retary, treasurer, and trustee must always be held by separate persons. The present Act does not provide for that, and it is not necessary for these offices to be held by separate persons, although the Registrar has always insisted on these offices being held by different persons. This provision is found in the English Act of 1896. The amendment of Section 12, Subsection 2, is to regulate the following: in cases where, upon the death of a member, the body is not or cannot be recovered, as a certificate of death cannot be issued, no sum at death could at present be legally paid to the survivors. The amendment gives the trustees discretion to pay in such cases. If a member of a lodge is lost at sea, and the body is not recovered, then the trustees of the society may pay the amount which is due to the person entitled. The last amendment embodies a provision which is found in the Imperial Act of 1896, to bring the effect of a marriage upon a previous nomination, into line with the effect of a marriage upon a will previously executed. In each case marriage annuls. At present, under the Act a person who is a member of a society registered under the Act not of the age of 16 may, by writing, nominate any person, not an officer of the society, to whom any moneys payable by the society on the death of such member shall be paid at his death. The intention of Clause 5 is to revoke that order in the event of the member being married, so that any money may be paid to the person most entitled to it, the widow. There is no material alteration made in the Act by the present Bill. It is brought forward merely for the purpose of allowing associations to become registered, and there are one or two small amendments made which the Registrar has found to be necessary. In 1902 an effort was made to amend the Friendly Societies Act, and a great deal of discussion took place in the House. The Bill did not pass at that time. All the contentious matter has been taken from this measure, because we find in the Truck Act there is provision to do what an endeavour was made to be done by the Friendly Societies Bill previously. We intend, as far as we possibly can, to enforce the Truck Act, and therefore it is not necessary to bring forward contentious matter into the Friendly Societies Bill. I do not anticipate any opposition to the measure. I move the second reading.

On motion by Mr. RASON, debate adjourned.

ADJOURNMENT.

The House adjourned at 26 minutes past 9 o'clock, until the next afternoon.

Legislative Assembly,

Thursday, 22nd September, 1904.

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

PRAYERS.

QUESTION—THEATRICAL PERFORMANCES ON SUNDAY.

MR. A. J. WILSON, without notice, asked the Colonial Secretary: 1, Was permission given recently to the J. C. Williamson Company to hold a theatrical performance in Kalgoorlie on Sunday? 2, Was similar permission refused to the Charles Holloway Company? 3, If so, on what ground?

THE COLONIAL SECRETARY replied: The Williamson Company were granted permission to play "The Sign of the Cross," a sacred drama, in Kalgoorlie last Sunday night. I do not remember the name of the company to whom permission was refused, but the hon. member may be right. If he refers to the company who applied for leave to

play "Two Little Vagabonds," the ground of refusal was that this was not a sacred play. I refused the request.

BILL, FIRST READING.

LICENSING BILL, introduced by the Premier.

TRAMWAYS ACT AMENDMENT BILL.

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

METROPOLITAN WATERWORKS ACT AMENDMENT BILL.

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

FRIENDLY SOCIETIES ACT AMENDMENT BILL.

SECOND READING.

Debate resumed from the previous day.

MR. C. H. RASON (Guildford): I moved the adjournment of the second reading because, although the Minister in charge of the measure gave us a fairly good explanation, I did not gather from him what power was behind this Bill, who it was or what society it was that induced him to introduce it. It appears on the face to be a harmless Bill; but I may take this opportunity of saying how much it behoves this House always to be very careful that there is an interim between the second-reading speech, between the introduction of a Bill and the absolute passing of that Bill. No one would gather for a moment, by reading this comparatively harmless measure, that Subclause 2 of Clause 2, which reads that "the principal Act shall be amended by inserting in the proviso after the word 'week' the words 'or for the payment of a sum at death or for defraying expenses of burial from any one fund exceeding in the case of a member £25, or in the case of any other person £15'" would have any far-reaching effect; but if we turn to the principal Act we find that Section 7, which Clause 2 of the Bill seeks to amend, sets out the friendly societies that may or may not be registered, and it provides that certain societies that do certain things cannot be registered under the Bill and cannot claim the privileges of a friendly society. The Bill provides, among other things, that no society which contracts with any person in any contingency for the periodical payment of a rate exceeding 40s. a week shall be registered under the Bill. There is no provision as to the sum that may be payable at death after payment of the funeral expenses. If this Bill as it stands be passed, it will provide that no friendly society can be registered if the society provides for the payment of more than £25 on the death of a member. The answer that I may be allowed to anticipate to that argument, on the part of the Minister in charge of the Bill, will be that he has inserted the words here "from any one fund." I submit that any one fund, for the purposes of a friendly society, must be a burial fund or a payment-after-death fund. There can be only one fund for this one purpose. Therefore it will follow that, if this Bill passes, no friendly society can register which provides for the payment of more than £25, in the case of death of a member, to the widow or children of such member, or more than £15 in the case of a funeral. Why should that be? If we take certain amendments embodied in later clauses of this Bill we find it noted that they are copied from the English Act. If the English Act is worth following in one respect, it is worth following in others. The limit in the English Act in cases such as I have referred to is £200. In England, I submit with all respect, wages are far lower and the tax upon a labourer to pay into a friendly society is far heavier than it is here. It is a hardship, a comparative hardship at all events, for an English labourer to pay his few pence a week into a friendly society, but it is little hardship for a labourer here to do so. Yet subject to all this hardship, the English Act provides a limit of £200 as the payment which a friendly society may make to the widow or orphans of a labourer who is a member of that society. Here, if this Bill be passed, no society which provides for a payment of more than £25 from any one fund can register; no such society will be able to claim the privileges of the Bill. What can be the object? Is it because—I do not say it is so—the limit of the Government Railway Association is £25? Is it for the reason that there shall be no competition with that association? Is it that there shall be no

