

mitted, and it depended on whether the licensing bench was prepared to grant a license for the new plans as to whether the work was proceeded with. There would be a certain amount of initial expenditure to provide out of revenue for the opening up of the hotels and at the same time practically no revenue would be received. But so far as the hotels were concerned, not including Yallingup, which was now a State hotel, Gwalia and Dwellingup were paying handsomely.

Hon. Frank Wilson: What about the balance sheets on them?

The PREMIER: There were one or two matters that had to be fixed up. Provision had to be made for the keeping of books under the Trading Concerns Act, which were not previously required. The capital value of these places had to be fixed, also the depreciation, and it required a lot of thinking out, but once a basis had been fixed upon there would be no difficulty in coming years. The hon. member knew that the Trading Concerns Act had not been put into operation until the close of the last financial year. Dwellingup was really the only new hotel, and already it had paid in profits the whole of the capital expenditure entailed in its purchase. He could give the hon. member any items, takings from the State hotels generally, inspection of liquors, and tourist bureau. They were kept separate, but he did not think it was desirable at this stage to give them in detail for each hotel; they were doing as well as they ever did.

Mr. MONGER: A couple of months ago there was an advertisement in the Press calling for applications for the position of manager of the State hotel at Rottnest; would the Premier say what had been done in connection with these applications?

The Premier: We have not got the hotel yet.

Mr. MONGER: Why had the applicants not been notified accordingly? For some time after the applications had been sent in those who had applied naturally thought they had some fair and reasonable prospect of obtaining the position. Since then there had been no advertise-

ment in the paper, but it was certainly the duty of the Government to give some notification that the applications would be held over until a certain event took place.

The Premier: What we have advertised for was manager of the State hotel at Rottnest, but it was not certain whether a license would be obtained.

Mr. Allen: Of course, you will not get a license.

The PREMIER: The hon. member probably knew the feelings of his friends in another place, as they decided these matters in caucus. He was not prepared to make the appointment of a hotel manager until he knew whether there was going to be an hotel. No appointment had been made and therefore no appointment could be announced.

Vote put and passed.

Progress reported.

*House adjourned at 11.37 p.m.*

## Legislative Council,

*Wednesday, 5th November, 1913.*

	PAOB
Companies Act Amendment Bill Select Committee, Report presented .. ..	2296
Questions: Royal Prerogative of Mercy .. ..	2297
Gold Discovery at Duketon .. ..	2297
Paper presented .. ..	2297
Bills: Mines Regulation, 2A. .. ..	2297
Traffic, Com. .. ..	2317

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

### COMPANIES ACT AMENDMENT BILL SELECT COMMITTEE.

*Report presented.*

Hon. W. KINGSMILL (Metropolitan) brought up the report of the select committee appointed to inquire into the Companies Act Amendment Bill.

Report received, read, ordered to be printed and taken into consideration on 12th November.

### QUESTION — ROYAL PREROGATIVE OF MERCY.

#### *Additional Particulars.*

Hon. D. G. GAWLER asked the Colonial Secretary: Whether he will supplement the return asked for by him on 17th September by furnishing the particulars then asked for in the cases of Houston, sentenced at Kalgoorlie for arson, and Surridge, sentenced to death lately for murder?

The COLONIAL SECRETARY replied: Yes, and I will place the return on the Table of the House.

### QUESTION—GOLD DISCOVERY AT DUKETON.

Hon. J. D. CONNOLLY asked the Colonial Secretary: 1, Is he aware that an important gold discovery has been made under entirely new conditions at Duketon in the Mount Margaret goldfield? 2, Is it the intention of the Government to immediately dispatch a member of the geological staff to investigate this most important discovery.

The COLONIAL SECRETARY replied: 1, A statement to this effect has been made by a gentleman interested in the district, but it so far lacks official confirmation. 2, Instructions were given a fortnight ago for a geologist to visit this district early in the forthcoming field season, and this report will form one of his subjects of investigation.

### PAPER PRESENTED.

By the Colonial Secretary: Royal prerogative of mercy, supplementary return.

### BILL—MINES REGULATION.

#### *Second Reading.*

Debate resumed from the previous day.

Hon. R. D. McKENZIE (North-East): The Bill before us deals with what the

Minister for Mines (Mr. Collier) on the occasion of a recent visit to the goldfields very rightly described as the first primary industry of Western Australia. The gold-mining industry is one which has produced wealth in this State to the extent of something like 114 millions sterling. It employs on an average 14,000 men and these men are responsible for a population of approximately 100,000 people, or one-third of the population of Western Australia. There is distributed in wages something like three millions sterling per annum, and there is spent in stores probably an amount equal to that distributed in wages. To a very large extent Western Australia owes its present position to the gold-mining industry, because 20 years ago Western Australia from a population point of view was a very small State indeed. The influx of population began with the discovery of the important goldfields of Yilgarn and subsequently Coolgardie and Kalgoorlie, and it was not until then that the place began to go ahead by leaps and bounds, so that I think it will be generally admitted that to the gold-mining industry Western Australia owes a great deal. It is pleasing to know that hon. members recognise that fact and that they are at all times prepared to give every consideration to the industry. The object of the Bill under consideration, we are told, is to minimise the terrible number of fatal accidents which occur in the mines, and also to minimise the disease which is unfortunately prevalent amongst those who work in mines. We all know that mining is one of the most hazardous occupations that a man can follow. Fatal accidents are unfortunately inseparable from this occupation. Whether it is that familiarity breeds contempt and that the men are not as careful as they should be, the fact remains that a large number of accidents happen in every country where mining is carried on. I propose to deal with the figures connected with fatal accidents and also serious accidents later on. It is a well-known fact that men working underground away from sunlight and in a dusty atmosphere where

ventilation may be bad, cannot be expected to enjoy that good health which men working above ground would enjoy, and I think it is the opinion of every hon. member that it is desirable that the conditions of mining, the conditions in which men work underground and in and about mines, should be made as reasonable as possible, taking everything into consideration. When the Bill was introduced in another place the Minister for Mines stated that he looked upon it as a non-party measure, and he invited members of all creeds of political opinion to come together and try to make the measure as good as possible. Strange to say when amendments were moved that were not quite in accord with the opinion of the Minister, he used the majority he had behind him and refused to accept any of them. I think the Bill as it comes before us is almost exactly as it was when introduced into another place. There may have been one or two amendments which were made by the Minister or which perhaps he approved of, but certainly those amendments moved by members sitting in opposition in another place were rejected, and though the Bill was declared to be a non-party measure it was put through entirely as a party measure. In addition we have the Minister for Mines and the Honorary Minister of this House and other members of the Labour party practically stating that unless the conditions as they will be imposed if this Bill goes through are possible in the industry, they would prefer to see the industry close down. The Minister for Mines has declared this to be the first primary industry in Western Australia, and in the next breath he says that unless he can get the Bill through in the way he desires it to go through it would be better for the industry to close down, and he would close down without hesitation the first primary industry in Western Australia which is supporting at least one-third of the population of the State. Mr. Cornell, in speaking last year on this same Bill, said, "Our"—by "our," he meant the party with which he is associated—"our special object is the protection of the worker; I do not give one

iota's consideration as to whether the Bill will kill the industry or not." I say that these statements coming from responsible Ministers of the Crown, and men returned to Parliament, are serious statements indeed, and they must be taken carefully into consideration by every member of this Chamber when voting on this measure. Mr. Dodd in his introductory remarks allowed sentiment to dominate his arguments to a great extent. Sentiment is an excellent thing; it would be a queer sort of world if it had not sentiment, but there are limits to which sentiment can be carried. I have no doubt that any member in this Chamber, had he been placed in the same circumstances on the goldfields as Mr. Dodd was for many years, if introducing a measure of this sort would have done the same as Mr. Dodd. The Honorary Minister told us that in his capacity as secretary of one of the large unions on the goldfields he had attended every inquest for a number of years, and most of the funerals, and he had to do with the paying over of the weekly allowances or the death compensation to widows and children of men killed in the mines. His was an admirable sentiment, and I am sure that every member in this House honours him for the way he expressed it. But hon. members must not allow sentiment to carry them away altogether, and I trust that when the measure is receiving consideration in Committee, sentiment will not be allowed to dominate the discussion. Sentiment of an altogether different kind was expressed yesterday by another hon. member of this Chamber and I want to just read an extract from the daily paper in Kalgoorlie, published on 29th October, 1913. I may explain that there is a poor widow woman on the goldfields whose husband died in the sanatorium at Coolgardie not long ago. A fund was started to get subscriptions to help this poor woman with her children along the road of life. A list of sums received was sent along to the morning paper in Kalgoorlie and the editor was asked to acknowledge them. I think it is a regular thing for all newspapers to not only acknowledge the re-

ceipt of charitable subscriptions, but also to receive them, and on occasions disburse them free of charge. The *Kalgoorlie Miner* evidently put in the first batch of subscriptions free of charge but a footnote was added by the editor, "Further acknowledgements must be advertised." The hon. member who was yesterday showing his sympathy with the people on the goldfields happens to be the managing editor of the *Kalgoorlie Miner*, and I suppose that one shilling to this poor woman represents as much as £100 to any of the proprietors of that paper, and yet the fund from which she was to benefit was called upon to pay this expense of advertising before the balance was handed over. That is not the same kind of sentiment as was expressed by Mr. Dodd. That is the sort of sympathy expressed by a man who has had an opportunity above all others on the goldfields to uplift the poor and unfortunate, and who probably has done less than any other man on the goldfields towards that end.

Hon. J. W. Kirwan: This is very amusing. The *Kalgoorlie Miner* is not popular with a certain class of politicians, particularly those who go back on their promises.

Hon. R. D. McKENZIE: Outside those members who have been engaged in the actual occupation of mining, I suppose I have as intimate a knowledge of the conditions obtaining on the goldfields as any other member in this House. I was born in a gold mining town in Victoria within hearing of the stampers and almost continuously ever since I have lived in mining camps. I have witnessed the tragedies in mining communities; I have seen all the sufferings, hardships, and distress that take place, and probably there is more of such distress in a gold mining community than in any other part of the State. But, despite all this, I recognise that I have a duty to perform in this Chamber, and every other member also has a duty to perform, and that is to give this measure every consideration, to look at it from all points of view, and not regard it as a party measure. I unhesitatingly say, and I quite agree with Mr. Cornell, that this is the most important Bill that

ever came before this Chamber. Probably the hon. member and I look at the measure from different points of view. I regard it from this point of view: if legislative errors are made now they may kill the mining industry. Most of our mines are low grade; many of them are working on a very small margin, some of them are working at a loss; an increase of cost, if only 6d. or 1s. per ton, may mean the closing down of some of the mines which employ a large number of men, whereas a slight decrease in cost would probably mean the extension of the lives of those mines for a number of years.

Hon. J. Cornell: We want an extension of the lives of those working in the mines.

