police are not practical miners and know nothing about mining. The manager tells them that he has a permit, and produces it. Probably the permit would be to employ six men below for a certain purpose; but very likely there are 20 or 30 men working below.

MR. GREGORY: Who said the police only can take action?

MR. SCADDAN: It has been the custom up to date, whether there is a provision or not I am not able to say, for the police only to take action. In one case in Boulder the police took action against a manager for employing men unnecessarily on Sunday; but a defence was put in that the men were employed for the protection of the property. It is a peculiar thing that property only needs protecting on a Sunday. This provision has been struck out, and now men can only be employed for the protection of property as watchmen or caretakers. I have been to the Minister for Mines and the Colonial Sec-

retary about this matter many times. I have had urgent requests made to me continuously, and cases have been brought under my notice day after day. When this provision is incorporated in the present measure, the inspector of mines will be able to deal with these matters, and perhaps deal with them more effectively than they are dealt with under the present Act.

MR. GREGORY: What about putting a large number of men out of work?

MR. SCADDAN: The argument of the member for Menzies does not hold water. The same argument might apply when the Sunday Observance Act was first brought in. This does not apply in the other States, and I do not know why it should here. I say where it is not absolutely essential for men to be employed on Sunday they should not be employed. There is plenty of opportunity for the mines to get over the difficulty. What did they do on the previous occasion to keep up the output? They erected more stamps. It is because the managers desire to keep up the output month after month and if possible increase the output. Their percentage of returns per ton is decreasing and they wish to put up the output and if possible bring up the total gold produced. Exactly the same number of men will be employed, and the member for Menzies knows this. I admit not so many men are employed in the mining industry to-day as there were, because we have more effective machinery; but it is not because of Sunday labour restriction. Take one of the most up-to-date mines; from the time the dirt leaves the level down below it is never handled until it gets out on the dump. Where twenty or thirty men previously handled the stone, putting it through the braces, putting it on the belt and so on, now all the work is done by machinery.

MR. HOPKINS: And the companies make a saving.

MR. SCADDAN: While the percentage per ton has decreased, the tonnage has gone up. Less men are employed, but the dividends have increased year by year.

MR. GREGORY: Will not the number of men be decreased?

MR. SCADDAN: The number of stamps will be increased to keep up the output.

MR. GREGORY: But they cannot do that at once.

MR. SCADDAN: No. Still they must make provision for it. The present Minister for Mines or the member for Menzies would never enforce an Act as soon as it is passed. We passed a Machinery Bill last session, but certain provisions of that measure are not being complied with to-day. Would any sensible individual compel the carrying out of a law at once? All the provisions will be brought into force eventually.

MR. GREGORY: You would be a law unto yourself.

MR. SCADDAN: We are all a law unto ourselves. The member for Menzies did exactly the same as is being done to-day. He never unduly harassed the mining companies; and I give credit to the present Minister for Mines that he will do the same. There is one clause in the Sunday labour law that more publicity should be given to; the power of the inspector to authorise Sunday labour under certain conditions. If an inspector issues a permit a copy should be posted on the mine, with the number of men to be employed and the purpose for which they are to be employed. The men on the fields are absolutely against unnecessary Sunday labour; they want one day in seven for rest and enjoyment. I know men who have been working on the fields for seven years and have never had a Sunday off, except when they have a fortnight's holiday. If inspectors grant permits for certain purposes, these permits should be posted on the mine; and when the persons appear on the mine to go below, it can be seen by the permit what they are expected to do. If the men are to be unnecessarily employed, an objection can be lodged. It has been found useless up to the present time to take any action; and in the future if permits are granted, they should be open to the light of day. A provision to this effect should be inserted when the Bill is in Committee. There are one or two other matters which I desire to bring before Committee, and I want to be as practical as possible. I do not want to load the Bill; but when we pass the measure I hope it will not be necessary to have an amending Bill brought before the House for some years to come. When the Bill

passes, I hope it will satisfy the miners and the mine owners. The measure can be carried out without harassing the mining industry. Take the question of boxes being put in rises. That may be said to unduly harass the industry, or that it is not possible to treat low-grade ore as it is treated to-day without the boxes. These are only trivial matters, and can be dealt with without any greater expense than is at present incurred. As a matter of fact, in the case of box rises, if a rise is growing to a great extent, it is cheaper in the long run to put a box in; for when a man takes two or three hours to proceed from the bottom of the level to the top of the rise, one can see how expensive it is. I hope these matters will be considered on their merits, and that the question of harassing the industry will not be brought forward, for these little improvements will not do it. Members know full well that these matters can be provided for. Take, for instance, timbering where necessary. There are many mines in which had timber been put in in the first instance, hundreds of pounds would have been saved. It is wise to make provision in the measure for these matters, so that the management will know exactly what to do and what they have to provide for. I am pleased to be able to bear out the remarks of the member for Menzies, that the measure should not be treated on party lines. Where the interests of a large number of men are at stake we should not consider the Bill in a party spirit. I do not look at it in that light. I only wish to protect the lives of the men employed in the mines. We know their dangerous calling and how unhealthy the calling is; we should therefore do all we can to protect the men. Unfortunately the great fault is that when we enact these measures we do not sufficiently enforce them. If this measure is enforced at all costs, managers and owners will know exactly what they have to do. When the measure becomes law I hope there will not be any dilly-dallying so that one party will be able to put the law in the waste-paper basket and another have to carry it out to the letter. I hope inspectors will learn the responsible duties that devolve upon them. They must remember that when they give permission

