

INSPECTION OF MACHINERY BILL.

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

UNIVERSITY ENDOWMENT BILL.

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

ELECTORAL BILL.

SECOND READING.

Resumed from 22nd September.

HON. J. W. HACKETT: This order of the day waits upon the Minister. There was an understanding that we were to take the three measures together before dealing with them separately.

THE COLONIAL SECRETARY: I have been somewhat disappointed this afternoon in not receiving from another place the Redistribution of Seats Bill. In these circumstances, and by reason of the promise I have made to hon. members that I would not ask them to consider these Bills until the "set," if I may use the term, was complete, I have nothing left for me to do but to move that the House do now adjourn. While I should like to adjourn over to-morrow it would be scarcely feasible, because we must be here to-morrow to receive the Redistribution of Seats Bill, so as to continue the debate on Tuesday next.

HON. J. W. HACKETT: We can receive it on Tuesday and have the debate on Wednesday.

THE COLONIAL SECRETARY: I hope hon. members will realise that the last thing in the world I would ask them to do is to hurry; but naturally I would ask them to lose no time. However, if hon. members desire that we should adjourn over to-morrow, I have no objection to offer.

HON. J. W. HACKETT: Is there not likely to be a lull in business from the other place, owing to the number of measures going there from this House?

THE COLONIAL SECRETARY: When we get through these Bills we shall have rather a lengthy adjournment. I do not see there is any help for it. I do not think there would be any harm in adjourning over to-morrow, and I therefore move that the debate be adjourned until Tuesday next.

Motion passed, and the debate adjourned.

ADJOURNMENT.

The House adjourned at 5 o'clock, until the next Tuesday.

Legislative Assembly,

Wednesday, 7th October, 1903.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS: Lands Granted to and Transferred by the Midland Railway Company: Return moved for by Mr. Harper.

Ordered, to lie on the table.

INSPECTION OF MACHINERY BILL.

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

MINING BILL.

SECOND READING.

Debate resumed from the previous day.

MR. F. REID (Mt. Burges): This Bill is, in my opinion, one of the most important which can be dealt with by this Parliament. Last evening the Treasurer enumerated the various minerals which we have in abundance in this country; and if we ever succeed in becoming a great nation, our success will be due to our minerals. I have no desire to speak at great length, as most of the objections which the Labour party have to the Bill will, I trust, be remedied in Committee. I shall mention one or two of the provisions to which we do object, and which if passed will press harshly on

many of the poorer prospectors on the goldfields. One is the payments which the prospector has to make when taking up a lease—£1 per acre and a survey fee. I think £1 an exorbitant amount for the Government to demand, at all events from the poor prospector, when we consider that he has to pay a survey fee also; and if the rent were reduced say to 5s., *plus* the survey fee, even that would be a formidable impost on many men who would now take up reefs. Another objection of the Labour party is that the working miner is not entitled to recover more than one month's arrears of wages. I think the term should be extended to three months.

THE MINISTER FOR MINES: That right is preferential over any other claim, including a first mortgage.

MR. REID: Just so; but in my district there is now one mine the men employed in which have sometimes to wait six weeks for their money, and I know of other instances. I myself, when working in mines in this country, have had to do without my wages for three or four months at a time, and I know many other men have had the same experience, and may have waited longer. In most cases the men were ultimately paid; and in many of those cases the continued prosperity of the mine depended on the men being able to give their support to the management, in order to make the mine a success. These men did not demand their wages at the time, so as to allow the proprietors to work the mine until it became a success. If the men had demanded their money the proprietors would have been compelled to close down the mine, and the amount of gold which was subsequently taken from the mine would have been lost, and besides the men would have been thrown out of employment. In all justice and reason the time should be extended to three months. Speaking on the general provisions of the Bill, I desire to compliment the Minister for Mines for bringing forward this measure; he certainly deserves all the credit we can give him for the industry evinced in attending so well to the requirements of the mining people on the goldfields. With respect to some of the arguments brought forward as to the Arbitration Act and the

advantages gained by the working classes through the passing of that Act, I think, so far as the people of this country are concerned, the advantages to be derived from the Conciliation and Arbitration Act have undoubtedly been mutual. Knowing the people on the goldfields as I do, the working classes more especially, I say that during the last eight years—I might say from the very inception of the goldfields—there has been no dispute brought about by the workers. In every instance in which a strike has occurred an endeavour has been made by mine proprietors to bring about a reduction in wages. Nevertheless, the fact remains that the goldfields of Western Australia are pointed at to-day, by people all over the world, as the place where men are receiving exorbitant wages. From my knowledge of the people and their circumstances I say that the wages which are being paid on the goldfields to-day are barely sufficient to allow a man to maintain his wife and three or four children in comparative comfort. Young men may be in a position to lay by a little from their earnings for a future rainy day, but I say without fear of contradiction that a man with a wife and family can save literally nothing out of his wages. [**THE MINISTER FOR LANDS:** Quite correct.] The Arbitration Bill should have been welcomed by all people on the goldfields. [**MR. HASTIE:** So it is.] I have no doubt it is welcome. At the same time we have people who are always endeavouring to decry all they can the good of that Bill. [**MR. JOHNSON:** It is only the Londoners who complain.] I will not deal farther with that matter at the present time, but there is one question on which I am very anxious to say a few words. I am very anxious indeed to point out that notwithstanding the thoroughness with which the Minister has gone into the question, he has omitted one very important detail in connection with this Bill. In this country we must realise that the men who are working in our mines are to all intents and purposes to-day the goose that is laying the golden egg, for as the Treasurer pointed out last evening in the course of his Financial Statement the amount produced by each miner in the country is about £450 per head. It is only right that miners should do their

work in something like comfortable conditions. In every country in the world to-day the cry is being made that the population is being limited. I have no desire at all to deal with that question, but I wish to deal with the question of treating fairly the population of any country. In our mines to-day we are absolutely poisoning and destroying the vitality of those producing the wealth of this country. In order to bring about conditions which will allow these men to work and have their life prolonged, it will be necessary to add something to the Bill before the House. I refer to the ventilation of our mines. So far as I know, we have absolutely no regulations in this State for the ventilation of mines, or if they exist they are useless to those who work in the mines. I may go farther and say that in mining districts in Victoria, the oldest gold-mining districts in Australia, the condition of ventilation there is such as to cause the utmost alarm to medical men who are practising in those mining districts. Indeed the condition there is absolutely appalling to anyone who can realise what is taking place in the gold-mining districts of Victoria. I have here extracts from reports by Dr. Godfrey, a Government medical officer practising in one of the mining districts of Victoria; and in reporting on the condition of mining ventilation in that State, referring to a particular mine at Bendigo, he said :—

On reaching the 2,825 feet level and examining the men there, a very different condition of affairs was discovered. Here, without exception, all the men were affected by their surroundings, as shown by shortness of breath, hurried, shallow, and laboured respiratory movements, profuse perspiration, increased pulse rate, and inability for sustained exertion.

Reporting on a mine at Stawell, and referring particularly to the presence of fine dust in the air, Dr. Godfrey stated :—

I consider these conditions—bronchial irritation and lessened vital capacity—are to a large extent directly due to the presence in the air of the mine of fine dust from the drills and especially from the shoots. The effect of constantly inhaling this dust would be to set up a condition of chronic bronchial catarrh, thus predisposing the miner to lung diseases; and secondly the deposit of this dust in the air-cells and surrounding tissues is the direct cause of fibroid phthisis (“miner’s lung”).

Another medical report says :—

The imperfect combustion of nitro-glycerine compounds produces carbon monoxide, one per cent. of which is fatal if breathed for ten minutes. Good air contains about 0.1 of carbon dioxides, but 10 per cent. produces suffocation.

In Western Australia several mining accidents have been brought about exactly through the same conditions as are described by Dr. Godfrey in those brief reports. I desire to draw the attention of the House to an accident that occurred in the Mount Charlotte mine at Kalgoorlie about six years ago, when five men unfortunately lost their lives through suffocation caused by the burning at the face of explosives. That accident occurred through the ignorance, not of the working miners who unfortunately lost their lives on that occasion, but the ignorance of one who was placed in the mine as a shift boss to look after the interests of the owners and the welfare of the miners. He carelessly hung his spider (his mining candlestick) on a box of explosives; the lighted candle caught the nitro-glycerine in the box, and the whole box of stuff burned away, thereby suffocating five miners who were working there. I have here a report given by a board appointed by the Victorian Government to decide as to who were entitled to a bonus of £2,000 offered for the best system of ventilation of mines in Victoria; and it is startling to read the report, which shows clearly the extent of the danger in Victoria, for notwithstanding the fact that the Victorian mine owners are put to all the expense of ventilating their mines, the managers of the mines (with very few exceptions) are so ignorant of the laws of ventilation that they do not carry the ventilation into practical effect in mines under their management. Referring again to the accident in a Kalgoorlie mine, there are certain laws that must be observed in connection with the ventilation of a mine, and in my opinion, having had experience in mines extending over a great number of years, it is not possible to ventilate a mine unless there is a clear return for the ventilation current. In other words, if a mine is to be thoroughly ventilated, and this is in the interest of the mine owners as well as the men who have to work in them, it is necessary that the

system of ventilation should be thorough. I believe there is no way of getting a complete system of ventilation unless you have two shafts. This report from Victoria leads me to the conclusion that gold-mining has been carried on for such a number of years in that State, and the mines are so deep, that the mine owners are not willing to incur the expense of sinking a second shaft to complete the necessary ventilation. In Western Australia our gold-fields, to all intents and purposes, are in their infancy, and it will therefore be easy and to the advantage of owners and workmen alike that under this Bill regulations shall be made for compelling the proper ventilation of mines. There is no other way of ventilating a mine thoroughly unless there is a double shaft. Various systems have been tried in Victoria, without success; and to-day the condition of affairs there is something appalling. I have here a report, reproduced in the *Coolgardie Miner* from a Victorian newspaper, which gives a clear insight into the condition of mines and the need for ventilation in Victoria:—

Mr. J. Pread, general secretary of the A.M.A., Victoria, is responsible for the following statement published in his half-yearly report, just issued, respecting the conditions prevailing in the New Chum Victoria Mine, Bendigo. He says that he made the descent to the bottom plat with Mr. Abrahams and Mr. Hawke, mining inspectors. "We were lowered," he writes, "into three feet of water, which was purposely kept there to enable the men to cool off. Several men were sitting in the plat with water up to their necks, in a temperature of 92 degrees, and having no clothing on but a pair of blue pants and a pair of boots. Asked what they were doing there, the reply was, "Oh, cooling down." We proceeded along the crosscut to a level, which at that time had been driven a distance of 403 feet, and found men working rock-borers in a temperature of 95 degrees; 200 feet back from the end, however, the temperature was nearly 98 degrees. The compressed air in use accounted for the lesser register in the end. For men to work under those conditions for any lengthy period would certainly bring them to an early grave. We could scarcely breathe, and our sensations were horrible. The poor fellows working there were quite resigned to their fate, and simply remarked, "Well, you know, somebody has to do it."

That is the condition of affairs in Victoria; and unless we take some action at the present time, our men will be compelled to work under conditions exactly

similar to those described in this report. But I feel sure there is not a member in this House, nor a man or a woman in this country, who would desire to have those who are producing the gold here working under such conditions. That those conditions exist is an actual fact; and I have here in a mining report made by the same gentleman the following corroboration of what I have just read. The report refers to the New Chum Mine, Bendigo, and states:—

On reaching the 2,825 feet level and examining the men there, a very different condition of affairs was discovered. Here, without exception, all the men were affected by their surroundings, as shown by shortness of breath, hurried, shallow, and laboured respiratory movements, profuse perspiration, increased pulse-rate and inability for sustained exertion. On questioning them I found that they were compelled to cease work at the end of every half-hour, and to "cool," as they described it, for ten or fifteen minutes at the end of the drive near the shaft.