Hon. R. D. McKENZIE: I am quite in sympathy with the hon. member in that regard, but at the same time we have to look at the cold, bare fact that if a mine is once closed down it is rarely reopened. Some of those mines which are most likely to close down are employing hundreds of men who have people depending on them, and what will happen to those dependants if the bread-winners are thrown out of employment? Errors of legislation made now may be fatal to the industry. Such is not the case with errors made in connection with any other industry. We may legislate for the agricultural industry and make mistakes which will retard the progress of that industry and throw it back for a few years, but eventually the industry will recover and become the backbone of the State. I do not agree with Mr. Connor in his statement that we cannot kill the gold-mining industry. On the contrary, I say that if we make legislative mistakes at this critical time in the history of the industry, the damage will be irreparable. I ask hon. members to take that phase of the question into consideration. The present Mines Regulation Act of 1906 was eulogised in all parts of the world. I think a letter came from the Mines Department in America saying what a splendidly balanced Act it was, and it was generally spoken well of right throughout the State by mining in-

vestors, the miners themselves, the newspapers, and the public generally, as being probably one of the best Mines Regulation Acts in the world. Before that Mines Regulation Act was passed through Parliament members at that time had the benefit of the report of the Royal Commission on the ventilation and sanitation of mines. All the recommendations made by that commission were taken into consideration by the Legislature before that measure was placed on the statute-book. So that, taking that fact into consideration, we must be very cautious indeed how we alter that Statute. I quite agree that there may be certain alterations possible which would be to the benefit of the men, the mining industry, and the community generally, and I say, let those alterations be made by all means, but a great deal of caution should be shown in the way we approach the making of drastic alterations in that Act. What effect would many of the new principles in this Bill have on the prospector and the small leaseholder in Western Australia? On the one hand we have the Government spending money to assist the prospector to go out and make new finds, and on the other hand we have the same Minister stating that unless certain conditions can be brought to bear in connection with mines administration the industry had better be closed down. It is of no use spending money in the endeavour to find mines if, on the other hand, we are going to do something to restrict the working of them when they are found. Mr. Connor asked yesterday whether many of the present goldfields could have been opened up and continuously operated if there had been in existence an Act similar to the present Bill. I do not think they could. If this Bill had become law 10 years ago it would have done irreparable mischief and probably closed the mining industry down before now. I do not wish to discuss the various clauses of this Bill to a very great extent. Some of the provisions I agree with and some I disagree from. With regard to the clause dealing with inspectors, I fail to see how inspectors appointed by the union can minimise acci-

dents in mines. The present Act provides for workmen's inspectors on very much the same lines as the New South Wales Act. Much has been made of the recommendations in the report of the Royal Commission on the ventilation and sanitation of mines, which report was before members of both Houses when the 1906 Act was placed on the statute-book. In regard to check inspectors, the Commission reported—

In view of the importance of ventilation and good sanitary conditions in and about mines to the health of the men employed, it seems to us reasonable that they should themselves have facilities for inspection and report in metalliferous mines in the same way as they have in the collieries. To make the check inspectors' office of the most value they should be permanently engaged in the larger centres and not merely employees of the mine told off to go round from time to time, though this might be necessary in smaller places. We are of opinion that they should be appointed and removed by the recognised associations of miners of each district, subject to approval by the Minister for Mines, who should, however, possess full power to dismiss them if he thinks fit, that they should be paid by the associations with the aid of a subsidy from the State, and that they should report through the Inspectors of Mines.

That is exactly what they have in the present Mines Regulation Act. Those inspectors have power to go below and report to the inspector of mines on the condition of any mine. I say it was in the minds of members of that Royal Commission when reporting that it was necessary to have some system of inspection for and on behalf of the men to look after ventilation and good sanitation conditions in the mines, and, as I have already pointed out, we have got this in the present Act. I was speaking to one of the mine managers during the past week. He said he and most other managers of large mines on the goldfields would welcome an addition to the present staff of inspectors. As a

matter of fact he said they would welcome having a mines inspector for each mine as it would be a very great assistance to them. He also said that it was absurd to say that because the time of the visit of a mining inspector to one of these mines was known that the whole of the arrangements were going to be altered and special preparation made for that visit. I agree with him that it would be almost impossible to alter the arrangements of a big mine like the Great Boulder or the Horseshoe just to prepare for the visit of an inspector of mines. If the Minister for Mines really thinks that the present staff of inspectors are not competent except through over-work to visit the mines as often as they should do, then there could be no objection on the part of anyone to increasing the staff. Let us have fully qualified men to inspect the mines, not men whose only qualification is that they have had five years' experience underground. That experience may have been put in 10 years ago, and the conditions of mining have been altered very much since then. Moreover a man who is appointed by the union with all the powers of a qualified inspector could do a very great deal to harass the management of a mine, and I say it would not be in the interests of the mining industry and would not help to minimise the accidents, fatal or serious, that take place in the mines, that such a condition should be allowed. With regard to accidents that have taken place on the Eastern Goldfields during the last year figures have been quoted by several members of the House. We learn that on the East Coolgardie field the number of fatal accidents during the year was 23, and the total number of what are called serious accidents was 329. If any hon. member will go through the list of fatal accidents—each one is reported in the report of the Mines Department for the past year—he will find that in most instances, at all events in a great many instances, the fatal accidents occurred unfortunately through the carelessness of the miner himself.

Hon. J. Cornell: I will not subscribe to that.

Hon. R. D. McKENZIE: We cannot protect the man against himself. Familiarity breeds contempt as we know. In one case, I think it was an underground manager had some loose detonators in his pocket and had occasion to crawl through a small drive, and did not take out the detonators. He crawled along and a detonator in his pocket came into contact with some stone with the result that it exploded and injured him very seriously. There have been a number of cases like that where the accident was the fault of the man himself and all the inspection in the world would not have protected him. The number of fatal accidents in the East Coolgardie goldfields is alarmingly large, 23 for the year, but if we take the number of accidents for a department like the Railways we find that for the year, according to the report of the Commissioner, the total number of fatal accidents was 15, and the total number of people injured on the railways 139, but we do not talk about closing down the railways because there are fatal accidents and because a number of people are injured. The numbers in Western Australia are very small compared with the toll of killed and injured on the railways in America and probably in Great Britain. With regard to the total number of seriously injured people on the Eastern Goldfields the report states on page 53—

Of three hundred and twenty-nine serious accidents reported for the year 1912 in the East Coolgardie goldfield, only twenty-one were cases of breakage of the larger bones, permanent injury to eyes or limbs, or injuries likely to have lasting disabling effects. The others comprise a great variety of hurts of less serious description, such as bruises, cuts, broken and crushed fingers and toes, scalds, burns, jarred hands, poisoned cuts, shocks, smaller dislocations, strains, wrenches, etcetera, sufficient to cause the sufferer to be off work for 14 days or more, but mostly not causing any permanent disablement.

I am only drawing attention to this because I think it was hardly fair for mem-

bers who have quoted these figures not to mention what is the definition of a serious accident in Western Australia when comparing the figures of Western Australia with those of the other States, as there are no good grounds for the comparison. With regard to stoping, even those members in this Chamber who are connected with mining will admit that there should be no restriction placed upon the work in this respect. The management of the mine working in conjunction with the inspector of mines are the best people to judge whether it is safe to work a stope any particular height, as 50 feet may in some cases be safe, whereas in others 10 feet might not be safe, and I think there is no doubt that this clause in connection with stoping will have to go out of the Bill. With regard to rising, we are told that there is very little of this done now at all. Fortunately, owing to the invention of the Holman hoist, winzing has been made so cheap that there is not now the urgent necessity for putting up rises that there used to be years ago. Sometimes it is inevitable that they should go up, and there should be no restriction upon that. I think members of the Royal Commission upon ventilation and sanitation stated that 50 feet, at all events, was perfectly safe for a rise. The Bill seeks to limit any rise to 20 feet, but I think, as with stopes, that the question might very well be left to the management of the mine. They will not do it if they can possibly avoid it. I have the assurance of many mine managers in Kalgoorlie to that effect. In regard to the appointment of a board having the powers of a Royal Commission to settle disputes between the management of mines and inspectors, the question occurs to my mind how many of these boards will be required in Western Australia. We must consider how very large is the territory which the mining industry covers, and we could not have one board and expect it to go from point to point, whereas to have a number of boards constituted in Western Australia, with all the powers of a Royal Commission, strikes me as pro-

viding a lot of machinery that is unnecessary. The present Act provides that if there is a dispute between the management and the inspector it shall be referred to arbitration. In connection with the proposed abolition of night shift, this would mean in a good many larger mines in Western Australia a reduction of the men employed by one-third of the number, and also a reduction of tonnage treated to the extent of one-third. On the Golden Horseshoe there are nearly 1,000 men employed, and 600 of these men work underground. If there were only two shifts the manager assures me he could not work two shifts of 300 men, as he has not the number of faces to do it, and he would have to reduce the number of men underground by one-third to make two shifts of 200 men, which could not provide sufficient ore to keep the treatment plant of the Horseshoe going, and this would mean that one-third of the men on the treatment plant, as well as those underground, would have to be discharged. The result would be that something like 300 men would be discharged from this mine if this clause is given effect to. It has been mentioned that the air in a mine is very much better where there are only two shifts working. I have had a conversation on the question with the chemist who analysed the air in connection with the investigation made by the Royal Commission. He said the air taken from a mine that is going the full 24 hours was uniformly better than the air from a mine working only 16 hours and spelling for the other eight hours. He told me this is accounted for, in the first place of course, largely by the fact that during eight hours' spell no compressed air is going down. On the other hand he said that the cages running up and down the shaft during the whole 24 hours act as pumps and keep the air in circulation, and, consequently, the air is better than if the mine were closed down for eight hours. Certainly a spell of eight hours would allow the dust to subside, but I think it would be hardly advisable for that reason alone to make such a drastic

alteration. We are told also that the men who work on night shift in the hot summer weather in Kalgoorlie cannot sleep during the day. The majority of them, we are told, live in miserable canvas humpies, and it is not possible for them to sleep during the summer months. I understood that when the Workers' Homes Act was brought into force that this was one of the reasons why it was brought in; I understood that funds under that Act were to be used for building cottages for workmen, and although some comparatively palatial homes have gone up around Perth, we find that not a single cottage has been erected on the goldfields, the very place they are required. Yet we have it on the statement of the Minister for Mines himself that the men cannot sleep on account of the flimsy nature of the houses in which they live. Yet no funds have been spent for the purpose I have mentioned.

Hon. J. Cornell: You would not seriously advocate it in regard to Kalgoorlie?