to stop work, the responsibility is very great, and they must not, therefore, hamper operations. Inspectors can do a great deal by enforcing regulations and preventing mining accidents from happening. Unfortunately in Kalgoorlie where inspectors are mostly needed, we have one of the most energetic inspectors, but we have another who, I dare say, has not been below ground for two years. This should not be so. The inspector I refer to should be given lighter employment. We want two energetic men in Kalgoorlie, and when the Bill passes two energetic men will be wanted more than ever. We want two young and energetic men, and a lighter billet should be given to the inspector referred to. I am not asking that a new appointment should be made, but that this inspector should be transferred; and I should also like to see the method adopted that was carried out by Mr. Gregory when Minister for Mines, that of shifting the inspectors every now and again, so that they would not remain too long in one district. Still I do not think it wise to shift the inspectors too often, for it takes time to get a thorough knowledge of a district; and when an inspector obtains that knowledge, he knows what is being done in carrying out instructions. An inspector should not be removed unnecessarily, but he should not remain too long. I hope the Minister will consider the advisability of removing the inspectors, so that many of the complaints that are made at the present time will not be made in the future. That is all I have to say at this stage, but I shall assist members in making the measure as effective as possible when in Committee.

MR. E. E. HEITMANN (Cue): After the most eloquent speeches delivered by the members for Ivanhoe and Menzies, I feel rather doubtful in approaching this subject. We have before us a set of regulations, provided, I believe, to protect the interests, the health and the lives of our miners; and I think rightly so too. In introducing the Bill, the Minister spoke in a very favourable tone with reference to the future prospects of the mining industry of the State. I agree with the Minister when he says that never in the history of Western Australia had the mining industry better prospects than it has at present. I believe at

present with all our new fields—a new field broke out during the last few months at Black Range, we have also the fields extending right north almost to Nannine—that at this particular time the mining industry has indeed a bright future before it. Speaking of the confidence we have as mining members and mining people generally, I am sorry to believe as I do that although we have sufficient confidence to try and obtain the confidence of capitalists outside the State, not nearly sufficient confidence is placed in the mining industry to allow us to put a certain amount of our little capital into that industry. I do not think the mining industry is supported nearly sufficiently by the miners and small business people in general, and I may say the public generally. From my experience in mining, I find that the best fields we have are those supported mostly by the public in the mining community. We take, for instance, Victoria, and we find one of the oldest goldfields in Australia, say Bendigo. Very little outside capital has ever been spent in that district, and yet we find at the present time that the field is better, if anything, than ever it was. I believe the same would apply to Western Australia. If the business people and the public in general had sufficient confidence in the mining industry to place a little of their own capital into it, Western Australia would be very much better off. It must be pleasing to those connected with mining to find at the present day we have low-grade shows treating the ores and paying dividends on an average return which a few years ago we thought it impossible to work upon. I refer now particularly to one mine at Kalgoorlie, the Ivanhoe. We find there that during the last month from ore averaging I think 12 dwts. 7 grains, the operations showed a profit of something like £23,000. This must be satisfactory to those interested in mining. During last session I had occasion to speak on an item in the Estimates under the heading of "Mining Inspectors." At that time I stated that in my opinion the mining inspectors were not paying sufficient attention to their duties. I stated that some of the inspectors were neglecting their duties. After I had

made a general charge against a mining inspector my statement was deprecated both by the member in charge of this Bill and the member for Menzies, who was previous to that Minister for Mines. We find only recently in the newspaper a case stated which proves, I think, conclusively that the charge I made at that time was perfectly correct. This is a paper of the 10th August. We find in it an article dealing with a certain mine in Western Australia, and this is a letter sent to the chairman of the directorate in London by the manager of that mine, a mine on the Murchison. It states:—

It has simply come to this, that so far as I am concerned I will not continue after the end of June, as I should only be laying myself open to a charge of manslaughter. The mine is getting very shaky, and in two months' time things will be much worse, and with no development work going on there will be no ore left to crush. I do not think for one moment that your mine is done as a gold producer—far from that; but I say that it is worked out for the present, and this is directly attributable to the want of mining timber. All that I can say is that you are directly to blame for this state of affairs. for I had not been here any length of time before I wrote on this subject, and letter after letter has been written without even getting an acknowledgment. On the question of dividends you have certainly kept up your reputation as letter-writers, as I have letters on this subject nearly every week, but on a vital question such as mining timber, I have been unable to get a reply. I can only say that I am disgusted with the way in which the London office has treated my cables and correspondence. All they seem to care about has been the payment of dividends. The payment of this last dividend, and the want of mining timber, have been the downfall of your mine.

