

skins, both from the South and the North, said that they handled some 200,000 skins each year. The idea of allowing any manager or owner of a station to preserve on his own land a pest is most inimical to the interests of Western Australia. Hoping, therefore, that this anomaly will be removed by the passing of this measure, I move—

*That the Bill be now read a second time.*

On motion by Mr. Underwood debate adjourned.

*House adjourned at 9.32 p.m.*

## Legislative Assembly,

*Thursday, 11th September, 1912.*

	PAGE
Return : Coal Consumption on railways ...	1077
Bills : Criminal Code Amendment, &c. ...	1077
Mines Regulation, Com. ...	1077

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

### BILL—CRIMINAL CODE AMENDMENT.

Introduced by the Premier (for the Attorney General) and read a first time.

### RETURN—COAL CONSUMPTION ON RAILWAYS.

On motion by Mr. A. A. WILSON (Collie), ordered: "That a return be laid upon the Table of the House showing the consumption of coal per mile per ton hauled over the Government railways for the years 1907-8, 1908-9, 1909-10, 1910-11, 1911-12, 1912-13."

### BILL—MINES REGULATION.

*In Committee.*

Mr. Holman in the Chair, the Minister for Mines in Charge of the Bill.

Clauses 1 to 6—agreed to.

Clause 7—Classification of inspectors:

Hon. FRANK WILSON moved an amendment—

*That paragraph (c) be struck out.*

This paragraph provided for the appointment of workmen's inspectors, which provision would be detrimental to the mining industry and unfair to the mine-owners and managers, and would not be of advantage to the men working in the mine. If more inspectors were required, it was open to the Government to appoint as many as they deemed necessary for the work, and he did not think that anyone having an interest in this great industry would object for one moment to as many inspectors being appointed as were considered necessary by the department to carry out the duty of watching the operations of the mines and seeing that they were controlled and worked with due regard for the safety of the men employed. He could not understand that any additional safety would accrue from the appointment as inspectors of men who were elected by the various unions. It would be just as reasonable to ask that inspectors elected by the Chamber of Mines or a gathering of mine managers should be appointed as to make provision for inspectors to be appointed on the nomination of the unions. What was wanted were independent and impartial men to stand between the employers and employees and see fair play and justice meted out to both parties. It had been argued on more than one occasion that this system was in vogue. It was stated by the Minister either by interjection or when moving the second reading that this system was in vogue in the coal-mining industry. In the Act of 1902 there was no reference to inspectors of this description.

Mr. Heitmann: It is a custom.

Hon. FRANK WILSON: Perhaps so, but it was not in the Act. That measure contained nothing like the proposals embraced in this Bill. Under the Coal

Mines Act and the rules under that statute, the mine employees might appoint two of their members to inspect the mines at their own cost and to inspect every part of the mines, and those appointed had to make a true report of the result of their inspection to be recorded in a book kept on the mine, and signed by them. If the report stated the existence or apprehended existence of any danger, a copy had to be forwarded to the inspector of the district. That was practically the same condition which existed at present with regard to the gold-mining industry, and it had worked fairly well.

The Premier: It has never worked at all.

Hon. FRANK WILSON: Why not?

Mr. Munsie: Because it is impossible to put it into operation.

Hon. FRANK WILSON: It was easy to put into operation.

Mr. Foley: Have you known it to be put into operation?

Hon. FRANK WILSON: Presumably it was put into operation every month in the coal mines with satisfactory results. At any rate there had been no complaints.

Mr. Foley: It has never been availed of, that is why.

Hon. FRANK WILSON: If the existing powers had not been availed of, it was an argument against granting any additional powers. It showed that the mines were being carried on satisfactorily to the Government inspectors, who were the men responsible for the safe working of the industry. It showed that the inspectors had done their duty and that the men were satisfied. The system had worked perfectly and it was not necessary to hamper the industry by unjust provisions of this nature. Rabid trades unionists no doubt wanted to have certain powers to harass mine managers, and they would get them if this clause was passed. Inspectors appointed by the unions would be able to use their positions, especially with the wide powers given under this measure, powers equal to those of the district inspectors. They could enter a mine and take the same action as a Government inspector. Why

was dual control necessary? Was it right to put into the hands of any section of the community the power to stop or condemn a mine? The present inspectors were responsible to the Government and, through the Government, to Parliament and the country.

The Premier: Where does it say that?

The Minister for Mines: What clause is that?

Hon. FRANK WILSON: The Minister for Mines ought to know.

Mr. Munsie: It is not in the Bill.

Hon. FRANK WILSON: It was. The hon. member did not know the Bill. These workmen's inspectors would have the same power as Government inspectors.

Mr. Foley: Where is that, not in this clause?

Hon. FRANK WILSON: These inspectors could sue and prosecute the managers the same as district inspectors. The Premier seemed anxious to bluff this measure through the House. Apparently caucus had set its mark on the Bill and it had to go through irrespective of any evidence adduced to show that it would hamper the industry. Clause 11 of the Bill showed the powers to be conferred on these inspectors. Dual authority of this description was objectionable. All the powers under this measure should be exercised by Government officials and not by an outside official appointed by one section of those interested in the industry. It would be impossible to get that calm judicial examination which was necessary regardless of political or other interests, if we made inspectors of men who were bound first of all in allegiance to their trades union, and secondly to the Government. It had been said that the men were afraid they would be victimised if they took advantage of the provisions of the present Act. When had any man been victimised for honestly carrying out his duty?

The Premier: Scores, hundreds.

Hon. FRANK WILSON: The Premier, for instance, after going to sleep on his winding engine. The wonder was that the Premier did not raise a hue and cry and have the men brought out in

order to compel the manager to reinstate him. It would have been a good job for the country if he had been reinstated, because he would have been working on the mine to-day instead of on this Bill.

The Premier : It is a source of annoyance to you.

Hon. FRANK WILSON : That was so, and a serious loss to the country, as the Premier would find out sooner or later. We were asked to pass this exceptional legislation which did not exist in any other portion of the Commonwealth, or even in New Zealand which was so often quoted as being the most democratic portion of the British Empire in the southern seas. The provisions under the different Mines Regulation Acts in the Eastern States were similar to those already in existence here.

Mr. Foley : Inspectors in Victoria have more power than here.

Hon. FRANK WILSON : No, they had not.

Mr. Foley : But they have.

Hon. FRANK WILSON : The conditions were similar to those prevailing here. This provision would cause that friction which all should endeavour to avoid. Inspectors appointed by the Government had all the powers which the Act and the Minister could confer upon them. They could enter any portion of a mine by day or night and prohibit any work which even appeared to be dangerous, and there was, what was eminently fair, an appeal to experts as to whether the decision was right or wrong. Only in one instance recently had the right of appeal been exercised on the Eastern Goldfields. The industry had been able to get along without any friction of this description for 20 years and the Minister had not shown during his second reading speeches last year or this year that there was any just cause for extending these powers as suggested. If the Minister could not trust his own responsible officers, men paid by the State to see that the law was carried out, and that the regulations for the safe working of the mines were duly observed, if he could not trust them to perform their duties, it was a slur on the inspectors and it

would be a slur if the Minister called in nominees of trades unions whose members were working in the mines to carry out exactly the same duties as were imposed on the State inspectors. This provision was the crux of the clause and if it was struck out, there would be other necessary amendments. It was his intention to divide the House on the question.

The MINISTER FOR MINES : This clause was one of the most important features of the Bill and should be retained. The hon. member had entirely failed to prove that the provision would work detrimentally to the mine owners. Nowhere in the Bill was it provided that these inspectors would have power to interfere with or dictate to the district inspectors.

Mr. A. E. Piesse : Would not you have dual control ?

The MINISTER FOR MINES : The hon. member would find in Clause 10 that these workmen's inspectors would be under the control and authority of district inspectors. There would be no divided control and the workmen's inspectors would not have power to usurp the duties of the district inspector, but would work under his authority and report to him. The hon. member entirely misread Clause 11, where the duties of inspectors were laid down. If the hon. member would look at the interpretation clause he would find that "inspectors" referred to district inspectors.

Hon. Frank Wilson : "Inspector of Mines under this Act," not district inspectors.

The MINISTER FOR MINES : But it did not apply to the workmen's inspector. Nowhere was the workmen's inspector to have the power described by the hon. member. It had been the universal practice in coal mines to have workmen's inspectors appointed by the employees, and the powers in that connection in this State, and in other countries, were just as great as it was proposed to give workmen's inspectors under the Bill. Such a provision had not worked harmfully in coal mines, and one failed to see why it should operate in the direc-

tion asserted in regard to gold mines. Although it had not been operating in regard to gold mines in other countries, that was no reason why we should not make a step forward in this State. The Royal Commission of 1905 on the ventilation and sanitation of mines, which was composed of men entirely impartial, representing the mine owners and the miners, and independent experts, made a unanimous recommendation in favour of the appointment of workmen's inspectors, and one of the reasons given in that report was that the mines on our gold-fields, particularly the Boulder and Kalgoorlie mines, were then getting down to such a depth that greater and stricter supervision was necessary. That was in 1904, and if that argument had any weight then surely it had obtained much greater weight during the intervening period of nine years, as now the mines were down to practically twice the depth they were at that time. There was no desire whatever to set up dual control, or interfere with the work of the district inspectors. Hon. members should bear in mind that a district inspector had at times a very large area to cover, and could not be in the vicinity of every mine in his district every day or every hour of the day, and while he might be 50 or 100 miles away in one portion of the district, it was essential that there should be some one in authority to take action if need be during that inspector's absence. Most of the mines in this State were inspected about only once in every three months.

Hon. J. Mitchell: Then you want more inspectors.

The MINISTER FOR MINES: There was no occasion to multiply the district inspectors. In such a dangerous occupation as mining, with conditions changing practically day by day and week by week, what appeared quite safe to the district inspector last week might be quite unsafe to-day, and it was absolutely essential that someone with authority should be in the vicinity to report to the district inspector if necessary.

Mr. A. E. Piesse: Would he report to the district inspector before prosecuting?

The MINISTER FOR MINES: Certainly. It was not proposed to give the workmen's inspectors all the powers set forth in Clause 11, but, as Clause 10 stated distinctly, they would be under the control and authority of the district inspectors.

Mr. A. E. Piesse: What about paragraph c of Clause 11?

The MINISTER FOR MINES: There was no paragraph which gave the power stated by the hon. member, and if it did it would be contradictory to Clause 10. Not one reason had been urged by the leader of the Opposition, or one argument advanced to show that the proposition was going to work detrimentally to the mine owners. If a workmen's inspector should misbehave or prove himself unfit for the position during the two years he filled the appointment, he could be removed by the Minister. It was utterly absurd to say that any miner of five years' practical experience would attempt to harass the mine owners, or force them to carry out any conditions that were not practicable or reasonable; it would be absurd for such a man to be permitted to hold his position for any length of time. The demand for these workmen's inspectors had been going on insistently for the last 10 years. In that respect France led Western Australia, as that country had workmen's inspectors on terms similar to those laid down in the Bill. There had been a demand of this kind for a number of years.

Hon. Frank Wilson: Where?

The MINISTER FOR MINES: In this State, and it had been backed up by impartial expert men who were in a position to judge; therefore it was time this Chamber should listen to the demand. He would read a paragraph from the report of the Royal Commission of 1905, which included Dr. Black, then president of the Central Board of Health, Mr. E. A. Mann (Government Analyst and Chief Inspector of Explosives), Mr. Montgomery (State Mining Engineer), Dr. Jack from Queensland, a representative of the mine managers, and a representative of the men. Their recommendation was unanimous and stated—

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.

Hon. Frank Wilson: Through the inspectors.