Hon. R. D. McKENZIE: In regard to the question of foreigners working in the mines, surely the Government are not logical on this matter. On the one hand they say mining is not a fit occupation for Britishers under the present conditions, and on the other hand say they want to prevent the foreigners in the State from working in the mines, as they want to reserve the industry for Britishers. I question if from a constitutional point of view we are right in keeping the foreigner from working in our mines. Certainly I think it is absolutely necessary that he should be able to pass the language test, and have a certificate showing that he has passed the language test. It would be quite sufficient for him then to sign the certificate and present it, and write his signature on another piece of paper, when they could be compared and he would be employed. In Germany they have some such provision. No Englishman can get employment on the mines there unless he can speak the German language. There is, I am told, a great scarcity of men

for mining work on the goldfields, more particularly for underground, for trucking and for other dirty work of the kind. A mine manager told me that he cannot get Britishers to take on the work, that it is absolutely necessary to employ foreigners; and that even with the foreigners they have there is a great difficulty in keeping the plants going, that after every pay day perhaps ten per cent. of the miners, mostly Britishers, do not go to work again for the next two or three shifts. The managers are at their wits' end to keep the mines going. In face of all that I fail to see any good reason why we should prohibit foreigners from working in our mines. And, if we are to allow one in ten to work, why not allow the whole of them to come in? If we are going to prohibit them altogether let us prohibit them, but to allow ten per cent. to work while we prohibit the others seems to me to be seriously wrong. Only to-day I was at the Government Labour Bureau, where I was told that they cannot supply half the men required for the agricultural districts, that if double the number were applying for work in the agricultural districts work for all could be found at once. With regard to the daily wage, or what is called the contract clause in the Bill, I am of opinion that most of the men working under contract did not ask for this clause. They wish things to be left as they are. They are able to make more money without having to work any harder than another man getting his daily wage, for they use skill and brains and they know how to get the best out of the machines, and therefore they are quite content with their lot as it is. A referendum was taken on the fields on the question of whether or not contract work should be discontinued, but I am told that men who had nothing to do with contract, men working on the surface, truckers and the like, were allowed to vote, and consequently it was found that there was a majority in favour of the daily wage system. But if we were to take a referendum of the men who go in for contract work it would be found that they were entirely in favour of things being allowed to remain as they are. There is no doubt that the idea to-



day amongst the majority of the men is to get the maximum wage for the minimum amount of work. I speak with some knowledge of this, because I have watched from the room which I usually occupy in the Palace Hotel, in Perth, the men working on the new A.M.P. building opposite. It is almost heartbreaking to see the way in which these men go about their work. I am told that they lay 300 bricks a day, whereas a man could, without any special effort, lay from 800 to 1,000. It would be a serious blow to the mining industry if mine managers were prevented from giving a bonus to men prepared to do an increased amount of work. I was told the other day that the management of the Princess Royal mine at Norseman applied to the Government for a subsidy for deep sinking. The subsidy was granted under conditions, one of the conditions being that the men employed should be paid on the day labour system. The particular work they were to do was the sinking of a winze. This was found to be costing the manager so much under the daily wage system that he had a chat with another manager and the other manager suggested that he should ignore the conditions under which the money was given and put the men on the bonus system. He did that, and immediately the cost of sinking was reduced by 25 per cent., while the amount of money which the men were earning increased 25 per cent. beyond that which had been earned under the day labour system. There are several clauses in the Bill which I am entirely in favour of, and that is one of the reasons why I wish to see the Bill pass the second reading. One is in connection with the registration of engine-drivers. Under the old Act, I believe, a man driving a Holman hoist was required to have a certificate before he could do so. Under the Bill this is unnecessary. Another clause limits the speed at which men may be lowered or raised in a mine. Another provides for aid to the injured, whilst another provision, in Clause 35, I think it is, has to do with the chain attached to cables. I think that is a good provision and should be passed. Also, there is another clause providing for gates on cages in which men are carried, and an-

other in regard to the inspection and sampling of mines. Some years ago I sat on a Royal Commission in connection with the scandal on the Eastern Goldfields in respect to the Deep Levels and the Boulder Perseverance. One of the recommendations made was that inspection and sampling of mines by the State Mining Engineer or someone appointed to act for him should be provided for. We have not always had a straight deal from mining directors in London. There have been very many instances of people here suffering considerably through dishonest directors in London. There have been brought to my notice some of the methods which these men in London employ against the interests of the mining industry and the people out here connected with it. The firm I am connected with received a letter from a liquidator in respect to the Gwalia Proprietary Limited. The letter serves to illustrate the length to which some directors at Home will go, and the want of commercial morality manifested in them. This Gwalia Proprietary mine at Leonora contracted a lot of liabilities in Western Australia and could not meet them. It was proposed to hand all the assets of the old company over to a new company. This new company was to pay the old creditors a certain amount of cash, and the balance it was to give them in debentures. The letter, which is as follows, will explain what I mean:—

I beg to inform you that the receiver for the debenture holders is applying in the High Court of Justice, Chancery Division, for a direction and ruling respecting the distribution of the realised assets of the Gwalia Proprietary, Ltd., amounting to £1,500 or more, and I understand that there is some considerable doubt as to whether the old creditors will be allowed to have any share in this distribution, notwithstanding the promised issue of debentures to them as collateral security for the unpaid amount of their claims against the old company, as it appears that neither the directors of the old or of the new company ever completed the agreement which the old creditors signed,

although the said directors should have done so, and did agree to the terms of the agreement. I therefore give you notice that if you wish to be represented at the hearing of this application in the High Court of Justice, Chancery Division, to endeavour to establish your right to participate in the distribution, it will be necessary for you to instruct a solicitor to act on your behalf. I think it only right that you should be informed that the aforesaid application is to be made, so that you may have an opportunity of being independently represented if you so desire. The case is expected to be dealt with early in October, therefore you must, on receipt of this letter, act promptly to protect any rights you may have in the matter. There is no doubt that the intention of the directors of the new company was to issue to the old creditors a debenture bond as collateral security of a value equivalent to the amount of their unpaid claims against the old company, but because the said bonds were not actually issued, and as before stated, the creditors' agreement was not duly completed by the directors, the original debenture holders, whether opposed by the creditors or not, may be found to be entitled to the whole of the proceeds of the sale of the company's assets. In the event of the creditors establishing their right to participate in the distribution, there would then be a return to the original debenture holders and to the old creditors of about 6s. 8d. in the pound. If, however, the old creditors fail to establish their right to participate in the distribution, there will only be sufficient to pay the debenture holders 15s. in the pound: consequently the old creditors would get no return whatsoever. Any solicitors you may appoint in England to act on your behalf can apply to me, and I shall be pleased to give them all the information relating to the matter, in order to further your claim. Yours faithfully, E. A. Schneidan, Liquidator.

I just wish to draw the attention of hon. members to this in order to show to what the London directors of a mining com-

pany will lend themselves. Now a word in connection with the prevention of diseases in mines. The Bill is framed with the idea of minimising miners' diseases. I should say that if better provision was made for the inspection of the sanitary arrangements and ventilation of the mines it would be of great benefit. If, instead of advocating the appointment of workmen's inspectors, a medical inspector was appointed, a man qualified to make an inspection of mines in this regard, he could do a wonderful lot of good. No doubt the men are very careless underground in respect to the sanitary arrangements. When a man has finished his lunch, very often he throws the remains of the food into a corner, and the paper in which the lunch was wrapped follows it. This, of course, is liable to give rise to all sorts of trouble. If an inspection was made by a medical man and provision was arranged for fining an offender for this sort of thing, I think it would have a very good effect in minimising disease. Inspection should be made also of the men, and any miner showing signs of fibrosis or tuberculosis should be reported, and that man should thereupon be relieved of duty and not allowed to enter the mine again. Provision should be made by the Government for men suffering from this disease to be found employment somewhere else. In a country like this, not much trouble would be entailed in getting them employment above ground where eventually they could be cured, whereas if they go on working in the mine, the disease not only gets a greater hold of them, but they constitute a menace to the others working underground. This applies not only to mining, but to other avocations. It is a serious thing to have this disease amongst us, especially when we reflect that it could be prevented if greater precautions were taken. As I have stated before, better houses should be provided for the men working on the mines. Whether the Government intend to apply the Workers' Homes Act up there I do not know, but certainly the men should be better housed. We are told that the Italians live in hovels and slums. I know that many of the houses both of Britishers and Italians are

not fit for human habitation, and that something better should be provided. I would like to mention before closing that I think the Geological Department might be reorganised. I mean, there is a gentleman in the State at present who stands right at the top of the tree in this profession. He has been brought out at enormous cost by various mining companies to report and his reports are looked upon as being of very great value. That gentleman is here and his services could be retained by the Government. I believe he would be willing to stay here for a couple of years, and it would be money well spent if the Government retained his services and put him at the head of the Geological Department. I trust that the second reading of the measure will be carried. I believe it will be carried. I believe that in Committee the Bill will be very materially altered, but I hope that when it emerges from the Committee stage there will still be sufficient good in the measure to justify the Minister for Mines in accepting it and allowing it to go on the statute-book. I reserve to myself an entirely free hand when the Bill reaches Committee to deal with a few of the clauses as I have outlined during my speech, but I will approach the matter with a broad mind. I do not think it is necessary to say that I have a very great interest in the mining industry. Practically everything I have is bound up in the industry, and I want to see it flourish and prosper and I want to see the men flourishing and prosperous too. I believe that, with perhaps a slight amendment to the present Act, the industry will go along very well, and the conditions will be satisfactory and mining in this State will prosper.

Hon. R. G. ARDAGH (North-East): It is about time the scene was changed. The capital kings, the landowners and the newspaper proprietors, and one and another, have had all the say on this mining Bill for a couple of weeks, and from what I can gather from the speeches delivered by a good many members, they admit the fact that they are not too well acquainted with the workings of the mines and the occupation of the miner underground. I should think that when

hon. members have to take up that stand, it would be very wise if they made a trip to the goldfields. As a matter of fact, I would be in favour of this House adjourning for a couple of days, so that hon. members who desire to get some information in regard to a number of the clauses in this Bill, clauses which have been referred to so much and which some hon. members have characterised as being vicious, might pay a visit to the goldfields for two or three days and go through these deep mines into the shafts, winzes, drives, crosscuts and dead ends, and other places which have been referred to. They would probably get some information and some little experience as to what the miner, the trucker, and other employees underground have to go through in order to earn their daily bread. I would advise them to take it on also while the men are working the night-shift. They would probably realise then a little of what the men who work on the night-shift have to go through, and they would probably also realise what the men have to endure in the summer time when trying to obtain sleep during the day time, as has been pointed out by the hon. Mr. McKenzie. This Bill is probably the most important measure that has or will come before hon. members in this House this session. In my opinion it deserves every consideration from hon. members. I contend that any measure which has for its object an improvement of the conditions for the masses of the workers, and particularly those who are employed in an unhealthy occupation, should receive every consideration from the legislature. Consequently, I hope that when these vital clauses are being dealt with in Committee—and I trust that the Bill will reach the Committee stage—hon. members will act as they have spoken and take a broad view of these things in the interests of humanity. Like other hon. members, I would, in passing, like to refer to the matter of having received some information from the Chamber of Mines in connection with this Bill and to say that I consider it a direct insult to the Minister who introduced this Bill. It is, further, a direct insult to the workers, to the miners and to the union officials, and is

unworthy of such a responsible body of men as those who compose the Chamber of Mines. The hon. Mr. Cullen, in speaking the other evening, made what I consider was a vicious attack on trade union officials. During the whole of his speech he consistently insulted union officials, and as one who was a union official for many years prior to entering this Chamber, I want to say that his remarks at the very least were unjust, they were uncalled for and they were absolutely incorrect. The hon. member heaped all the abuse he possibly could on union officials during the whole course of his speech and I say it was manifestly unfair. It is very strange to think that when that hon. gentleman landed in this country he sought out union officials first to ascertain the strength of the Labour party in Western Australia. The hon. Sir Edward Wittenoom referred to the fact that mining was all a question of costs. That might be very well coming from a representative of capital, but my opinion is that it should first be a question of humanity.