Whilst these conditions have existed for some time we have had a mining inspector visiting this mine every few months at least. Needless to say he has placed himself under certain obligations to this mining company.

MR. GREGORY: I do not think I would say that now.

MR. HEITMANN: What I say I am perfectly prepared to take the responsibility for. The member for Menzies knows that I stated in the House last year that the mines were not being inspected, and that the life of the miner was not regarded as of any value by the mine inspector. My statement was deprecated at that time, but I think develop-

ments here at least prove my assertion to be correct, as it states there timber was of no consequence, and it brings back to my mind statements I heard a mining manager make in Victoria at one time. When he was asked to make his mine safe he said, "Men are cheaper than timber." Whilst I know that the majority of managers and the majority of companies take every precaution and every care of the miner's life, this is not sufficient; for I know that if we will allow them there are certain mining managers in this State and mining companies that have no consideration for the health and for the life of the miner. Going farther we have regulations dealing with the ventilation of mines, Sunday labour, signals, inspectors, and various other matters concerning mining. As to the ventilation of mines, at the time this mining commission was appointed by the then Minister for Mines, the member for Menzies, I was extremely pleased, for I believe that if there is one individual in this State whose condition requires every attention from this Government, or any other Government, it is the miner. The miners are working under conditions very often not fit to place a dog in. It is no use mincing matters. We have miners working in places where they have to swallow dust; they have bad ventilation, they have the smoke, and there is no attempt, very often, on the part of the mine-owners to remedy it. I certainly think that if this State had expended £2,000 on a commission of this description we should have had some likely remedy of the evils; but we find that after sitting for many months and taking evidence, the commission recommend that an adequate amount of pure air shall be made to circulate through and into the shafts. It seems to me a pity that after all this evidence—and I believe some very good evidence was taken, and that it was a very fair report which was sent in—some steps should not have been taken to give better conditions to the miner. One of the previous speakers referred to the responsibility of miners. I believe that we should place more responsibility upon miners, as I am well aware that with miners as with many other trades, familiarity breeds contempt. I worked a good many years in mines, and I have seen explosives handled in such a way as would make the hair of an average individual stand on

end. I interjected whilst the member for Menzies was speaking that the Italian lived on fractureur. I am not far off it, for I have seen the Italian carry round in his shirt for a whole day about a pound of fractureur to keep it warm. I believe it is necessary to put some responsibility on the miners as well as the mine-owners. The Bill contains regulations as to Sunday labour. I believe that 75 per cent. of the work done on Sunday could be dispensed with; and I think it well that the Minister has endeavoured as far as possible to put down Sunday labour. The Bill has a slight reference to signals in mines. I should like to see throughout the State a uniform code of signals.

MR. GREGORY: So there is; but the Government propose to alter it.

MR. HEITMANN: We have a uniform code; but to interpret it would need a Philadelphia lawyer. Not two mines now apply the same interpretation to the code. As an officer of the Engine-Drivers' Association, I know we have complaints every week that a driver going from one mine to another finds that a different interpretation is placed on the code. Everyone connected with mining knows this is not desirable; and it will frequently lead to accidents. In many mines four knocks mean "four men on." One knock means "pull up." In many other mines four knocks mean "men to get on and pull straight away without waiting for the one knock." In other mines the driver has to wait for the one knock before pulling away. I know this is true; and the Minister in charge should try every means of removing the evil and securing the adoption of a uniform code throughout the State.

MR. W. NELSON (Hannans): I do not desire to speak at any great length on this exceedingly important subject; but I should like to preface the few remarks I am about to make by briefly replying to some exceedingly carping criticisms uttered in a characteristically carping spirit by the member for Menzies (Mr. Gregory). In his long speech this evening he had the temerity to complain that the Minister for Justice, when drafting the Bill, displayed no originality, but only followed on the lines and according to the instructions left in the department by the member for

Menzies. I must confess that is an exceedingly grave charge to bring against the Minister for Justice—to allege that he ever adopted anything suggested by the member for Menzies; and when that hon. member accuses the Minister of perpetrating such an atrocity, I admit that the accusation, if true, would be strong justification for the attack. However, a very superficial examination of the Bill must reveal to the House, if not to the member for Menzies, that the Bill has gone far beyond anything that the hon. member could have suggested; because the Bill is largely founded on the results of a commission which did not complete its work and issue its report until after the member for Menzies had made the suggestions to which he refers.