The MINISTER FOR MINES: Exactly, and that was precisely what the Bill was seeking. The hon. member argued that the provision in the existing Act for workmen's inspectors was all that could be required, and, in proof of the excellent manner in which the mines were controlled, he went on to say that that had never been taken advantage of, inferring that the men were quite satisfied, and that there was no need for additional inspectors. The provision of the existing Act had been in existence for a number of years, and so far as he (the Minister for Mines) knew, the only instance in which the men had availed themselves of it was a case in the Murchison, when the hon. member for Cue was appointed to inspect a mine. It was not that the provision was not needed that it was not availed of, but it was an utter absurdity to expect men employed in a mine to ask one of their number to inspect that particular mine and go back to work the day after he made the inspection.

Hon. J. Mitchell: Why not?

The MINISTER FOR MINES: It could be left to the hon. member's sense to say whether many mine managers would continue to keep men very long if they were going to appoint a man to report against the management and methods. The managers would consider that such men were undesirable employees. That argument was borne out by the fact that the men never availed themselves of the provisions and were never likely to do so. The existing Act admitted the need of some other kind of inspection than that provided by the official Government inspectors. If that was so, let us make provision for such inspection to be independent, not that the man making the inspection should be dependent on the boss next day. It was a perfectly fair and reasonable provision and he could not see how it was going to increase the cost of mining to any extent, but it would provide a greater safeguard than obtained to-day. If a man was on the spot he would be able to inspect and report, with the result that there would be few cases of accidents, which frequently happened at the present time.

Hon. FRANK WILSON: One would expect from the Minister a closer study of his proposed legislation than was evident from his remarks with regard to this clause. All the employers wanted was fair play.

Mr. Munsie: That is all the employees want.

Hon. FRANK WILSON: The men ought to have fair play and he would be glad to give it. He wanted hon. members to study the Bill for themselves and come to a decision whether he was right or whether the Minister was right in the interpretation of the duties and powers of these inspectors. According to the Minister, these workmen's inspectors would have to report to the district inspector, and it would then depend on the district inspector whether action was taken or not. But the Bill provided these inspectors with exactly the same power as was possessed by the Government inspectors.

Mr. Munsie: Will you give us some reason why they should not have it?

Hon. FRANK WILSON: Yes, if the hon. member would not be so impatient and would let him prove the Minister wrong first. Hon. members did not want to be convinced that the Minister was wrong, but wanted to swallow the proposal for workmen's inspectors *holus-bolus*. What did "inspector" mean? It meant "inspector of mines appointed under this Act" and that was the only definition of inspector in the interpretation clause. Clauses 5, 6, and 7, dealt with inspectors of mines, and provided that they should be of three classes, namely, district inspectors, special inspectors, who would be appointed for certain purposes, and workmen's inspectors. Then, if we went further in the measure, it would be found what the powers of these inspectors were. Clause 11 provided that an inspector should have power to do all or any of the following things—to make examination and inquiry to ascertain whether the provisions of the Act affecting any mine were complied with, to enter, inspect, and examine any mine at all times of the day and night, and for the purpose of his examination the inspector had the power to require the attendance of officials or employees, and he also had the power to initiate and conduct prosecutions against persons offending against the provisions of the measure. The workmen's inspectors had all these powers under the Bill as it was drafted at present. If the Minister was willing to make them an adjunct to the Government inspectors, it would be a different thing.

The Minister for Mines: Clause 10 provides for that.

Mr. Heitmann: Has Clause 10 no meaning at all?

Hon. FRANK WILSON: It had the simple meaning only that a workmen's inspector should obey the orders of a district inspector, but that did not take away the power to carry out prosecutions if the inspector so desired. It was idle to argue that it was right for a union to appoint any of its officials who might have a grievance, or who might work up a grievance, and give them the power to go into the workings of which they

might only have a meagre knowledge, and exercise the same power as a Government inspector would. The thing was preposterous. The Minister said that he could dismiss them, but it was doubtful whether he could, because the workmen's inspector would be under the authority of the district inspector for two years, and then he was eligible for re-appointment. There was no power which might be exercised under the Bill that would justify any Government in getting rid of such an inspector, and he submitted therefore that we were on dangerous ground. Hon. members must see the force of the argument, and if these inspectors were to be appointed their powers should be limited to reporting to their superior officers, the Government officials. The latter should be the only people to take action against those who were neglectful in providing for the safety of the working of the mines and the property under their care. Under the Coal Mines Regulation Act these wide powers were not given.

Mr. A. A. Wilson: We should have them.

Hon. FRANK WILSON: If hon. members turned up the Coal Mines Regulation Act and the existing Mines Regulation Act, they would find that the wording of the sections dealing with this matter was similar.

Mr. A. A. Wilson: In New South Wales there are district inspectors for the whole district; this amendment was brought about two years ago.

Hon. FRANK WILSON: In New South Wales if a part of a mine was considered unsafe, two representatives of the miners could be appointed to inspect, and if the report showed apprehended danger the manager of the mine would report to the inspector of the district.

Mr. A. A. Wilson: What are you reading from?

Hon. FRANK WILSON: The New South Wales Act. Hon. members could turn it up for themselves. In Victoria the provision was similar. There Government inspectors were appointed and they had the power to inspect mines. There were no men's inspectors. In Queensland Government inspectors were

appointed, and under Section 11 of the Act of that State the miners, at their own cost, could appoint two practical men to inspect once a month, or in case of the mine being unsafe they could make an appointment and a record was kept of the inspections, and the inspectors must notify the Government inspector. In New Zealand it was pretty well the same, so that in not one of the States did there exist the power it was proposed to introduce here.

Mr. Foley: The coal mines have it in this State.

Hon. FRANK WILSON: They had not.

Mr. Foley: They have, and we can prove it.

Hon. FRANK WILSON: It had already been shown by him that hon. members who had interjected in that direction were wrong, and he had shown that the Minister was wrong in his estimate of the powers he was going to confer upon these inspectors. Clause 10 which set out that workmen's inspectors would be under the authority and control of the district inspectors, and that the term of their appointment should not exceed two years, and that they should be eligible for reappointment did not take away from the powers conferred upon those inspectors. Those inspectors had full powers, and he contended that that principle was wrong.

Mr. HEITMANN: No such extraordinary reasoning had ever been listened to as that to which utterance had been given by the leader of the Opposition.

Mr. Monger: We shall get some wisdom now.

Mr. HEITMANN: The leader of the Opposition declared in no uncertain terms that he would prove that the Minister was wrong in his interpretation of the powers of a workmen's inspector. The hon. member quoted the definition and then the clause dealing with the inspectors of mines, but he failed to quote Clause 10 until his attention was drawn to it by the Ministerial side of the House, and then he had to admit that a check inspector would be under the authority of the district inspector. The hon. member also admitted that if an inspector was ordered to go out back by a district in-

spector he would have to go, and admitted that the check inspector would take all his orders from the district inspector. What then was left if the check inspector took all his orders from the district inspector; what freedom was left to the check inspector? The check inspector must, according to Clause 10, remain under the authority and control of the district inspector, and there was not the slightest doubt that the check inspector must take his orders from the district inspector. The leader of the Opposition would make the House believe that never before had the principle of check inspectors been introduced into Western Australia, and when an interjection was made attention was drawn to the fact that there was a section in Mr. Gregory's Act for the appointment of workmen's inspectors, and the hon. member declared that that was all-sufficient. As a matter of fact, it was known amongst the miners that it was impossible to appoint a suitable man under the existing provisions. Although the leader of the Opposition contended that there was no such thing as victimisation, it was well known that the men who spoke out as check inspectors would be unfavourably looked upon by the management. The hon. member must also know that it was impossible for district inspectors to maintain that close supervision over mines which was necessary. A district inspector had a huge district to travel over, and to get over the difficulty he appointed more inspectors. Even if we doubled or trebled them, there would still be that element of danger which could be avoided by the appointment of an inspector on the spot. Moreover, it was a simple matter for mine managers, if they so desired, to rig a mine for the district inspector when he came along.

Hon. J. Mitchell: They must be terrible scoundrels.

Mr. HEITMANN: It was not his intention to say that, because he had just as much respect for managers as any person, and he was prepared to meet them reasonably, but he did know that it was mentioned in the Chamber once that he (Mr. Heitmann) had inspected a mine about which he had previously complained and that he had failed to find

anything wrong. The fact was that he asked to be permitted to inspect this mine which was in bad repute, and which had been responsible for more deaths than any other five mines in the State. He referred to the Great Fingal mine. By appointment at 10 o'clock one morning he inspected that mine, and found it in splendid order. There was neither smoke, dust, nor fumes, and to his surprise, he found all the miners idle, but he discovered that usually it was the practice to start firing at about 4 o'clock in the morning, and from that time onwards, week in and week out, it was impossible to see a lighted candle 15 or 20 feet away for dust and smoke. Yet on this occasion they hung up the mine, had no firing, and consequently there was no dust, but he was hardly out of the mine before about 200 holes were fired, and then again there existed the conditions which had been previously described to him. The leader of the Opposition did not appear to be able to discuss the question of inspectors without his usual tirade against trade unionism, and declared that rabid trades unionists wanted some say. If anyone was required to recommend the appointment of a check inspector, what more responsible body could one get than a union? One would have imagined from the last speaker that they were an irresponsible body of men joined together with the one object of downing the mining companies. As a matter of fact there would be much more responsibility and care taken by check inspectors appointed by the union than there would be if they were appointed in any other way. Who had a better right than the unions to ask to be allowed to appoint inspectors? The hon. member had asked, "If it is fair for the union to ask for an inspector, why should not the company ask for one?" If it were the interests of the company to make those mines as safe as possible, then probably the companies would have an interest in the appointment of an inspector. But there was no desire on the part of the mining companies to appoint an inspector.

Hon. Frank Wilson: There is a desire on their part to make the mines safe.

Mr. HEITMANN: What interest had the companies in the appointment of inspectors? The biggest interest some of them had was in avoiding inspectors. If it were necessary to the safeguarding of the mining companies or the managers that they should have a representative, then they ought to have one.

Mr. Male: What for?

Mr. HEITMANN: To inspect the mines, as suggested by the leader of the Opposition. The hon. member had gone on to say that victimisation was suggested more than once, and the hon. member had proceeded to repudiate the idea with scorn, declaring that no manager or company would blackball any man. Notwithstanding this declaration he (Mr. Heitmann) had experienced blackballing, not only on the part of the companies, but also on the part of an inspector employed by the Government. Of this he was positive. At the time the Royal Commission was appointed to inquire into charges which he had made against Mr. Lander certain men purposed giving evidence. Mr. Lander had gone to one of those men and suggested a statement which that man should make, and had asked that man to sign it. This the prospective witness had refused to do, saying, "That was not the case," and giving the inspector the true facts in regard to the accident. Upon that Mr. Lander had said, "Don't you make that statement, or you will be blackballed." In face of this threat the witness had subsequently made a true statement in regard to the accident, with the result that he was driven from one place of employment to another on the Murchison until eventually he was forced out of the mining industry, and had since worked at Fremantle.

Mr. Harper: Who was that?

Mr. HEITMANN: Moses Strickland. That could be verified, for it was quite true. The leader of the Opposition seemed to forget entirely the object of the Bill. According to the leader of the Opposition there was no necessity for regulations such as those contained in the Bill, and the hon. member had quoted various other parts of Australia and of the world to show that in those places the



regulations were not so strict as they were in Western Australia. The fact remained that with the present inspection, which the leader of the Opposition claimed to be sufficient, and with the periodical amendment of the mines regulations until, at the present time, we had an Act which was equal to, if not better than, any other Act of the kind in the world, accidents were increasing, and the conditions of the mines becoming worse. With all the excellent legislation in existence in Western Australia, it seemed that either proper administration was not possible under the system of district inspectors, or the legislation was not being administered by those inspectors in the spirit in which it should be. We were losing altogether too many lives, and from the economic standpoint we were paying altogether too much for the mining industry. Realising that we owed a lot to the mining industry and should be careful about placing imposts on that industry he was prepared to meet the managers in every way. But he must first of all consider the lives of those engaged in the industry, and in his opinion there was no more important clause in the Bill, no clause which would prove more beneficial to the miners working in the industry, and no clause less likely to increase the cost of mining than that under discussion. He felt sure it was not going to put one penny per ton on the cost of production. But it was, however, going to exercise a constant watch on the mines and their conditions, which, as the Minister himself had said, were changing from day to day; and it was going to maintain a close supervision and check on the inspectors. There was no room for reasonable objection to the clause, and he was surprised at the opposition which was being offered to it.