Hon. Sir E. H. Wittenoom: All industries resolve themselves into a question of costs.

Hon. R. G. ARDAGH: But the first care should be the lives of the people engaged in an industry.

Hon. Sir E. H. Wittenoom: Then they should not engage in it.

Hon. R. G. ARDAGH: More especially is that so in an unhealthy occupation such as mining is. I think that the very first consideration which should be given by the legislature in any country to an industry is to the lives of those concerned in it. The hon. Mr. Sanderson said it appeared to him that the Minister when introducing the Bill made out that the occupation of mining was worse than it really is. My opinion is that the Minister could have made out probably a much stronger case and I hope that when replying later on he will make that point very clear. The hon. Mr. Colebatch, in speaking on the question of cost, referred to the Lancefield mine. He said that the mine had closed down because the burden was more than the mine could bear, and that the chairman of the com-

pany had stated that there was £300,000 worth of gold in the mine which could be extracted and which would be extracted if reasonable conditions obtained. Probably that is so, but the inference was that it was impossible to work the mine under existing labour conditions.

Hon. H. P. Colebatch: That is one of the reasons he gave.

Hon. R. G. ARDAGH: The main reason, in my opinion and in the opinion of many others, and I heard it expressed on the mine, was that the whole trouble was due to the plant, which had been practically scrapped from a number of other mines and run into the Lancefield mine. That is the reason why they have added such an extra cost to the working of that mine. There is not the slightest doubt that the Lancefield mine is a good one and that some day it will be employing a good deal of labour. I would like to see the regulations in force to-day and probably it would be working and employing numbers of men. Another matter to which I wish to refer is the statement of the Hon. R. D. McKenzie in regard to having to pay for the publication of a subscription list in the *Kalgoorlie Miner*. In all fairness to the *Kalgoorlie Miner* I say that as far as I am personally concerned I have sent in many similar lists to that paper and I have never been asked to pay for them.

Hon. R. D. McKenzie: The policy has been reversed.

Hon. R. G. ARDAGH: Probably it has; I know nothing of that and I am not taking up the cudgels as to what class of paper the *Kalgoorlie Miner* is, but in fairness to the paper I say that I have never had to pay for any list which I sent in during the number of years I was connected with such matters.

#### *Personal Explanation.*

Hon. J. W. Kirwan: Mr. President, I think that as an allusion has been made to the *Kalgoorlie Miner*, and as I have been associated with that paper—

The President: The hon. member cannot make a speech.

Hon. J. W. Kirwan: I was about to say—

The President: The hon. member can make a personal explanation, but must not debate it.

Hon. J. W. Kirwan: Yes, I was about to say that it was due to me to make a personal explanation. I have had the honour for the last 18 years to be very closely identified with the *Kalgoorlie Miner*, and I am very proud of the fact, and as a reference has been made to the action of the *Kalgoorlie Miner* concerning the publication of subscriptions in matters such as those referred to, I would like to say what is the invariable policy of the *Kalgoorlie Miner* in that respect. The invariable policy of the *Kalgoorlie Miner* in connection with the publication of subscriptions, as the hon. Mr. Ardagh has pointed out, is to publish them absolutely free. As to the particular case that was referred to by one hon. member here to-day, I know nothing whatsoever about it. I spend three or four days of my time each week in Parliament, and it is extremely difficult to follow each and every detail that takes place in connection with that paper, but I know it is contrary to the practice which has been followed for the last 18 years to charge as an advertisement for the publication of lists of subscriptions. The columns of the paper have always been open to charitable appeals. That has been recognised throughout the length and breadth of the goldfields, and I think the goldfields people generally will admit that fact, that there is no other paper published in Western Australia that gives more in the way of charitable appeals, or publishes more freely anything relating to charitable deeds of all classes, and I am sure the people of the goldfields—99 out of every 100—will agree with what Mr. Ardagh said and repudiate anything said to the contrary. May I add that the *Kalgoorlie Miner* is only unpopular with certain notorious politicians who have broken promises and got in by false pretences.

Hon. J. D. Connolly: Then it should be against the hon. member who has just spoken if it is true to its principles.

Hon. J. W. Kirwan: It is only notorious politicians that the paper is unpopular with and who are cut by the whole of the goldfields people.

### *Debate resumed.*

Hon. R. G. ARDAGH: I want to refer to contract work in mines. In connection with this clause in the Bill I may say in the first place that I know it is a very hard thing to do away with contract work, and I say right here, like Mr. Cornell, I have worked for many years in the mines in the various States, in Victoria, Queensland, and in this country, and I have been contracting in all of them. At the same time I want to make this point, there is not the slightest doubt about it, that with the speeding up system and to make a few shillings extra, men will rush back into danger, into smoke and dust and heat, and they will work under conditions which probably they would not do if they were working for wages and ignored by inspectors. It certainly is a very good thing for a company to give contract work, for in some instances they get their work done a little cheaper; but what about the cost of the lives of the miners when working on that principle. With the speeding up system and the rushing back after firing with a candle at arm's length into the drive or into the cross-cut, and it is a fact that the men do rush back into danger, because they rush back sometimes into places where they are unable to see. I have done it myself and probably other hon. members have done likewise. Consequently I say contracting under these conditions is absolutely injurious to the health of the underground worker. Probably he may earn a little more money to put by, but through this speeding up system he certainly loses his health and then he is unable to follow contract work to the same extent, he cannot follow the speeding up system that he did in earlier years, and the result is that he gets ill and is laid by and all that he has saved has to go to keep him during his sickness, and he may contract what is commonly called miners' complaint, and then he is laid low and very often leaves a wife and family behind. But what care the mine owners for that? The mine owner simply gets another crowd of men in and so the game goes on. With regard to the question of exits in mines, in most of the

mines on the Golden Mile the reefs come to the surface and there is no hardship on the mining company to provide ladderways through some of the passages from one level to another, and by this means, if they do not have two shafts, they have two exits and there is no fear of any great accident such as we had in the Bonnievale mine some years ago. Any mine owner if he works his mine properly will do anything to provide a second passage-way of this description so that men can escape in case of an accident occurring. All this work that I have referred to, that is the second shaft or passage-way, would occur in the course of the mine being properly worked. It all occurs in the course of development. What is wrong with the company providing, apart from the main shaft, a second passage-way, with ladders, as they have in many mines in the Eastern States, in case of accident? With regard to the question of workmen's inspectors, this system has been in vogue in New South Wales for many years, at least for the past 15 years, and it has worked satisfactorily. I have no hesitation in saying I do not think it is a correct thing for a mine to be informed a day or so before, per telephone, that an inspection is going to be made. That does occur on the Golden Mile and it is absolutely unfair. It takes away the right, almost, from the men underground to give information about the bad portions of the mine. I say it is absolutely unfair for the mines to be informed a day or so before that the inspector is going to visit the mine. The mine should know nothing about the visit until the inspector arrives at the shaft and asks to go down. Under these conditions things would go on very much better. On the question of the abolition of the night-shift, Mr. Connolly said that it was better to work dead ends with three shifts rather than with two. Anyone who has followed underground work in mines knows that in any portion of the mine it is far better to work two shifts than three, because often you have bored out the face and fired. If that place was allowed to remain idle from 12 o'clock midnight until 8 o'clock next

morning it would be better for the men than going back straight away at 12 o'clock, midnight. It is far better in my experience, to work two shifts in such places as that than with three. Many managers on the Golden Mile will prefer to work two shifts in such places. Reference has also been made to the fact that the mine now working two shifts—the Great Boulder—does not intend to do any more development work. That is a very sorry statement for the shareholders if the mine does not intend to do more development work, because they have made preparation for raising ore for a number of years. The mine has two or three shafts to raise the ore by. I disagree with the remark that this mine does not intend to do more development work, and that the ore in sight is all that is left in the mine. I think the Great Boulder mine will be going when all of us have gone. It is manifestly unfair to use that argument in order to show that the night shift cannot be abolished. Further, in regard to night shift, I think in the case of working two shifts instead of three, the mine owner stands to gain equally with the miner. In my opinion I think the mine owner stands to gain more than the miner. All the mine owners do not oppose the abolition of the night-shift. Speaking to a prominent mine manager on this Bill he said he was of opinion that if a clause was inserted in the Bill to make it a principle that night-shift should be abolished where practicable that would be a very good thing for all the mines, and no doubt a good many would fall into line as opportunity offered. I hope hon. members will take that into consideration, because there is not the slightest doubt that the fact of working three shifts is very injurious to the men, not only because of the smoke and the dust, but they do not get their regular sleep or their regular meals and the whole system of working three shifts is upsetting to their constitution. Again, as to working two shifts, in many portions of Queensland the mines only work two shifts and they only work 44 hours per week. That was my experience many years ago in

Charters Towers. The miners work 44 hours per week. They only work four hours on Saturday and the mine is closed down on Saturday night at 8 o'clock and work is not resumed again until Monday. This is the regular system except where a mine is short of ore or where they are sinking the shaft. Then it is well to continue right on because where the shaft is making water, the pumps have to be kept going. Therefore the work of sinking might as well be continued to enable a mine to be opened out. With regard to the question of working two shifts or three underground. I think the working hours should be regulated by the Mines Regulations Act in the same manner as the hours are regulated in factories on the surface. Anyone acquainted with the conditions will readily admit that 44 hours are more than enough for a man to put in on underground work in one week. It is not an argument, because most of the arbitration court awards or agreements between the men and the mines are for a longer week. Experience has shown that the court will not fix a shorter week than that provided in the Act which governs the industry. The week is made up of 56 hours in shops and factories, because in these places a week's work is made up of fixed hours. With regard to the question of foreigners, there is not the slightest doubt that they are a menace to the men who are working underground, particularly those foreigners who cannot speak the English language, and there is not the slightest doubt that a great number of them at present employed on the Golden Mile have not a knowledge of the English language.

Hon. Sir E. H. Wittenoom: They should not be allowed to work underground.

Hon. R. G. ARDAGH: But they get underground by some means or other. I have been told on the best authority that many of these foreigners who do work underground cannot speak English, consequently it must appeal to hon. members that such men who are working in the levels must be a menace to the others.

Hon. F. Connor: Would you debar them if they could speak English?

Hon. R. G. ARDAGH: No.

Hon. F. Connor: Then what is your ten per cent. regulation for?