MR. GREGORY: In the report there is hardly a single provision that I did not announce beforehand.

MR. NELSON: I quite admit that the member for Menzies is deeply amazed at the colossal character of his genius. I can assure him that in that admiration he stands absolutely isolated and alone. In my opinion this Bill is an honest, though I do not believe a perfect attempt to deal with a subject which justly claims the attention of Parliament. We should never forget that the great mining industry of this country is, after all, in a sense the special property of the people of this country. After all, the mines of this State belong to the people; and it is our duty in leasing the mines to those who exploit them to do so in such a way that while we permit an adequate return for enterprise and capital, we adequately protect the lives of the men engaged in that great industry. I believe that the cardinal, the underlying, principle of the measure before us is an attempt to achieve that great object. The Minister for Justice, when introducing this measure in an exceedingly lucid speech that could be made only by one intimately acquainted with the subject—[A laugh]—I see some members are laughing, seeming to insinuate by their unmannerly conduct that I am not specifically and technically acquainted with this subject, and I can but reply, when I look at them, that without egotism I am quite prepared to put my ignorance against their knowledge—as the Minister for Justice pointed out in his admirable

speech, the mines of this country are rapidly becoming deeper and deeper; in fact he predicted, and I believe it is a reasonable prediction, that within the next 10 years it is just possible that our mines will be deeper than the mines of any other country. If that be true—nay, if it be even probable—it is clearly the duty of the Government, in framing regulations and passing legislation dealing with those mines, to see that the regulations and the legislation are not only applicable to the conditions now obtaining, but to the conditions that may obtain in the immediate or even in the distant future. I understand that it is now quite common for mine managers to develop their mines in such a way and to leave them in such a condition that if after abandonment they are again taken up, there is serious danger to those resuming operations. I am glad to find that the Bill recognises the gravity of that danger, the injury to those who may subsequently take up the mines, and to the men who may work them; and that the Bill insists that mines shall be left in such a condition that work can be resumed if a resumption of operations is thought justifiable.

MR. GREGORY: As to that, where does the Bill contain anything new?

MR. NELSON: I am not now particularly concerned as to whether there is anything new: what I am concerned with is the existence of something true. But I say also that there is something new. I do not say that every feature of the Bill is new. The Bill undoubtedly incorporates many things that have been in Bills before. A number of the provisions are really taken, I understand, from prior Acts. The commendable feature of the Bill is not that it is a mere isolated piece of legislation dealing with one department of mining, but that there is some attempt—an attempt of which the member for Menzies is incapable—to introduce a comprehensive measure dealing comprehensively with the subject. Of course, I can easily imagine—

MR. GREGORY: Could you get beyond imagining?

MR. NELSON: I quite admit that I have an imagination; but I would point out that, after all, imagination is an intellectual quality, and therefore I am of opinion that no man is ever likely to

accuse the member for Menzies of possessing imagination. Let me say I can imagine those who are exploiting our mines declaring that legislation of this kind is calculated to interfere with profitable mining; in fact, there can be no doubt there is a tendency quite manifest on the part of mine-owners and those interested in working mines—a tendency to disparage, to sneer at, and to oppose legislation of this character. Such men say that they in their own interests are likely to take all necessary care. I reply that they are not likely to do anything of the kind. I say that the people who take up our mining properties and who work our mines do so for one reason, and a perfectly understandable reason: they want to make money out of them, and to make it as soon as possible. Their idea is dividends. I say, if that idea alone dominated the people concerned in mining, what would be the result? Bad as things are now, they would be a thousand times worse.

MR. GREGORY: There is not one word about dividends in the Bill.

MR. NELSON: I would remind the hon. member that I am delivering a second-reading speech. He, evidently knowing that he cannot reply to my arguments, is anxious to get an advantage over me by proving that I am out of order when I refer to the clauses of the Bill. Hence I desire to avoid entering into details, in order that I may uphold the traditions of this House, and deal in a second-reading speech, not with the clauses themselves, which some members have not read, but with the general principle with which we are all concerned. I say that the object of the mine-owners is simply dividends. I wish to say right here that in my opinion the people of this country do not exist for the mines: the mines exist for the people. The great motive of those who are exploiting our mines is simply to make money; and while that in itself may be a legitimate motive, it is a motive that ought to be qualified and restrained by considerations of a higher character. I say, therefore, that this measure is in order to introduce a restraining influence on the natural cupidity of man; and so far as it does this reasonably and fairly—and I believe it does so—it is a measure which ought to commend itself even to the recalcitrant