Those are the conditions under which men will have to work here, unless the Minister for Mines realises the position, and introduces some measure to compel the mine owners of this country thoroughly to ventilate their mines. Such a measure will be not only to the advantage of the miner but of the mine owner. If the mines are ventilated, then the men will be able to give a satisfactory return to their employers. If they are not ventilated, men will have to go out for 15 or 20 minutes in every half-hour in order to cool off. To show the benefits of thorough ventilation and to compare bad ventilation with good, I should like to read a report on another Bendigo mine, as follows:—

The manager of the Johnson's Reef Co., No. 2 mine, Bendigo, informed Inspector Abrahams that in the drive being put in his mine to connect with the drive being put in from the Princess Dagmar Co., that in the Johnson's drive with good air 25 to 26 feet was driven by four men per fortnight. In the Princess Dagmar drive, when the air was bad, the amount driven by four men was only 14 feet per fortnight. Both drives were driven under the same conditions and in the same kind of ground.

This comparison shows that in a well-ventilated mine four men can drive 26 feet under given conditions. In another mine, in exactly the same country, where the men ought to have been able to perform the same amount of work, they

were, owing to bad ventilation, unable to drive more than 14 feet; clearly showing that as to ventilation of mines, the Labour party in this House are not striving to benefit the miners merely, but are working in the interests both of mine owner and mine worker. There is no doubt that on consideration any mining man—and there are several in the House to-night—will easily realise that although the profits of our mining companies are big at the present time and may be big in future even with bad ventilation, yet with better ventilation and the sinking of extra shafts, the profits will be bigger for the employer, and the life of the miner will be prolonged; whereas under conditions which are fast growing up around us, the life of the miner of this country will be, say, from six to seven years. As a fact, I know several men who have been ordered by their medical advisers to leave mining on the goldfields and to come here for a spell. Those men have had their systems heavily charged with carbon dioxide inhaled in the mines; and if this sort of thing is allowed to go on, though only the few are coming to the coast at the present time, by and by the many will come. And when this insidious complaint once attacks a man, he never really recovers, as is shown by the evidence of medical men in Bendigo. A man may have been working in a mine for five or six years, or perhaps longer; he may have been steady, industrious, and sober; he may have a wife and one or two children. One morning he is absent from his work; inquiries are made, and the answer is, "Oh, he did not feel well this morning." The same reply is given on the next day. Perhaps a fortnight passes; and by the end of that time inquiries cease to be made about him, and he is forgotten. That man lingers on for about two years, and then dies; and during those two years he has been an invalid, his savings have been eaten up by his wife and family, and he leaves them to the mercy of the charitable. That will be the position of thousands of miners in this State, unless steps are taken to remedy the evil. I do not know that it is necessary for me to labour this matter to any great extent. So far as I understand, it will not be dealt with in the present Bill. But there are hundreds of appalling facts which I could give the

House. I wish only to ask the Minister if it is his intention to introduce some legislation during the present session with the object of to some extent mitigating the terrible injuries which are being inflicted on the miners of the Eastern Goldfields. If he replies in the affirmative I shall be satisfied to sit down, trusting that something will be done for us in the near future.

THE MINISTER FOR MINES: We shall have to deal with ventilation in the Mines Regulation Bill. Our existing Act is exactly the same as the Victorian.

MR. REID: Is it your intention to introduce an amending Mines Regulation Bill this year?

THE MINISTER FOR MINES: That is the intention.

MR. REID: Thank you very much. I shall not take up more of your time, though I could quote any number of facts and figures which would startle the House. It seems to me that the Victorian mines have means of ventilation, but the managers do not know enough to take advantage of the means at hand. In some mines in Victoria 33,000 cubic feet of air per minute is being pumped into the shaft, and at the bottom of the shaft going into the mine there is less than 2,000 cubic feet per minute, showing that over 30,000 cubic feet of air escapes in the shaft. The men in the mine are sweltering all the time, and are being robbed of the ventilation that the ignorance of the manager prevents them from getting. This is a system which we do not want in this country, and I have no hesitation in saying that if the Minister introduces a Bill to do away with such an iniquitous condition of affairs, he will earn the gratitude not only of the miners' wives and families, but the gratitude of all the people in the country.

MR. W. OATS (Yilgarn): I would like to corroborate the statements of the member for Mt. Burges. The facts that he brought before us are true in every particular, yet they do not give the worst state of affairs. I come from a mining district where the conditions are worse than what the member for Mt. Burges has stated; but we are in Western Australia now, a new mining country, and though we have not that trouble before us yet, it may come; therefore I am glad to hear the Minister for Mines say he intends to

do something in this direction. My speech this evening will be very short. This Bill has been talked over now for some weeks, and I think it is time we were in Committee, so that I shall do my best to speak shortly now, with the hope of seeing the Bill in Committee very soon. First, I wish to compliment the Minister for introducing the best Bill on mining that has been produced in Western Australia. [Mr. DIAMOND: I reckon in Australia.] Probably in Australia. I do not go as far as that, but I say in Western Australia. The Bill has its defects, which have been pointed out, but we could not expect a Bill with 309 clauses to be perfect. I hope in Committee the discrepancies and faults that may be found will be remedied, and that the Bill will emerge from Committee a good, sound measure for the benefit of us all. The consolidation of the various Acts is good. I think this is a step in the right direction. We have had many difficulties in the past in knowing what the law really was, and the consolidation will be a great improvement in that direction. I have been very pleased and interested during the debate to hear the Bill spoken of so approvingly. I was rather amused by the member for Coolgardie, who facetiously dubbed the member for Kanowna a "boodler." I disapprove of that word. I know the hon. member is not a "boodler"; he does not belong to that class at all. I would like to ask, who are the "boodlers"? [Mr. BATH: It is a bad term to use.] I do not like it. "Boodlers," from my experience, have been men who come here professing to represent capital; though many of them only want a piece of ground with a Government title to it, so that they can go to London and sell the land and "collar" the coin. They do not care particularly whether there is gold in the lease or not. I say these men are well termed "boodlers." They have endeavoured on many occasions to entrap the honest mining man by asking him to give a fictitious report, an untruthful report. I am speaking from experience on this matter, for I have been offered £1,000 more than once to write a lying report. But no; I was not built that way. In all the reports I have written—and I suppose I have written as many reports as

most men in Western Australia—I have never penned a lie. I have never taken a bribe of any sort. I do not get money that way. I will give an example of what I call a "boodler," and this is the worst kind of "boodler" I know of. A gentleman—a person professing to be a gentleman—came over to see the country and do good for himself, and I believe he did. He spent two or three months on the fields, and before leaving he asked me if I would give him a few specimens to take home. He was a polished gentleman, a nice-spoken man, and I gave him a box of specimens from most of the mines in Kalgoorlie at that time. It was not a large box, but a very interesting collection of samples of stone as it was then broken in Kalgoorlie. I know as a fact that this man went back to London and walked into a board-room—he was a member of a mining-board then—and gave a report on his visit to Western Australia. At last he produced the box I had given him, and said: "Gentlemen, these are specimens from our mine." That is a "boodler" of the worst type. Some years afterwards I met that gentleman again, but in the meantime I had written him a letter asking him if he could look me in the face, but he could not do so. That is the class of "boodler" who is well named.

MR. DIAMOND: The worst boodlers are the proprietors of the *Daily Mail* in London.

MR. OATS: I am pleased to say there are exceptions. There are many honourable men who come here that we are pleased to welcome, and for whom we will do all we can in showing them the mining of Western Australia. In the early days the conditions were rather untoward, but we need not elaborate much on that point. We have proved, in spite of all the vicissitudes, that we have a great mining country, which for the last 10 or 12 years has increased in population from 35,000 persons to about 228,000 persons. People have come here from all parts of the earth, and the great majority who are here now have settled down as good citizens. I am very pleased I was one who came. I say without fear of contradiction that we are the men who made this country what it is. I do not wish to say anything against the old settlers, the old West Australians; many

of them are splendid fellows, but they knew nothing about mining, though many of them have learnt since what mining is. The old West Australians are gentlemen, generally speaking, of the first type, and I am very pleased to call myself a West Australian and be considered one. We see a country which in the past was desolate and uninhabitable, to-day having railways, a river of running water pumped up hill, and many of the comforts which in the early days were not known; yet we have only just started developing this country. If we are careful we can quadruple the gold yield. The country has only been partially developed in many instances, but the gold centre of Kalgoorlie is well developed and is turning out immensely. I consider the output of gold will greatly increase, and besides that other minerals, such as tin, copper, iron, and other products, will have larger attention paid to them in future. There should be a great yield of these minerals. We know they are here, and we have the markets of the world for these products. What will the development of these minerals do? It will increase the population and give the agriculturist, the gardeners, and the other producers of Western Australia a market.

THE SPEAKER: I do not think the hon. member's observations have anything to do with the Bill before the House.

MR. OATS: I will get to the Bill in a very short time.

THE SPEAKER: I hope the hon. member will, because he is not now addressing himself to the Bill.

MR. OATS: I hope the House will pardon me for a little rambling. I ask, what is required to bring about greater development? Equitable laws for all, so that the worker may have fair play. Encourage the men to do their best, for a working man's capital is his skill and his brains, and I want to see that capital have full play: we should encourage the man who does the best work. I want to give him a higher platform to work to. I approve of conciliation and arbitration, and I also believe in a minimum rate of wage, but I am afraid that the minimum rate of wage may be made the maximum. It will be a sad thing, it will be a pity, if the minimum rate of wage should be considered the maximum, and I hope that will never happen. I want to see the

best man get above the minimum and be paid what he is worth. I do not want to see the best man levelled down to the rank of the more unfortunate man who is not so well able to work. I want to stimulate men so that they will be encouraged to do their best. I will give an example of what I mean. Supposing a skilled and an ordinary man are working together, the manager comes along but does not consult the second-rate man at all: he asks the skilled man how the work is proceeding, and he takes that man's opinion. The skilled man is worth, we will say, half-a-crown a day more than the other man, and if that man is given the half-a-crown a day more it will most certainly stimulate the other man to get the same amount. Other men will say, "Why should I not earn half-a-crown a day more? I will try and get it." It will encourage a good spirit. In this country we have plenty of room for capital, and with the development now going on and the opening of the country by means of railways we shall have a fine opportunity of spending capital in a proper manner and to the advantage of capitalists. I for one cannot recognise that we can work this country without capital. We have proved that we have a great future before this country. At first the skill of the miners and the managers was not all that could be desired, but after 10 or 12 years' experience we have a better class of men, more trustworthy than those were at first. I approve of the Bill generally, and I shall be very pleased to support all the clauses that commend themselves to mining people generally.

MR. F. WALLACE (Mt. Magnet): After listening to the very instructive speeches by the members for Mt. Burges (Mr. Reid) and Yilgarn (Mr. Oats), I desire only to speak to a few clauses of the Bill for the purpose of conveying to the Minister my impression after reading those clauses, in order that by the time we get to the Committee stage he will have an opportunity to consider them, and have alterations made in the way I suggest, if he thinks they are prudent. I want to refer particularly to mining licenses or miners' rights for persons applying for leases or for holders of leases. It will be seen that in Clause 114 it is distinctly set out, and I may say it is the present law, that "it shall not

be necessary for an applicant for or holder of a lease to be the holder of a mining license." In order to make my point, I go back to Clause 40, which members will see provides that—

No person shall commence any proceedings in a Warden's Court, or counter-claim (a.) to recover possession of any claim or authorised holding or any share or interest therein, or (b.) to recover damages for, or to restrain the occupation of or encroachment upon, any such claim or authorised holding or any part thereof . . . unless such person is the holder of a mining license.