Hon. R. G. ARDAGH: If these foreigners would only mix with our own people and become citizens like ourselves, there would be no serious objection to them, but they create little colonies among themselves and these are to be found in Kamballie and Kalgoorlie where they live under their peculiar conditions, in homes which, if they were occupied by our own people would be quickly condemned by the inspectors of health. One has only to go along to these places on Sunday or even at night time to find that their bunks have probably never been empty, for as soon as one man leaves a bunk to go on duty, the vacancy is filled by another who has just come off duty. Such a state of affairs does not tend to the health of the community, and this is one of the grounds on which I base the statement that they are a menace to our people. Mr. Connolly when speaking on the question of the height of stopes said that this should be left entirely to the discretion of the mining inspector. That is a very poor argument especially when one remembers the remark made by Mr. Cornell, who said that he had worked in one of the biggest mines on the Golden Mile and that for five consecutive months he had not seen an inspector underground on that mine. I think a statement of that description should carry some weight with members in this Chamber. I have every respect for the present inspectors of mines, and I believe that they are very good men, but at the same time I am satisfied there are not sufficient of them and consequently the miners take risks that they would not otherwise take if there were proper check inspectors as there are in connection with the coal mines of New South Wales.

Hon. H. P. Colebatch: You could have them under the existing Act.

Hon. R. G. ARDAGH: My opinion is that unless the inspectors are appointed by those concerned they will not take the risk of giving the information.

Hon. H. P. Colebatch: How do they do it in New South Wales? It is the same there.

Hon. R. G. ARDAGH: The inspectors in New South Wales are appointed by the union, and not union officials at that.

Hon. H. P. Colebatch: You have the power to do the same here.

Hon. R. G. ARDAGH: We have the power to make an inspection once a month, and what would be the result if an inspector appointed by the men made an inspection of some of the mines on the Golden Mile? That would be the end of him; he would not get another job. On the subject of stoping, this does not resolve itself altogether into a question of height. There is also the width to be considered. In some places the lode matter is probably much wider than the width of this Chamber and supposing that be 50 or 60 feet in height, how can anyone inspect the reef to see whether it is dangerous or not? In such places it would be even dangerous for a swallow to fly through, let alone a man to work in. I contend that stopes should not be more than ten feet, or at the outside 15 feet in height, because if they are any higher no one could see them. A man with a candle cannot see the roof without a ladder and probably if he did get a ladder and reached the top and he touched the roof it might be of a flakey nature and it would fall on him. I have not a great deal more to say, but what I hope is that the Bill when it reaches the Committee stage will be given every consideration, and that hon. members will bear in mind that the intention of the Bill is not, at any rate in my opinion, to affect the mining industry. The intention is to try and improve the conditions of mining, to minimise the number of accidents, and generally to make the conditions under which the employees work much healthier.

Hon. F. DAVIS (Metropolitan-Suburban): In listening to the debate which has taken place, one or two matters have impressed themselves upon me. Quite a number of hon. members in the first part of their speeches have expressed appreciation of the objects of the Bill, and then after a little while they have said "but," and that unfortunate

"but," in quite a number of speeches has practically had the effect of destroying all the appreciative remarks previously made in connection with the Bill. It has amounted to another instance of damning the Bill with faint praise. The point is referred to on a number of occasions as to whether it is advisable for a Bill to be adopted on the second reading, and the statement is made that those clauses of the Bill that are particularly in consonance with the ideals of the Government ought not to be passed in Committee. The matter appeals to me in this way. If the clauses of the Bill which are the principal features of it, that is the new clauses, are to be deleted in Committee, what is the use, or where is the consistency in hon. members voting for the second reading. It would be far preferable, and at any rate it would be more honourable and more consistent, to vote against the second reading of the Bill and not allow it to go into Committee.

Hon. F. Connor: Are you in favour of the Bill as it is at present?

Hon. F. DAVIS: I shall deal with it as I go along and the hon. member will be able to form his own conclusions about my views.

Hon. J. E. Cullen: Perhaps!

Hon. F. DAVIS: Throughout the debate Mr. Cullen has made quite a number of remarks of a purely personal and more or less insulting nature. This seems to be typical of the hon. gentleman. He appears to find it difficult to take part in a debate in this House without making personal or more or less offensive remarks. I regret that that should be so, because such a thing does not tend towards harmony in the course of a debate, neither is it in keeping with the dignity which should be observed in the House. There is one fact that cannot be gainsaid, and it is that in this State we have not had a surfeit of humanitarian legislation. There are some such Acts on the statute-book, but they are few in comparison with the total number of Acts which we have in force in the State, and therefore we may with reason ask that full consideration be given to this measure, as it is essentially humanitarian. It is



in that way that it appeals to me because it is obvious that the new clauses in the Bill have that object in view. It has often been stated that the Act of 1906 practically gives all that is required in regard to the regulation of mining. I do not hold with that idea. As a matter of fact all fresh laws that are introduced or are brought before the Legislature, are brought before it with the idea of coping with the new conditions which arise in connection with any industry. From the inception of the introduction of machinery in England and in other countries there have been continual changes in the conditions of employment, and these have necessitated quite a number of Acts of Parliament being brought into force in order to cope with those different conditions as they have arisen. That is the reason why legislators are still busy making laws. If the conditions did not vary there would be no need for so much legislation. The conditions of civilisation and commerce have made endless opportunities for the exploitation of those who are employed, and it cannot be gainsaid that the employers have made the full use of the opportunities thus afforded, and the Bill before us is in keeping with many other measures of a similar character which seek to maintain the standard, or the position of the industrial worker. I hold very strongly that this Bill is not so much an aggressive measure as a defensive one, in that it seeks to maintain for the worker his hold on what he does obtain of the things of life, his power to maintain himself in the condition he ought to do. If we had not Bills of this character, to my mind the worker would gradually lose his grip of industrial affairs and he would be in a worse position to-day than he was a good many years ago. It is for that reason that I welcome this Bill in connection with the mining industry.

*Sitting suspended from 6.15 to 7.30 p.m.*

Hon. F. DAVIS: There can be no question that mining, which the Bill before us proposes to regulate, is essentially

a dangerous occupation and that the working conditions in mines to-day cause as many accidents and fatalities as have been caused during any part of the last century. In this connection I may state it has been proved by figures that the number of accidents and deaths in the mines in South Africa has been as great as the accidents and deaths in the South African war. That is a most serious state of affairs for those concerned, and it is because we do not wish to see such a condition of things obtaining in Western Australia that this Bill has been introduced. Every reasonable condition that can be made applicable to the mining industry should be made to safeguard the lives of those who produce wealth in that industry, because there can be no shadow of doubt that until gold is mined it is not wealth in the real sense of the term. For that reason we hold that the industry should be regulated under conditions which will make it possible to win that wealth with the least possible loss of life and limb. It has been well said by the Prime Minister in England that the blood of the worker should be the first charge on profits, and there is no doubt that in winning profit in the mining industry, as well as in other industries, a large loss of life and a good deal of suffering are caused. So far as the specific provisions in the Bill are concerned, there are a few to which I desire to call attention. I do not presume to have that intimate knowledge of mining that some members of the Chamber have, because, whilst it is true that I have worked in mines and have been down mines, I do not pretend to be an expert on mining. However, there are a number of clauses which are of general legislative interest, and which it would be well to briefly review. The first to which I wish to call attention is that which provides for the constitution of a Mines Regulation Board. In looking through the Bill the sentence in the clause dealing with the Board that most arrested my attention was that which stated that the Board was to decide what is "reasonably practicable," and to my mind the reason for the board's

existence in that case is a very good one indeed. It is obvious from that expression in the clause that there is no desire on the part of the framers of the Bill to unnecessarily hamper the mining industry, although I believe that is feared by some who do not favour the provisions of the Bill. We can also rest assured that with a body of men forming a board of that character there will be nothing of a chimerical, theoretical, or unpractical nature proposed, so far as it is within their power to influence mining operations and conditions.

Hon. Sir E. H. Wittenoom: Would not matters be decided by the three official members of the Board?

Hon. F. DAVIS: Not necessarily. The same thing might be said to apply to Royal Commissions and Select Committees. Commonsense opinions can be expressed on any question by men who have not expert knowledge but whose opinions carry weight because of their practicability and commonsense. Therefore, I hold that the composition of the Board is practicable, and it is one that will operate in the interests of the industry. It is obvious that their decisions will be of a practical nature because they will be essentially men who will decide what is reasonably practicable, and to do that they must be men with practical knowledge and sound commonsense. There is another phase of the Bill that appeals to me, and that is that incidentally they will form a body of experts, because the result of their consultations from time to time will no doubt be availed of by various Governments to form the basis of any improvement they may desire in the regulation of the industry. For that reason it appears to me that the constitution of the Board is good, and its operations should certainly have a beneficial effect upon the industry. In connection with the clause which reduces the hours of working to 44 per week, I desire to point out that there is nothing new or untried in that proposal. I remember working more than 20 years ago 44 hours per week on buildings in Melbourne. I am informed on good author-

ity by those who have worked the same hours in other parts of Australia that a 44 hours' week was in operation in Australia a quarter of a century ago. If the 44 hours' week was possible a quarter of a century ago it is obvious that the system is practicable and can be worked successfully.

Hon. A. Sanderson: Is not that a matter for the Arbitration Court to decide?

Hon. F. DAVIS: I see no reason why, in connection with an industry which is so dangerous as mining, the Act should not state the hours to be worked.

Member: How many hours do they work in Melbourne now?