Hon. J. MITCHELL: The member who had just sat down supported the Minister in the contention that the proposed workmen's inspectors would have no separate power. As a matter of fact they would have all the power exercised by a district inspector. It was true that they would be under the district inspectors, but only to the extent that they might be sent from place to place. Was it the intention of

the Minister to appoint an unlimited number of workmen's inspectors?

Mr. Heitmann: All that are required will be appointed.

Hon. J. MITCHELL: The member for Cue had said that it would be almost impossible to appoint sufficient inspectors to do the necessary work.

Mr. Heitmann: At a reasonable cost.

Hon. J. MITCHELL: Apparently we were to have a vast army of workmen's inspectors who would be paid probably as much as was paid to the district inspectors. If the Minister was of opinion that the present inspection was not satisfactory, why not appoint more Government inspectors? The Minister did not question either the ability or the work done by the district inspectors, yet the Minister asked that the men should be allowed to appoint inspectors whom the Government would pay. Did the Minister imagine that this was likely to do the industry any good? Would the men be protected to any greater extent than they were by Government inspectors? The chances were that the only material difference under the proposed new system would be the loss to many men of their occupation. It was known that day by day there was less employment offering in the mines. In 1912 the number of men employed was 1,700 fewer than those employed in 1911. Was that not a serious matter? Legislation of this kind was bound to decrease employment and retard the industry. The Attorney General knew that a clause of this kind was bound to work against mining development.

Mr. Taylor: You want the Attorney General to stonewall a bit.

Hon. J. MITCHELL: How would the Minister carry on the work in his office if the men employed under him engaged an inspector to look after him? There was no objection to proper inspection of the mines, but it should be done by the district inspectors. Why should the union appoint inspectors?

The Attorney General: Have not the union men to risk their lives in the mines?

Hon. J. MITCHELL: They were free agents. The Minister for Mines had said that accidents were on the increase. As a matter of fact in 1910 the accidents numbered 587; in 1911 the number was 528; and in 1912 it was reduced to 491.

Mr. Dwyer: Which was 491 too many.

Hon. J. MITCHELL: That was so, but accidents occurred in all industries. It was impossible to prevent men from being careless. The Minister knew that the men were very careless indeed, and did not take the precautions which they ought to do.

Mr. Heitmann: What are your objections to the clause? Do you object to the appointments, or to the principle, or to the method of appointment?

Hon. J. MITCHELL: The objection was to members opposite contending that the whole blame for the accidents could be attributed to the mine managers and the laxity of the district inspectors.

The Attorney General: Nobody has said that.

Hon. J. MITCHELL: That was the inference. If the district inspectors were doing their duty no more could be done. The inspectors should be absolutely impartial, and should not be appointed by either the mine managers or the workmen, but by the Government alone, who should see that the companies had reasonable security and were encouraged to develop the mines and so find employment for the workers. It was not a small thing to have the mines reducing hands. The Minister knew that a very small restriction might serve to close down some of the mines now employing a great deal of labour.

The Attorney General: Why will the clause close them down?

Hon. J. MITCHELL: It was easy to put such restrictions on them that they could not carry on.

Mr. Heitmann: There is no restriction in this.

Hon. J. MITCHELL: Personally he had visited the Menzies Consolidated mine, a property which had been going for 15 years without having paid a dividend. Such a mine was not of much value to the shareholders who, indeed,

had been called upon from time to time to put money into it.

Mr. Heitmann: Not for years past.

Hon. J. MITCHELL: The Bill would set up restrictions and trouble for a mine like that. It would not lead to the safety of the workmen, but it would jeopardise their employment.

The Minister for Mines: In what way will it increase the cost of production?

Hon. J. MITCHELL: It would not necessarily increase the cost of production, but under the clause the mine managers would be subjected to all sorts of trouble. It would take very little to close down some mines. It was perfectly clear that a workmen's inspector was an inspector under this Bill. Three classes of inspectors were provided, namely, district, special, and workmen's, and in Subclause 2 certain power was limited to the district inspectors, clearly showing that the previous powers were conferred on the workmen's inspectors. During the absence of a district inspector a workmen's inspector would have a free hand.

The Attorney General: To do what?

Hon. J. MITCHELL: Probably to call upon the Attorney General to prosecute a mine manager.

The Attorney General: To do what? be some justification for the existence of workmen's inspectors.

Hon. J. MITCHELL: But the Minister said that he did not want them to have that power: he merely wished them to be assistants to the district inspector, but he could not convince the Committee that such was the meaning of the provision in the Bill. The full powers of an inspector were to be conferred upon a person nominated by the workmen in the mine, and he would have absolute charge of the mine in the absence of the district inspector.

Mr. Heitmann: They risk their lives, at any rate.

Hon. J. MITCHELL: If by Act of Parliament the risk could be limited, let it be done, but this provision would not effect that purpose. As a matter of fact, a great many of the accidents were due to the carelessness of the men. There

was a risk of throwing men out of employment if this clause were agreed to, and he asked the Minister to consider whether the interests of the men would not be better secured by the appointment of additional district inspectors. We should encourage mine-owners to put their profits into further development, and we should do nothing that was likely to retard that work.

The Minister for Mines: Every word of your argument is against any inspection. They can only work within the scope of the Act.

Hon. J. MITCHELL: There was no desire to oppose inspection, but the inspection should be impartial.

Mr. Dwyer: These workmen's inspectors are under control.

Hon. J. MITCHELL: They were under the control of the district inspector in certain things only.

Mr. Heitmann: They are under his authority and control.

Hon. J. MITCHELL: A workmen's inspector could enter and inspect the mine and conduct prosecutions without reference to the district inspector at all.

The Minister for Mines: That is not so.

Mr. Munsie: If it is not so, it should be so in the interests of the men working there.

Hon. J. MITCHELL: If the Minister did not wish it to be so, progress should be reported so that the precise meaning of the clause might be ascertained. Undoubtedly the workmen's inspectors could do all but one of the things the district inspector could do.

Mr. Heitmann: Do you object to that?

Hon. J. MITCHELL: Certainly, because they were not impartial inspectors.

The Minister for Mines: They can only insist on the provisions of the Act being observed; they cannot go outside the law.

Hon. J. MITCHELL: Neither could the Minister go outside the law. The workmen's inspectors were given the widest possible powers. The Attorney General would admit that an inspector appointed by either the owners or the unions was not to be regarded as impartial. It could not be argued that these

workmen's inspectors would protect the men any more than district inspectors would, or that they would assist the development of the mines; on the contrary, this departure was likely to retard development. There were unemployed in the State to-day, and members of the Opposition were perfectly honest in the belief that this clause would throw some men, who were now receiving good wages as miners, upon the already overcrowded labour market. Ministers should not forget their responsibility in this regard.

The ATTORNEY GENERAL: The reading of the clause was perfectly clear. It gave workmen's inspectors certain powers, which were clearly defined, under the authority and control of the district inspector, and no amount of twisting could make the clause read otherwise. What was the argument against the clause? Simply that hon. members feared it would close down certain mines, and the member for Northam was afraid of the clause because, forsooth, it would throw good, honest working miners out of employment. That was a pitiful state of things. One marvelled at the great heart of the hon. member in making a statement of that kind. Who were the best people to look after the interests of the miners and see that they obtained continuous employment? The miners themselves knew their own interests, surely. They did not appeal to the member for Northam in this respect; they had not given him any brief to plead for them as he had done this evening. Their continuous employment depended on their having safe and healthy mines to work in. The talk about the partiality of workmen's inspectors was a bogey. Where were they biased or prejudiced? Could it be said to the detriment of a body of workmen that they were anxious to work under conditions which were not liable to put them on a sick bed or into the grave?

Hon. J. Mitchell: Give them protection, certainly, and let us appoint inspectors.

The ATTORNEY GENERAL: Who were the more able to protect them, the inspectors who occasionally visited a

mine, or those men who were working in the mine from day to day? Their opinion was worth more than that of the man who made an occasional and casual inspection, and it was the duty of Parliament to appoint in behalf of those constant workers men who knew the exact conditions of employment and the whole of the dangers.

Hon. J. Mitchell : The district inspector does that.

The ATTORNEY GENERAL : The district inspectors did it partly, and if the workmen's inspectors only did it in addition it was at the worst an excess of caution. It was against that additional caution that the Opposition was being directed. There could be no wrong in twice inspecting, or in taking every possible precaution where human lives were in danger. All that was proposed by this clause was, without casting imputations upon anybody, that every possible human precaution should be taken to safeguard the lives of the workers in the mines, and that principle was sound the wide world over. Let not hon. members come forward with the cant that they were pleading for the worker. They were pleading for property and for proprietors who wished to work under any conditions unfettered so long as they could make wealth quickly.

Hon. Frank Wilson : That is a slur.

The ATTORNEY GENERAL : The objections raised this evening were precisely the objections which were always raised by employers when the control of machinery and buildings was in question.

Hon. J. Mitchell : We want to be fair to everybody.

The ATTORNEY GENERAL : Then let hon. members be fair to the workmen by allowing them to protect their lives.

Hon. J. Mitchell : We say it is unfair to the workmen.

The ATTORNEY GENERAL : It was not unfair to anybody. These men had every right to protect their lives and this proposal did no more than to enable them to do so. What power was objected to? A subordinate power would be

granted to the workmen's inspectors and they would be under the direction and control of the district inspectors.

Hon. J. Mitchell : Read Clause 11.

The ATTORNEY GENERAL : What power proposed to be given to the workmen's inspectors was objectionable?

Hon. Frank Wilson : The power to prosecute.

The ATTORNEY GENERAL : When had they the power to prosecute?

Hon. J. Mitchell : Every day if they like.

The ATTORNEY GENERAL : But under what circumstances? Only when they observed a breach of the law. Surely when anyone observed a breach of the law endangering the lives of his fellows, he should have the right to institute a prosecution. It was a right which every citizen had under the ordinary laws of the country. Simply because an inspector represented a union, members of the Opposition would prevent him from observing violations of the law endangering the lives of his fellow-men, and bringing the offender to justice.

Hon. J. Mitchell : He should not be a partisan.

The ATTORNEY GENERAL : It was not because the right was outrageous. If the man was fair and just, and upright, and pronounced the shibboleths of the Liberal party, then it would be perfectly right for him to institute a prosecution, but if he belonged to the Labour party and was a member of a union, and saw an outrage committed, it would be a crime for him to institute a prosecution, a heinous offence for which he should be hanged, drawn and quartered. The only reason why it would be wrong for a workmen's inspector to institute such a prosecution was because he belonged to a union and therefore to the Labour party.

Hon. J. Mitchell : Not necessarily to the Labour party.

The ATTORNEY GENERAL : Where was there proof of partiality where this system had been tried? Was not a worker as honourable, honest, manly and truthful as any other citizen?

Hon. J. Mitchell : We do not suggest otherwise.

The ATTORNEY GENERAL: If the unions appointed a man, by the very fact of his being a unionist he was labelled as being untruthful, unjust, unfair, and incapable of acting honourably.

Hon. J. Mitchell: No.

The ATTORNEY GENERAL: If that was not the position, if these men would be just and fair and honourable, where was the objection to them being appointed?

Hon. J. Mitchell: Can they be impartial?

The ATTORNEY GENERAL: Of course.