friendly association offering greater inducements than are offered by that association? Surely I am entitled to know the reason why the limit has been fixed at £25, whereas in the parent Act there is no such limit, and whereas under the English Act, amendments from which have been taken into this Bill, the limit is £200. I simply ask for information on that point. Then Clause 3 of this Bill provides — and here we are told, if we read the marginal note, that it has been copied from the English Act —that "societies may be registered under this Act for any purpose which the Minister may authorise as a purpose to which the provisions of this Act, or such of them as are specified in the authority, ought to be extended." If we are to believe the marginal note, this is an exact copy of the English Act; but it is not so. Important words in this Bill are not in the English Act. But before I proceed to that I should like to know what Minister is referred to here as the Minister who may include any societies without any of these limitations which apply to other societies. What Minister, I ask? I presume the Minister who introduced this Bill, the Minister for Labour. This is the first time we have had a Minister for Labour. It by no means follows that in the course of time we may have another Minister for Labour. [Interjection.] I am not dealing only with events which may occur within the next few days. I wish the Minister had not interjected. We may in the near or distant future, as the case may be, have no Minister for Labour. Then who is the Minister on whose option may rest the decision whether societies may or may not register under this measure? That is only a trifling point, and I merely mention it because in the English Act certain societies are referred to which are spoken of as specially authorised societies. I am sure the Minister will follow me in that. There are, I say, specially authorised societies which may be registered, but these specially authorised societies and indeed all friendly societies are subject to the supervision of the Treasurer. They are subject always to actuarial examination. No friendly society can register—and rightly so—unless it is first determined that the basis of its operations is actuarially sound. I can imagine no more unfortunate thing than that a labouring man should pay year after year into a so-called friendly society, and, when accident befalls him, render a claim upon that society only to find out that after all he has been paying into something which was financially rotten; that his payments were absolutely of no avail, and that it would have been just as well, or far better, if he had kept the money in his own pocket.

MR. HENSHAW: Have you read Subclause 9?

MR. RASON: I have.

MR. HENSHAW: That deals with it.

MR. RASON: I know; but the point I wish to emphasise is that specially authorised societies which are without the scope of this Bill, that may be specially authorised by the Minister, shall be subject to an actuarial examination before being registered, and shall be periodically subject to examination by some competent person to see whether the mode of their transactions is sound; whether they can carry out the obligations they entered into. The difference between this clause, which purports to be a copy of portion of the English Act but is not, is in the words which have been added and do not appear in the English Act: "with or without any of the purposes enumerated in Section 7." So although we expressly set out here the purposes for which friendly societies may be registered, and for which alone they can be registered, this Bill puts it into the power of the Minister to register a society without any of these purposes at all. We are told in the marginal note that it is copied from the English Act. It is nothing of the kind. In the English Act these words to which I take exception, "with or without any of the purposes enumerated in Section 7," do not appear. The Minister in charge of the Bill might have told us that he had added these words; he might have told us the reason that actuated him in adding them. For my part I give him credit for the best intentions. I do not think he has added them from any bad purpose at all; but I think he should have told us why he put them there, why he introduced this Bill at all, and whether the friendly societies are asking for it. So far as I can gather they are not.

THE MINISTER FOR LABOUR: I think I told you that.

MR. RASON: It may be my dull understanding that I did not gather it from the hon. gentleman. If in his reply he will tell us that the friendly societies have urged him to bring this Bill forward, I shall welcome the information; but so far as I can gather, with the poor means I have of gathering information, no friendly societies have asked for any measure such as this; and so far as I can gather, no member of any friendly society has asked for it, unless it be one association, and one only. So far as I can understand the Bill, it would be distinctly and most decidedly against the interests of any friendly society, except one, to allow this Bill to pass. Now let us pass on to the next clause: "The same person shall not be secretary or treasurer to a registered society or branch and a trustee of that society or branch." With that I am most wholly in accord. I am very glad of this opportunity of being able to agree with the Minister in charge of this Bill. I think that is a most beneficial clause to insert; but why should the Minister have gone on in the same clause to seek for a farther amendment by striking out the words, "who dies at sea" and substituting the following words "whose body is not or cannot be recovered, or who dies or is drowned at sea." It seems to me to be a perfectly purposeless distinction. "Or who dies or is drowned at sea!" I submit, with all respect, that the man who is drowned at sea dies.

MR. BATH: The lawyers find a distinction.

MR. RASON: I am, of course, subject to correction, but the lawyers in England find no such distinction. I do not wish to detract in any way from the legal advantages of my friend the Chairman of Committees (Mr. Bath); but why it should be found necessary to amend the Act in the same clause in the direction of the English Act, and seek to make more explicit an Act that has stood the test of time for many years in England, and to emphasise that a man who is drowned at sea does not necessarily die, is beyond my comprehension. However, if it seems, in the opinion of hon. members opposite, necessary to make it perfectly explicit that a man who is drowned at sea does not necessarily die, I have no objection to raise.

THE MINISTER FOR LABOUR: It does not say that if a man dies he is drowned.