Hon. F. DAVIS: I have not been in Melbourne for some years and I do not know the hours that are worked to-day, but I am stating what I do know, because I worked 44 hours a week in Melbourne 20 years ago. In reviewing the improvement in industrial conditions during the last century, it is evident that the only permanent gain of the worker has been a reduction in the hours of labour. A century ago the workers obtained a subsistence and little more, and they obtain the same now. The wages paid to-day enable the average man to live with a reasonable amount of comfort. They were very little different a century ago, and if the conditions of the worker have changed at all they have changed permanently only in the direction of lessening the hours of labour. That in itself might not seem a gain to some people, but I know from personal experience that it is practically impossible for any man who has worked long hours at strenuous physical labour to do much mental labour at the end of the day. I found it extremely difficult to use the mental faculties I possess to any extent because of the exhaustion and weariness that followed long and heavy labour during the day, and I hold that unless the hours of labour are limited it is impossible for the man who works long hours to be highly educated or to be reasonably well informed on all subjects. I hold also that the efficiency of a community can be judged only by the capacity of the people in the community. If the people as a whole are

ignorant, ill-informed and inefficient, they are not the people who are going to make their mark in the world or even hold their own in the struggle for life amongst nations, and if we as a State are to hold our own and wish to be an efficient people we must allow a reasonable time for mental recreation on the part of those who work at physical labour. That can be done only by limiting the number of hours worked per day. For that reason I hold that 44 hours is a reasonable time to work, and the Bill in providing for that limitation is certainly operating in the best interests of the community as a whole. It has been contended that if 44 hours a week is imposed some of the mines will be compelled to close down. No proof has been advanced that such will be the case, and, indeed, it will be difficult to furnish proof of that statement. The difference of three hours per man between the 47 hours at present worked and the 44 hours proposed should certainly not mean the closing down of any mines if they are worth working at all, and I fail to see that the objection that this reduction of hours will injure the industry can hold good when subjected to critical examination. Clause 45, as has been pointed out, deals with the abolition of the night-shift, and personal experience may be of value in this connection also. It has been my lot to work night-shift at various times, and I found it very difficult indeed to work as well during the night as I could during the day. It stands to reason that that should be so. Nature intended that man should rest at night and all the conditions are favourable to rest at night. No man can continue in good health without adequate rest, and if he tries to gain rest during the daytime he is unable to obtain it. I find from practical experience that efficiency is materially lessened by working at night instead of in the daytime. If that applies to work above ground how much more will it apply to work underground and where men have to sleep in the daytime under conditions much less favourable than those which obtain in the metropolitan area. I remember meet-

ing on the goldfields many men who had tried to sleep in the daytime and it was invariably found that they were jaded and tired at the end of what they wished to be a proper sleep, giving mental and physical recuperation. It has been pointed out that even if night-shift were abolished it would be of no advantage so far as purifying the air in the mine is concerned. That does not seem to me to be based on good reasoning or common sense. If a place is filled with dust during working hours and there is a cessation of work for a given period it is reasonable to suppose without any knowledge of mining whatever that the air would be purer at the end of that time than during the time when work is going on. In fact, we have men with experience of mining who say that is the case and although I have not worked as a miner I judge from my general knowledge of the relative condition of good and bad air that the air would certainly most likely be purer after a certain spell from work than would be the case if the work was indulged in continuously for the whole of the 24 hours. It has also been provided in the Bill that Sunday labour shall not be carried on except in cases of emergency, and with that I certainly agree entirely. It is possible for men to work seven days per week for a limited period, and perhaps not feel the effects directly, but it can only be a question of time when the effects will be fully realised both mentally and physically if such work is persisted in, because man is not a machine in the sense that he can work without rest for a long period. Nature has imposed limits which no man can disregard with impunity for any length of time, and one day's rest in seven, although it may have originally been instituted from a moral standpoint, certainly has a scientific basis and must appeal to every man who thinks at all. Students of history will remember in connection with the French Revolution that although the men who engaged in that revolution were not men with any pretensions to religion, and paid very little regard to the Deity, yet they saw the need of rest at stated periods, and in their

case they fixed the rest day at one in ten, purely on scientific and humane grounds. I hold that Sunday labour is not necessary in the great majority of instances, and speaking generally is not in the best interests of the men concerned, although it may certainly tend to produce more dividends if practised continuously. I had experience on one or two occasions, owing to an emergency having arisen, when it was necessary for me to work on Sunday as well as every other day in the week, and I felt that life under such conditions was not worth living. For a man to be working seven days, just working and sleeping, with no chance for leisure or recreation or anything outside work and sleep, is to live the life of a beast and not the life of a man, and for that reason I hold that Sunday labour on the mines should, so far as is possible, be done away with, on humanitarian and practical grounds. There is one subject which has been discussed a good deal, and that is the system of contract or piece-work. Let me say at the outset that I strongly object to piece-work for economic and industrial reasons. I have worked under that system both in England and in Australia, and my experience has been that of thousands of others, that while at first the basis of payment for piece-work may have been such as to allow the man working on contract or piece-work to obtain more than he would have done on day-work, it is only a question of time when the employer, finding that the men can earn a fair percentage more than at day-work, will lower the basis of payment for piece-work. When the employee, by putting forward special efforts and what amount of skill he may have, still continues to gain the same recompense for his work, he finds that the employer, in a great majority of cases, again lowers the basis of payment, and the process goes on until at last the man or woman is working at a much greater strain than the average person should be called upon to work, and can only obtain a shade more than a man could earn on day-work.

Member: Could he not get another job?

Hon. F. DAVIS: It is all very well for the hon. member to say that, but he would recognise that it is not so easy if he had had any practical experience of the conditions to which I am referring. I maintain that contract or piece-work has a pernicious effect so far as industry is concerned, as it has the effect of encouraging the speeding-up system. I wish to point out that every healthy man is active and desires to do something, whether what he does is remunerative or not. No healthy man can remain very long inactive, as it is against nature, but there is a condition under which men may work which is altogether unnatural in the sense that the pace at which they work is too great for the human system to withstand for any length of time. It is quite possible for men to shorten their lives by working at an unnaturally high pressure. With regard to the deteriorating effects of overstrain upon the human system, it has been recognised in America for a long time, and a debate has been carried on for some time past as to whether a man is not too old to work at 40 years of age. If that is the effect of the speeding-up system, I hope it will never be introduced in Australia to the same extent as it has been in America.

Hon. F. Connor: Do you want to abolish this Council?

Hon. F. DAVIS: I do not think the Council could be accused of speeding up. I think it has been worked reasonable hours, and I do not think we work the same amount that men are to work under this Bill, namely 44 hours per week, and I do not think we can be accused of speeding up or setting the pace. It has also been contended that if we abolish the contract or piece-work system, we shall do away with the incentive to thrift, and that it would be impossible for any man to save much if he continues to work under the day-work system. It goes without saying that no man can make a fortune while he works on wages, but at the same time it does not do away with the incentive to thrift. As a matter of fact the best men will not leave the State if contract or piece-work is abolished, nor is it absolutely impos-

sible for a man who is more highly skilled than his fellows to obtain more than his fellows who have not the same strength or skill as he has; it is quite possible for the employer to pay him more than the minimum rate of wage if he recognises he has more capacity than his fellows. There is nothing in the world to prevent that, either Act of Parliament or otherwise. I admit that it is not the usual thing, but this does not do away with the fact that if a man has more skill than his fellows he can obtain more remuneration if his employer recognises the fact.

Hon. J. D. Connolly: What about the man who cannot earn the minimum?

Hon. F. DAVIS: So far as the minimum wage is concerned, there is an average output which the average worker can produce, and every employer can tell it, and if he cannot tell when that output is being produced he ought to go out of business. Some objection has been taken to a clause in the Bill providing that an inspector may enter a mine day or night in order to inspect it. I fail to see that that is anything detrimental to the Bill, or the operation of the measure. We have exactly the same provision obtaining in the Arbitration Act, which this House agreed to last session.

Hon. F. Connor: Then what do you want it in this Act for?

Hon. F. DAVIS: If it is in one Act I do not see why it is not equally applicable and good in another Act, and seeing that this Bill deals especially with one industry and its conditions, I fail to recognise why there is anything wrong in providing in this measure provisions similar to those which obtain in the other.

Hon. F. Connor: You do not want two men to represent the same district.

Hon. F. DAVIS: Representing a district is not a dangerous occupation, but the mining industry is, and there is necessarily a difference in the two things. One hon. member stated by way of interjection that there was no compulsion for any man to work in the mines. That is true, but I would also point out that there is no compulsion to live, but the average man, unless he works at some calling will find it very difficult to live,

and seeing that mining is necessary, and that there are men willing to engage in it under the dangerous conditions obtaining, then there should be proper provision for them in the shape of regulations and conditions. It has been stated that miners are treated like princes, but that remark of course was made only in jocular vein, and does not call for any reply. There is one statement to which I take considerable exception, and that was that the provisions of this Bill were not required by men engaged in the industry, but that the measure was the outcome of the wishes and desires of the union officials, presumably the secretaries of various mining unions, and the impression given was that members of unions were simply creatures who existed to enable union officials to give effect to their own ideas, that the officials ran the unions, and that what they say is agreed to by the unions practically without any discussion. My experience of unions, however, has been very different from that. There is no more scathing critic of the actions of the union officials than the members of these industrial unions. I have heard on many occasions union officials taken severely to task for things they have said and done which they possibly believed to be in the best interests of those who employed them. I desire to correct the impression that was given in this Chamber, as it is by no means correct, but very much the reverse, that union officials dictate to and are masters of the unions who employ them. As a matter of fact, the proposals in this Bill have been asked for by the miners as shown in conference at various times, and they have certainly not been asked for solely by the union officials. Union secretaries are simply the servants of the unionists, and give expression to the views of a majority of the men, because all these questions are decided by majority and not by the union officials. I was interested in a remark made by the hon. Mr. Gawler when he said that freedom of contract was the saving salt of unionism. That does not appear to me to be the case. It will be seen by a little examination that pieceworkers and contractors are essentially

individualistic in their attitude. They want to make money for themselves; they are concerned largely with their own interests and not with the interests of their fellows. They are individualistic in their tone, in their dealings and in their actions. Unions if anything at all are collectivists. The foundation, the very existence of a union is caused by a desire to make bargains collectively, the very opposite to what the contractors desire. Piece-work or freedom of contract cannot by any stretch of the imagination be said to be the saving salt of unionism.

Hon. D. G. Gawler: I think you took down my words incorrectly.

Hon. F. DAVIS: If so, I am sorry. That was the impression I received, at any rate. I hold the opinion that the workmen's inspectors who may be appointed under this measure would be competent to discharge the duties devolving upon them. The matters in the Bill, some 50 or 60 items which are practically the duties of workmen's inspectors, are all of a character that the workmen's inspectors have previously been working amongst for the past five years or more, and it stands to reason they will be thoroughly conversant with all the details of the work which they will be expected to supervise. It has been suggested that they might not have been engaged in the industry for five or ten years prior to their appointment. It is not reasonable to expect this. Can it be thought for one moment that men whose lives will be dependent on the action of these inspectors whom they will appoint would be likely to appoint an inspector out of touch with the conditions, or who had not the necessary knowledge to protect their lives and limbs? It would be sheer insanity for the men to appoint inspectors of that character. No body of workers would dream of appointing a man who did not understand thoroughly the conditions under which they worked and who could not carry out efficiently the duties devolving upon him as outlined in the Bill. I was interested in two remarks made this afternoon which were somewhat inconsistent one with the other. It was

stated that if night shift was abolished there would not be sufficient room in the mines to employ all the men at present engaged, and that in one mine one-third of the men would be discharged, while in other mines a proportionate number of the men would be discharged for want of sufficient faces for them to work at. Subsequently, when the question of foreigners in the mines was under consideration, the statement was made that mine managers find it exceedingly difficult to obtain sufficient men to work the mines. If that is the case, if that statement is correct, there should be no difficulty in dealing with the position if a number of men are discharged on account of the abolition of night shift, though it has yet to be proved that such would be the case were the night shift abolished. Ever since the first Reform Bill dealing with factories was introduced, three parts of a century ago, at the introduction of every successive reform there has always been the cry raised that it is not practicable, that it would injure the industry, that it cannot be done. Yet in spite of these statements the thing has been done, year after year when successive Reform Bills have been introduced, and, therefore, I attach very little importance to the cry that these things cannot be done. I trust the Bill will be given favourable consideration. If hon. members are prepared to give it their consideration they will be consistent in voting for the second reading. As I said in the beginning, if members are determined to delete all the clauses of the Bill which are worth while having in it, then it would certainly be more honest, more consistent in them to object to the Bill at its second reading stage. If the second reading is agreed to I trust members will not carry out their threats and delete the clauses which make for the interests of the mining industry.