member for Menzies. From what I have gathered by reading the Bill, I find two or three general principles which in my opinion ought to be insisted on. The first is that there shall be special care of the hoisting plant. The member for Ivanhoe (Mr. Scaddan) dealt exhaustively with that; and I think it is a matter which so intimately concerns the safety of the men that the framer of the Bill has done wisely in accentuating it. Again, the Bill insists on frequent inspections. That is another matter of grave importance. I quite admit that even the miner himself is, from the very closeness of the danger, very apt not sufficiently to realise the situation in which he is working; and I believe nothing can adequately protect the miner and protect the reputation of this country for the treatment of its miners more than frequent and periodical inspection. Another element in the Bill is that a permanent record must be kept in a book open to inspection. That is a highly important principle, which I am glad to find incorporated. Another important feature is that the engine-driver in particular shall always be a person who, on examination, has proved himself capable of doing his work, and has given every reason for believing that while he is engaged in his responsible undertaking there will be something like safety for the miner. Another point to which I should like to draw attention. The measure does what has never been done before. It removes the vagueness, the indeterminateness of the responsibility. According to the Bill the agent is responsible, the owner is responsible, and the manager is responsible. If the Bill passes it will be impossible to do what has been done hitherto—to blame somebody else. They are jointly and severally responsible; thus in my opinion insuring an amount of protection which could not otherwise be insured. I know some will object that the measure tends to interfere with the profitable working of mines, and even, as I have already hinted, with the investment of capital. I have replied to them. I believe there is absolutely no such danger; that, as I said at the beginning, we ought never to forget that as members of this House we are individually responsible for the working of the mines. They exist for a particular purpose. We lease them to

men who are making money out of them. We allow these men to exploit them; and while that is perfectly a legitimate thing, it is our duty to protect the brave men who are working in these mines so that in the performance of their duty they may enjoy that reasonable amount of safety which the law can, and I believe will, confer upon them. [MR. A. J. WILSON: What about Clause 93?] If the member for Forrest would bestow that amount of attention on the rules of this House which a young member ought to bestow on learning its procedure, he would know that I am precluded in a second-reading speech from referring to individual clauses. I desire in conclusion to say that I believe the measure is a very desirable one. No doubt some of its provisions will be altered in Committee. No doubt it suffers from the very serious defect of largely following the advice of the hon. member for Menzies; but nevertheless we must remember that the member for Kanowna has revised the suggestions made by the member for Menzies, so that the Bill has been vastly improved, that a great many suggestions of the Royal Commission on the Ventilation and Sanitation of Mines have been incorporated in it, that many of the old Acts that dealt in an imperfect way with the industry have been abolished, and that so far as the protection of the miner is concerned, it is really a consolidating measure. For all these reasons I trust that the House will carry the measure, and that a Committee of this House will render it even more perfect than it is now.

THE MINISTER FOR JUSTICE AND LABOUR (in reply): It is pleasing to hear the wonderful unanimity of critics, all of whom think this, on the whole, is really an admirable measure. I shall be very glad to have the assistance of members and their experience in the Committee stage; but I trust that members will carry out their promise to read the Bill, and that they will put their ideas this week on the Notice Paper, so that they will not spring them on the House when a clause is in Committee. Some of the remarks seem to me to show a strong desire to be hypercritical; and especially is that a fair description of what has been said by the member for Menzies. That hon. member seemed to

desire, not so much to find fault with the measure, as to find fault with his recollection of something I had said when introducing the measure. He expressed regret very strongly that I had not the courage to bring before the House matters I believed in, and that I had complained that many matters in this measure did not go as far as I had desired them to go. I do not think that can be fairly said. On three occasions I said something that might be considered to have that effect. One occasion was when I referred to the hours of labour. I said that I was not entirely in accord with them, and that I should like to propose something that would have pleased me better; but I pointed out that these sections had been in force during the last few years, that I had not heard a single word of complaint uttered against them by anyone, that I was not aware that anyone inside the House or any miner outside the House was seriously opposed to them, and that I was not now justified, unasked, in bringing forward an amendment. On another occasion I was dealing with the bullion reserves on mines; and I explained that I had for years been strongly opposed to the idea of having bullion reserves on any mines; but I had to candidly admit that I had not met a dozen mining people in this State who took the same view. We had a commission that looked into this question very carefully, and which proposed that there should be allowed one month's reserve. I thought, as I think now, that it was far too much; and I brought the matter before my colleagues, and they agreed with me that if a bullion reserve was at all necessary it should not exceed one fortnight's. However, if the House believes that we should go farther and disallow it altogether I should be very glad to reconsider the question. The third occasion was when I was speaking in reference to the smallness of the penalties. The Bill, as is the case with the old Act and with Acts in the other States, imposes a maximum penalty of £50 for the breaking of any of the rules. I am of opinion that we could easily increase that penalty. The member for Menzies says that a statutory declaration should accompany returns, and that, in the event of the returns being wrongly stated, people should be found guilty of