It is apparently intended that a man holding a claim shall be obliged to hold a mining license or miner's right; but the applicant for or even the holder of a lease need not take out a miner's right. It is my intention to suggest and endeavour to have carried into effect, that if the man working on the mine is a miner he shall be obliged to take out a miner's right. I believe that by this means we shall be able to farther lessen the price of the miner's right, notwithstanding that the Minister has provided in this Bill that it shall be reduced from 10s. to 5s. In support of my contention on Clause 114, I will also have to ask members who desire to follow me to refer to Clause 288. It says:—

Any person, not being the holder of a mining license, found to be (a.) engaged in mining on any Crown land . . . shall be liable for every such offence to a penalty . . .

The interpretation of the word mining in this Bill is "all modes of prospecting and mining for and obtaining gold or minerals." Therefore I contend that the applicant for or holder of a lease would be a miner, and if in Clause 288 he is liable to a penalty, I would ask the Minister to make a provision to guard against any such breach of the measure. I will suggest that every man working on a mine, be he a wages man or not, shall be compelled to have a miner's right or mining license. I had forgotten to refer to the last paragraph of Clause 288, which distinctly exempts that class of man. I want to make it obligatory to get a license. The proviso is: "Provided that nothing in this section shall apply to any person working in or upon any mine for wages only." I think the Minister will agree with me that all men who earn their living by mining should be treated alike, and I would ask that in

making it obligatory upon every man to hold a mining license or right, the fee be a moderate one, and perhaps it will be soon possible to reduce the price of mining licenses to 2s. 6d. instead of 5s., which I will admit is a very liberal reduction, and which I will also admit I am prepared to support if the Minister does not think it prudent at this stage to make such a reduction as from 10s. to 2s. 6d. I am only making this suggestion, and I would ask the Minister to consider it, because I intend—and I understand other members hold the same view as I do—to insert some clause or offer some clause compelling every man working as a miner on a mine or lease to hold a miner's right. By that means I think we shall increase the revenue from that source, and also lessen the burden on the other men who are now called upon to pay the major portion of the mining license fees.

THE MINISTER FOR MINES: What would you make the penalty for men working without a license?

MR. WALLACE: I am not prepared to make any statement as to what the penalty should be. I admit there should be some penalty, for it is not right that one should be allowed to work without a license, but the point I am aiming at is that every man working shall hold a single license, and in order to do that we would have to deal with Clauses 114 and 288. We shall have to make alterations or additions in those clauses necessary to deal with the points I have referred to. However, this is a matter which the Minister will decide. There is a provision in Clause 166 which is rather more than I am able to deal with, and I would ask those practical members of this Chamber to consider it. Clause 166 deals with the drainage of mines. It sets out that "The owner of any machinery already erected or hereafter to be erected may require the owner of any mine, the workings of which have reached the natural water level drained by such machinery, to contribute a fair share of the total expenses of draining," etc. I have been asked if there is not some danger of that falling heavily on the small miner, and in order to support my suspicion I refer to Clause 168, which says, "No drainage dues shall be demanded for any period during suspen-

sion of draining operations." If it is compulsory that the small man shall contribute to the cost of baling or damming the water in another shaft, which certainly would be of benefit to him, what protection is there against another man ceasing pumping operations? It seems to me necessary we should make some provision therein protecting the small man. Personally, I do not see why the small man should be asked to contribute at all, or the other man, be he the smaller man or not, the man who has not the machinery, because the man who has the machinery would drain the ground if there were nobody adjoining him; and because someone is going to derive a benefit from the work he is going to do, he wants some share of the outlay to be paid him, which seems just from one point of view; but if the other man is not in a position to meet the demands, there are clauses here which appear to me to be very stringent, and they would certainly handicap the other man to such an extent as to cause him to use capital when it would not be advantageous to him. The member for Kanowna draws my attention to an amendment in the Notice Paper. I have not seen it.

THE MINISTER FOR MINES: "Provided that no owner of any mine shall be required to pay any contribution exceeding the amount of the benefit actually derived by him in respect of such drainage."

MR. WALLACE: Seeing that the Minister has given that notice of amendment, I will say no more on that clause now. Mining on private property comes under Clause 115, and on this I will only say that some time ago we hailed with great delight the Bill introduced by the present Minister to permit mining on private property. In this Bill we find that a property on which there are large mineral deposits known for very many years and worked under royalty is wholly exempted from the operation of this portion of the Bill.

THE MINISTER FOR MINES: Hampton Plains?

MR. WALLACE: I believe the Minister will be able to give us an explanation which will show that under the agreements made by the Government in the early days when the Hampton Plains land was sold we may have some difficulty

in reaching those owners by this measure; but I ask the Minister that during recess if not before, he should look deeply into this matter and see if we cannot bring the Hampton Plains lands within the range of the Mining on Private Property Act. Clause 184 is the next one I would refer to, and the marginal note of it is, "Return of rent and survey fee." It reads: "When an application for a lease is rejected, the applicant shall be entitled to have the amount deposited by him as rent returned to him, together with the survey fee if no survey has been made." It is clear at once that if the applicant lodges a survey fee and that survey has been made, there is no chance of getting that fee back. I think that is very correct indeed, because the work has been done; still it seems hard if for some reason or other through no fault of the applicant he is unable to get that piece of land he should still be called on to pay the survey fee. I wish to refer to a question that has been dealt with by the member for Mt. Burges, that of payment of rents by applicants. We know that to-day a man has to deposit rent and survey fees on applying for a lease. As the survey fees are not recurring but the rent is, I would ask the Minister if he could not give some consideration to the suggestion made by the member for Mt. Burges as to the reduction of the rent fees for a term. I believe it has been suggested for one year. It would be a very great assistance to applicants with a small amount of capital if in the first year instead of having to pay £1 per acre for six acres they could get the lease for 5s. an acre, and it would in a very great degree be an inducement to a number of men to take up leases. I hope the Minister will look into this in Committee, and an endeavour will be made I believe to have such provision inserted. The side-note to Clause 237 is "Powers of Court," and I want to express my appreciation of the Minister's action in having such powers as these inserted in this Bill. There is a case in question which has been for three years in and out of the courts of this State, and it is in connection with a very wealthy property; but because of the absence of such powers as are given by this clause, the Crown has been unable to deal in any way with the property, which

during the whole of that period has been locked up. By Subclause 7 of Clause 237 the court may order any mining operations to be suspended until a farther order of the court be made, or to be carried on by or under the direction and control of a person appointed by the court. Other cases of which I am not aware have probably arisen, in which such a power would be welcomed by the people of the locality. The clause gives the Government power to carry on the work, and to impound the proceeds until settlement of the litigation; and this will give a great impetus to the mining industry in any particular district where it may be hampered by such law suits. In the particular instance I have in mind, a great lock-up in mining in and around the neighbourhood has been caused. I am pleased that this clause has been inserted, and to find that in Clause 280 a provision is made which at a glance one would not consider should be made in a Mining Bill. However, it will be very welcome, because of the relief it will afford to men working with mates, partners, or shareholders. If one of the partners absents himself from the property, it is generally understood that the remaining partners do not care to employ labour to do his share of the work; and they are at times in a quandary to know how to protect his interest. But in Clause 280, Subclause 10, provision is made whereby any partner can employ a man to fill the place of any absent partner with or without that partner's consent; and the following subclauses provide that the remaining partners are amply protected to the extent of the amount which they may be called on to expend in protecting the interests of their absent partner, and of course their own interests as partners with him. The Minister will remember Clause 281, giving a lien for wages. If I remember rightly, the Minister said recently, when speaking to this clause: "I want members to understand contracts must be in writing;" and he said farther, "This is a matter which should be well known before the Bill becomes law." I cannot altogether understand the intention of the Minister in protecting the wage-earner for a term of four weeks only. Surely on consideration the Minister will agree that though this is all right in and around the populous mining centres,

it is different in such places as the Mt. Margaret district, or even in North Murchison, say at Peak Hill or Lake Wav. I may say without any disrespect to those districts that they have seen troublesome times, and that many men will be working there without wages for from six to eight weeks; yet under this Bill they will be unable to recover more than four weeks' wages. I think the members for those districts can satisfy the Minister that to give to men in the outlying centres protection equivalent to that given in the more populous centres, we ought to extend the time, if not to two months at least to six or seven weeks.

THE MINISTER FOR MINES: This will be a claim preferential to a first mortgage.

MR. WALLACE: I know it is a prior right; but what is the good of offering to a man something which he cannot obtain? It is like offering him a slice of the moon. I would ask the Minister to consider those men in far-back places. We know that men often work up till pay-day; they do not get their money on the exact day, but perhaps continue for three or four days. In farther-out places they might continue to work on for a week or ten days beyond the regular pay-day. Then the manager, who is in a quandary as to how he is to get the money for that particular pay, encourages the men to go on till the next pay-day. Those men will go on beyond the limit stipulated in the Bill; and I would ask the Minister whether in the case of men in out-back places he does not think some special provision is demanded. In Committee it is, I believe, intended to deal with that point. I think the time should be extended to six or seven weeks; some members wish it extended to two months, and I am reminded that it is proposed to extend it to three, but I think the last-mentioned period too long. I have spoken to the Minister as to a clause which I desire to insert to deal with the pegging of alluvial claims. I have discussed it with numerous mining men, both alluvial and reefing, and they all agree that some provision should in justice be made whereby, in case of a number of men rushing to an alluvial patch, and in order to prevent one of the men pegging more than one claim, he shall be compelled to place on a peg his

name and the number of his miner's right or mining license, legibly written on a piece of paper. So far I am slightly perplexed owing to the different interpretations of the terms which the Minister proposes by this Bill to apply to certain tenements and certain documents. It will be very hard for some time to accustom the people to the change in the interpretation of "authorised holding." If members will compare the interpretations in the Bill and in the existing Act, they will see that there is almost a total reversal of meaning. I fear that there will be much confusion, and that the law will be as difficult for Australian miners to understand as would be the law of South America were they taken to that country. I believe the term "mining license" is a broader term than "miner's right"; and to a great extent I approve of that, though I am not strongly in favour of it. At the same time, if we are to alter the interpretation of the various terms applied to mining, not only in this State but in States where a majority of our miners worked for many years, we shall have needless confusion; for there is no gainsaying the fact that it is very difficult for a layman to interpret the sections of a new Act. I have had experience of mining registrars and even wardens whose sole duty it is to become conversant with the Mines Act, but who cannot really interpret the sections as this House desired them to be interpreted. Particularly as to mining laws, my desire has always been that in every part of a Bill the meaning should be made as clear as possible, and that much of this technical phraseology which, following an old custom, is used in our statutes should be abolished, and language substituted which the people who have to work under the law could more clearly understand. The member for Kanowna (Mr. Hastie) speaks of the interpretation of "authorised holding." I do not wish to deal with that particular matter at greater length, but would refer him to the existing Act and the Bill, wherein he will perceive a wide difference of interpretation. As that is a matter which is at present solely for members to understand, there is no need for me to refer to it fully in order to make it clear to persons outside the Chamber. I would ask members to consider these points, so that if they agree with me that

it is not prudent to alter the interpretations, we may meet the Minister in Committee and perhaps retain the existing meanings. Another matter which has been dealt with many times and which places members in the dark is the difficulty of expressing opinions on clauses. Every Minister who introduces a Bill knows fairly well what are the regulations governing the measure, and consequently is in possession of the actual interpretation of the clauses; whereas we members are asked to pass a Bill though knowing nothing whatever of the regulations and the machinery under which the Bill will be worked. If it were possible for us to have an outline if not the whole of the regulations before us, then probably much discussion would be avoided which generally terminates in smoke, because members are working from the view point of one who sees nothing of the Bill. In a Bill like this we should have the opportunity of seeing the regulations as soon as possible; and if we could see them before the Bill passed through Committee, I should be all the better pleased. Like other members I am pleased to think the Minister has shown so strong a desire all through his career as Minister, and especially in reference to this Bill, to control mining in this State so that instead of being a shearing concern for distant investors, they will be able in the future to deal with foreign scrip more safely than in the past. The member for Coolgardie (Mr. Morgans) made some reference to the salting of mines. I take it the Minister has not attempted to deal with that subject in this Bill; but if we can show to people outside the State such laws as are proposed in this measure—which I think contains a terrible lot of entirely new matter—if we can show that we are taking every precaution to make mining pure and straight, we shall offer a bigger inducement to them to send their money; and that is what we need to-day. We have in the different parts of the State properties to develop. We have them even in the most northerly areas in Kimberley. We who have been associated with men who have worked there know, as the member for West Kimberley (Mr. Pigott) says, that in the Kimberley district are large properties—not large in area but containing large beds of ore—which, though not so valuable as our

Golden Mile properties, can with proper facilities be worked at a good profit, so as to open up a part of the country which I may almost say does not now belong to us at all. I again express my appreciation of the Minister's desire to deal fairly with this measure; and I will promise to assist him as well as I can while it is going through Committee.