Hon. Frank Wilson: Will they prosecute the members of their own union?

The ATTORNEY GENERAL: The mine-owner had the inspectors, the manager and every boss to look after the interests of the mine.

Hon. J. Mitchell: Not the Government inspectors.

The ATTORNEY GENERAL: Would mine-owners be in favour of Government inspectors if they could avoid the system?

Mr. Munsie: No.

The ATTORNEY GENERAL: Were not members of the Opposition always clamouring against any kind of criticism?

Hon. Frank Wilson: No; only against biased criticism. The mine manager is just as honourable as the Attorney General.

The ATTORNEY GENERAL: Was he denying that?

Hon. Frank Wilson: Yes.

The ATTORNEY GENERAL: That was not so.

The CHAIRMAN: Order!

The ATTORNEY GENERAL: The whole history of industrialism proved that every inspection introduced by the Government into the businesses of companies, firms, or proprietors had been resented.

Hon. J. Mitchell: We would not agree to the owners appointing inspectors.

The ATTORNEY GENERAL: The hon. member was surely on the level of a child. Mine-owners had their inspectors; their managers were inspectors.

Hon. J. Mitchell: Nonsense! A Government inspector with power to prosecute?

The ATTORNEY GENERAL: Did not they hold their property—

Hon. J. Mitchell: It is ridiculous to argue that they are inspectors.

The ATTORNEY GENERAL: Certainly they were.

Hon. J. Mitchell: Then every worker is an inspector.

The ATTORNEY GENERAL: So he was, but with this difference, that the mine manager could shut down his drive or shaft, or turn out the men, and report and have any wrongs remedied—

Mr. Harper: Cannot the worker?

The ATTORNEY GENERAL: No.

Hon. Frank Wilson: He often does.

The ATTORNEY GENERAL: No, he must go to his task day by day. He might be dissatisfied; he might know he was incurring diseases which would lay him up for the greater portion of the years of his life yet to run, but hunger drove men to strange servitude. The cry for daily bread made many an honest man risk more of his life-blood than was deemed necessary. The manager could remedy wrongs, the worker could not. The Bill proposed that the worker should not be in the position of making himself liable to be sacked; he would have a representative with duties defined by the Act who would report when matters were wrong and obtain justice when necessary. What could be wrong with such a clause? The Opposition were fighting for property; the supporters of the Government were fighting for human life. In the protection of human lives, in the procuring of health, and in the retention of the vigour of the workers, he would prefer that the mines which could not stand inspection should shut up to-morrow, that we should lose the mines, but we should save the State's citizens.

Mr. HARPER: It had been stated that the existing Act operated unsatisfactorily as regarded accidents.

Mr. Munsie: So it does.

Mr. HARPER: That might be so, but no inspection which he could conceive would prevent accidents in mines.

Mr. Munsie: It can minimise them.

Mr. HARPER: If members having practical experience of mining would be candid, they would admit that the inspectors were not the ones to prevent accidents. It was impossible to foresee 90 per cent of the accidents in mines.

Mr. Foley: That is absolutely wrong.

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

Mr. HARPER: Before tea he had been referring to the arguments that the Mines Regulations Act at present was not being satisfactorily administered, and that there were too many accidents. In his opinion there was ample scope in the present Act to carry out the regulation of mines with the number of accidents limited so far as possible. The proposal for the appointment of workmen's inspectors was one of those partisan features with which the Bill was bristling. It was proposed that the appointment should be made by the miners' union. An inspector of mines occupied a very important position, and such an officer should be an impartial judge. One might just as reasonably say the judge of the Arbitration Court should be appointed from the workers' union as to say an inspector of mines should be appointed in that way. The cases were practically parallel.

Mr. Foley: You might get men quite as just as they are now.

Mr. HARPER: The Attorney General could have made a more convincing and brilliant speech if he had been on the Opposition side of the House. It was well known that the Attorney General could make a brilliant and very instructive speech on any subject he liked to talk upon.

Mr. Green: You could not make one in any circumstances.

Mr. HARPER: The hon. member for Kalgoorlie was not celebrated for anything.

Mr. Green: You are celebrated for low wages.

Mr. HARPER: The Attorney General made out a good case from the point of view of his own side. There was no

doubt this clause was a party one. It was put in to enlist the sympathy and votes of the workers.

Mr. Dwyer: We have those already.

Mr. HARPER: That was the reason, rather than an honest desire to minimise the number of accidents.

Mr. Munsie: It was the reason why you advocated that an employer should have a vote for everyone he employed.

Mr. HARPER: There was not one member on the Government side who stood in the interests of the industry, for the continuance of the industry, or the permanence of the industry. Hon. members on the Government side did not represent the mine owners in any shape or form. From the very nature of things they represented one class. It would only be fair in a House of 50 members that we should have one member representing the other side of the question.

Mr. B. J. Stubbs: Do you not represent it?

Mr. HARPER: Both sides of the question should be represented, and both sides should be fully ventilated.

Mr. Dwyer: What would the farmers and settlers do if you deserted them?

Mr. HARPER: Perth would not lose much if the hon. member deserted it. To appoint inspectors from a miners' union was purely a partisan move and should not be tolerated. The Act at present provided ample power for the thorough inspection of mines. Some hon. members had contended that miners were more subject to accidents at depth, but accidents were more likely to happen near the surface on account of the soft nature of the ground there. At depth we had much harder ground. The proposal was purely a partisan one.

Mr. Munsie: Say it a couple of times more please.

Mr. HARPER: It was not advocated that the Chamber of Mines should appoint inspectors.

Mr. Foley: They have appointed them before to-day.

Mr. HARPER: An inspector of mines should be an impartial judge, representing a question fairly in the interests of

the mine-owner and the worker. As for the appointment of inspectors from a miners' union, we might just as well appoint a workman out of the union to be president of the Arbitration Court. The hon. member for Cue referred to the inspection of mines at 10 o'clock in the morning. That was a wrong time to expect shots to be fired. They were more often fired at 11.30 a.m., or 12 noon, before crib time. No man would expect to find shots fired at the time stated by the hon. member.

Mr. O'Loughlen: You know you are misrepresenting him.

Mr. HARPER: Not at all. It was absurd for the hon. member for Cue to try and mislead the Committee in that direction, but we knew the hon. member for Cue too well to be misled by him in that direction. The hon. member had referred to the question of victimisation, which had been trotted out far and wide.

Mr. Heitmann: Of course you would not do anything like that.

Mr. HARPER: There had not been victimisation as alleged. It was absolutely moonshine; it was not true. If there was victimisation it was thoroughly deserved. Only those whose actions merited it were victimised.

Mr. Heitmann: They were victimised, then, if they deserved it.

Mr. HARPER: There might have been three or four in Western Australia, and the hon. member might have been one of them for all he (Mr. Harper) knew.

Hon. Frank Wilson: If a man goes to sleep at his engine he must be sacked.

Mr. HARPER: Quite so. Mining inspectors had considerably improved with the increased experience on the part of those selecting them. Mr. Lander had been one of them—a man of lifelong training and experience, but unfortunately for him he ran against the hon. member for Cue and was victimised, very seriously victimised.

Mr. Heitmann: Who was victimised?

Mr. HARPER: Mr. Lander had been a very competent inspector of mines, and carried out his duties fearlessly, with fav-

our to none. Another question we had to deal with was that the number of miners was not increasing. We had a decreasing number of miners, so why should we increase the number of inspectors? A reason for a great number of the accidents in Western Australia was the fact that we had a limited number of competent miners.

Mr. O'Loughlen: Another slander.

Mr. Heitmann: Many of them are in the cemetery.

Mr. HARPER: The hon. member for Cue in a little while would be in the cemetery too, and not a bad place for him either.

Mr. Thomas: You will be in the political cemetery before he is.

Mr. HARPER: At any rate he was not depending on his political career like the member for Bunbury.

Mr. Thomas: It will not last so long.

Mr. Heitmann: Do you really assert that the number of cases of miners' phthisis is decreasing? Answer me that.

Mr. HARPER: There were at the present time experts who were quite competent to look after the responsibilities they had. The Minister for Mines had referred to the change in the conditions of mining which had taken place. It was true that conditions changed after almost every firing out, and if an inspector was to be made responsible for accidents he would have to stand by the side of the men continuously so as to prevent mis-  
haps from occurring. A competent miner was his own expert. As had been stated, the number of competent miners was decreasing, and that was largely attributable to the fact that we were not training the younger men. The latter were not allowed to go underground before they were 18 years of age, and when they did go underground it was only through the generosity of the mine owners who then had to pay them the full arbitration wages. That meant that all who were working received the same rate of wages whether they were competent or incompetent.

Mr. Heitmann: Is it not that the conditions are so bad that the young men will not take on the work?

Mr. HARPER: No. The Minister for Mines had referred to the Royal Commission which had sat in 1905, and there was only one practical man on that Commission, Mr. Hewitson. Among the others were Dr. Black and Dr. Jack, neither of whom was an expert in mining.

The Minister for Mines: Is not the State Mining Engineer a practical man?

Mr. HARPER: Yes, that gentleman was an expert, but the majority of the members were not. The bosses in mines always did their best to prevent accidents occurring, because it was to their interests to see that none happened, both from the financial and the humanitarian point of view. The most reasonable way of appointing inspectors would be for the Government to select them. It would make the position of mine owners and managers very difficult if three classes of inspectors were to be employed. It hardly ever occurred that two of them agreed.

Mr. Foley: How do you know that? Give us some argument to prove your case.

Mr. HARPER: The member for Leonora knew well that even between two miners there were often arguments as to which was the right thing to do, and it was a matter of opinion as to who was right and who was wrong. It was impossible to get experts to agree, and as he had said, a competent miner would always be the best expert, and he would know how to look after himself provided he got everything he wanted.

Mr. Foley: But he does not.

Mr. HARPER: The hon. member knew that a miner got everything he asked for.

Mr. Turvey: He gets the sack.

Mr. HARPER: No. In the event of a difficulty an inspector could always be communicated with by telephone.

The Minister for Mines: Suppose he is 200 miles away.

Mr. HARPER: There was more than one inspector.

Mr. Heitmann: There is only one on the Murchison.

Mr. HARPER: If one was not enough the Government could appoint more, but as the number of miners was decreasing,

why should we appoint more inspectors at this eleventh hour?

Mr. Foley: At the eleventh hour of what?

Mr. HARPER: That could be left to the hon. member to determine for himself. Our mines were rapidly decreasing.

Mr. Green: You are crying stinking fish again.

Mr. HARPER: What he was doing was to speak for the hon. member so that he might continue to have a seat in the House. If all the conditions proposed in the Bill were to be carried out it would not be necessary to have so many gold-fields members.

Mr. Munsie: If you thought that you would advocate every provision in the Bill.

Mr. HARPER: If he did not think more of the State than he did of the Bill he would not be advocating in the direction he was doing.

Mr. Green: You want to be sure of your own seat, otherwise you would not have changed your coat as you did the other day.

Mr. HARPER: It was not his desire to see hon. members opposite extinguished.

The CHAIRMAN: The hon. member should confine his remarks to the question of inspectors, and not to hon. members.

Mr. HARPER: It was his duty as a citizen of Western Australia to point out the other side of the question, and although hon. members might pretend not to believe what he was saying they knew well that he was speaking absolute facts. The clause should not be carried because it was most one-sided. One might just as well advocate that the Chamber of Mines should nominate inspectors.