MR. RASON: Unfortunately, no. All that you have to prove is death, and if you prove that a man dies, I do not know that it is incumbent upon you to prove that he was drowned at sea. He still might not have died, but did die. The next clause is, in this instance, copied from the English Act. I wish to be perfectly fair to hon. members opposite: in this case they have done what they purport to do, they have copied the English Act. Section 14 of the principal Act is amended by adding at the end of Subclause 3 the words: "The marriage of a member of a society or branch shall operate as a revocation of any nomination theretofore made by that member under this section." As the Minister in charge of the Bill explained, he has to deal with the case of a man who, under the provisions of the Act, makes a nomination that in case of his death any sum of money he would have been entitled to should be payable to his nominee. Very wisely so, I think, this clause will follow the English Act and will make marriage revoke any nomination of that kind. But, unfortunately, the Government have only gone so far, and not quite far enough. They have copied the English Act to a certain extent which revokes the nomination; but what about the friendly society which has paid on the nomination unaware of the marriage of the nominator? Manifestly the friendly society is liable. The friendly society has a nomination to pay to a certain person any money to which the nominator might have been entitled. The friendly society pays it. Subsequently it is found out that the nominator was a married man; and this Act makes the payment wholly illegal. The friendly society is liable. The Government have copied the English Act in one respect; they might very well have copied it another; because, although lawyers in England may not know so much as lawyers in Australia, they evidently have more regard for the benefits of their clients than some lawyers in Australia. The English Act, a very good Act, and from which this clause is copied, goes on to say, in Section 60, Subclause

2: "Where a society or branch has paid money to a nominee in ignorance of a marriage subsequent to the nomination, the receipt of the nominee shall be a valid discharge to the society or the branch." I recommend to the Minister for Labour that it would be just as well to add that subclause also to this Bill. Above all things I should like to know who it is—what party, or what society, or what association—that is responsible for the introduction of this Bill. I should like to know why the limit of payment is fixed at £25 here whereas in England, where wages are admittedly less, the limit is fixed at £200. I should like to know why it is said that any Minister can include societies for any purpose not the purpose set out in the parent Act, but for any purpose that in his mind he thinks right. I should like to know why a person who is drowned at sea is not admittedly dead, and I should like to know why it is that, in copying one section of the English Act, it is not thought fit to protect friendly societies by copying another.

THE PREMIER (Hon. H. Daglish): I do not intend to enter into a long defence of this measure; I do not think its importance demands it. The member for Guildford has made, I admit, a clever speech in attacking it—a speech I would not be able to refrain from admiring as a tactical move, but for the fact that I have before me a measure introduced two years ago in Parliament by a Ministry with which the hon. member was associated, a measure which, therefore, had the concurrence of the hon. member. It is word for word in all its clauses identical with the measure now before the House.

MR. RASON: As a tactical move, yours is good.

THE PREMIER: The only difference between the measures is that certain clauses have been omitted from the present Bill; but otherwise it is word for word a copy of that introduced by a former Administration, of which the hon. member was a Minister. Therefore, if there be any justification for the hon. member's attack, there is as much justification for an attack on himself and his former colleagues as on the Minister for Labour and the Government of which he is a member.

MR. RASON: I plead guilty; do you?

THE PREMIER: I have not the same reasons for pleading guilty as the hon. member. In regard to this measure there have been applications for registration by several associations of friendly societies. In my hands, at the present moment, I have one of those applications for registration from the Perth United Friendly Societies Association. There is another one from the Northam Friendly Societies Council. It has been held by the late and by the present Attorney General that no power exists under the Act to enable these associations to be registered. There has been no advantage to be gained by refusing them registration other than compliance with the law.

MR. RASON: Why the limit?

THE PREMIER: Then I understand that the hon. member is quite agreeable to the registration of friendly societies?

MR. RASON: Of friendly societies entitled to register under the Act.

THE PREMIER: I mean associations of friendly societies. That is one of the points in this measure—the power of friendly societies, not only to register as friendly societies, but to associate in associations and register as such so that the work of friendly societies may be more efficiently carried on.

MR. RASON: For the purposes set out.

THE PREMIER: For the purposes set out in the Bill, and in the original Act which it proposes to amend.

MR. RASON: You say, "for any other purposes."

THE PREMIER: Which may be authorised by the Minister; and, by the way, I did the hon. member an injustice when I said the two Bills are identical. They are not identical. The difference is, the word "Minister" appears in this Bill, and the words "Attorney General" appeared in the Bill of two years ago. [MR. RASON: Infinitely better.] It may be infinitely better, and it is not an amendment to which I should offer any strong objection—the addition of the words "or Attorney General" to the word "Minister." As to the limitation of the amount to be paid from any one fund, the amount to be paid can be increased at any time when the friendly societies are in a position to raise higher subscriptions from their members.

MR. RASON: They cannot register.

THE PREMIER: No friendly society has yet made application for authority to pay a larger sum than that specified in the Bill; and we are simply enabling them to work as they desire to work, and as they have been working under their existing contributions. As to protecting the members by an actuarial check, I would remind the hon. member that this is provided in the original Act, which requires these societies to submit periodically to the registrar statements of their assets and liabilities, and empowers the registrar to make an actuarial examination and communicate the result to the societies.

MR. RASON: Would that apply to any specially authorised societies?

THE PREMIER: It would apply to any society registered under the Friendly Societies Act, and would therefore apply to any society registered under special authority given by the provisions of this Bill. The Bill, if passed, becomes an essential part of the original Act; and the liabilities and obligations imposed on societies by the original Act are every one of them imposed on a society by this Bill authorised to be registered. I am somewhat surprised at my friend's attack on the measure, which, after all, seeks to help the friendly societies in a very useful department of their work, and to meet a want reported by the Registrar of Friendly Societies. As to the details of the measure, surely we are justified in being governed by his expert knowledge. The Bill is based on a report of requirements submitted by the Registrar. I have given particulars of the two specific applications before us at the moment; and I think these fully warrant our action. The amounts specified in the Bill are those recommended by the Registrar himself, and are fixed, I understand, at the request and with the concurrence of the various friendly societies now in operation under the provisions of the Act.