MR. J. B. HOLMAN (North Murchison): I will not delay the House long, but would like to make a few remarks on the Bill. I agree with other members in congratulating the Minister on the trouble he has gone to in bringing forward a measure like this. No doubt the Minister has done everything possible since he has been in office to encourage the mining industry; and it is to his credit, and to the credit of his officers, that he has greatly assisted the industry in this State. In the first place I will deal with Clause 12. I think the Minister should endeavour to give a little more encouragement to those people who are desirous of prospecting nearer the centres and of endeavouring to open up fresh discoveries close at hand, because it is of more advantage to open up and prospect areas in already settled districts, than to induce our best men to go out miles and miles into new country. Of course it is a good thing to see the men going out to open up new centres; but I think it is a bad thing for us to encourage too much going out to new country, at the same time leaving places much nearer centres unprospected. I have seen the example of Bendigo. When the deep-sinking craze was on, the miners, instead of prospecting shallow country went down to great depths, but eventually they came back to nearer the surface and obtained very good payable results. The same thing obtains in our mining centres. Not enough encouragement is given to prospectors desirous of prospecting country near these centres. One of the best suggestions was mentioned by the member for Mt. Burges (Mr. F. Reid), that we should give the prospector the right and title to hold so many acres for the first twelve months without paying any rent or survey fees upon it. I consider this is a much better plan for us to follow—to encourage a man to prospect a holding near a centre, rather than being anxious to obtain £10

or £12 from him in rent and fees. When we consider that a great many small leaseholders are pushed for money, we realise that, although they desire to do a little bit of prospecting, it is impossible for them to pay rent and do that prospecting. It is much better for us to encourage them to do prospecting, leaving them their money, than to take their money from them in lease rents or survey fees. With regard to "miners' licenses," I do not see any reason why we should change from the old name of "miner's right" to "miner's license," because "miner's right" is an old-established word, and I think it would be much better if we kept it, instead of changing the name to "license." If the Minister desires to have the word "license" inserted in the Bill, it would be better if we said "miner's right or license." I hope the Minister will consider this matter, and I trust that we will still maintain the old name. Like other members who have spoken to-night, I would like to see the charge for a miner's right reduced to 2s. 6d., and also to see that every person employed in or about a mine or in connection with mining shall be required to be the holder of a miner's right. This would be the means of getting revenue, and would also show us exactly the number of workers engaged in the industry. At the same time we should not handicap those who go out to prospect, while giving benefit to those who work on mines for wages. If those who go out to prospect are to be taxed, those who work on a mine and merely receive their wages should be taxed as well. Therefore I would favour the idea of reducing the cost of a miner's right to 2s. 6d., stipulating that all those engaged in or working about a mine should have miners' rights. I do not see why a lease should be granted for 21 years with the right of renewal. I intend to oppose that proposition and do all I possibly can to have Clause 25 struck out, which clause gives the right of renewal at the end of that period. Clause 47 says:—

The lessee shall have exclusive right of mining for gold and other minerals in and on the land demised and every part thereof.

I am of opinion that the leaseholder should not be entitled to the alluvial gold. This is an old question which has caused great discussion in the past. I see no

reason why the alluvial men should be prevented from earning a living where there is plenty of scope for them to do so. Take the Peak Hill Co. for instance, which holds about 500 acres. There are acres held by that company of fair alluvial land, and under the present conditions the alluvialist is prevented from going on these lands to get alluvial gold. I maintain that, so long as the alluvialist does not interfere with the workings, or the machinery, or the buildings on leases, he should be entitled to go on land and get as much alluvial gold as he can possibly get. I hope the Minister will do something for the alluvial men, and I would support him in making pretty stringent conditions to prevent the alluvialist interfering with any workings or machinery. At the same time, I think a great injustice is being done to a great many men in this State, if the alluvialist is prevented from going on leases and getting what alluvial he can. Another matter I would like to mention is in connection with the granting of leases. I consider that the Minister should impose conditions, when any lease is granted at all, so as to prevent any of these "boodlers" we have heard mentioned by the member for Yilgarn to-night taking advantage of the people of any country. I maintain there is too much "boodling" being done to those people anxious to invest in the mines of Western Australia, who I consider should get a straight go for their investments. I would like to see the Minister make provision in this Bill so that the people of the world, who have their eyes on Western Australia in regard to its gold, should have the right of asking at any time that a report might be made by a Government officer and published in the Press concerning any mine, when any doubt is laid upon the *bona fides* of a lease being floated, or upon the *bona fides* of a company working at the present time. Many people have been taken in. The member for Yilgarn has mentioned that he was offered £1,000 to furnish a faked report, and when we hear what is done to inveigle people out of their hard-earned earnings, we should do something to prevent a recurrence of it in the future. The Minister should be able to order at any time, if he so desires it, that a report

should be made on any mine at any time, and provision should be made so that if an investor, either in England, or South Australia, or anywhere else, or even in Western Australia, were doubtful of the *bona fides* of a plan he could send a cable to the Minister asking him what the plan was, whether the mine was a good property or not, or whether the investment was a good one or not. The Minister should then have a report made, and, although all the reports could not come out true, it would give the people who wish to invest any money in Western Australia an idea of whether they should invest or not. I hope and trust something will be done in this direction. Then we turn to Clause 67, which gives the right to an alluvialist to enter upon any land subject to an application for a lease before a lease is granted. It is a very good clause, because if a leaseholder takes up a lease and there is alluvial gold upon it, the alluvialist has the right to go and work on it. It is a very good idea to allow the alluvial working and reef working to go on at the same time. Clause 68 deals with the amalgamation of leases. I would like to see the area reduced to 48 acres, which I think is a large enough holding for any one mine to work at one time. If people are desirous of holding such a large extent of country they should be compelled to work on more than one part of that country. I do not think it possible for more than 48 acres to be worked in any way economically by one shaft or two shafts. I would like to see the 96 acres reduced to 48 acres. As regards concentration of labour I am totally opposed to it, unless leases are adjoining; then there would be no necessity for it because they could get amalgamation. I have known cases of owners of leases four or five miles apart applying for exemption under conditions of concentration of labour; but I am very pleased to know the Minister has stopped that something like 12 or 18 months ago. It has not latterly been so glaring as in the past, but it was very much played upon at one time. A large number of leases were held under concentration of labour that were miles apart. There is no necessity to have concentration of labour in the future. Under Clause 93 the Minister has brought forward something new in the shape of

exemption by right. I myself am opposed to that, because instead of doing away with shepherding, as the Minister says it will, in my opinion it will tend to encourage it. A large number of companies might expend £1,500 or perhaps £3,000 upon machinery, place it upon leases, and expect to get exemption by right on the expenditure of that money.

THE MINISTER FOR MINES: That would be very good business.

MR. HOLMAN: We know what some companies do in the matter of business. We heard the member for Coolgardie the other night saying that there were thousands and thousands of pounds worth of useless machinery lying on the Coolgardie field at the present time. On the Murchison I know of several batteries which were placed upon leases. The batteries in several cases were not erected at all, and in other cases they were only half erected and eventually shifted away from the leases. I think it will tend to encourage the waste of money, and do away with legitimate work on mines. I hope the Minister will not persist in granting exemption by right, because exemption is very easily obtained under the present conditions. We have only to look through the return of exemptions granted for the year, as laid upon the table by the Minister for Mines. It shows that in Coolgardie 25 leases had exemptions from 42 days up to 344 days in the 12 months, that in Kalgoorlie there were exemptions up to 326 days, in Kunanalling up to 365 days, in Menzies up to 194 days, in Kanowna up to 246 days, in Mt. Margaret up to 206 days, in Morgans up to 194 days, in Norseman up to 239 days, in Broad Arrow up to 236 days, in Yerilla up to 180 days, in Niagara up to 230 days, in Bulong up to 194 days, in Yalgoo up to 222 days, in Yilgarn up to 180 days, in Malcolm up to 222 days, and in Day Dawn up to 321 days. Most of these leases having exemptions are held in a great number of instances by well-to-do dividend paying companies. Take for instance the Great Fingall Company at Day Dawn, that company owns a large number of leases, and for the West Fingall leases on Nos. 2, 5, and 6, exemption was granted for 209 days; West Fingall leases 8, 9, and 10 had up to 321 days' exemption. It is an impos-

sibility to work these leases from the main companies' workings, and when companies like the Great Fingall, earning at the present time a profit of over £30,000 a month, get exemption we ought to alter the existing conditions under which exemption is obtained, because the conditions are too easy at the present time. If any alteration is made it should be in the direction of making it more difficult to get exemption than at the present time. I do not see why we should grant large areas of land to such companies as the Great Fingall Company, who own 380 acres, and I do not think such companies should get so much exemption as they do when they are reaping a profit of £30,000 a month. We cannot expect to encourage outside people to work when such large companies have the pick of the ground locked up under exemption. At Nannine exemption was granted up to 246 days, at East Murchison up to 313 days, at Mt. Magnet up to 294 days, and at Cue up to 247 days. At Marble Bar there was exemption granted up to 210 days and exemption was granted at Donnybrook, Phillips River, and at Peak Hill. The time has come when we should make the conditions of exemption more stringent than they are at the present time. There should be no exemption by right. It is not right to allow companies to hold 500 acres of good country and lock it up for years and not work it. If we allow exemption by right we shall not give the encouragement which we ought to give to mining. We should encourage, as much as we possibly can, the fulfilment of the labour covenants. No matter how easy we make the conditions of work in the State, we should do all we possibly can to see that the labour covenants are fulfilled, for it is only by working leases that we can prove whether the ground is worth having or not. By keeping men at work we shall make mining in Western Australia what it should be. In all cases where exemption is granted we should make it a condition that the leaseholder should let the lease on tribute if anyone desires to work it. In common with the other members of the House I wish to see the workers in the mines farther protected, and miners should have a preference for two or three months' wages. The miners should get paid

before anyone else. I should like to see the Minister provide for bi-monthly payment if he is determined to give a preference for four weeks' wages only. It is not to the advantage of the miners to be compelled to work for four or five weeks before being paid. We should make it compulsory to have bi-monthly payments, which would not cause more work to the accountants on the mines, for it is as easy to bring forward a bi-monthly balance-sheet as a monthly one. I desire to say a few words with regard to what has appeared in the British Press and the opinions held about mining in Western Australia by a number of people in the old country. All the failures that have occurred in mining in Western Australia have been put down to the laws of Western Australia and the labour legislation, but I do not think we are going to swallow that for one moment. It has not been the bad laws or the labour legislation which has brought about the mining failures: the cause has been that a large number of swindlers have been preying on the mining investors in the old country, and in the past we have had inferior managers looking after the mines in Western Australia. On every occasion when these men have been asked for an explanation they have said that it was the bad laws and the labour legislation in Western Australia which had caused the non-success of their mines. We all know that nine out of every ten mines do not turn out a success, but instead of putting that down to the proper cause and giving people who wish to encourage the prospector a fair run for their money, the managers and promoters do all they can to decry the conditions under which the work is carried on in this State, and instead of blaming themselves and the bad management they endeavour to throw the blame on those who should not bear it. Blame has also been thrown on the Arbitration Court awards, and the Premier has given reason for blaming the Arbitration Court awards by the way in which he spoke to a deputation. I am certain now the Premier recognises that he made a mistake in those remarks. In almost every district where the award has been made by the court, wages have been decreased. In one or two cases wages were increased, but the reductions have been