Mr. MULLANY: It was to be hoped the Minister would not agree to the deletion of the clause because, of all the amendments proposed to the Mines Regulation Act, this clause was the most important. The leader of the Opposition and the member for Northam took the view-point that the carrying into effect of this clause would result in the closing down of some of the mines of the



State. When they made a statement like that they certainly had no knowledge of the subject, but under the circumstances it was supposed that they had done remarkably well for their side. The member for Northam instanced the Menzies Consolidated Mine at Woolgar which had never paid a dividend. Unfortunately he was right in quoting this mine. It was not easy to understand how the member for Northam (Hon. J. Mitchell) could determine that the clause would close down this or any other mine. The leader of the Opposition had pointed out that a similar provision existed in the present Act and that the men already had the power to appoint inspectors if they so desired. If the men appointed inspectors to report on a mine, and if that report contained recommendations involving an expenditure of money, the mine-owners would not be in any worse position than they were to-day, because, before the recommendations were put into operation, the report would have to be approved by the district inspector. In the past the provision for the appointment of workmen's inspectors had been inoperative. On only one occasion had it been availed of. The late Minister for Mines (Mr. Gregory) had often quoted this section of the present Act in support of the contention that no alteration was necessary, and that the provision, although in existence for a considerable time, had not been availed of. For years past the miners had asked for the privilege of appointing check inspectors, and an endeavour was now being made to meet their wishes in this respect. Who better qualified to inspect the working places in a mine than the accredited representative of the miners themselves? It was a fallacy to contend that the mine-owners also should be represented by inspectors. What had they to gain by inspection? On the other hand, the lives of the miners depended upon the inspection of a mine. The district inspectors had vast distances to cover. In the circumstances, how could they be expected to keep in close touch with all the mines under their jurisdiction? He had no desire to cast any slur upon the present inspectors, for in his opinion they, or at

least the majority of them, were doing their duty in a thoroughly efficient manner. As the member for Pingelly (Mr. Harper) had said, a competent miner was himself the best inspector. However, we could not appoint every miner an inspector, and the next best thing to do was to give the miners the right to appoint an inspector in their own interests. To prevent accidents entirely was an utter impossibility, but the number of accidents in the mines of Western Australia was far greater than it should be. The appointment of workmen's inspectors would be a practical remedy. Under the proposed new system the inspection would be more rigidly carried out. The workmen's inspector would report to the district inspector, who could then initiate prosecutions.

Hon. Frank Wilson: Nobody objects to that.

Mr. MULLANY: The member for Pingelly had scouted the idea of victimisation of the workmen's inspectors, and had then gone on to say he had known cases of victimisation and that the men had deserved it. Was not this a contradiction of terms? Victimisation meant unjust treatment. How then could the hon. member say that any man deserved to be unjustly treated? The hon. member had also declared that there was a scarcity of competent miners in the State. To a certain extent that was quite right. It was scarcely to be wondered at, because for years past no encouragement had been given to the Britisher to take on mining work, while, on the other hand, substantial encouragement had been given to aliens. Further than that, since the introduction, a few years ago, of the single-handed machines, the opportunities of teaching young men machine work underground had been greatly diminished. The member for Pingelly (Mr. Harper) had dolefully reflected upon the circumstance that to-day young men or boys below the age of 18 years were not allowed to go below. It was to be hoped that this provision would never be taken out of the Mines Regulation Act. No boy under the age of 18 should be permitted to work underground. It would have been in-

teresting if the hon. member had stated at what age he thought boys should be permitted to go below. After the hon. member's remarks on the second reading, nobody would have been surprised if he had suggested nine or ten years as a fitting age at which boys might work underground. Such an opinion would not have been astonishing in an hon. member who had gone very close to advocating the introduction of black labour.

The CHAIRMAN : Order ! The hon. member is getting beyond the subject.

Mr. MULLANY : The member for Pingelly had also stated that it was impossible to entirely do away with accidents underground, and had added that in Western Australia the conditions were such that accidents should be very few, and should compare favourably with the accident rate of any other field. As a matter of fact, the accident rate in Western Australia was very high. The inspection of mines had a twofold object. A mine should not be inspected from one side only. The inspector should see that the mine owners were carrying out the regulations and should see also that the miners themselves were endeavouring to assist the management in this duty. Inspectors had frequently found working miners guilty of breaches of the regulations, and those miners had been duly punished. The appointment of workmen's inspectors would go a great way towards reducing the accident rate. Members were entirely missing the point when they contended that the clause would increase the cost of production or be the means of closing down any mine.

Mr. MUNSIE : The leader of the Opposition had expressed the hope that members on both sides would consider the question conscientiously and would be guided by logic and argument. It was difficult to discover in the arguments used by the three members of the Opposition who had spoken, any good reasons against the clause. The only tangible argument advanced was that it might be the means of closing down a few mines, or of putting some of the miners out of work. It

was easy to make a bald assertion of that character, but, without supporting reasons, such an assertion was valueless.

Hon. J. Mitchell : The clause is the reason.

Mr. MUNSIE : The clause would not increase the cost of mining one halfpenny per thousand tons. It would not cost the mine manager anything extra. As a practical miner he was prepared to say that the provisions of the existing Mines Regulation Act were not carried out underground; nor did he think it was possible to have those provisions carried out, except by empowering the employees to appoint their own inspectors. The leader of the Opposition had said it would be just as reasonable to claim for the Chamber of Mines or the mine managers the privilege of appointing special inspectors in their behalf. There was no analogy whatever in the two cases. On the one hand the mine managers were there to look after the interests of the shareholders from a profit-making standpoint, while on the other hand the workmen had to risk their lives every day they went down a mine. Those workmen were deserving of the consideration of being permitted to appoint their own check inspectors. To show the necessity for doing something in Western Australia, he would quote some official figures published in the last issue of the *Commonwealth Year Book*. In Victoria the number of men employed in gold mining was 14,015, and in Western Australia 15,428, or 1,000 more men employed in gold mining in Western Australia than in Victoria. The fatal and serious accidents occurring in the year 1911 were, in Victoria 19, and in Western Australia 36, proving conclusively that there was something wrong somewhere. There was only a difference of a thousand in the number of men employed in the two States, and in both no check inspectors were in existence. In further support of his argument, he would quote the coal mining industry in New South Wales. Anyone who knew anything about mining would admit that coal mining was equally as dangerous an occupation as gold mining, if not more so, yet in 1911 the number of men em-

ployed in the coal mines of New South Wales was 17,657, or 2,000 more than were employed in gold mining in this State, and the total number of accidents in those coal mines was 19 as against 36 in the gold mines of Western Australia. There were check inspectors in the coal mines of New South Wales, and they had practically the same power as the Minister was seeking to give the inspectors under this Bill.

Hon. Frank Wilson: The same power as they have already under the present legislation.

Mr. MUNSIE: It was impossible, without closing down a mine for a day, in order to elect two men, to put into operation the provision in the present Mines Regulation Act. Neither in New South Wales nor in Western Australia did the coal mines work three shifts; therefore there was a possibility of carrying out this provision, which it was impossible to put in operation in mines where three shifts were worked.

Hon. Frank Wilson: They did work three shifts in our coal mines for a long time.

Mr. MUNSIE: The coal mines were not working three shifts to-day.

Hon. Frank Wilson: More is the pity; they have not the trade.

Mr. MUNSIE: The member for Pingelly, in criticising the remarks of the member for Cue, said that firing was not done in any mine in the State at 10 o'clock in the morning. The hon. member must know that was not correct. There was not one hour of the day on the Golden Mile when there were not 100 shots fired, with the exception of Sundays, and the three hours in the week when there were no men working in the face. The statement that the time was not opportune for the appointment of these workmen's inspectors was ridiculous in the extreme. In some of the present Government inspectors he had absolute confidence, and he had no wish to cast a reflection on any one of them, but he did wish to dispute some of the methods they adopted in connection with their inspection. He referred to the practice of notifying the manager of

their intention to inspect the mine, and until the workmen had the right to elect their own inspectors that difficulty would not be overcome. He hoped the amendment would not be agreed to, and that this portion of the Bill would receive favourable consideration throughout. The member for Pingelly had stated that there was only one practical miner, Mr. Hewitson, on the Royal Commission on the ventilation and sanitation of mines. As a matter of fact, there were, besides the State Mining Engineer, two other members of the commission, Messrs. John Parr and Fergie Reid, who had at least 15 years' experience underground in mining. He believed that Mr. Parr at that particular time had at least 30 years of practical experience in underground work. That commission had been appointed in response to the constant requests of the employees themselves, who wished this matter of inspection more than anything else to be dealt with, and the commission unanimously recommended the appointment of check inspectors. They had agitated for this inspection for years, and they would continue to agitate until that small measure of justice, to which they were absolutely entitled, was given to them.

Mr. FOLEY: The leader of the Opposition seemed to think that no other inspection was necessary beyond that provided for under the present Act, and the hon. member had stated that the Coal Mines Regulation Act contained the same provision as appeared in the existing Mines Regulation Act. The provision in the Mines Regulation Act was that the majority of persons employed in a mine might appoint two of their number to examine the mine every month. Rule 4 under the Coal Mines Regulation Act provided—

A competent person or competent persons appointed by the owner, agent, or manager, for the purpose, not being contractors for getting minerals in the mine, shall within such time immediately before the commencement of each shift, as shall be fixed by special rules made under this Act, inspect every part of the mine situate beyond the station or each of the stations, and in

which workmen are to work or pass during that shift, and shall ascertain the condition thereof so far as the presence of gas, ventilation, roof, and sides, and general safety are concerned. The rule went on to say that no workman should pass beyond any such station until a competent person appointed by the owner, agent, or manager, had examined that portion and declared it to be safe. In no gold mine in the State was anything like that done, hence the reason for this clause. When the Minister provided that the workmen's inspectors were to be under the direction of the district inspectors, he was giving those men no more and no less power than the inspector would have under the present law, which was inefficient to do what Parliament expected it to do. The majority of men working in the mining industry were members of the union, and when the union spoke it spoke not only for the worst but also for the best men in the industry, so far as practical knowledge was concerned. The majority of members on the Government side knew from lifelong experience what this provision meant, and he was sorry that when a little legislation was brought forward for the betterment of the mining industry, it was not being treated with that consideration which members of the Opposition expected from mining members when legislation for other portions of the State was being dealt with. He trusted that members on the Opposition side would vote conscientiously on this provision, which would do a great deal to prevent accidents in the mines.

Mr. TAYLOR: However objectionable paragraph (c) might be to members of the Opposition, it was not half so objectionable as the Bill itself. The leader of the Opposition had stated that the Bill was going to strangle the mining industry. However the leader of the Opposition might view the mining industry, he should be generous enough to recognise that there was a number of mining representatives on the Government side, and none on the other side of the House. The hon. member had said that if the Bill was passed it would mean practically doing away with the industry.

Hon. Frank Wilson: I did not say that.

Mr. TAYLOR: That it would injure and strangle the industry?

Mr. Foley: Last session he said he did not care if it was turned into the sea.

Mr. TAYLOR: *Hansard* showed that the leader of the Opposition, in his speech on the second reading of this Bill, stated that the measure aimed at strangling the industry.

Hon. Frank Wilson: I said harass.

Mr. TAYLOR: The hon. member said it would harass and strangle the industry, and one of the most harassing effects would be the appointment of these inspectors.

Hon. Frank Wilson: No.

Mr. TAYLOR: The hon. member said the appointment of these inspectors would harass the employers and make the position of mine managers hopeless.

Hon. Frank Wilson: Your imagination is running riot, to use the words of the Premier.

Mr. TAYLOR: The hon. member politically was known to him as well as any man in the House, and few knew him better, and if the hon. member thought that any action of the Minister would strangle the industry he would be only too prepared to help him.

Hon. Frank Wilson: That is a base assertion.

Mr. TAYLOR: The leader of the Opposition and his party were not afraid of injuring the industry, but they were afraid that the Bill would improve the conditions of the workers. The Opposition were afraid to allow the measure to be placed on the statute-book because, if it was once put there, it would be there everlastingly, and instead of being removed it would be improved as the democracy of the country advanced. The measure was essentially to protect the worker, and it would not interfere with the industry at all. There was nothing in the Bill to place on the employer any conditions which, as the hon. member said, did not exist to-day.