MR. T. H. BATH (Brown Hill): I regret that the member for Guildford (Mr. Rason), in criticising the Bill, tried to prove that the Minister for Labour (Hon. J. B. Holman) attempted to deceive the House by stating that certain clauses were copied from the English Act, when they were not really copied word for word. I think the hon. member complaining has misunderstood the references in the marginal notes; for he seems to think that these references indicate that the clauses are exact copies of the sections in the English Act.

MR. RASON: What does "cf" mean?

MR. BATH: It means "compare with," or "compare." It does not mean "copy of," as the hon. member seems to think.

MR. RASON: "Cf" means "compare with"?

MR. BATH: If the hon. member consults the dictionary he will find that my interpretation is correct, and that he has made an altogether incorrect charge against the Minister, and one he should withdraw. I have no desire to criticise the clauses of the Bill, because they are amendments which have probably been approved of or suggested by the officer in charge of the Friendly Societies Department; and he, having given much time and great attention to friendly societies, their registration, and their solidity from an actuarial point of view, I for one am prepared to defer to his judgment. I should like to suggest to the Minister an addition to the Bill, namely provision for a better audit of friendly societies' accounts. I have been approached, not only by individual friendly societies on the goldfields, but by officials of the United Friendly Societies Association, asking whether it would be possible to insert a clause providing for a Government auditor. It is regrettable that in so many instances, either through lack of knowledge of accounts or from other causes, there have been so many shortages and so many defalcations in friendly societies; and while the question of expense must certainly be considered, I think the department could provide a Government auditor to audit the societies' accounts at certain periods of the year, without any very heavy charges to the individual societies. I know that the idea is approved by many of the high officials in friendly society circles; and I make this suggestion to ascertain whether the necessary provision can be embodied in the Bill. As to the other clauses, the mere fact that they have received the approval of the Ministry of which the member for Guildford was once a member, is sufficient to confirm me in my opinion that the

measure is most desirable, and one to which I can give my hearty support.

THE MINISTER FOR RAILWAYS AND LABOUR (Hon. J. B. Holman, in reply): In reply to criticisms, I do not think it necessary to say much. It is evident on the face of it that the member for Guildford (Mr. Rason) has, whether intentionally or not, endeavoured to mislead the House. I do not pose as a Latin scholar, and I regret that I am not a very good scholar of any sort; but I am speaking on the authority of the Attorney General, and that ought to carry a little more weight on legal questions than the opinion of even the member for Guildford. As to the letters "cf" on the margin of the Bill they mean: compare with a certain section in the Act referred to, not followed verbatim, but taken as a guide.

MR. RASON: How did you get that information?

THE MINISTER: From the Attorney General.

MR. RASON: By telephone?

THE MINISTER: No matter. We got it here in time to refute your misleading statement.

MR. RASON: Will you tell us what the letters "cf" stand for?

THE MINISTER: I told you all about it. When a similar Bill was before the House two years ago, it received the solid support of the Labour party; and we brought in this Bill because we were prepared to take up the work which the other Ministry could not carry through. When the other Bill was introduced by the then Premier (Mr. James), he said "The first five clauses are contentious." Those clauses we left out of this Bill, because we are under the impression that they can be better administered under the Truck Act, and they could have been at that time also had the desire existed. The then Premier said, "The first five clauses are contentious; but I wish the House in any case to pass Clauses 6, 7, 8, 9, and 10." Those are the very clauses we have in this Bill, with two alterations.

MR. RASON: Why, do you stop at 5?

THE MINISTER: The first five were struck out in the measure which the late Government introduced two years ago; and the only alteration we make is that instead of empowering the societies to pay only £25 in the case of death of a member, we give them the option of providing two or more funds.

MR. RASON: For one purpose?

THE MINISTER: For one purpose if they so desire; because we wish that every man may join a friendly society on paying the lowest possible subscription for certain benefits; and if he wishes to pay into and receive benefits from two or more funds, let him pay accordingly.

MR. RASON: From one fund if he is drowned at sea, and from another if he dies at sea?

THE MINISTER: We know of men lost at sea, of whom it is not known whether they died or were drowned.

MR. RASON: That is quite satisfactory.

THE MINISTER: As to the Railway Association, one would think the hon. member ought to know that no one outside the Railway Department can join that society; so his remarks under that head are on a par with the remainder of his statements. Seeing that the late Government supported a similar Bill, and that this is the same Bill with a few alterations, and those alterations for the better, I think it unnecessary to go farther.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

MR. BATH in the Chair; THE MINISTER FOR RAILWAYS AND LABOUR in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of 58 Vict., No. 23, Sec. 7:

MR. C. H. RASON: The Minister's explanation of the reasons for limiting the burial payment, in case of a member to the sum of £25, and in case of any other beneficiary to £15, was not satisfactory. In this country, where wages were admittedly much higher than in England, why should the limit be £25 while the English limit was £200? Why should it be enacted that no friendly society could register under the Bill or claim the privileges under the Bill if that society proposed to pay to any of its members more than £25? He failed to understand why that should be so, and the only reason that appealed to his unenlightened mind was the fact that the only association of which he had any

knowledge had that limit of £25. That might or might not be the correct limit, but why seek to prevent any other friendly society that might offer greater advantages and greater inducements to members to join from registering under the Bill? Why fix the amount at £25? It might be a coincidence only that such was the limit adopted by one association.