greater than the increases. Instead of the cost of production being increased by the Arbitration Court awards, the cost of production has been considerably reduced. There have been reductions from 30s. to 22s., and from 25s. and 26s. to 19s. Although the workers have been blamed for moving the Arbitration Court, in almost every case—there are one or two exceptions—the richest companies have tried to bring about a reduction, and have compelled the workers to seek the protection of the Arbitration Court. The cost of production in Western Australia will compare very favourably with the cost elsewhere. Although black labour is employed in South Africa, our working cost is considerably below the cost in South Africa at the present time. Capital has been fairly treated in Western Australia, and the representatives of labour will see that capital receives the protection which it justly deserves. We have no desire to protect those who come to Western Australia to fatten on people who wish to invest their money in this State. I do not think that is the desire of the mining people. I do not think we are likely to give the country over to the capitalists to exploit. If we have them in this country, we must give them a fair go and do all we can to see that they get a return for their money, but we must not pauperise the State by giving them more than they deserve. Capitalists have no ground for saying that titles are insecure because, having been connected with mining for the past 10 years, I do not remember one instance in which a lease has been declared forfeited when defended. Therefore what grounds have capitalists for saying that the titles are not secure?

THE MINISTER FOR MINES: There are lots of cases.

MR. HOLMAN: Not big companies. I do not know why a man should be called upon to put up a deposit of £10 when making application for forfeiture. Men are not going to waste their time in the court by applying for forfeiture; they are not going to get up frivolous cases; therefore there should be no provision for a man to put up £10 when making an application for forfeiture. There is one matter which has been omitted from the Bill. I refer to giving greater protection to the workers underground. Day after day men are maimed and injured when

working underground, through a want of knowledge on the part of other persons working underground.

THE MINISTER FOR MINES: That has nothing to do with this Bill.

MR. HOLMAN: That will come under the Mines Regulation Bill, and I hope something will be done to protect the workers against aliens. Some of the best paying mines of the State, instead of employing men of our own nationality, employ 70 or 80 per cent. of aliens. A case was brought to my hearing within the last few days in which men have been maimed for life through want of knowledge on the part of aliens employed below the surface. These aliens are brought out from various countries and put in competition with our own men, while numbers of people of our own nationality are looking about for work and cannot find it. I would like to see something done to prevent the growth of that evil. If aliens are allowed by the side of our own people, they should have a knowledge of our language and of the work in which they are engaged, so as to protect the lives of other workers and their own. As far as I see, the Minister is desirous of treating the capitalists and the workers fairly, and in this he will receive every assistance from Labour members. I hope the Bill will prove a benefit to the mining industry of Western Australia. I shall give the measure all the assistance I can, and I trust every member will do the same. Although I and others may not be able to explain ourselves as we would wish, members should only be too pleased to listen to recommendations from those who have had experience in mining.

At 6:30, the **SPEAKER** left the Chair.

At 7:30, Chair resumed.

MR. G. TAYLOR (Mount Margaret): I have no desire to speak at length on the second reading of a Bill "to consolidate and amend the law relating to mining for gold and other minerals." After hearing the speeches delivered by hon. members on this measure, including the very able speech by the Minister in moving the second reading, I will not speak long; but I would like to say there are certain things in the Bill which I will oppose in Committee. Whatever position I may

take up to-night or in the Committee stage, it will not be hostile or with any party feeling, but will be with a desire to make the Bill as workable as possible. The first thing that strikes me is Clause 3, the interpretation. I see that a mining license is mentioned. Having been in possession of a miner's right for many years in this State, I think I am in a position to know how sacred a miner's right is to a miner, and I feel sure that if the alteration of "miner's right" comes about and this document is to be called "mining license," it will be looked upon by the prospector with disapproval. When I say miner, I have no need to mention a man who works in a mine for wages. I mean to speak of the man who is a prospector and who follows up alluvial workings, who perhaps has never worked underground for wages in his life, and I am sure that these men look upon the miner's right as the most sacred thing in their possession, because not alone in this State but in the whole of the Eastern Goldfields it has been an unquestionable right in the hands of those who possess it, and I am certain members will be with me when I move to strike out the words "mining license" and retain the old words "miner's right." Part IV. of the Bill clearly sets forth what the mining license is. The desire is to reduce the cost of a miner's right to something like 5s., and some members wish it to be reduced even as low as 2s. 6d. There are so many licenses to be obtained under this Bill that it will cost something like 30s. for the average man who is at work prospecting and looking for gold. I do not follow some members in what they have said in reference to compelling all men to be the holders of miners' rights. I certainly do not think that members can be serious when they say there should be a provision in this Bill to compel every man working underground for wages to hold a miner's right. I look upon that as a form of penalising the worker who is not in any way deriving any benefit from the richness of the mine. He works for wages, and no matter what the value of the ore bodies, he has to get his wages. I am reminded by the member for Mount Magnet (Mr. Wallace) that he makes his living out of mining. At the present time the men working for wages are not compelled to be in possession of miners'

rights, nor are they in possession of them.

MR. JOHNSON: The desire is to reduce the fee to 2s. 6d. It is now 10s.

MR. TAYLOR: I dare say the revenue would be enhanced by a reduction to 2s. 6d. if all men engaged in mining underground or on the surface were to be compelled to be in possession of a miner's right; but I still think it is not a reasonable thing to expect a man, because he is working on a mine for wages, where his wages will not be influenced one iota by the value of the ore bodies in that mine, to pay to be allowed to work there. I think it would be unreasonable if members tried to insert a clause in the Land Act somewhere by which a man before he could go to work on a station for a squatter would have to take out a similar license, if it were only 2s. 6d. [MEMBER: If he were driving an engine he would have to get a license.] Before he could get a license he would have to pass a very severe examination, but he has not to buy any permit to be allowed to follow that occupation. For instance, if any member desired to say that a worker on the timber mills had to take a sawmill license or timber license or right at a cost of even 2s. 6d. per annum, there would be a great howl on the part of those people engaged in that industry.

MR. WALLACE: There are no timber men who have licenses, other than employers.

MR. TAYLOR: I am reminded by the hon. member for Mount Magnet that there are two different classes of people; that there are no people in the timber industry who pay for licenses other than the employers.

MR. YELVERTON: That is wrong.

MR. HASTIE: The wood-chopper pays.

MR. TAYLOR: I was referring to the wage-earners employed on a sawmill. The interjection of the member for Mount Magnet dealt with those people, and not timber-choppers or any men other than those employed on a sawmill to whom I refer. The interjection to my mind is not a fair one, and it goes to prove nothing, because the moment a man who is working for wages on a gold mine leaves that occupation and goes to look for alluvial gold, he enters into an agreement with the Government, and if he takes out a

miner's right for 10s. they allow him 70 feet on which to look for gold or to work under regulations. Whilst he is not in that occupation but is working for wages, his miner's right is of no value. There are hundreds of men who have worked on mines all their lives, but who have worked little or hardly worked at all, looking for alluvial gold. The same thing obtains with alluvial diggers. There are large numbers of alluvial diggers in this State and in the Eastern States who have been alluvial diggers all their lives, who are now of a good ripe age, who have never worked underground in a reefing mine, and know very little or nothing about it except what they have gathered through working on alluvial fields where reefing is going on. Those men are prepared to pay for their miner's right, and they are also I am sure anxious that the document shall continue to be called a miner's right. I suppose the reduction will meet their views, or that even a reduction down to as low as 2s. 6d. would do so, but that I will not debate now. I hope the House will retain the name "miner's right." A man who has been prospecting and knows the value of a miner's right would look upon it as vandalism to attempt to alter the name. I desire to deal with Clause 3 when the Bill is in Committee, by moving to strike out the last portion of the clause. It will be found that the clause deals with mining licenses to be issued to certain aliens. While the first portion of the clause is commendable, I do not think the Minister should desire power to issue a miner's right to an alien. The words "without the authority in writing of the Minister first obtained" should be struck out, and the clause would then read: "No mining license shall be issued to or held by any Asiatic or African alien, or any person of Asiatic or African race claiming to be a British subject."

THE MINISTER FOR MINES: I have always refused to issue licenses to such people.

MR. TAYLOR: I know that, and am pleased to state that the present Minister was practically the first to refuse such licenses generally. I know that at the time the Minister took office there were several aliens in possession of miners' rights; and the Minister objected to any

farther issue of rights to these people. If the permissive portion of the clause is struck out, much trouble and inconvenience to the Minister will be saved. Since I have been in Parliament several people have desired me to do something to enable Afghans and other aliens to hold miners' rights and business licenses, so that they could compete on the fields with white men. But those overtures I have always rejected; and if the clause is passed as printed, the Minister will be constantly troubled, not by the alien himself, but by some white man who will receive compensation for anything he may do to secure to the alien a miner's right or any other privilege under this Bill. I should like to see inserted in the measure Sections 35, 36, and 37 of the Act of 1895, dealing with the alluvial miner. With this object in view I think it would be necessary to strike out of the present Bill Clause 50. Of this I am not sure. I should like to see provisions in this Bill by which the alluvial miner would be given the right that he had up to 1895, to go on to a lease within a given period and seek for alluvial gold. I think that could be managed without any inconvenience to the leaseholder. As for the aspect of the Bill which covers the alluvial miner, we have difficulties even up to date between the alluvial miner and the leaseholder. Only within the last fortnight I have had communications from Black Range with reference to leases being pegged out on ground then pegged out and held by alluvial miners who were getting alluvial gold. I may say in justice to the warden for that district that the applications were made and he refused to grant any lease. But farther application was made; and I am told on the very best authority that two leases have been surveyed on the rush, though the rush has been worked, I suppose, for only six or seven months. Such occurrences do much to put the alluvial miner and the leaseholder on very bad terms, and often lead to litigation. According to the Act under which we work, the alluvial miner holds all the gold, whether it is alluvial, quartz, or lode formation, within his pegs; and he can go down almost as deep as he likes, for depth goes for very little in a small claim of 70 feet. Few of our reefs or lodes are perpendicular—

they underlie; and therefore the miner would go down only a few feet when the gold-bearing ore would be underlying, and would get out of his property. But no lease should be granted on an alluvial field until the field has been abandoned by alluvial workers. This Bill makes ample provision for the leaseholder, whom clause after clause places in a very favourable position. I am perfectly satisfied that the House and the country have no desire that the leaseholder, whether large or small, shall receive any injustice: he deserves as much justice as any other man in the State, and the Bill contains any number of provisions for his protection. But to my mind the prospector and the alluvial man generally are not so provided for, and in Committee I hope we shall be able to remove some objectionable clauses, and insert clauses which will be more workable. I find that in Clause 93, dealing with the leaseholder, there are ample provisions made for exemption. On a certain sum of money being expended or certain labour done on a lease, the leaseholder may demand exemption. The Minister pointed out that if lessees have worked a mine for eight consecutive months absolutely out of their own resources, they are entitled to four months' exemption. Subclause 2 provides that three months' exemption may be granted in respect of a lease the property partly of working miners working such lease, and partly of persons who are not miners but who are providing funds for working it, or the property of a registered company having a nominal capital not exceeding £5,000, on proof to the satisfaction of the Minister that for a period of at least nine consecutive months the lease has been continuously and *bona fide* worked. Therefore by spending £5,000, or £1,500 on a 24-acre lease, three or four months' exemption can be obtained. I think that is not desirable. We know that leaseholders will always avail themselves of whatever exemption they can get; and after hearing to-night the extracts taken by the member for North Murchison (Mr. Holman) from papers laid on the table and dealing with exemptions, we know that some lessees have had exemption for as many as 365 days in the year—all the days there are; and that numbers of lessees have had exemptions ranging