Hon. Frank Wilson: Then why do you want the Bill?

Mr. TAYLOR: The leader of the Opposition and the member for Pingelly

said that the conditions sought already existed. Supporters of the Government held that they did not exist. If the Opposition were right, why should they be frightened? Under existing conditions the mines could not be thoroughly inspected. The area under the control of each inspector militated against that being done.

Hon. Frank Wilson: Appoint another inspector.

Mr. TAYLOR: If we went on appointing inspectors we would have more inspectors than workmen, but if we allowed the workers to appoint inspectors, there would be fewer accidents and less loss of life. The arguments of the Opposition showed that they were more concerned about large dividends being paid than they were about the graveyards being filled.

Hon. J. Mitchell: We never mentioned it.

Mr. TAYLOR: That was the substance of their argument. The member for Northam had emphasised the point that the Bill would do away with employment and cause the mines to be closed down. When it was desired to better the conditions under which the men were employed, the hon. member argued that capital would be affected. If a man was killed, what odds? Let the graveyards be filled, but let other people become wealthy at the expense of the workmen. That was the attitude of the member for Northam, and that sort of thing had prevailed too long. It was time such a measure was passed. For years efforts had been made by the Labour party to secure a Bill of this description. The most strenuous debates when the Labour party were in Opposition were aroused on this question, but there were too many men on the other side of the House representing capital who considered dividends more than the conditions of the people. These inspectors were necessary. The system had been adopted in other underground callings. What harm had been done to the coal mining industry? Had not every reform been opposed on the same lines by the conservative element? As soon as a reform was attempted we were told we were aiming a blow at the freedom of the em-

ployer, which would injure the workmen and close down the industry. That was the argument at all times. It had been used when the coal mining Bills were being passed through the New South Wales Parliament. Such legislation was always going to close down the industry, but instead of that the coal mining industry had increased.

Hon. J. Mitchell: Who put the present Bill on the statute-book?

Hon. Frank Wilson: We did, of course.

Mr. TAYLOR: And it stood a monument of disgrace to hon. members. It was largely the reason why they were in Opposition.

Hon. J. Mitchell: The Minister said it was the best Bill in the world.

Hon. Frank Wilson: Who put the Coal Mines Act on the statute-book?

Mr. TAYLOR: It was brought down by Mr. Ewing.

Hon. Frank Wilson: Quite so, and the conditions of our legislation are more favourable than those in New South Wales.

Mr. TAYLOR: It was passed after the Bills in the other States, and naturally was rather more advanced.

Hon. Frank Wilson: Do you approve of workmen's inspectors having these powers?

Mr. TAYLOR: Their powers were to see that the conditions were safe. If they were unsafe, the district inspector was to be acquainted.

Hon. J. Mitchell: Read Clause 11.

Mr. TAYLOR: Clause 10 should be read. The workmen's inspectors would be under the control of the district inspector.

Hon. Frank Wilson: Did you hear the Attorney General?

Mr. TAYLOR: Yes. There was no doubt about the powers. If a workmen's inspector found a mine safe there would be no trouble. When it was not in good order, he would report the matter.

Hon. J. Mitchell: Would he be re-appointed?

Mr. TAYLOR: That was his business. The hon. member could not argue from the standpoint that there was anyone who knew the conditions better than a work-

men's inspector who had worked underground and who had practical knowledge. A miner descending in the cage never felt sure that he would return to the surface alive. Hundreds of men had gone underground buoyantly and had been brought to the surface cold. There was no calling so dangerous, and there was no measure deserving of greater consideration or less party feeling.

Hon. J. Mitchell: Why do you indulge in party feeling?

Mr. TAYLOR: Had not he heard members of the Opposition speaking from the party standpoint?

Mr. Foley: And reading from party statements?

Mr. TAYLOR: Reading prepared statements from the Chamber of Mines as to how capital and not the workers would be affected.

Mr. Foley: Only the profit point of view.

Mr. TAYLOR: Only from the point of view of exploiting the country, taking money out of the country, and letting it go to shareholders in other lands; but when it was desired to make conditions somewhat better for the worker, to make the worker somewhat safer so that there would be fewer fatherless children in the country through accidents in the mines, then it was argued we were on party grounds, were representing a class, and were not justified in doing what was proposed. That was the statement put up by the hon. member for Northam, who posed as being in this House advocating the conditions of the working miner. One could understand why a section of the workers in this country were so backward, when one heard the sentiments uttered by hon. members opposite who represented agricultural areas. No wonder the paragraph in question was objectionable to them. It was to be hoped those hon. members would withdraw their opposition to the proposal.

Mr. GREEN: There had been no real argument put up by the other side against the passage of this paragraph. The only ostensible argument was the old one urged against any democratic innovation, that it would serve to drive capital out of the

country, react against the employers in the industry, and cause a number of the mines to close down. There had been no argument to prove that the mining industry was falling at the present time.

The Minister for Mines: On the contrary this is the best year for 10 years.

Mr. GREEN: For party purposes the member for Pingelly had, in characteristic fashion, decried the gold mining industry. That came with rather bad grace from a man who had been closely connected with the mining industry in this State, and who, fortunately for himself, had done remarkably well out of it. If it came to the question of whether in isolated instances any mines, rather than be subject to fair examination, and the workmen's inspectors would give that, should close down, then they should rightly go. The figures for the present year in connection with the industry showed there was no necessity for the miners to work under conditions whereby their lives were threatened. The production of gold for the seven months ended the 12th July, 1912, amounted to 733,490 ounces, and for the seven months ended July, 1913, the total was 747,166 ounces, or an increase of 13,676 ounces. Coming to the question of profits as shown in dividends, he might reassure the hon. members opposite—

The CHAIRMAN: The hon. member was getting away from the question before the House, which was that paragraph (c), dealing with workmen's inspectors, should be struck out.

Mr. GREEN: What he was trying to show was that the arguments of the hon. member for Pingelly, to the effect that the industry was going to go down because of this proposal, were not correct, and he (Mr. Green) was trying to prove his contention by absolute figures.

The CHAIRMAN: The hon. member could not touch upon that now as it was entirely away from the question.

Mr. GREEN: Could he not deal with the arguments of the hon. member for Pingelly?

The CHAIRMAN: The hon. member could deal with them if he liked, but he

would be stopped if he got away from the question.

Mr. GREEN: The question of dividends came—

The CHAIRMAN: In regard to those the attention of the hon. member had already been called to the fact that he was going beyond the question.

Mr. GREEN: It had only been his intention to point out an increase of £25,381 in dividends for the year. On the East Coolgardie field the production for every man employed—

The CHAIRMAN: The hon. member was not dealing with the question before the Chair. The hon. member might speak like that on the second reading.

Mr. GREEN: Very well. The question was one affecting the health and lives of the workers, and he might point out that on the East Coolgardie field where 41.58 per cent. of the men were employed the percentage of accidents was 66.9. That was a district in which he and some other members on that side of the House were particularly interested. In view of the fact that the mining industry was paying handsomely, and the profits from it were increasing, it was disgraceful to find hon. members on the other side seeking for party purposes to defeat that humanitarian clause. He would have much pleasure in supporting the clause.

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

Ayes	..	..	8
Noes	..	..	22

Majority against .. 14

Ayes.

Mr. Allen	Mr. F. Wilson
Mr. Harper	Mr. Wisdom
Mr. Mitchell	Mr. Layman
Mr. Monger	(Teller).
Mr. Moore	

Noes.

Mr. Carpenter	Mr. Munsie
Mr. Collier	Mr. B. J. Stubbs
Mr. Dwyer	Mr. Swan
Mr. Foley	Mr. Taylor
Mr. Gardiner	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Hudson	Mr. Underwood
Mr. Johnson	Mr. Walker
Mr. Lander	Mr. A. A. Wilson
Mr. Lewis	Mr. Hellmann
Mr. McDowall	(Teller).
Mr. Mullany	

Amendment thus negatived.

Hon. FRANK WILSON: Now that the Committee had decided to retain paragraph (c), would the Minister agree to add the words, "immediately preceding his appointment." The intention was that practical underground miners should be selected for those positions. The five years' experience they must have had as working miners should be immediately preceding their appointment, so that the experience might be of modern date. He moved an amendment—

*That at the end of the clause the words "immediately preceding his appointment" be added.*

The MINISTER FOR MINES: No such limitation should be placed upon those who would elect the inspectors. It might be that a man, having had 20 or 30 years' practical underground experience, had remained away from underground work for twelve months or a couple of years, and in that time worked on the surface. It surely would not be argued that that man was less qualified than the man who had had only five years' experience immediately preceding the appointment. The matter could safely be left to the judgment of those who would have the responsibility of selecting the man, and they were not likely to select a man who had been so long away from underground work as to be incapable of fulfilling the duties pertaining to the position.

Amendment put and negatived.

Clause put and passed.

Clauses 8, 9—agreed to.

Clause 10 — Workmen's inspectors under authority of district inspectors:

Hon. J. MITCHELL: Did the clause mean that the inspectors would have to be reappointed by the unions at the end of the two years? Would they again have to submit their names to the union? If that was the case, the matter was left entirely in the hands of the union. It seemed to him that the clause was objectionable.

The MINISTER FOR MINES: The clause was not at all objectionable; on the contrary, it was highly desirable. There was no reason why those who elected men in the first position should not

exercise the same judgment and impartiality on the second occasion. The position was similar to that of the members of the arbitration court who had to go up for election at stated periods. If the men who occupied the positions of inspectors were found wanting at the end of two years by those responsible for their appointment in the first instance, they would certainly not be entitled to reappointment. Moreover, the appointments would always be subject to the approval of the Minister under the regulations that might be made from time to time.

Hon. FRANK WILSON: The Minister's reference to the arbitration court was not a happy one, because that court was composed of a judge who had as his colleague a representative from either side, who appeared before him. There was one representative who was nominated by the employers of labour on the one hand, and a representative of the workers on the other hand, and those representatives viewed the proceedings from the standpoint of those who had nominated them; in other words, they had special knowledge of the circumstances surrounding the employer's position on the one side and that of the worker's on the other, and this knowledge assisted the judge to come to a conclusion. In the clause under review, it was not proposed to give the managers or the owners of mines any representation. Was it expected that an inspector appointed by a union would prosecute the members of that union?

Mr. Munsie: Certainly.

Hon. FRANK WILSON: If he did, he would not be an inspector very long. We knew very well that 75 per cent of the accidents in this industry were caused by the neglect of the workers themselves.

The Minister for Mines: Not at all.

Hon. FRANK WILSON: That was so.

Mr. Taylor: No.

Hon. FRANK WILSON: The accidents were due to the men becoming too confident and taking risks.

Mr. Taylor: They are often compelled to take risks.

Hon. FRANK WILSON: If these inspectors carried out their duties properly, there would be more actions against the workers than against the managers or those in charge of the properties. If that was the case, how were we going to expect these elected inspectors to proceed against their own comrades, the men upon whom they had to depend for their positions? Once these men were appointed, they should be free from any influence and should not be obliged to submit their names once more to the members of the union, many of whom an inspector would have to come into collision with in the exercise of his responsible duties, and possibly prosecute.

The MINISTER FOR MINES: The statement of the leader of the Opposition that 75 per cent, of the accidents in mines were due to neglect on the part of the employees was not borne out by facts. If what the hon. member had said were true, it would mean that the inspectors in past years had been fearfully neglectful of their duty, because very rarely had a prosecution taken place for neglect or for a breach of any of the regulations. If the hon. member turned to Clause 54 of the Bill, he would see that it was a very stringent clause which dealt with neglect or failure to see that the various appliances and apparatus in a mine were in a fit and proper condition. If accidents had been attributable to neglect on the part of the men, to the extent of 75 per cent., there would have been prosecutions, because a section similar to that clause had been in existence ever since the Act had been in force. In fact, according to the hon. member, there would have been prosecutions every week if the inspectors had been doing their duty. The leader of the Opposition stated there was no analogy between the position of the inspectors and the members of the arbitration court, but in his (the Minister's) opinion there was a striking analogy.