THE PREMIER: What society was that?

MR. RASON: The Government Railways Association.

THE PREMIER: A very dirty insinuation.

MR. RASON: In no word that he had uttered could there be any insinuation or hint at insinuation. The Premier had used the word "dirty." If that remark was applied to him (Mr. Rason), he asked that the Premier should withdraw it.

THE CHAIRMAN: The hon. member did not refer to the member for Guildford as "dirty."

MR. RASON: If that were so he had nothing to complain of. He made no insinuation against the Government, for he had gone out of his way to say that he believed the measure was introduced with the best intentions.

THE PREMIER: For one society.

MR. RASON: It was a peculiar thing that whereas in England, where the wages of workmen were far lower than here, the limit for friendly societies was £200, while here the limit was fixed at £25.

THE PREMIER: Did not the hon. member inquire into the reason two years ago?

MR. RASON: Surely the Premier was not going to plead as a justification for being on the Treasury bench what a Government did two years ago? Why should the Government seek to fix an arbitrary limit of £25?

THE MINISTER: Societies in older countries were in a much better position to guarantee larger sums of payment than societies here were. The Bill was introduced on the advice of the Registrar of Friendly Societies, who had charge of these bodies ever since they existed in Western Australia.

MR. RASON: There was no limit in the principal Act.

THE MINISTER: There was no guarantee that the funds of societies were sufficient to pay £25. When he first read the measure through he thought it was rather a small limit to place on friendly societies; therefore to meet the case he added the words "from any one fund," so that other funds could be established if it were thought desirable. The Registrar of Friendly Societies knew the financial position of every friendly society in the State, and ought to be in a position to know that the societies were in a position to pay more than £25 or not. The clause would benefit all members of friendly societies.

MR. C. C. KEYSER: No reason had yet been given to justify the Government in fixing a maximum amount. If a particular society desired to give £50 at death, surely that society could increase the contributions to do that. Why should there not be one common funeral fund, and not make it necessary to establish two funds? Any society should have an opportunity of paying what amount it thought fit, provided the contributions received per annum from the individual members warranted the payment. The contributions had first to be approved by the Registrar of Friendly Societies, and he had to be satisfied that the contributions justified giving £50 or £100 as the case might be. No reason had been advanced yet to justify the fixing of a maximum amount.

MR. F. GILL: When the member for Guildford first referred to the Railway Association, one thought it was a joke; but as the hon. member again mentioned the matter, he no doubt was in earnest. As one who had been a prominent member of the particular association referred to, and naturally knew something of the working of that body, he (Mr. Gill) would appear to be a coward if he did not take exception to the insinuation made by the member for Guildford. If the Railways Association or any other association or society took such action for its particular benefit, it would be acting a cowardly part.

MR. RASON: Was not the amount named the limit?

MR. GILL: Certainly that was the limit of the Railway Association. The hon. member knew that, having been Minister for Railways.

MR. RASON: It was a good guess.

MR. GILL: The Railways Association was not looked upon as an ordinary friendly society, neither did it desire to come under the provisions of the Friendly Societies Act; but it was compulsory to do so, otherwise it would not be under the Act. The Ministry of which the member for Guildford formed part introduced a Bill similar to this two years ago. He (Mr. Gill) was convinced no officers or members of the Railways Association ever took action in this respect. There was nothing in the suggestion put forward by the hon. member.

MR. RASON: No suggestion of the kind referred to was put forward.

THE MINISTER FOR WORKS: If the member for Guildford had made the slightest attempt to gain information he must have ascertained that every association registered under the Friendly Societies Act paid £25 or less, yet he singled out the Railways Association. He must have known that the association was limited by regulation to the payment of not more than £25. In 1895 a regulation was framed by the Registrar of Friendly Societies that no society could register which paid more than £25, and the object of the present Bill was simply to confirm or embody that regulation in the Act. Some associations which were registered only paid £20. It was true that the Druids had two funds and paid more, but then the members contributed more. The regulation was framed in order to protect members of societies, because, after calculations, the Registrar discovered that they could not guarantee to pay more than the sum specified out of the contributions paid by members and be solvent societies. As to the argument used about the English law, personally he did not know the reason how it was they paid more in the old country, nor did he try to discover. The experience gained in Western Australia or Australia generally went to show that on the contributions paid by members of societies, those societies could not pay more than £25. There was no ulterior motive in introducing this Bill.

MR. RASON: The member for Balkatta seemed to think that he (Mr. Rason) cast insinuations on the character and reputation of the Government Railways Association, but the hon. member should be the last to imagine anything of that sort. The only association of which he (Mr. Rason) had any knowledge that fixed the limit of £25 was the Government Railways Association.

THE MINISTER: It was peculiar to single out one society out of about 150.

MR. RASON: It might strike the Minister so. He hoped the member for Balkatta would accept the assurance that nothing was more foreign to his mind than to cast insinuations on the Government Railways Association. He still submitted that the explanation as to the limit was not satisfactory.

THE MINISTER: That was because the hon. member was not a member of a friendly society.

MR. RASON: If this Bill passed, any friendly society that might be able to pay more than the sum specified and to satisfy the Registrar that it could do so, would be debarred from being registered.

THE MINISTER: It would not. It could create two funds.

MR. RASON: Let us have no such subterfuge. What was the good of talking about having two funds? He imagined no one friendly society could have two burial funds or two death funds.

THE MINISTER: The Druids had two now.