On motion by Hon. J. E. Dodd (Honorary Minister) debate adjourned.

## BILL—TRAFFIC.

### *In Committee.*

Resumed from the 22nd October; Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

Postponed Clause 38—Licensing of drivers:

The CHAIRMAN: In this clause an amendment had been moved by Mr. Sanderson to strike out of line 7 of Sub-clause 2 the words, "of his competence" and to insert in lieu thereof the words, "that the applicant has passed such test of uniform efficiency as may be provided for by the Minister by regulation."

Hon. A. SANDERSON: This licensing question was of great interest and importance to motorists and the public alike. The Minister had told the Committee that everything necessary would be provided for in the regulations. The clause provided in the first place that a person should not drive a motor vehicle on a road unless he was the holder of an appropriate motorist's license. That might be interpreted to read that as long as the motorist paid his fee he was entitled to drive his car. But in Sub-clause 2 it was seen that there was an important difference, all the difference between the payment of the fee which entitled the motorist to a license, and the satisfying of the licensing authority as to the motorist's competence. As far as the private motorist was concerned there was no test of competence whatever at the present time. All the private motorist had to do was to pay his fees. It was now seriously proposed that no one should drive a motor car unless he had paid his fee and secured the approval of the local authority that he was competent to drive that car. In a broad country like Western Australia where was the sense of making a law much more severe than that in England? It was of no use saying that the Minister was going to provide everything by regulation. The law which existed in England was quite good enough for Western Australia. There the risk was on the owner, who was held responsible for an accident. Probably the Minister did not fully appreciate the meaning of the clause.

Hon. C. SOMMERS: Would it be competent to move an amendment in the first line of the clause?

The CHAIRMAN: Not unless the mover of the amendment before the Chair withdrew his amendment.

Hon. A. SANDERSON: With the permission of the Committee he would withdraw his amendment.

Amendment by leave withdrawn.

Hon. T. H. WILDING moved an amendment—

*That after the word "vehicle" in the first line the words "for hire" be inserted.*

If there were in the family of the owner of a motor car five or six persons who wished to drive the car, all would be required to have licenses.

Hon. C. SOMMERS: The amendment was a good one. Those who had private cars not plying for hire, could use them, and if a vehicle was plying for hire anyone riding in it would know that the driver was competent.

Hon. F. DAVIS: Was it not possible that those who were not plying for hire might be as great a source of danger through incompetence as the drivers of hired cars?

Hon. C. Sommers: They would be competent or they would not risk their cars.

Hon. F. DAVIS: Some owners were not competent as was shown by the occurrence of accidents. Private cars might cause as much danger or injury as those plying for hire.

Hon. A. SANDERSON: Surely the answer to the hon. Mr. Davis was that in a country where motor cars were more common than they were here, this provision had not been found necessary. The amendment would receive his support.

Hon. J. D. CONNOLLY: The hon. Mr. Sanderson's statement was correct. In London there was no such provision as this in operation. If one wished to drive his own motor, the London County Council supplied a license for 5s. No question was asked as to competency. If a man drove for hire, a Scotland Yard license was required in addition. That was hard to obtain, because the driver was examined on the geography of London. What examination could be set for a motor driver? The greatest danger was reckless driving, and no examination could detect that.

The COLONIAL SECRETARY: Not only those who drove for hire, but those

who drove for their own pleasure should be licensed. A man who was incompetent was a greater danger to the public than any other. Some check was necessary, and a license would provide a check. Under the clause drivers would have to submit to a test, and the same would apply if the proposed amendment by the hon. Mr. Sanderson was agreed to. In order to submit to that test, it was necessary that they should be licensed.

Hon. A. SANDERSON: Accidents were caused by the reckless, inebriated and foolish drivers, and not by competent drivers. The worst that could happen with regard to an incompetent driver was that the car would not go. For every accident caused through the incompetence of the driver, 40 or 50 could be quoted as due to recklessness or some such cause. The Minister apparently was only carrying out instructions in opposing the amendment. The development of motor traffic was becoming more important every day, and such a clause must prove either a dead letter or a serious handicap.

Hon. M. L. MOSS: The amendment would receive his support. When the Inspection of Machinery Bill was passing through the House, a distinction was drawn between motor boats for hire and those driven by the owners. In one case a driver's license was required, and in the other case it was not. The same principle applied to this clause. The best safeguard the public had was that when the owner of a valuable car drove it himself, he was satisfied as to his own competency. The owner's life and car were at stake, and he was liable to pay the piper if he was guilty of negligence. The driver of a horse was not required to pass an examination of competency, and the driver of a motor car had much more command over his machine than a horse driver could have over a restive animal. As regarded cars driven for hire, it was a different proposition, and a driver's license should be necessary.

Hon. E. M. CLARKE: The amendment would receive his support. A man might be thoroughly competent and hold a certificate and still there would be no guarantee that accidents would not occur.

An accident occurred with one of the Government motor drivers on the Caves-road. The driver was merry and travelled at a terrific speed. Seeing danger ahead, he attempted to turn, and the car was dashed against a tree. In another case, a competent and careful driver proceeding east along the Terrace, had to run his motor on to the footpath in order to avoid collision with a cyclist. No one with any sense would attempt to drive a motor until he had thoroughly mastered it. There was a wide difference between motors used for hire and private cars. Personally he would sooner trust himself in a private car than with a licensed driver. We should differentiate between the man who plied for hire and the man who drove his own car.

Hon. H. P. COLEBATCH: The Minister might explain where these clauses came from. The marginal note referred to an Imperial Statute, which he had not been able to secure, but members might be informed whether this was the practice anywhere else, or whether we were starting out on a new practice. If a man was not allowed to drive a motor until he was competent to drive one, how could he possibly become competent?

The Colonial Secretary: This clause was in force in Victoria.

Hon. H. P. Colebatch: In regard to private owners?

The COLONIAL SECRETARY: Yes. Mr. Robinson, the president of the West Australian Automobile Club went to Victoria a little while back and, although he was an expert driver, he had to submit to an examination. It was the result of experience in Victoria that it was found necessary to compel all drivers to obtain a license.

Hon. H. P. Colebatch: Have you the Victorian Act?

The COLONIAL SECRETARY: This was not taken from the Victorian Act, but it was exactly similar in principle.

Hon. A. SANDERSON: The Minister could not quote a much higher authority than Mr. R. T. Robinson but he (Mr. Sanderson) could not contradict the Minister about the Victorian provision. The Minister or Mr. Davis could not quote a



single accident that had occurred here which had been the result of the incompetence of drivers.

Hon. H. P. COLEBATCH: Having just been able to secure a copy of the Imperial Statute to which members were referred in the marginal note, he found that what was contained in that Statute was entirely different in principle from what was proposed in the clause of the Bill. The Imperial Statute did not contemplate the refusal of a license to any person who applied for it unless that person was disqualified. Therefore, the marginal note in the Bill was somewhat misleading.

The COLONIAL SECRETARY: It was generally understood that what was included in a Bill was not always the exact copy of what was taken from an Act. With regard to the point raised by Mr. Colebatch as to how a person could learn to drive a motor car, if he referred to Subclause 6 of the Clause he would see that provision was made there for regulations to prescribe the conditions under which it would be lawful for unlicensed persons, if accompanied by licensed drivers, to drive motor vehicles on any roads for the purpose of learning to drive.

Hon. C. SOMMERS: If in a thickly populated city like London it was not found necessary for drivers to hold certificates of competency, surely that ought to be good enough also for a place like Perth with a limited population. He quite agreed that if a vehicle was plying for hire the person who was engaging it should rightly assume that the man in charge of it was competent to drive.

Amendment put and passed.

Hon. A. SANDERSON: What he desired was to secure reasonable treatment for the man who had a vehicle for hire. No one would suggest that the man who was plying for hire with his vehicle should not be tested as to his competency to manage the car as well as to his character and knowledge of the city, but what he wanted to know clearly from the Minister was who the licensing authority was to be and to whom was there to be an appeal.

Hon. M. L. MOSS: Look at the interpretation clause.

Hon. A. SANDERSON: This matter was of great interest to a large number of people in the country and to motor car drivers who plied for hire.

Hon. M. L. MOSS: The ridiculous position might arise that one authority (the municipality) could refuse to grant a man a license and that man could go to another authority (the roads board) and obtain a license which was operative all over the State.

Hon. T. H. WILDING: Would it be necessary to insert "for hire" after the second word "persons" in line 3 of Subclause 1, or would it be consequential?

The CHAIRMAN: The amendment would not be consequential.

Hon. M. L. MOSS: The question was whether the words "and a person shall not employ any person who is not so licensed to drive a motor vehicle" should not be struck out entirely, because it was the intention of the Committee that a man should drive a vehicle without a license if he was not plying for hire.

On motion by Hon. T. H. WILDING the clause further amended by striking out of line 2, Subclause 1, the words, "and a person shall not employ any person who is not so licensed to drive a motor vehicle."

On motion by Hon. M. L. MOSS the clause further amended by inserting after "vehicles," in line 2 of Subclause 2, the words "for hire."

Hon. A. SANDERSON moved a further amendment--

*That after "provided," in line 7 of Subclause 2, the following words be added, "that an appeal be allowed to the Minister by the applicant to the licensing authority and"*

Hon. J. D. CONNOLLY: The objection to the Bill had been that it was throwing too much responsibility on to the Minister. From that view point he could not agree with the amendment. Surely the local authority was capable of saying whether a driver was competent or not, and if the local authority could not judge how was the Minister to decide a matter of this kind?

Hon. M. L. MOSS: The words proposed by Mr. Sanderson were not sufficient to achieve his object. The issue of the license rested with the licensing authority always, and if there was an appeal to the Minister, machinery must be provided to compel the licensing authority to issue the license if the Minister decided that the licensing authority had acted improperly. The amendment did not cast any obligation on the licensing authority to issue the license if the appeal was upheld by the Minister.

The COLONIAL SECRETARY: The only remedy was to reinstate Clause 60 which provided that every applicant for a license might appeal to the Minister.

Hon. J. CORNELL: The amendment should not be passed nor should Clause 60 be reinstated. It was provided that the Governor in Council might prescribe regulations for the purpose of arriving at a standard of efficiency. Once those regulations were framed the licensing authority must be governed by them. The decision as to the competency of a motor driver should follow well defined lines. There was a board in existence to grant engine-drivers' certificates, and from the decision of that board there was no appeal to the Minister or anybody else. It would be ridiculous to allow every local body to arrive at its own standard of competency. If that were allowed there would be dissatisfaction throughout the State. The Government must of necessity prescribe a standard of competency for the guidance of the licensing authority, and when that standard was provided there should be no appeal to the Minister or anybody else.