Hon. Frank Wilson: Why do you not appoint men to represent the employers?

The MINISTER FOR MINES: After all an inspector under this measure would not have any power to impose conditions except as provided within the four cor-



ners of the Bill. He could only exercise the authority given to him by Parliament whereas the members of the arbitration court were bound by no such conditions. They had a free hand to adjust wages, the conditions and hours of employment, and there was greater need in their case that they should be independent. There would not be any more prosecutions in the future than there had been in the past, because the workmen's inspectors would not be able to run loose around the mines to take actions against managers day after day. They would only be able to act under the authority and the control of the district inspectors.

Hon. Frank Wilson: That has been exploded.

The MINISTER FOR MINES: It stood as an absolute fact that where there was an officer occupying a subordinate position, he was not going to be allowed to take action without the consent of his superior.

Hon. Frank Wilson: Will you accept an amendment to that effect?

The MINISTER FOR MINES: It was not necessary, because the provision was there distinctly. Subject to the conditions laid down, the check inspector would be under the authority of the district inspector.

Clause put and passed.

Clause 11—Powers of inspectors:

Hon. J. MITCHELL: Would the Minister say what was meant by the words "or well-being."

The MINISTER FOR MINES: The words were in the existing Act. There was no amendment in this respect. The words bore the ordinary meaning which an average person would place upon them. The paragraph read—

The inspector shall have the power to examine into and make inquiry respecting the state and condition of any mine, or any part thereof, and of all matters or things connected with or relating to the safety or well-being of the persons or animals employed therein, etcetera.

There were many things in a mine which affected the well-being of the employees, yet which might not be taken to affect

their actual safety. There were, for instance, ventilation, sanitation, and many other conditions which might well come under the heading of the well-being of the employees.

Mr. WISDOM: The Minister had been understood to explain that the workmen's inspectors would be under the control and instructions of the district inspector; but the Attorney General, while at first bearing out that explanation, had subsequently given the impression that he was of opinion that they would not be under the control of the district inspectors.

The Attorney General: I said nothing warranting that impression.

Mr. WISDOM: The Attorney General had been understood to say that the workmen's inspectors would be able to initiate prosecutions.

The Attorney General: No. I said, if they were, where would the harm be?

Mr. WISDOM: If these workmen's inspectors were to be under the control of the district inspectors, would the workmen's inspectors be able on their own initiative to carry out the provisions of paragraph (c), and require the attendance of any mine official, or employee, at an inquiry? If the contention of the Minister for Mines was correct, where was the power given for the district inspector to delegate such authority to the workmen's inspectors? The paragraph required some amendment. He moved an amendment—

*That in line 6 of paragraph (c) the word "the" be struck out, and "a district or special" inserted in lieu.*

The MINISTER FOR MINES: The amendment could not be accepted.

Hon. Frank Wilson: Then you are going to let these inspectors have these inquiries?

The MINISTER FOR MINES: Subject to the authority of the district inspector it was sometimes essential that the workmen's inspectors should have power to require the attendance of an official of the mine in order to point out to him dangerous conditions. It would be necessary to have regulations framed to make the clause workable, so there was no occasion for the amendment.

Hon. FRANK WILSON: Notwithstanding what the Minister had previously said, it seemed to be an undoubted fact that the workmen's inspectors would have all the powers contained in the clause. The Attorney General had admitted as much. Therefore, the workmen's inspectors would have power to initiate prosecutions, and to examine and make inquiries respecting the state and condition of any mine, and all matters connected with or relating to the safety and well-being of persons or animals employed therein. These inspectors would be able to hold an inquiry and summon thereto any official of the mine, and such official would attend accordingly. The inquiry need not be held on the mine, but could be held in Kalgoorlie, even at the Trades Hall in Kalgoorlie, and the mine manager would be summoned to attend and give evidence. There was no room for question about this. The power was contained in the clause. All that was desired by the amendment was that such extensive and drastic power should be limited to the official inspectors appointed by the Government, whether district or special inspectors. If the Minister was sincere in the belief that the workmen's inspectors could only act under the district inspectors, he could not object to the amendment. If the Minister did object to the amendment making a distinction between the inspectors, he (Hon. Frank Wilson) would subsequently ask him to add certain words to the clause as follows:—"Provided the powers set forth in paragraphs (c), (d), and (f) of this clause shall only be exercised by the workmen's inspector upon written instructions from the district inspector." If the Minister really believed in the explanation he had made, which was directly contrary to the admission of the Attorney General, and if the Minister agreed further that these inspectors should only work under instructions from the district inspectors, the Minister could have no objection to making it perfectly clear that these powers set forth in paragraphs (c), (d), and (f) should not be exercised by the workmen's inspectors without written authority from the district inspectors. Paragraph

(c) gave full powers to hold inquiries and require the attendance of any mine official. Paragraph (d) gave full powers to initiate and conduct prosecutions. Paragraph (e) gave power to obtain written statements from witnesses, and paragraph (f) gave power to exercise such other powers as were necessary for carrying the Act into effect.

Mr. HARPER: It was to be hoped the Minister would accept the amendment. If, as we had been led to believe, the workmen's inspectors were to be under the authority of the district inspectors, there could be no objection to the amendment. Without the amendment the workmen's inspectors would have full power to act without any guidance whatever from the district inspectors. If the workmen's inspectors were to be under the authority of the district inspectors it should be made clear.

Hon. Frank Wilson: It will make it clear that the officials cannot be called upon to attend except by these district inspectors.

Mr. HARPER: That was an important thing. It would be a serious matter to a mine if the officials or workmen were to be required by the check inspectors to leave their duties and attend an inquiry.

Mr. Munsie: For the welfare of the employees?

Mr. HARPER: No doubt a drawing-room with carpeted floor would be to their welfare. Welfare was such an ambiguous term, and striving for it could be carried to such an extreme degree that it would close down any industry.

The Minister for Mines: That would be so with any Act if anybody ran riot in administering it.

Mr. HARPER: The whole tendency of this provision was to make mining more difficult. If the Minister meant Clause 10 to stand for anything at all, he could not object to the amendment, because it was in accord with what the Attorney General and the Minister for Mines stated to be the intention of Clause 10. It would be a serious thing in a small mine to take an employee away from his duty. At times it would be diffi-

cult to temporarily replace even an unimportant employee, and no end of trouble would be caused to those who were trying to make ends meet and pay wages on the mine.

**THE MINISTER FOR MINES:** The argument of the member for Pingelly seemed to be wholly illogical. The hon. member argued as to the difficulty there would be in mine managers and officials being called away from their duties to go to any part of the mine when required by the inspector.

Hon. Frank Wilson: But this is to go anywhere.

**THE MINISTER FOR MINES:** That was so. At the same time the amendment aimed at allowing special inspectors to exercise those powers. The investigations by special inspectors might be of a more far-reaching and lengthy character than any inspection or inquiry likely to be held by workmen's inspectors or district inspectors.

Hon. Frank Wilson: That is a different thing altogether.

**THE MINISTER FOR MINES:** The argument all went to show the bias with which the whole clause was being viewed. It was the prejudice against the term "workmen's inspectors." They must not be trusted to do anything at all. It had been said that the workmen's inspector was likely to be a man who had political aspirations, and he would use his position to harass mine managers and owners and summon them up to the trades hall in Kalgoorlie, and take them away for days and weeks at a time from their mines. Special inspectors, who would be mostly men with scientific attainments, perhaps medical men, or the Government Analyst, or others who would inquire into special matters which required technical knowledge, might be trusted with the power to call the officials away, but, of course, the workmen's inspectors were not to be trusted. There was no reason to fear that workmen's inspectors would be devoid of common sense any more than any other member of the community, and order the manager here, there, and everywhere. This clause had been in the old Act, and the latter portion of it was

the only innovation. At times there had been refusals by managers to accompany the inspector below when he desired to point out that the method of working in a particular portion of the mine was not in the best interests of the employees, and this addition had been inserted so that in the interests of proper administration of the Act there would be power given to the inspector to compel a man to attend. It was not contemplated that the manager should be dragged miles away. If a provision was being administered without common sense and in an unreasonable fashion, much inconvenience would be caused to the men affected, but it must be assumed that those who were entrusted with the administration of the Act would exercise their power with reason and common sense, and he did not see that the member of the union who might be selected for the position of workmen's inspector was likely to be less reasonable than any other man who might be chosen for a similar position.

Hon. FRANK WILSON: The inaccuracy of the Minister's statement was remarkable. The hon. member had finished up by telling the Committee that this clause existed in the present legislation; then he admitted that the feature to which objection was taken was new.

The Minister for Mines: I explained that.

Hon. FRANK WILSON: But why did the Minister start by trying to mislead the Committee.

The Minister for Mines: I did no such thing. I explained that we had made an addition.

Hon. FRANK WILSON: The Minister compared the duty of special inspectors with that of the workmen's inspector, and argued that whilst members of the Opposition were willing to trust the special inspector appointed to inquire into a technical matter, they would not trust the workmen's inspector. There was no analogy between the two men. A special inspector was appointed by the Governor in Council to carry out specific duties, and he must have power to call the evidence he required and to sit where necessary in order to bring in a true re-

port, but his job was done as soon as he had sent in his report. The workmen's inspector, however, went on for ever; his was a daily work. He had to do the duty of the district inspector, and to that extent his powers were equal to those of the district inspector; his work was just as continuous, and if, under this subsection, he chose to hail the manager and his underground bosses before him to the trades hall for inquiry, he could do it.

Mr. Foley: You would be hailing them to the Palace hotel. That is where you got your policy from.

Hon. FRANK WILSON: The hon. member never had a policy.

The Attorney General: You have not one.

Hon. FRANK WILSON: The Attorney General never had a policy except to get office. The hon. member had not even reduced his salary as he had promised to do.

The CHAIRMAN: Order!

Hon. FRANK WILSON: All that the amendment asked was that the power of summoning the mine officials before them for purposes of inquiry should be exercised by the permanent officials of the Government, either the special inspector or the district inspector. The district inspector was directly amenable to the Minister, but the workmen's inspector was not.

The Minister for Mines: But he is amenable to the district inspector.

Hon. FRANK WILSON: So long as the workmen's inspector exercised the powers conferred upon him, powers equal with those of the inspector or special inspector, he could not be called to book by the district inspector or any other official. The Minister had waxed indignant and said hon. members could not trust the inspectors.

The Minister for Mines: That was the tenor of the remarks.

Hon. FRANK WILSON: Was it not reasonable that the actions of the inspectors would be in the interests of the men who appointed them? It was only natural; that was why the clause was advocated. Members on the Government side admitted that these inspectors would

be sure to look after the interests of the workers. The inquiries would be held into charges against the administration of a mine, and the witnesses examined would be the underground bosses and others at the will of the workmen's inspector, and later on a case would be brought against the administration. The workmen's inspector would be elected by his fellow workers of the union for this very purpose. When the powers of a court were given to inspectors, those inspectors should be Government officials responsible to the Minister, to the Government, and to Parliament, and not to union officials. If the Minister was sincere in his reading of the powers of these inspectors he would not hesitate to accept the amendment. It was a matter of small importance to the Minister, and could not affect the position because the Minister intended that these inspectors should be subject to the district inspectors. The Minister had said this would be provided for by regulation, but such regulations would be *ultra vires* and could not be enforced. The Minister should see the justice of the amendment, and accept it with good grace. Why should he oppose an amendment, even if it came from the Opposition—

The Minister for Mines: It is not because of that.

Hon. FRANK WILSON: Especially when it was only to make more clear what the Minister maintained was his intention?