MR. RASON: There might be isolated cases, but he was dealing with principles. He moved as an amendment that the word "twenty-five," in line 4 of Subclause 2, be struck out, and "fifty" inserted in lieu.

Amendment negatived, and the clause passed.

Clause 3—Amendment of Section 8:

MR. RASON: This clause, if passed as it stood, would give the Minister the right to admit to all the privileges of these friendly societies a society that might not have any of the purposes set out in the measure.

THE MINISTER FOR WORKS: Some societies registered under the Friendly Societies Act now complied with Section 7 of the principal Act. There were other societies known as friendly societies councils. We had them in Perth, Northam, Kalgoorlie, Coolgardie, Boulder, and right throughout the State. These friendly societies councils were composed of societies registered under the Friendly

Societies Act which were affiliated to conduct business or to get interchange of opinions of the different societies registered in the district.

MR. RASON: Did they already exist?

THE MINISTER FOR WORKS: Yes.

MR. RASON: Then why was the Act wanted?

THE MINISTER FOR WORKS: It was desired to get these associations registered to give them a legal standing. These societies were already recognised by the Government. The James Government gave them grants of land to build halls upon, halls which belonged to no registered individual society, but to a combination of societies. These combined societies also ran dispensaries, which were paid for by the whole of the societies, and not by any individual society. These combined societies to whom these grants of land were given, not being registered, could not borrow money, and had no standing. This Bill was framed to enable them to register, and so get over the difficulty that existed. These associations and councils of friendly societies could be legally registered and would be able to conduct their business properly. The difference referred to between societies was that one class granted benefits as enumerated in Section 7 of the Act, while the other might grant no benefits at all. That was the object of the clause. The Registrar of Friendly Societies thought he was right under the old Act in registering one or two of these councils; but the then Attorney General (Mr. James) pointed out that they were illegally registered, and that they could not be registered until the Act had been amended. Several of these associations desired to erect halls and dispensaries; but they could not do so until they were registered. Immediately the Act was passed they would register and conduct their businesses properly.

Clause put and passed.

Clause 4—agreed to.

Clause 5—Amendment of 58 Vict., No. 23, Section 4:

MR. RASON: Perhaps the Government would not object to the suggestion offered by him on the second reading, that as they created a liability on the friendly society, which had been copied from the English Act, they should take another section from the same source to protect the society. No accusation of obstruction could be laid against him for making this suggestion. The clause provided that the marriage of a member of a society should operate as a revocation of any nomination made by him nominating to whom any moneys owed to him should be paid; but a friendly society might well pay over moneys due without a knowledge of any marriage, and would still be liable though the money was paid in good faith. The English Act protected the friendly society by the section which provided that, where a society or branch had paid money to a nominee in ignorance of a marriage subsequent to a nomination, the receipt of the nominee shall be a valid discharge to the society or branch. He (Mr. Rason) was not under such great obligation to the Government in regard to the Bill that he should move any amendment himself, nor did he intend to do so. He simply drew attention to this matter, and the Government could accept the suggestion or leave it.

THE MINISTER: Seeing that this would relate to a nomination after a man was married, the suggestion, in his opinion, had no great effect. [MR. RASON: Oh!] Was not that the hon. member's intention?

MR. RASON: No.

THE MINISTER: If the hon. member would move his amendment, the Government would know what to do with it.

MR. RASON: There was no such intention on his part. He had read the English Act. The Government could either take the suggestion or leave it.

Clause put and passed.

Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

INSPECTION OF MACHINERY BILL.

IN COMMITTEE.

MR. BATH in the Chair; the MINISTER FOR MINES AND JUSTICE (Hon. R. Hastie) in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Clause 4—Nonapplication of the Act:

MR. E. NEEDHAM moved as an amendment:

That Subclause 1 be struck out.

The subclause provided that—

> This Act shall not apply to any boilers or machinery used or employed in the working of the Government Railways under the control of the Commissioner of Railways.

He failed to see why we should exempt any machinery or boilers used on the Government Railways. Having worked on the railways, he knew an evil which existed and which should be abated. Uncertificated men and men without experience were in charge of machinery and boilers. The main object of the Bill was to protect life and property, and no exemption should be made in the case of the Commissioner of Railways. The Minister in charge of the Bill might be under the impression that something was already in existence protecting the lives of men employed on the Government Railways; but he (Mr. Needham) knew of nothing that was in existence to do so, though if there were we ought not to have two or three Acts dealing with one matter. This Act should be made comprehensive, so as to deal with all machinery and boilers in the State, whether on the Government or on private railways. We should extend the operation of the Bill to railway men and railway property.

THE MINISTER: Did these men drive engines?

MR. NEEDHAM: Yes; as well as being in charge of boilers. They were in charge of engines driving from 25 to 30 different machines.

THE MINISTER: They came under the Bill.

MR. NEEDHAM: Inspectors under the Act ought to be able to go upon the Government Railways. The subclause would prevent this, though a subsequent clause provided for inspection of machinery not otherwise within the scope of the Bill. This was ambiguous. Let the Act be clear and comprehensible by the average man, in the event of accident through defective machinery or boilers.

THE MINISTER: Clause 4 exempted the Government railways. Recently, when he declared that men working Government railway engines must be certificated, he was in error. The Steam Boilers Act did not apply to Government railways; and by exempting them in this Bill also we followed the precedent, he believed, of the whole world, and of the Eastern States. The Railway Department was practically self-contained; and it would not pay the Commissioner to allow careless working. Till the night before last, when the mover of the amendment declared present arrangements unsatisfactory, no complaint had been heard against the departmental inspections.