from 40 up to 140 days out of the 365. Those of us who have been on the goldfields know that exemption has been very easy to obtain there. Perhaps I may say without injustice to anybody that the larger the property held the more easily is exemption obtained. I say there should be no provision in this Bill by which any leaseholder can claim as a right three or four months' exemption after working for one year, or that the expenditure of a certain amount of capital should entitle him to exemption practically without going before the warden at all. We know that in the wardens' courts any person, whether a member of a big syndicate or of a small party, can always obtain reasonable exemption; and I think the old provision is better than the new. I would far sooner see a man obliged to go into open court and give his reason for exemption, while those opposed to him could give their reasons against; and then the warden as arbiter could decide whether the case was proved or disproved. I think myself safe in saying that in many instances the case for exemption has been only too easily proved. That being so, I will oppose the clauses which enable a man to demand exemption because he has spent a certain amount of capital or had a certain amount of labour done on a lease. I notice that Clauses 204 to 224 deal with the sale and purchase of gold. I do not know why it is necessary to have 20 clauses dealing with this subject. It has been stated in this Chamber and out of it that gold-stealing is very prevalent on the goldfields. Well, I think there is not so much gold stolen as is alleged. The member for Kanowna, speaking some time ago on this Bill, made a remark which was only a slip of the tongue, but was made much use of in this Chamber. He was endeavouring to emphasise the fact that there was not one-tenth of the gold stolen that was alleged to be stolen, and he made a slip by saying that there was not one-tenth of the quantity of gold stolen that ought to have been stolen. I think I am safe in saying that the hon. member intended to convey to this House that there was not one-tenth or one-twentieth part of the gold stolen that is reported to be stolen. Any man who understands how gold is extracted from stone knows well that the men working underground have

not the opportunity of stealing the quantity of gold supposed to be stolen. It is only when working in rich pockets that there is any gold to be seen. When we consider that numbers of our shows bear from 12dwts. to 30dwts., we must admit that it is impossible for a man to steal much gold when only 30dwts. are evenly distributed throughout a ton of stone; and I agree with the member for Kanowna and others who say that the major portion of the gold stolen is stolen by those known as the staff—those who are working about the battery and the reducing plant. I remember that at Charters Towers in Queensland the same cry existed as in this State, with reference to gold-stealing. There is a detective to-day in Western Australia who went up there to endeavour to capture the gold-stealers. After looking round Charters Towers for some time making certain inquiries, he decided that he thought the gold was stolen by a mine manager, and he forthwith arrested the manager and had him convicted for gold-stealing. That gentleman was above reproach in the eyes of the people in that large gold-mining centre, and nobody dreamt he was the man stealing the gold, but the blame was laid on the workmen and the people generally about the mine. However, when the detective went up to try and capture the culprit, he located the mine manager as the gold-stealer. Perhaps if the same supervision were exercised in this State—I am not going to say so—the same result might follow to a certain degree. I certainly repudiate the statement about those men working underground being the principal offenders as gold-stealers. We know, as has been stated, that these men have to strip in one room and go into another room to put on fresh clothes. It is impossible for men having to undergo that inspection to steal gold; and I do not see any reason why there should be so many clauses in this Bill dealing with the purchase and sale of gold with the object of preventing gold-stealing. To carry this out to a logical conclusion, miners who go out to a new rush would practically have to starve, or else some one would be fined £100 or get 12 months' imprisonment. We know that men going to these new rushes have to sell their gold to buy provisions, and, unless the storekeeper obtained

a license before going out to the rush, he would not be able to purchase the gold. While this provision might be quite workable in an old mining centre like Kalgoorlie, it would not be applicable to the back country or to a new rush.

THE MINISTER FOR MINES: We make provision here for wardens granting licenses.

MR. TAYLOR: I know a provision is made; but men often go out to these rushes who are at a considerable distance from the warden, and, unless the store-keeper is armed with a license before going out, he would be committing a breach of this law by buying gold. Again miners, and by this I mean diggers, exchange pieces of gold with each other, and sell pieces of gold to each other for fancy prices. If a man gets a nice "spec" of two, three, or five dwts., which would make a nice pendant or a brooch, or something like that, he gets perhaps twice the value for it as a curiosity. We debar the man from selling that gold to another digger or a friend, simply because gold is alleged to be stolen in a large measure upon mines. There is no gold-stealing on fields where men are looking for alluvial gold. This portion of the Bill will press heavily on the digger, and I hope in Committee in some way we will be able to meet the difficulty. I think it is unwise on the part of the Minister to give so much space to this particular phase of the measure. I would like to call the attention of the House to the fact that there are 20 clauses out of 309 clauses devoted to this subject. I think too much prominence is given to this phase of the question. I feel that there is more noise about this gold-stealing than actual stealing. The member for Mt. Magnet (Mr. Wallace) spoke about Clause 166 of the Bill dealing with drainage. I have had some experience in that particular. I was working a lease adjoining a company which was working a lower level, but we were not benefited in any way by their level, for we were working above water-level.

THE MINISTER FOR MINES: Then you would not have to pay anything.

MR. TAYLOR: I know that; but as soon as we started to sink, they charged us for baling, and we had to pay. Certainly the charge was nominal; but had we objected to pay and had we gone

before a warden, we would have had to pay more. The unfortunate part is that, where the company is baling another lease, the company might be down 800ft. and the country in the adjoining lease would be dry at 200ft. if the company's shaft was sunk a considerable time, but if in time the company ceased work, the whole of the works of the adjoining lease would be filled before its owner could make provision to cope with the water. This is one phase of the question which may be considered when the Bill is in Committee. I would like to say, with reference to the first schedule dealing with the Hampton Plains, that I hope the Minister will place the Committee in possession of all the facts in connection with this schedule, so that we will know what land is exempted from the Bill. I have travelled over the Hampton Plains country a good deal, and have been fortunate to "spec" gold in various places. I know the difficulty there is in doing anything there, and I hope this House, if it cannot do so in this Bill, will in another Bill treat the Hampton Plains country similar to any other private property. I see no reason why this company should be exempt, and I think this Parliament should be able to deal with that estate. If something cannot be embodied in this Bill, I hope it may be in a separate measure. With reference to the remarks made by the member for Coolgardie (Mr. Morgans) with regard to the Arbitration Court, I certainly would like to say a few words in reply. The hon. gentleman pointed out that this Bill and other Bills of this nature, especially the Arbitration Bill, were practically driving industries out of this State. We should take into consideration the remarks that fell from the Treasurer last night, when he was delivering his Budget speech, about the amount of nominal capital spent in this State. The Treasurer said that there are thirty millions of nominal capital paying interest at $6\frac{1}{4}$ per cent. If we take this into consideration, we are safe in saying that about one-third of that amount of capital reached this State. [**MR. HASTIE:** One-tenth.] The hon. member says "one-tenth." If one-tenth of that capital has reached this State and it is paying $6\frac{1}{4}$ per cent. interest, I do not think there is anything on the face of that like

driving or harassing industries in any way. As far as the Arbitration Court is concerned, I think it has done a great deal towards industrial peace on the goldfields. It has brought about a better feeling between the worker and employer, and, as has been pointed out in this Chamber by various speakers, instead of the awards increasing the production they have decreased it. These statements have been taken from mining reports of the Chamber of Mines and of the directors of mining companies in England, and I think they must be accurate. The Arbitration Court, instead of increasing the cost of the output of gold, has decreased it. It is idle for the hon. member for Coolgardie or any other hon. member in this Chamber to say it has been otherwise. As I have said before, I will endeavour when the Bill is in Committee to assist the Committee in every way to make it as workable a Bill as possible.

THE MINISTER FOR MINES (In reply): I do not think anybody else desires to address the House on the measure, and it is not my desire to detain members any longer than I can help, so that we may get on with the Committee stage as soon as possible. I may, however, express pleasure at the manner in which the Bill has been received by members, and I am satisfied I shall get every assistance from members in getting it passed. Some members will, I know, object to certain clauses, yet I feel I will get every assistance from them. I must thank hon. members for the kind way in which they have received the Bill, and I wish to intimate that it is my desire to go into Committee at once. As soon as we reach any part of the measure to which members would like to give farther consideration I have no objection to have progress reported; but it is the desire of the Government to push on with this Bill as soon as we can so as to get it through Committee. In a huge Bill of this sort it will be necessary to have a recommittal, so that members who desire to amend it can do so on recommittal.

Question put and passed.

Bill read a second time.

On motion by the **MINISTER FOR MINES**, the House resolved into Committee to consider the Bill; the Minister stating that when any clause was reached

which it was desired to discuss at length, he would agree to report progress.

IN COMMITTEE.

MR. ILLINGWORTH in the Chair; the **MINISTER FOR MINES** in charge of the Bill.

Clause 1.—Short title and definition:

THE MINISTER moved that in line 6 the word "mining" be struck out. Part IV. would then deal with leases generally.

Amendment passed, and the clause as amended agreed to.

Clause 2.—agreed to.

Clause 3.—Interpretation:

THE MINISTER moved that in the interpretation of "authorised holding" the word "mining" be struck out.

MR. HASTIE: What did "authorised holding" mean?

THE MINISTER: A business area, a residence area, a garden area, a machinery area, a water right, and every holding of that kind.

MR. HASTIE: Did it include a prospecting area?

THE MINISTER: Yes; anything but an alluvial claim, a quartz claim, or a mining lease, and by striking out the word "mining" the interpretation would also include a miner's homestead lease, which would not be an authorised holding under the Bill. Persons who took up a quartz claim or an alluvial claim on a homestead lease only had the ground under the surface.

MR. TAYLOR: Would authorised holding cover everything except an alluvial claim or a quartz claim?

THE MINISTER: It would include anything but a lease, a quartz claim, a homestead lease, or an alluvial claim. A homestead lease would not be an authorised holding under this definition. The amendment would make a great deal of difference in regard to administration.

Amendment passed.

THE MINISTER moved that after the definition of "claim" the following definition be inserted: "Coal includes stratified ironstone, shale, and fireclay."

Amendment passed.

MR. HASTIE: The definition of "earth" was a little different from the definition in the present Act. Cement, conglomerate, and gravel were omitted. In the Kanowna district these three

materials had been the cause of a great deal of trouble.

THE MINISTER: It would not be necessary to insert all those words: gravel would be covered by rock or stone, and conglomerate by soil; the word "cement" might be added.

MR. BATH: Were not stone and quartz rock?

THE MINISTER: There was a great deal of difference between the interpretation of these substances; he would not call all stone "quartz."

MR. BATH: But quartz was rock.

THE MINISTER: It could be classed as rock. The word "cement" might be added, but it was not necessary to add the other words.

MR. HASTIE: These three substances caused a considerable amount of dissension in the Kanowna district, and it would do no harm to insert them.

THE MINISTER: The words would not make any difference to the interpretation; they might be inserted after "soil."

MR. HASTIE moved that the words "cement, conglomerate, and gravel" be inserted after "soil."

MR. MORGANS: Conglomerate would not properly come into the definition. Take the conglomerate in the North-West.

MR. HASTIE: It was desired to include in the definition of "earth" "cement, conglomerate, and gravel." The omission of these three substances had caused a great deal of dispute.

MR. BATH: Was it not possible to get away from the complexity of definitions in a matter of this kind by using some generalisation which would include all earth? Members might suggest many things which should be included in the definition. Could not we define "earth" as "any portion of the earth's crust"?