Mr. HARPER: The Minister should admit that the amendment was only in accordance with a previous clause. If mine officials were to be called upon at the whim and fancy of workmen's inspectors, great inconvenience would be caused. If an engine-driver in charge of a battery and winding plant was required as a witness, he could not very well be replaced, and the same applied to other important positions on the mines. The clause was too ambiguous and the amendment would simply bring it into accord with Clause 10. It should be an important matter to warrant a man being called away from his duty.

Mr. HEITMANN: Do you think these inspectors will have no sense of the fitness of things?

Mr. HARPER: There were so many differences of opinion. Some line must be drawn between district and workmen's inspectors, and the measure should clearly show that the workmen's inspectors were subordinate to the district officials.

Mr. WISDOM: The Minister had explained that the workmen's inspectors would be entirely under the control of the district inspectors. The district officials could not be expected to instruct the workmen's inspectors in every detail, and it was fair to assume that the Minister had agreed it was not desirable to give workmen's inspectors all the powers stipulated in Clause 11. If the Minister meant what he said, he could not logically object to the amendment which simply tended to make his intention clear. The power to order the attendance of persons should not be given to workmen's inspectors who, after all, would be union officials. Such power should be given only to Government officials. The system was likely to lead to endless irritation which every precaution should be taken to prevent. If the workmen's inspector was simply to inquire and report to the district inspector, there should be no difficulty in summoning the necessary people to attend, and the district inspector was the more suitable man to issue such instructions.

Amendment put and negatived.

Hon. FRANK WILSON moved an amendment—

*That the following proviso be added to the clause:—"Provided that the powers set forth in paragraphs (d), (e), and (f) of this clause shall only be exercised by a workmen's inspector upon written instructions from the district inspector."*

It required no words to show that this would achieve what the Minister expressly stated he intended to do by regulation. It would be impossible to make regulations to enforce a rule of this description. Paragraph (d) gave power to

initiate and conduct prosecutions, (e) to obtain written statements from witnesses and appear at inquiries, and (f) to exercise such other powers as were necessary. If a workmen's inspector was to work up a case he should act under the instructions of the Government official. If the workmen's inspector was to be under the control of the district inspector, so far as these powers were concerned, the Minister would accept the amendment.

The MINISTER FOR MINES: It was not possible for him to accept the amendment. Occasions would arise when specific instructions could not be given to a workmen's inspector. The goldfields covered some hundreds of miles and there were instances where district inspectors had areas which took them a week to get from one end to the other, and it would not always be possible for them to get into touch with an accident, or something else that might require investigation, for days at a stretch.

Hon. Frank Wilson: Then you intend that these workmen's inspectors shall take the place of your Government inspectors.

The MINISTER FOR MINES: No. They were put under the authority and control of the district inspectors, and it was not necessary that they should have written instructions before they could do any little thing at all. They would be subject to the control of the district inspector generally. Regulations would be prepared in regard to their duties and conditions of employment. It was not intended to give these men a free hand and enable them to exercise such power as, when painted by hon. members opposite, would exceed the powers of the district inspector. At the same time it was very often inadvisable that we should specifically limit the action or power of officers who might be appointed by Act of Parliament. If a district inspector was away out at Wiluna a workmen's inspector in another part of the district should not have to apply to him for written instructions; besides it might not be possible

to give him written instructions covering the whole of the work intended. There was undue distrust of the attitude that would be adopted by the workmen's inspectors; it was feared that the only object of appointing them was that they should harass the mine owners and mine managers eternally.

Mr. Harper: Be interfering.

The MINISTER FOR MINES: They could be interfering only so far as the four corners of the Bill would permit them. They could not order this or that according to whatever whim might take them. Practically the powers of the inspectors and the conditions that should obtain were laid down.

Mr. Harper: Where is that laid down?

The MINISTER FOR MINES: Practically throughout the Bill. They had not got a free hand. Practically the very object of the Bill was to provide for the regulation, control, and condition of employment underground.

Hon. Frank Wilson: By union inspectors.

The MINISTER FOR MINES: Not at all.

Mr. Heitmann: I suppose a unionist is as honourable as a member of any other class of the community.

The MINISTER FOR MINES: There need be no fear that these inspectors would run loose; they would be under the control of a district inspector, and it was not desirable that they should be limited in their action by an amendment of this kind.

Mr. HARPER: The amendment should be allowed as it was desirable for the duties of the check inspectors to be defined. He had had experience of even a warden making an inquiry which was *ultra vires* and caused much inconvenience and great expense, through the Act not having been interpreted properly.

The Minister for Mines: No Act will prevent a man from doing wrong.

Mr. HARPER: All of those check inspectors could not be conversant with the Act.

Mr. O'Loughlen: Just like a justice of the peace.

The Minister for Mines: We do not refrain from appointing justices of the peace because they make an error at times.

Mr. HARPER: A measure like that would necessitate a lot of reading up and understanding, otherwise the check inspectors might greatly abuse its provisions. We should have men qualified to read up an Act before they started to administer it.

Mr. O'Loughlen: Did you read up before you became a member of Parliament?

Mr. HARPER: Time would not enable him to reply to such interjections by the hon. member for Forrest.

Hon. Frank Wilson: It was a foolish interjection.

Mr. HARPER: It was his duty to give the Committee the benefit of his experience and to point out there would be disadvantages and serious difficulties as a result of check inspectors being appointed by practically an irresponsible body of mining unionists, and mine managers might be subject to all the whims of those check inspectors. It was a very serious and important question, and one which ought to be carefully considered without bias by the Committee. So far as he could see, the workmen's inspectors would have full powers, the same as district inspectors, whereas we should have trained men thoroughly conversant with the measure to administer it.

Mr. TAYLOR: If the amendment was passed it would nullify the powers of the clause. Owing to the areas under the control of district inspectors being so large in the outlying portions of the goldfields, if the check inspectors were able to operate only on written instructions, the time for action would have ceased before they could possibly have received the written instructions. The district inspector might be in the back country where there was only one mail a week, and consequently a fortnight might elapse before written instructions would be available.

Mr. Harper: You are discarding the district inspector.

Mr. TAYLOR: There was no necessity to do that at all. The hon. member for Pingelly desired that there should be no other than district inspectors, and had done his level best to defeat the provision in the Bill for workmen's inspectors. No doubt the hon. member, from his experience as a mine manager and a large shareholder in mines, would like to do away with mining inspectors altogether and be able to run a mine at his own sweet will, without the inspection even of the most highly qualified person whom the Government could appoint, so long as he could pile up dividends in a mine. Advocates of the amendment should recognise that if carried it would absolutely do away with the value of the work which the Bill sought to place upon the inspectors.

Mr. HARPER: If the clause stood as printed the district inspectors would be subordinate to the check inspectors. If anything happened in a mine the check inspectors would take action and the district inspector would be out of it, therefore the latter's position would be absolutely useless. It seemed to be putting the cart before the horse. The district inspector was to have control over the check inspector, but according to the Minister, he might be a considerable distance away, and it would be the man on the spot who would be first every time. The check inspectors would always be alert and perhaps officious in endeavouring to find out what was wrong.

Mr. O'LOGHLEN: The statement was made by the Minister for Mines that owing to the scattered nature of this industry it would be impossible for the district inspectors to do effective work. In the event of an accident occurring which would necessitate a written statement being obtained from one of the persons injured, how would it be possible for the workmen's inspector to carry out his duty? If we were going to carry the amendment it would nullify the previous clause which had been agreed to. The member for Pingelly spoke of the great

harm that would be inflicted on the industry by the interference of the workmen's inspectors, and declared that they would be appointed by an irresponsible body. The only difficulty in the way of doing effective work would be that as their jobs were dependent on their reports, they might not be fearless enough.

Hon. Frank Wilson: Are you going to pay them?

Mr. O'LOGHLEN: No.

Hon. Frank Wilson: Who will pay them?

Mr. O'LOGHLEN: These men had a little more patriotism than the hon. member who led the Opposition. They would go out of their way to see that the regulations were observed.

Hon. Frank Wilson: They will be appointed for two years on a continuous job.

Mr. Harper: Who will take up the job without payment?

Mr. O'LOGHLEN: If all were of the kidney of the member for Pingelly there would be very few volunteers.

The CHAIRMAN: Order!

Mr. O'LOGHLEN: The member for Pingelly stated that these inspectors would be appointed by an irresponsible body, and that they would have no knowledge of the Act. After all, the best tribute that could be paid to these men was that of two of the hon. member's own party who were standing for the Senate, and who declared that the miners had a greater knowledge of the Acts of Parliament of the State than anyone else they had met. The unions of workers put their brightest and best men into official positions. The amendment, if carried, would prove unworkable and would wreck the previous clause; it would also prevent the effective administration of that part of the measure that bid fair to give protection to some of the men concerned.

Hon. J. MITCHELL: The Minister should consider whether it would not be wise to limit the powers of the workmen's inspectors. If these powers were to be exercised by men who must be biased because of the method of their appoint-

ment, considerable harm would be done to the industry. Would the Minister give to a justice of the peace the power held by a magistrate? The Minister should accept the amendment or take steps to limit the power to the extent indicated earlier in the evening.

Amendment put and negatived.

Clause put and passed.

Clauses 12 to 20—agreed to.

Progress reported.

*House adjourned at 10.28 p.m.*

## Legislative Council,

*Tuesday, 16th September, 1913.*

	PAGE
Papers presented ..	1108
Questions: Loans, interest, and sinking fund ..	1108
Opossum licenses ..	1108
Quairading-Nunajin railway, cost ..	1108
West Province Election select committee ..	1108
Bills: Companies Act Amendment, 1R. ..	1109
Friendly Societies Act Amendment, 3R. ..	1109
Fremantle Harbour Trust Amendment, 3R. ..	1109
Game Act Amendment, report stage ..	1109
Roads Closure, 2R. Con. ..	1109
Rights in Water and Irrigation 2R. ..	1109

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

### PAPERS PRESENTED.

By the Colonial Secretary: 1, By-laws of Dowerin roads board. 2, Statement of expenditure under the Mining Development Vote for 1912-13. 3, Police Benefit Fund Regulations. 4, By-laws of Beverley roads district local board of health. 5, Report on the Medical, Health, Factories, and Early Closing Department for 1912. 6, Report of the Labour Bureau for year ended 30th June, 1913.

### QUESTION—LOANS, INTEREST AND SINKING FUND.

Hon. Sir E. H. WITTENOOM asked the Colonial Secretary: 1, What was the total amount paid for interest on loans for the financial year ended the 30th June, 1913? 2, The total amount paid for sinking fund during same period?

The COLONIAL SECRETARY replied: 1, £963,412, 7s. 2d. 2, £244,554 14s. 9d.

### QUESTION—OPOSSUM LICENSES.

Hon. D. G. GAWLER (for Hon. R. J. Lynn), asked the Colonial Secretary: 1, Have any licenses under the Game Act, 1912, to take and kill opossums, been as yet issued? 2, If so, to whom and under what conditions? 3, Is he aware that a considerable number of opossums is being taken in the South-Western district? 4, If, so, what action has been taken?

The COLONIAL SECRETARY replied: 1, No. 2, Answered by No. 1. 3, No. 4, Answered by No. 2.

### QUESTION—QUAIRADING-NUNAJIN RAILWAY, COST.

Hon. D. G. GAWLER (for the Hon. R. J. Lynn), asked the Colonial Secretary: 1, What was the total cost of the construction of the Quairading-Nunajin Railway, exclusive of landed cost of rails and fastenings? 2, What is the length of the line?

The COLONIAL SECRETARY replied: 1, The actual cost of construction, including water supply and surveys, and exclusive of rails and fastenings, is £62,082. 2, 48¼ miles.

### WEST PROVINCE ELECTION SELECT COMMITTEE.

*Extension of time.*

Hon. R. D. McKENZIE (North-East) moved—

*That the time for bringing up the report of the select committee appointed to inquire into the West Pro-*