perjury. The idea is good, and I have seriously considered it; but members will notice that all reports sent in to the head office must be given local publicity, and some of them will be given almost daily. Under the circumstances it would be inconvenient to have statutory declarations. I think some such provision might be made with regard to monthly reports; because I agree as to the great desirability of seeing that the utmost possible publicity should be given to all information available at the head office as to any of our mines. We also have the old, old complaint heard in the British Parliament and in the Australian Parliaments for the last forty or fifty years, that we should not make regulations but should openly discuss all the matters connected with the particular subject in the House of Parliament. [MR. SCADDAN: Who said that?] The complaint is to that effect. The member for Ivanhoe, like every young member of this House, reiterates that complaint. Members think it possible to lay down rules in a Bill of this kind that will be applicable to all mining under every condition; but it is impossible. According to my reading of the trend of the different statutes throughout Australia, there is a strong tendency to more and more leave things for regulation. [MR. NEEDHAM: There are too many regulations in these things.] The hon. member is also a new member of this House who believes it is possible for us to frame clauses by which we can carry out the rules imposed by this Act. I admit that it would be a very difficult matter; but if the member for Ivanhoe can make some good suggestions in that direction we will be glad to consider them in Committee. The hon. member mentioned that we might state a minimum amount of air that each person in a mine should get. I do not think that a very wise provision. The Victorian Act says that each man should have 100 cubic feet; but in many mines that would be far too little. I think it dangerous to state a minimum. It is much better to leave it to the inspector, and also to certain regulations. There was a strong complaint by the member for Menzies that I, wickedly enough, was not following the proposals that he had left for me in the past; but I think the member for Hannans has

dealt very fully with that subject. The member for Menzies also went on to complain that various members on this side of the House, and especially on this bench, had talked very strongly in the country about the desirability of having certain regulations under this Act, but that we had not the pluck to support them so that they could be presented here in this Bill. The hon. member stopped there and did not specify what they were. Probably I have spoken on the goldfields on this subject more than any other member of this House, but I do not remember having publicly spoken of anything that is not in this Bill. If the member for Menzies tries to point out those particular things he complains about he will find out that he has much overstated his case. It is perfectly true that office and experience make people feel responsibility; but I do not think the criticism in this particular is fair. In regard to the question of foreigners in mines, we have followed in all particulars the recommendations of the commission. If the member for Menzies will assist us in making the clauses more specific and better, I certainly shall be glad; but the hon. member forgot that the Bill empowers inspectors of mines not to allow any non-English speaking person to work in a place where it is at all dangerous. I think if this clause be passed it will meet all the objections brought forward by the hon. gentleman. I am sorry to think that many members spoke so disparagingly about what was done by the Ventilation and Sanitation Commission; because I am strongly of opinion that the commission did very good work, and that it brought forward more specific work than anyone acquainted with the subject would have expected. We must remember there was no good legislation on this subject in any part of the world. The commission had to go on its own. It got a little, but very little, assistance from what had been done in Victoria; but that was mainly to show what people should avoid. It was necessary that some person should inquire, because we have the biggest mining State; and above all, we are a mining community that can take all the precautions really required for the ventilation and sanitation of our mines. [MR. SCAD-

DAN: There is no better time than the present.] I hope when we are in Committee that the members for Ivanhoe and Yilgarn will apply the great knowledge that they exhibit on this particular subject to bringing forward good amendments. With regard to the amendments embodied in this Bill on the recommendations of the Boulder Deep Levels and Perseverance Commissions, it has been said, especially by the member for Menzies, that the clauses do not go far enough. I think I have gone quite as far as the commissions recommended; but if there is anything else that requires farther publicity I shall be very glad to consider it in Committee. One member mentions that the definition of a serious accident is too strong. The provision is "two weeks," which words are used to bring the measure into line with the Workers' Compensation Act; but the period, to my mind, is too long. The Government are now considering this matter, and I hope that we may be able to shorten the period in Committee. I have nothing farther to say, except to again congratulate members on their generous criticism, and also to strongly entreat them to put on the Notice Paper during the week any amendments they propose and can think of.

Question put and passed.

Bill read a second time.

BILL—MUNICIPAL CORPORATIONS.

SECOND READING MOVED.

THE PREMIER (Hon. H. Daglish): In moving the second reading of this Bill it is not my intention to go at all into the details of the measure. The size of the Bill would prevent any member in the course of a second-reading speech from explaining, with anything like detail, the full scope of the measure. But the principal object of it is to consolidate the existing law relating to municipalities, and at the same time to embody in that consolidation certain amendments that were introduced into the Municipal Institutions Amendment Bill that was before the House last year, and, with comparatively few alterations, emerged from this Assembly. The principal difference between the existing