MR. NEEDHAM: That did not justify the exemption.

THE MINISTER: Surely it did. Why should we pass laws to carry out mere theories? Experience was worth a hundred theories; and to justify such a fundamental change the hon. member should prove present arrangements ineffective.

MR. NEEDHAM said he spoke from experience.

THE MINISTER: Were inspection unsatisfactory, we should have complaints. To have all the machinery in the country inspected by one set of officers might be well in theory; but in the intricacies of railway management an outsider would not see eye to eye with departmental officers, and friction would result. If it were shown that outside inspection would lead to great improvements and more effective protection of life, the Act could be amended.

MR. H. GREGORY: Better withdraw the amendment. Independent inspection of locomotives was needless; and inspectors appointed under the Bill might not have the special knowledge required. Those familiar with the Steam Boilers Act knew that the amendment would vitally affect railway working. The department had their own inspectors, doubtless fully competent, who examined locomotives in the running sheds. By this Bill a person must not remove a boiler from one district to another without notifying the inspector of boilers. How could that be applied to locomotives? True, the Bill could be applied to railway workshop boilers; but the department had their own inspectors, of whom one heard no complaints, and the amendment would not give more efficient inspection.

THE MINISTER FOR RAILWAYS (Hon. J. B. Holman) opposed the amendment. Since it had been tabled he had made inquiries, and the Commissioner and

several loco. drivers informed him that the boiler inspectors in the department were the most expert obtainable in the world. Since the present system of inspection was introduced no accident had happened to either stationary or locomotive boilers. The departmental instructions provided that locomotive officers must arrange for inspections of all boilers other than locomotive, at intervals of not more than four weeks, and reports must be made. In addition, all boilers were inspected at intervals not exceeding six months, by the boiler inspector or other competent officer, and detailed reports made; but this did not relieve local officers from responsibility for maintenance and care of their boilers; and while the periodical inspection was proceeding they had to be present in person to note the condition of each boiler. Every care was taken to guard against accident; and owing to the systematic reports required, blame could at once be apportioned in case of accident. We should be unwise to interfere with the working railways; for it was in the interest of the department to avoid accidents. What did the mover think of the ability of the railway inspectors?

MR. NEEDHAM: Their ability was not questioned.

MR. E. P. HENSHAW: The Minister should give some better reason for exempting the Commissioner of Railways. Independent inspection of locomotives was hardly necessary, but the Guildford and Fremantle workshops should be so inspected. The Commissioner was exempt from the Factories Act, the Truck Act, and the Arbitration Act. Large sums had, without avail, been spent to force him to carry out awards of the Arbitration Court. Mutual agreements between the Commissioner and employees were observed by them and flouted by him. One would not like to see a Government department exempt from the provisions of the Bill. If the Minister could show that there was a proper inspection of wood working and iron working machinery, as well as boilers and engines, he would be satisfied, but if that were not done he would be compelled to support the amendment.

THE MINISTER FOR RAILWAYS AND LABOUR: It was hardly fair for a member to make a statement without proof. Since the inspection of Government boilers no accident had ever happened. It was easy to say that a machine in a certain place was dangerous, but there had been no accidents with Government boilers. It was said the Commissioner for Railways did not come under the Truck Act; but there was nothing in that Act which exempted the Commissioner. If the power in the Railways Act was not sufficient, then the hon. member should endeavour to make it so. As to the Arbitration Act, if any proof were shown that the Commissioner did not carry out any award that the court had made, the House could deal with the Commissioner. It might be unwise to make the Arbitration Court more powerful than the House, but any award which the court had made and which the Commissioner disobeyed, the House should see was carried out, or else some other person should be placed in the Commissioner's position who would carry out the award. Some argument should be brought forward why the amendment should be carried. He would like to see it withdrawn, as it would not do any good.

MR. E. NEEDHAM: It was not his desire to include the engines running on the railways in his amendment, but he maintained that every boiler and every machine that was used on the Government Railways, other than the locomotives, should be brought under the provisions of the Bill. He did not attempt to impute any neglect or any want of ability on the part of the gentlemen who had been in the position of inspectors on the railways, but he wanted to bring the machinery and boilers other than locomotive, under the Bill, so that in the event of accidents occurring the Government should not be exempt. Because no accident had occurred in the past was no argument that no accident would occur in the future.

MR. R. G. BURGES: According to Clause 52, railway machines were not exempt.

MR. A. E. THOMAS: Apparently the only reason given by the Minister for Mines and the Minister for Labour was that on the railways there were competent drivers and engineers to inspect machinery, therefore there was no necessity for the engines and machinery to be