Amendment passed.

THE MINISTER moved that in the interpretation of "lease" the word "mining" be struck out. This was a similar amendment to that previously moved.

Amendment passed.

MR. TAYLOR moved as an amendment,

That in the definition of "mining" the words "mining license" be struck out, and "miner's right" inserted in lieu.

The miner looked on his piece of parchment (miner's right) as the greatest right he could have, and there was a desire that the title should not be changed. Later on in the Bill the word "license" referred to water rights, business licenses, and matters of that kind, over which a miner's right would give the holder no power at all. A miner's right gave power to seek for gold and that alone, and it gave him a standing at law.

THE MINISTER FOR MINES: It was to be hoped the Committee would not strike these words out. It was not without a great deal of consideration the term "mining license" had been adopted in preference to "miner's right." There was a great deal of sentiment about a miner's right, and it might become so sacred as to be used in courts of law to swear by instead of the Bible. He knew there was a great deal of sentiment attaching to the term "miner's right." Looking at it from a practical standpoint, we issued to a man, upon payment of a certain fee, a license to mine upon Crown lands. We gave him certain facilities on his obtaining that license, and the term "mining license" was the only true term we could give for the purpose for which one obtained the license. There was nothing particular about it, only if the amendment were passed it would mean a great many consequential amendments throughout the Bill. The term "mining license" more fully emphasised what was given to the miner than did the term "miner's right," and he hoped the Committee would allow "mining license" to remain. In the one case we had a practical term, and in the other simply sentiment.

MR. WALLACE said he had an amendment earlier than that now under discussion. He asked the assistance of the Minister in introducing the principle that every man should hold a miner's right. A miner should mean any man employed in or on a mine.

THE MINISTER: The hon. member could not well put that into the interpretation clause; moreover, it would be unnecessary.

MR. WALLACE: Wages men were referred to as miners, but under this definition they were not miners because they did not hold a miner's right.

THE MINISTER: We could deal with that later. He would find a place for the hon. member.

MR. MORGANS: It would appear that the definition "mining license" was more correct than "miner's right," but at the same time there was a good deal of weight in what the member for Mt. Margaret said, that the term "miner's right" had been known throughout Australia since the early mining days. [Mr. TAYLOR: Since the early fifties.] And it was a term so well known in Australia that if the Minister did not see any objection, it was desirable to retain the old name. Everybody understood a "miner's right," and it was a name that would be sacred among miners. He did not think it would affect the object the Minister had in view to concede the point, and he thought it would commend itself to the men interested in taking out these licenses to still retain so well established and well known a term in Australia as "miner's right."

MR. HASTIE: It was to be hoped the Minister would not insist on retaining the term "mining license." "Miner's right" was purely an Australian term. It was used universally in Australia. In fact, in every State in Australia they knew of no other name, and the only reason we could possibly have for using the term "mining license" was to have uniformity, because outside Australia the document was called a mining license. He did not know of any place in this State outside the Mines Office where anyone wished it to be called a mining license. But in that place they seemed to have set their heart upon the term "mining license." In spite of Shakespeare, there was a great deal in a name, and he agreed with the other two gentlemen who had spoken that the people who bought these licenses would be very much disappointed if they could not use the term "miner's right." Even although the term "mining license" appeared in the mining laws, the document would continue to be known as a miner's right, and therefore complication would be caused. He hoped the Minister would change the name back. Those most directly connected with workers were unanimously of opinion that we should retain the term "miner's right." He also saw the copy of several amendments made to the Mines Bill by

the Kalgoorlie Chamber of Mines, and the first thing they said was that the term "miner's right" should be retained.

MR. TAYLOR: The name "miner's right" was given to that parchment by the miners in the early days on the Eastern Goldfields at their camp fires, where the mining laws of Australia were first made. The very best laws were made on the early fields. We found that since laws for mining had been made in chambers of this description, upholstered and gilded, the laws had not been so good for the workers and miners generally. This piece of parchment to a miner was very sacred, and he hoped members would support him in his amendment to strike out "mining license" with the object of conserving "miner's right," which was dear to all miners not only in Western Australia but the Commonwealth.

MR. ATKINS: In 1852 he had a miner's right, for which he paid 30s., and he had held a miner's right ever since. He thought that the Minister ought not to change the old name without a particularly good reason.

Amendment put and passed.

MR. HASTIE: The clause contained the words "all minerals other than gold, and all precious stones." He had been quite unable to obtain any reason why precious stones should be inserted here, and he moved as an amendment,

That the words "and all precious stones" be struck out.

Elsewhere in the Bill precious stones were classed the same as other minerals, and when a man took up a mineral lease he was entitled to all the precious stones he might find, but he was not entitled to the royal metals, such as gold and silver. In other countries the rule was to class precious stones apart from the other minerals, and in spite of such a high authority as the member for Coolgardie (Mr. Morgans), it was a fact that the people on the Rand made very stringent and special laws in regard to this matter. Even when precious stones, such as diamonds, were found on private property on the Rand, the Government of the Transvaal at the present time took two-thirds of the net amount of the profit.

MR. MORGANS: That was only a proposal.

MR. HASTIE: That was the law at the present time. Mr. Harper had a number of newspaper reports stating it was the law, and had been the law for the last month in the Transvaal.

MR. MORGANS: They were only newspaper reports.

MR. HASTIE: Those newspapers had been issued at Johannesburg since the member for Coolgardie was there. His (Mr. Hastie's) proposal was that we should not class precious stones as being in the same category as other minerals. What he had in his mind was that we might discover in this State some payable diamonds or opals, and if we passed this definition all a man had to do was to apply for half a dozen leases under the mineral sections of this Bill, for which he would pay 5s. per acre per year—he could get them very cheaply, and there were very small labour conditions—and the precious stones found would become the private property of that individual. Surely it would be the wish of the Committee that if we got, say, a good alluvial field where men could obtain diamonds or opals, that territory should not be handed over to the first large grabber who came along. That would be the case if we passed this clause as it stood.

THE MINISTER FOR MINES asked the hon. member not to press this amendment at the present time, because he would like to give the matter farther consideration, and if the Government found it necessary to have special conditions for special stones he would have that attended to on recommitment. One could not well define a gold-mining lease, and the intention was that all matters affecting any lease granted for precious stones should be provided for by the regulations. Any person applying for a mineral lease would be compelled to specify the mineral he desired to work for. If he desired to work for copper or for tin, he had to specify that when he made his application. If he were applying for a mineral lease for diamonds, we should make it that the same area could not be taken up, and there would have to be provisions with regard to royalty. We could make provision that where application was made for a mineral lease for the purpose of working for precious stones, the area should be what Parliament determined, and the

Government should have power to claim royalty.

MR. HASTIE: In that case better alter the definition.

THE MINISTER FOR MINES: No. Leave "precious metals" in the definition, and he would try to add some clause which would give the Government power to claim royalty on any precious stones discovered. Under the regulations the area would be made considerably less for precious stones than for ordinary minerals. The matter would have consideration prior to recommitment.

MR. HASTIE: The great object was to prevent anyone from taking up mineral areas wherein precious stones were discovered; and if unoccupied Crown land was applied for, the Bill contained no power to refuse a license. The licensee would probably charge a tribute to those seeking for precious metals. In some countries precious stones were classed with precious metals, and so they should be here. It was not proposed to take away the right of a gold-mining lessee to all precious metals or minerals in his lease, though it might be well to limit such right. For the present the Minister's assurance was sufficient.

MR. MORGANS: Personally he had no strong objection to the amendment, for there did not appear to be a ghost of a chance of precious stones being discovered in the State. In the battery-boxes at Nullagine a few diamonds had been found, not one of which was worth sixpence. Why should not a precious stone belong to the gold-mining lessee who found it? A precious stone was a mineral; diamond was carbon; sapphire was silicate of magnesia.

MR. BATH: All metals, gold included, were minerals.

MR. MORGANS: No. A mineral was a compound substance in combination with an element. Gold was a metal, but telluride of gold was a mineral. Any precious stone was a mineral, and should be included in the definition of mineral. The Transvaal Government had taken steps to determine some claim to diamonds found in the streets of Pretoria, referred to by the member for Kanowna; but had they been found in any other part of the Transvaal the ordinary law would have applied. Anyone in that country could take up a diamond area

without having to pay such royalty as the hon. member alleged.

THE MINISTER FOR MINES: Clause 59 dealt with this matter, and provided that if the lessee desired to mine for any mineral other than that specified in the lease, he might apply to the Minister for permission, which might be granted and the lease be varied to make it applicable to mining for such mineral. Better deal with precious stones when considering that clause. Provision was also made that if the lessee should mine for any minerals other than those specified in his lease, he rendered himself liable to a penalty not exceeding £5 for every day on which he should so offend, and liable even to forfeiture, though that would not be imposed, for a man might unknowingly work some other mineral. He (the Minister) or the hon. member (Mr. Hastie) might subsequently suggest some means of dealing with the matter.

MR. HASTIE: Clause 59 did not meet the objection that if anyone thought there were precious stones in a certain place, he could pick out two or three 48-acre leases as mineral leases at a low rent, and could then prevent anyone else from mining on that ground. Of every 10 leases taken up not more than two were ever worked; and the speculative lessee would levy blackmail on anyone desiring to work his lease. True, the clause stated that he could not work other than specified minerals without Ministerial permission; but no provision of that kind had ever been strictly enforced.

THE MINISTER FOR MINES: When dealing with the clause some provision for royalty could be added.

MR. HASTIE: But such land must be kept open to every person who wished to mine on it; and leasing it would prevent its development. Except in boom times no man would take up 48 acres of country with a view to search for diamonds. His information about the Transvaal was correct; and he had spoken not of streets but farming ground some 1,600 acres in extent. The London *Daily Mail* had fully described the Royal Commission's report and the present law of the Transvaal.

MR. BATH joined issue with the member for Coolgardie on the statement

that metals could not be classed as minerals. The dictionaries defined "mineral" as "any constituent of the earth's crust, or any substance with a specific chemical formula constituting portion of the earth's crust;" while a metal was a mineral with certain qualities, such as malleability, distinguishing it from ordinary minerals such as salt. The Minister should note a New South Wales case which showed the necessity for putting precious stones in a separate class. When the opal fields at White Cliffs were first opened the land was taken up in large areas under mineral leases, one company obtaining control of practically the whole of the field. When it was found that a small claim, if containing opals, was of considerable value, many people went there but could not secure claims without paying enormous tribute to the company. Afterwards the Legislature had to introduce special provisions dealing with the opal fields. This should be avoided here, and special provision made for precious stones, so that should a field be discovered, as was quite likely in such a large State, there would be no opportunity for monopoly.

THE MINISTER FOR MINES: That could be done in the mineral lease instruments.

Amendment (to strike out "precious stones") withdrawn.

MR. HASTIE: A mining license included not only a miner's right but a business license. One could find no reason for this. A business license at present cost £4 a year. Now it was seriously proposed by the Bill to charge only 5s. per year, and if the price of the miner's right were reduced to half-a-crown, the position with regard to a business license would be worse. The words "business license" should be struck out and dealt with separately. He moved as an amendment,

That the words "business license" be struck out.

THE MINISTER FOR MINES: There was no reason why the words should be struck out. If members desired it, there could be a separate interpretation for business license, because it would certainly bring in a little more revenue. The desire of the Mining Department was to have only one license, which would entitle the holder to anything provided in the Bill.

MR. HASTIE: Was 5s. not too cheap for a business license?

THE MINISTER FOR LANDS: It was not too cheap. Business licenses were always an annoyance.

THE MINISTER FOR MINES: At present an applicant for a business area had to take out a business license, and then make his application, which might be refused. The department was adverse to refunding money. It would be better to include business license in the term "mining license," so that if a person held a mining license or right he would be able to make an application for an area, and the application would be referred to the department. A regulation had always been made in the matter of the registration of business areas.