Municipal Act and the consolidation with these amendments is a provision to embody certain clauses of the Health Act in the present Consolidating Bill, with the object of relieving the Central Board of Health of the control in regard to public buildings, and to transfer the control from that body to the various municipal corporations. This amendment which I have indicated is the only vital alteration in the measure. There are certain amendments proposed as to the voting powers of ratepayers of municipalities. These were all embodied in last year's Bill. One proposal is to reduce the number of votes any ratepayer can exercise for mayor from four to one. Another proposal is to give ratepayers having any property in a municipality only one vote in each ward for the property owned or occupied. Then, again, the voting proposal in regard to loans that was found in the Municipal Bill of last year again appears; that is, that owners of property alone should have the right to vote when a poll is taken as to the desirability or otherwise of incurring a loan. This proposal last year was assented to by this Chamber. The voting clause was somewhat amended when passing through this House, but the voting was reduced, at all events in regard to the voting for mayor, as compared with the existing Act. The manner of voting by ballot in municipal elections is another matter that has been taken into consideration in the Bill, and it is proposed that these shall be uniform with the system adopted already in the Federal and State elections. In the Federal elections the system of voting by a cross has been adopted. In the State elections the principle has been applied of voting by placing a cross against the name of the person voted for, or of striking out the name of the person voted against; and it is provided that voting in either fashion will not invalidate the vote, with the idea of making municipal voting as successful as possible in determining the desire of the ratepayers. The same principle existing in the State electoral law is applied here; the adoption of voting one way or the other, or voting both ways indeed, has been introduced. There are new provisions as to voting in absence, substantially the same provisions as were submitted and

adopted last session. A new provision has been introduced in regard to the payment of contractors, adopting the principle that is proposed in the Workmen's Wages Bill now before the House, so far as regards contractors doing work for municipalities. Then, again, the principle of allowing municipalities the power of basing their rates either on the annual value of property or on the unimproved capital value is introduced in the Bill in the same form as it appeared in the Bill of last year when that measure emerged from this Chamber. Provision is also taken for the valuation of tramways, gas mains, and electric light. There has been a certain amendment of the law proposed in regard to the recovery of rates. Under existing conditions, if a resident ratepayer falls into arrears—whether that ratepayer be a property-owner or a tenant—it is open to the municipality, without having recourse to the courts, to distrain on the chattels of the defaulting ratepayer. This measure proposes to force the municipality to have recourse to the courts in the same fashion as an ordinary creditor; in no way weakening the powers of the council as to the recovery of rates, but giving to ratepayers the protection given to an ordinary debtor. That is, a creditor must first of all obtain an order of the court before distraining, thereby in many instances relieving the ratepayer who is in default from the process of the piling up of heavy costs against him, in some cases without substantial warning. This is particularly necessary in the case of persons who are not often themselves personally responsible for the difficulty—those occupying premises not belonging to them—in which case the owner in many instances takes the responsibility of the payment of the rates, whereas it is the chattels of the tenant which are seized in consequence of failure to fulfil the responsibility. The proposal in the Bill is that the municipality shall take the same course as an ordinary creditor does in order to obtain distraint against a defaulter. Provisions are taken to amend the law as at present existing in regard to the recovery of rates due by absentee owners. At present the Act makes certain provisions which, under certain orders of the court, have proved ineffective to achieve their purpose. The length

of time for which rates remain unpaid before municipalities have recourse to these provisions is somewhat lengthened. At the same time provisions are amplified to make it possible for municipalities to take advantage of them and succeed, if they are forced to have recourse to the final action, in being able, after the sale of any property, to give a clear title to the purchaser. Members will recognise that the law as it at present exists in this respect is somewhat of a delusion, inasmuch as there are several instances of municipalities acting on their powers under the present Act in regard to the sale of land, and after they have sold they have been unable to fulfil the contract they had entered into. A case was reported only to-day in regard to this. It occurred at Geraldton, where the Full Court decided on the application of the purchaser to give that purchaser a release from the contract to purchase which he had entered into, but which the other contracting party, the municipality, had been unable to fulfil. In this Bill provision has been taken for the council after two years to take possession and let the land on lease. The existing Act provides that after 18 months arrears have accumulated the municipality may sell. The present Bill gives the right to let the land on lease to a municipality after two years have expired; and before the land can be sold the rates have to remain outstanding for a farther term of one year—double the time specified under the present Act—making it three years instead of 18 months. These are the principal differences between the law as it stands at present and the law as proposed in the Bill. There are alterations in the drafting of some of the clauses, alterations that leave the proposals substantially as they are, but at the same time are in the nature of improvements to the wording of the clauses. I do not think it is necessary for me to make a long explanation of the 510 clauses of the Bill. I have therefore simply given the gist of the amendments proposed, because I think the measure is one that will require threshing out in Committee, and I hope members will see their way to agree to the second reading in order that it may be taken into Committee, where every facility for its full and free discussion will be afforded, and

where alone the necessary clauses can be adequately dealt with and their provisions threshed out. I beg to move the second reading of the Bill.

ADJOURNMENT OF DEBATE.

MR. N. J. MOORE (Bunbury): I beg to move the adjournment of the debate for three weeks. It is just as well to let the various municipalities have an opportunity of going through the measure.