Hon. A. SANDERSON: The danger was that there would be 40 different standards of competency set up by different licensing authorities without any appeal being allowed to the Minister. If such a state of affairs were allowed to arise injustice would be done to a big body of honest men. The Minister had said that the regulations would make the conditions all right.

The Colonial Secretary: Restore Clause 60.

Hon. A. SANDERSON: The Minister could restore Clause 60, but let him not jeer at hon. members because the clause had been struck out.

Hon. J. D. Connolly: Did you vote against Clause 60?

Hon. A. SANDERSON: It was impossible to say offhand how one had voted, but the advantage of being in Committee was that one was able to thresh a matter out, and if necessary, alter his opinion. The point he was fighting for at this particular juncture was that these motor drivers for hire should have some standard of competency, some standard of examination, and not have 40 different bodies licensing them.

Hon. R. G. Ardagh moved—

*That the question be now put.*

Motion negatived.

Hon. M. L. MOSS: The hon. Mr. Sanderson had taken him to task somewhat because he would not support him, but he would not do so for the same reasons as he had urged against Clause 60. The main reason which had actuated the Committee in throwing out Clause 60 was first that we objected to a Minister of the Crown having these matters thrust upon him. It was pointed out by more than one hon. member that this measure was not only for Perth and Fremantle, but places far away from Perth, such as Esperance, Roebourne, Wyndham, Geraldton, and Cue. Fancy the local authorities in one of these places refusing licenses and an appeal having to be made to the Minister in Perth. The local authorities should be trusted. The local body was elected by the people in the district and would do right in 999 cases out of 1,000. The proposal of the hon. Mr. Sanderson was quite impracticable in a country like Western Australia where the distances were so great.

Hon. H. P. COLEBATCH: The hon. Mr. Sanderson should withdraw his amendment and instead move to strike out the words "or the licensing authority is not satisfied of his competence." If he did that it would bring the clause right back to the Imperial Act from which it was taken. A provision that was good

enough for the city of London ought to be good enough for us.

Hon. A. SANDERSON: The objection to that is that we are dealing now with the hired motorist.

Hon. H. P. COLEBATCH: So did the Imperial Act.

Hon. A. SANDERSON: It had been pretty obvious during this discussion that most hon. members considered a motor driver for hire should pass some examination for competency. He would withdraw his amendment or do anything he could if it would enable him to get his own way.

Hon. M. L. Moss: I would always like a compromise on those terms.

Hon. A. SANDERSON: We had had it quite clearly from Mr. Moss that the hon. member was going to throw the whole thing on the local authorities without any appeal, but the impression he (Mr. Sanderson) gathered from the discussion was that if the Committee could meet his wishes hon. members were ready to do so. On further consideration he would accept Mr. Colebatch's suggestion and would ask leave to withdraw his amendment, but he was rather afraid that the Committee would not carry out the other part of the hon. member's suggestion.

Amendment by leave withdrawn.

Hon. A. SANDERSON: To test the feeling of the Committee, he moved an amendment—

*That the words "or the licensing authority is not satisfied of his competence" be struck out.*

Hon. J. CORNELL: The amendment would have his opposition. The matter could be got over and the question of competency be arrived at by the recommendation of Clause 24 and the addition of a paragraph to prescribe the standard of competency which would enable the motor driver to receive a license. If this was done it must of necessity fall upon the Governor-in-Council to prescribe regulations for this purpose, which would guide all local authorities throughout the State. Unless that was done there would be chaos and people would be refused

licenses in one place who were absolutely entitled to them, and those would get them in another place who were not entitled to them. The question of competency could only be got over by a clause in the Bill saying that the degree of competency should be settled by the Governor-in-Council making regulations.

Hon. M. L. Moss: Will the local authorities as a rule have anyone on them who will be able to judge of competency?

Hon. J. CORNELL: If he was going up for a motorist's license the last body he would ask to decide upon it without some standard to work upon would be a good many of the local authorities, but if they had a standard upon to which to work it would be more satisfactory. After all, what standard of competency could be fixed which did not provide that a man had knowledge of the mechanism of the machine which he was to drive?

The COLONIAL SECRETARY: There was ample power already in the clause of the Bill for regulations to be framed which would enable the Government to provide a necessary test, and what the Government proposed to do was to provide a necessary standard of competency. There might be various degrees, but it would be a necessary standard and one that would apply throughout the State. There was provision for the Governor-in-Council to make these regulations. If the amendment of the hon. Mr. Sanderson was carried it would mean that a man driving a motor which was plying for hire could receive a license without proving his competency. Was that a desirable position to be brought about?

Hon. H. P. Colebatch: Do you think the owner of a car is likely to let him drive if he is not competent?

The COLONIAL SECRETARY: The owner might, but the safety of the public had to be considered.

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

Ayes	..	..	..	6
Noes	..	..	..	14

Majority against .. 8

## AYES.

Hon. H. P. Colebatch	Hon. W. Patrick
Hon. F. Connor	Hon. T. H. Wilding
Hon. M. L. Moss	Hon. A. Sanderson (Teller).

## NOES.

Hon. R. G. Ardagh	Hon. D. G. Gawler
Hon. J. D. Connolly	Hon. V. Hamersley
Hon. J. Cornell	Hon. A. G. Jenkins
Hon. J. F. Cullen	Hon. R. J. Lynn
Hon. F. Davis	Hon. E. McLarty
Hon. J. E. Dodd	Hon. C. Sommers
Hon. J. M. Drev	Hon. E. M. Clarke (Teller).

Amendment thus negatived.

Hon. H. P. COLEBATCH moved a further amendment—

*That after the word "vehicle" in line 2 of Subclause 4 the words "for hire" be inserted.*

Amendment passed.

Hon. J. CORNELL moved a further amendment—

*That in line 4 of Subclause 5 the word "fourteen" be struck out and "sixteen" inserted in lieu.*

The provision was that a license to drive a motor cycle might be issued to any person over the age of 14 years. "Motor cycle" meant a vehicle running on not more than three wheels. Many such vehicles were running about Perth in the interests of commercial firms, and were driven by boys. They were just as dangerous as were motor cars, and the age of the driver should be raised to 16 years.

Amendment passed, the clause as amended agreed to.

First Schedule—agreed to.

Second Schedule:

Hon. A. G. JENKINS: Was there any further necessity for the schedule, seeing that there was now no reference to the metropolitan area?

The CHAIRMAN: The proper course would be to vote against the schedule.

Schedule put and negatived.

Third Schedule:

Hon. A. SANDERSON: Would the Minister explain what change had been or was to be made by regulation regarding motor garages. Previously these garages could get the one number plate for their vehicles by paying a certain fee.

Hon. J. D. CONNOLLY: Where had the fees for motor vehicles been taken from? They seemed to be remarkably high. In fact, they were three times as high as the fees charged in London.

The COLONIAL SECRETARY: Several of the fees in the schedule were not as originally introduced in another place, where certain amendments had been made. If the hon. member would ask a question upon any of them he would endeavour to supply the hon. member with the information. The motor car license fees were exactly as at the present time, with the exception of garages, which were provided for in another portion of the Bill.

Hon. J. D. Connolly: I am referring to the fees for motor vehicles.

The COLONIAL SECRETARY: The fees shown in the schedule were the same as those existing at the present time.

Hon. V. HAMERSLEY: It was inconsistently shown that monthly licenses were required for traction engines, and that the license fee was to be £2 annually. Did it mean that the monthly payment was to be based upon an average.

The COLONIAL SECRETARY: It meant that the monthly license would be on the basis of £2 per annum.

Hon. A. SANDERSON: On the question of garages, it was proposed under the Bill to allow the various garages one number plate only, and that at a cost of £5.

The CHAIRMAN: Was the hon. member speaking to the schedule?

Hon. A. SANDERSON: Yes. Some weeks ago he had been told by the Colonial Secretary that the proper time to bring this forward was on the third schedule. The existing rate was £4 for three number plates, and any number might be used at the same rate. The attention of the Committee should be drawn to these somewhat heavy charges referred to by Mr. Connolly.

The COLONIAL SECRETARY: The Crown Law officers had informed him that fees for garage licenses could be provided by regulation.

Hon. A. Sanderson: That is satisfactory.

Hon. J. F. CULLEN moved an amendment—

*That in the line "trailer to traction engine" the license fee "£2 (annual)" be struck out, and "3s. 4d. per month" inserted in lieu.*

Hon. V. HAMERSLEY: The charge of 6s. a wheel for every ton or part of a ton in excess of five tons on a traction engine of five to eight tons in addition to the £5 annual fee seemed rather heavy.

Hon. C. SOMMERS: The fees in each instance seemed heavy and should be reduced. No distinction was made between the different makes of cars. A light Ford car would pay as much as a 20 horse-power Daimler car, although the latter would weigh twice as much and do twice the damage. Apparently a traction engine to carry eight tons would cost £10 a year. If such a traction engine was working on a farm, would a license fee have to be paid or would a license be necessary only when it was taken on to a road?

The COLONIAL SECRETARY: If a traction engine did not go on to the road a license fee would not have to be paid. Where the fee of £2 annual was stipulated it meant that the full £2 must be paid.

Hon. J. F. CULLEN: Trailers would be subject to the same use as traction engines and would not be used more than the traction engines. The tractor would be subject to a monthly charge because it might be used in only one month of the year. Therefore, why should a license have to be paid for a trailer to cover the whole year? Why should not that be made a monthly charge? It would be absurd to insist on the payment of £2 for a trailer and £1 for the tractor.

Progress reported.

*House adjourned at 9.37 p.m.*

## Legislative Assembly,

*Wednesday, 5th November, 1913.*

	PAGE
Questions: State Steamer "Western Australia" ..	2324
Empire Parliamentary Party's visit ..	2324
Annual Estimates, Votes and Items discussed ..	2325
Bill: Fremantle Improvement, returned ..	2371

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

### QUESTION — STATE STEAMER "WESTERN AUSTRALIA," EN- GINEER'S STAFF.

Hon. FRANK WILSON asked the Premier: 1, How many changes have taken place on the engineer's staff of the State steamer "Western Australia"? 2, Did any of the engineers that came out on the vessel apply for re-appointment? 3, How many received re-appointment? Are they still on the vessel? 4, The names of those whose services have been dispensed with, and the reasons?

The PREMIER replied: 1, Twelve. 2 and 3, All the staff that came out with the vessel from England remained in the ship for the first voyage to the North. On the return from that trip the chief and three other engineers resigned. Of the three original engineers then remaining in the ship one was afterwards dismissed for carelessness and the other two for unsatisfactory conduct. 4, In the interests of the men it is not desirable to publish the names.

### QUESTION—EMPIRE PARLIA- MENTARY PARTY'S VISIT.

#### *Copies of Correspondence.*

Hon. FRANK WILSON asked the Premier: 1, In connection with the recent visit of the English Parliamentarians was a copy of a letter or letters from the Premier to the mayor of Albany supplied to the member for Albany or any other person? 2, If so, with what object? 3, Seeing that a member of the Albany town council (Councillor Collins) produced a copy of one of the Premier's letters to the mayor at a meeting of the council held