MR. HASTIE: Would there be a regulation for the charge for business areas?

THE MINISTER FOR MINES: Yes. Amendment withdrawn.

THE MINISTER FOR MINES moved that the word "mining" be struck out of the subclause "Mining tenements."

Amendment passed and the clause as amended agreed to.

Clauses 4, 5, 6—agreed to.

Clause 7—Wardens:

MR. TAYLOR: There was a new departure in the subclause providing that the Secretary for Mines should be a warden by virtue of his office.

THE MINISTER FOR MINES: It was no new departure.

MR. TAYLOR: Would the Minister explain?

THE MINISTER FOR MINES: Under the Mineral Lands Act the Under Secretary had acted as registrar, which was the same in status as that of a warden under the Goldfields Act. It was necessary that many applications for leases should be heard in Perth, as the applications for the Arrino leases and the Warren leases had been heard in Perth. The position of the Under Secretary as registrar was similar to the position of a warden under the Goldfields Act. This was very necessary, and the subclause should be allowed to stand.

MR. TAYLOR: Would the Under Secretary be the Secretary in future?

THE MINISTER FOR MINES: That had been passed in Clause 6.

MR. TAYLOR: Would it entail an additional salary?

THE MINISTER FOR MINES: One would like to give him a little more, for he was worth it.

MR. TAYLOR: Heads of departments were always worth more than anybody else, in the opinion of the Ministers. They were gentlemen who came more closely into contact with Ministers, and naturally Ministers thought they were deserving of increases.

THE MINISTER FOR LANDS: That was not the case always.

MR. TAYLOR: It had been the case since he had been in the House. When estimates were brought down, increases were invariably asked for heads of departments.

THE MINISTER FOR MINES: Could the hon. member name one instance?

MR. TAYLOR: There was one instance last session when a reduction was made by the House. As long as this clause did not entail a higher salary to the Under Secretary, he would let the clause pass.

Clause put and passed.

Clause 8—No warden, registrar, or mining surveyor to hold mining interest:

MR. HASTIE: Would a warden be prohibited from holding mining interests in another State, or would it be a misdemeanour if his wife held such an interest? One could not be sure that it was a correct interpretation to say that the clause only referred to interests in this State.

THE MINISTER FOR MINES: The clause would only apply to mining interests in Western Australia, whose laws did not apply beyond the State. It would be hardly necessary to say that the holding of interests outside the State would be an infringement of the Act. If it were held by the Crown Law Department that this was the case, the necessary words could be inserted in the clause.

Clause put and passed.

Clauses 9, 10, 11—agreed to.

Clause 12—Reward for discovery of payable gold:

MR. HASTIE: The clause provided that a reward could only be payable if beyond 20 miles from an existing goldfield. It would be a great mistake to have the distance so great. Ten miles would meet the requirements much better. It surely was not in the interests of the State that people should be encouraged to go too far away. The goldfields centres

were scattered quite far enough, without going out of our way to ask prospectors to go out farther. If a goldfield was discovered ten miles away it was in fact of greater use than one discovered farther off. The Minister would only be too glad to recommend the Government to pay a handsome reward for a discovery even within a ten-mile radius; but as the line must be drawn somewhere, he moved as an amendment,

That the word "twenty" be struck out, and "ten" inserted in lieu.

THE MINISTER FOR MINES: The object of offering a reward was to induce miners to go out a distance and prospect; but it could be hardly termed prospecting for a man to go 10 miles away from an established field. The limit in the Bill was small enough.

MR. HASTIE: The clause said "not exceeding one thousand pounds."

THE MINISTER FOR MINES: A miner might only receive £20 or a reward claim. It depended on the surrounding circumstances and on the number of men who might be employed within 12 months.

MR. BUTCHER: There might be a continuous line of reef running 10 miles.

THE MINISTER FOR MINES: Yes; we had that in many places, and at Erlistoun there was a line of reef running 20 miles. There was the power to grant reward claims. The Government could grant a reward to a miner finding a new line of reef under the present regulations by giving him a lease without rent or survey fees for 10 years. If the distance was limited to 10 miles, the Government would be continually pestered with applications for rewards.

MR. CONNOR supported the amendment. If the hon. member had made the distance five miles he would still have supported it. We wished to encourage the development of mining, and prospectors should be given sufficient inducement to go out, no matter whether 10 or 20 miles, and if a new field was discovered a reward should be paid. Sufficient attention was not given to prospectors who risked their lives and money in the endeavour to find new fields. We heard a good deal of what had been done in connection with Government batteries. That was a good thing, and he gave the Minister credit for

what he had done, but he (Mr. Connor) had advocated public batteries before the Minister was in the House. He now desired to go farther and support the amendment of the member for Kanowna. Wherever a new field was found, whether 5 or 10 or 20 miles away, a reward should be paid for its discovery. At the present time we were living on our mining. By and by this would be a great agricultural country, when the Minister for Lands got into full swing. The suggestion of the member for Kanowna was a good one, and he (Mr. Connor), who had been connected with mining longer than anyone else in the House, supported it. One thousand pounds was an insufficient reward. Although many goldfields had been discovered, the Government had paid no thousand-pound rewards. If the Minister were sitting on the Opposition side of the House he would support the amendment. Would not the Minister for Lands do so?

THE MINISTER FOR LANDS: Yes.

THE MINISTER FOR MINES: Something more sensible should be suggested.

MR. CONNOR: Supposing a new goldfield were discovered, £1,000 would make little difference to the country, considering the population it would bring here.

MR. JOHNSON: Unless the distance were altered the Minister would not be able to grant a reward for the discovery of payable gold inside 20 miles. The amendment would encourage prospecting, and if a new field were discovered 10 miles away, or even closer to a known goldfield, it was just as valuable to the State as one farther away, and the finder should be rewarded. The clause did not say that the Minister must grant a reward: it was optional.

MR. MORGANS: For the discovery of a new goldfield within 10 miles the Government should pay something. It was within the discretion of the Government as to what amount should be paid. He did not know that the Government were really so very generous that they would throw thousands of pounds away.

THE MINISTER FOR MINES: The Government would be continually asked for a reward.

MR. MORGANS: But it was an easy thing for the Minister to say "No." It was left to the discretion of the Minister

as to what reward should be paid. If anyone had the energy to go out even a distance of 10 miles and find something new, it was worthy the attention of the Government to give the man something for it. As the member for East Kimberley suggested, if the discovery were only five miles away the Government might pay a reward. A radius of 10 miles was a reasonable limit.

THE MINISTER FOR MINES: The clause should not be altered. If we placed on the statute-book a provision that a man who discovered gold within 10 miles of a known field should have a reward not exceeding one thousand pounds, it would make a miner believe that all he had to do was to discover a gold-bearing reef and make application to the Crown to obtain a money reward. That was not the best way to assist the prospectors. If a man discovered payable gold, in many instances he had a very good thing for himself. The best way to assist such a man would be to enable him to take up a lease and work it himself. When the new regulations were framed provision was made that if any person found a payable line of reef a distance of three or ten or fifty miles from a known goldfield, then a reward lease should be given free of rent and survey fees. If a man who found a new line of reef could have a reward lease granted to him, that would enable the man to develop his lease without having to pay rent or survey fees. A large number of persons had applied for these reward leases, and great facilities had been given to mining. We might provide for reward leases being granted for a longer term, and also for the discovery of a line of reef closer to other holdings than was the case at present. That would be wiser than saying that if a man discovered payable gold within 10 miles he should get a reward up to £1,000.

MR. CONNOR: The discoverer ought to have a freehold.

THE MINISTER FOR MINES: The objection to that was that if the Government granted a freehold we should not be able to make the owner comply with the labour covenants. There had been sundry suggestions that we should be more liberal in the regulations by granting reward leases. If he were asked by

the majority of the Committee he would be only too pleased to grant reward leases of 21 years, free of rent. All the discoverer would have to do would be to comply with the labour covenants. One did not care to be so liberal with Crown property unless he knew it was the desire of the majority of members. He hoped the amendment would not be passed, because it would create a wrong impression. The Government would be continually asked for rewards where it would not be considered wise to grant rewards; he meant money rewards.

MR. HASTIE: The argument of the Minister was against the existence of this clause at all. The Minister's particular reason was that we should not encourage people to discover payable gold by giving them a sum of money, because there were other methods by which they could be equally rewarded. This was not an individual matter, but one that benefited the State, and we believed it would be a benefit to the State to discover new payable fields. The Minister spoke about the small number of reward claims that were taken up; and we should be all delighted if the hon. gentleman would put these reward claims under less severe conditions than those existing at present. In a majority of cases where payable gold was found, the finder was not the one who reaped the reward, the chances being that he could not afford to take up the claim or work it altogether himself, so that he had to pay away a large portion of his share; and to that man it did not matter what size claim was granted, he would not be personally rewarded. Presumably the object of the Minister in putting this amount up to a thousand pounds was to provide that the proper man should be rewarded. He believed that in this State, although we had had an offer of a standing reward in existence for a very long time, very little money had been applied for, or if applied for it had never been paid out. There was not much fear that too much money would be asked for, if we said "ten" instead of "twenty."

Amendment put and passed.

MR. CONNOR: If a man went out prospecting for gold and found a goldfield, it ought not to be at the whim of any Minister or Ministry or Governor

whether a reward should be given; but the clause should contain provision that the man who discovered what was proved to be payable gold should be paid for discovering it. He suggested that the words giving discretion to the Governor should be struck out and other words inserted. He threw that out for the consideration of the Minister.

Clause as amended agreed to.

Clause 13—agreed to.

Clause 14—Existing Mineral Districts:

THE MINISTER FOR MINES moved as an amendment that between the words "every" and "mineral," in line 1 of the second paragraph, "such" be inserted. The omission of this word was a clerical error.

Amendment passed, and the clause as amended agreed to.

Clause 15—agreed to.

On motion by the MINISTER FOR MINES, progress reported and leave given to sit again.

MERCHANT SHIPPING ACT APPLICATION BILL.

Received from the Legislative Council, and, on motion by the MINISTER FOR MINES, read a first time.

UNIVERSITY ENDOWMENT BILL.

Received from the Legislative Council, and, on a motion by the MINISTER FOR MINES, read a first time.

ADJOURNMENT.

The House adjourned at 9:40 o'clock, until the next day.

Legislative Assembly.

Thursday, 8th October, 1903.

Mining Bill, in Committee resumed to Clause 77,
progress 1478

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

PRAYERS.

PAPERS PRESENTED.

By the TREASURER: Audit Department and Mr. Whitton's recommendations—Return moved for by Mr. Daglish, showing the names and salaries of the officers of the Audit Department, with salaries proposed by Mr. Whitton.

Ordered, to lie on the table.

MINING BILL, IN COMMITTEE.

MR. ILLINGWORTH in the Chair.

Resumed from the previous day.

Clause 16—agreed to.

Clause 17—Application for mining license:

MR. WALLACE: Under the clause it was compulsory for a miner to have a miner's right for every claim or lease he held. Why should a man be asked to take out more than one miner's right? According to the clause, if a miner held a claim and a lease it would be necessary for him to have a license for both.

THE MINISTER FOR MINES: It was not necessary to have a license for a lease.

MR. WALLACE: Every man holding a mining lease or a claim should be compelled to have a miner's right. That matter would be more clearly dealt with in Clause 114, but in order to gain the point he was aiming at it would be necessary to alter this clause. Therefore he moved as an amendment,

That in line 2 the words "or any number of mining licenses" be struck out.

THE MINISTER FOR MINES: The object of the clause was to provide for the issue of miners' rights whereby a person, by virtue of holding a miner's right, would be able not only to take up an alluvial or quartz claim, but also might peg out and apply for a residence area, a business area, a machinery area, a water right, or for any other purpose mentioned in Clause 26, which gave a right to enter