Motion put and a division called for.

MEMBER: What about the pair?

MR. QUINLAN: A question has been raised as to my having paired with the member for Mount Magnet (Mr. Troy), I paired with him last week only. This is not an important matter, or I would have continued to do so. That is my reason for voting.

Division resulted as follows:—

Ayes	...	...	...	18
Noes	...	...	...	17

Majority for ... 1

AYES.	NOES.
Mr. Burges	Mr. Angwin
Mr. Carson	Mr. Bath
Mr. Cowcher	Mr. Bolton
Mr. Gordon	Mr. Daglish
Mr. Hardwick	Mr. Ellis
Mr. Harper	Mr. Hastie
Mr. Hayward	Mr. Henshaw
Mr. Hicks	Mr. Holman
Mr. Hopkins	Mr. Johnson
Mr. Isdell	Mr. Lynch
Mr. Layman	Mr. Needham
Mr. McLarty	Mr. Scaddan
Mr. N. J. Moore	Mr. Taylor
Mr. S. F. Moore	Mr. Watte
Mr. Quinlan	Mr. A. J. Wilson
Mr. Eason	Mr. F. F. Wilson
Mr. Frank Wilson	Mr. Gill (Teller).
Mr. Brown (Teller).	

Motion thus passed, and debate adjourned for three weeks.

ADJOURNMENT.

THE PREMIER moved "That the House do now adjourn."

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

Ayes	...	...	...	23
Noes	...	...	...	17

Majority for ... 6

AYES.
 Mr. Angwin
 Mr. Bath
 Mr. Bolton
 Mr. Butcher
 Mr. Daglish
 Mr. Ellis
 Mr. Hastie
 Mr. Heitmann
 Mr. Henshaw
 Mr. Holman
 Mr. Horan
 Mr. Isdell
 Mr. Johnson
 Mr. Keyser
 Mr. Lynch
 Mr. Needham
 Mr. Nelson
 Mr. Scaddan
 Mr. Taylor
 Mr. Watts
 Mr. A. J. Wilson
 Mr. F. F. Wilson
 Mr. Gill (Teller).

NOES.
 Mr. Brown
 Mr. Burges
 Mr. Carson
 Mr. Cowcher
 Mr. Gregory
 Mr. Hardwick
 Mr. Hayward
 Mr. Hicks
 Mr. Hopkins
 Mr. Layman
 Mr. McLarty
 Mr. N. J. Moore
 Mr. S. F. Moore
 Mr. Quinlan
 Mr. Rason
 Mr. Frank Wilson
 Mr. Gordon (Teller).

Question thus passed.

The House adjourned accordingly at 9.22 o'clock, until the next day.

Legislative Council, Wednesday, 16th August, 1905.

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

PRAYERS.

BILL—ABORIGINES ACT AMENDMENT.

Introduced by the COLONIAL SECRETARY, and read a first time.

BILL—FERTILISERS AND FEEDING STUFFS AMENDMENT.

Read a third time, and transmitted to the Legislative Assembly.

BILL—ELECTRIC LIGHTING AMENDMENT.

POWER TO ROADS BOARDS.

SECOND READING, ETC.

THE COLONIAL SECRETARY (Hon. J. M. Drew), in moving the second read-

ing, said: Very few words are necessary to convey to the House the purport of this short measure. The object is to give to roads boards the same power as regards electric lighting that municipalities now possess. Unfortunately, owing to lack of foresight, provision was not made in this direction when the principal Act was passed in 1892; or it may have been, as it probably was, that in the Roads Act then existing there were not such comprehensive powers as a later statute has conferred on these bodies. It has been found desirable that the roads boards should have authority equal with that of municipal councils, to do in this direction precisely what the municipal bodies are in a position to do. There are certain roads districts which are not yet ripe for conversion into municipalities; and although some of them desire to go in for electric lighting, they cannot do so until an amendment of the law takes place. The object of this measure, therefore, is to provide roads boards with an extension of powers in that direction.

Question put and passed.

Bill read a second time.

Passed through Committee without debate, reported without amendment, and the report adopted.

BILL—PERTH MINT AMENDMENT.

SECOND READING.

THE COLONIAL SECRETARY (Hon. J. M. Drew), in moving the second reading, said: I wish to point out briefly that the object of the measure is to increase the State subsidy to the Mint by the expenditure of £2,500 a year, in addition to the present subsidy of £20,000. When the subsidy was increased to the amount at which it now stands, the output from the Mint was 118,000 ounces per month. Now the output has increased to 130,000 per month. During the last two or three years the annual expenses in connection with the Mint have run up to the full amount of the subsidy; and the Imperial authorities have expressed a wish that the amount of the subsidy should be increased. After going into the matter, we have come to the conclusion that an increase of £2,500 a year in addition to the £20,000 of annual subsidy now granted will be ample for the purposes of the institution.