inspected under the Bill. The inspection was made by the railway officials themselves. One would think by the arguments advanced that in other places where machinery was used, such as on a mine, the owner of the machinery wished to see how much damage he could do to the machinery, how many boilers he could blow up in a given time, or how many people he could kill. On all works where machinery was used or boilers and engines were erected, competent men were placed in charge. Any owner who had to bear the brunt in cases of accident, and had to replace broken machinery, was hardly likely to be fool enough to place in charge of the machinery a man who was not competent to run that machinery. At a mine there were inspectors and engineers, who were at all times examining the boilers and machinery to see that they were kept in a proper state of repair. If we were to make an exception of the Railway Department because the inspections were carried out through their own officials, then he (Mr. Thomas) claimed that the same exemption should be allowed where there was an engineer or a qualified, certificated, first-class man in charge of the machinery. If the Committee insisted that the ordinary users of machinery and boilers should be subject to inspection by officials of the Government, we should insist that, outside of locomotives, stationary engines or boilers under the control of the Commissioner for Railways should be subject to this inspection also. He had a vivid recollection of asking a series of questions three years ago relative to the Boilers Act. The law stated that any boiler used should have certain fittings approved by the Chief Inspector of Boilers. He knew of boilers in use on the railways which had not these fittings. There was one in the station yard at Kalgoorlie, next to the passenger platform and near the refreshment room. The boiler was not fitted up according to the Act. The reason for having stringent regulations was that boilers were not safe without these fittings, and if anything had happened to the boiler at Kalgoorlie it would have been a distinct menace to life, because a large number of people at all hours of the day were close to this boiler. He was told at the time that this boiler was not subject to the provisions of the Act. Apparently the Railway Department could run anything they liked, but if a mine ran a boiler under similar conditions the mine owner would have to close down the works until the boiler was placed in an efficient working state. Stationary engines and boilers in machinery sheds and repairing shops should be under the jurisdiction of the inspectors appointed under the Bill the same as engines and boilers owned by private individuals were. He supported the principle of the amendment of the member for Fremantle.

MR. H. E. BOLTON: As far as locomotive boilers were concerned, there was no better inspection of them in any part of the world than was carried out here. The inspection was made periodically and thoroughly.

MR. THOMAS: It was the same on mines also.

MR. BOLTON: Just so. If it were thought necessary to bring boilers in the control of the Commissioner under the provision of the Bill, then the House should have a return from the Commissioner in reference to them, and if the provisions of the Bill were not carried out by the Commissioner, the Minister responsible to the House could be dealt with. He thought we should bring the Commissioner under the Bill, but he rather favoured the idea of stationary boilers—not necessarily stationary machinery — being brought under the measure. The inspection of machinery, as far as railway matters were concerned, was a dead letter and a farce, for no inspection took place.

MR. FRANK WILSON: There was no power to enforce it.

MR. BOLTON: The only examination of machinery that took place was that every driver on a locomotive made his own examination and was responsible from the time the engine was taken out until it came back to the yard again, and should the engine-driver take the same engine out the next day, which was not always the case, the driver was still responsible for anything defective in the machinery. In charge of all depôts there was a mechanic who was responsible for the examination, but the driver took the responsibility while the mechanic took the "screw." With stationary boilers and machinery no examination took

place. The inspectors in the service made their periodical visits to examine the boilers only, and in nearly every case the inspectors were boiler makers, not mechanics. No inspection of machinery took place to his knowledge. The foremen in charge of the depôts were responsible for seeing that everything was kept roughly up to date. There was hardly any necessity to bring the Commissioner under the Bill. His idea would be to alter the Railway Act and to deal with the Commissioner if he neglected to have an inspection of boilers and machinery made.

THE MINISTER: It could be done.

MR. BOLTON was glad to hear it. A certain driver was in charge of an engine only allowed to do shunting in a yard at Midland Junction, and instructions had been given that it was not to leave the yard; but on one occasion a Ministerial special was required to run from Midland to Perth, and he declined to accept the responsibility of taking this crippled engine, the result being that he was immediately suspended. Another man took it, and the engine left the road; yet the driver who refused to take it was fined. The flanges of the wheels of that engine had been worn to such extent that they were very sharp. If we brought the Commissioner of Railways under this Bill, that would interfere with his administration. We could get what was wanted by altering the Railways Act, and leaving this clause as it stood. He did not support the amendment. Apparently one or two portions of the measure clashed. A portion of the Bill provided that inspectors could go into any works or shed, whether those places came under the Bill or not. That was somewhat peculiar. He would hardly care to be an inspector under the measure, and go on to any building or ground subject to the control of the Commissioner, because if an inspector had no power to take action, and did not go off the premises when asked, he would be put off.

MR. H. GREGORY: Under the Bill, power was given to inspect machinery even on any property held by the Commissioner of Railways, although no penalty was provided to compel him to put that machinery in order. It was doubtful whether we should not make boilers at outside stations and even in the workshops subject to this measure. The amendment that had been proposed was absurd. There might be a few amendments of the Railway Act. The Government were alway desirous to make their machinery and the working parts of that machinery as safe as possible. An inspector of machinery under this measure having the power given by Clause 11, we might be satisfied that such inspections would be made, and if it were found that any such machinery was unsafe, a report would go to the Minister for Railways from the Minister for Mines, and care betaken to ensure safety.

MR. A. E. THOMAS: Would privately-owned lines be subject to the measure in regard to locomotives?

MR. GREGORY: Yes.

MR. THOMAS: Locomotives on privately-owned railways were subject to as rigid inspection as those on Government railways. He saw no reason why we should exempt Government locomotives any more than the locomotives of the Midland Railway, or those on any railway of the timber companies or others.

MR. FRANK WILSON: When the Arbitration Bill was under discussion members fought hard to have the Railway Department brought under the measure. It was argued on the other side that it was unnecessary, and that there were other methods of dealing with the Railway Department. We now found, however, that recently the Railway Department was very glad to take advantage of the Arbitration Act. In the present instance we had an attempt to remove the largest user of machinery from the effects of this Bill. If the measure was good for the private owner and employer, it was also good that the public machinery should be inspected. The Minister for Justice, he thought, said, in introducing the Bill, there was no necessity to bring the Government Railways under it; that they were exempt, and the exemption had proved good. Had there been any necessity shown for private owners of machinery to be brought under the Bill? The member for North Fremantle said there were no accidents. What accidents had there been in connection with private machinery which would have been obviated by a Bill of this description? The Minister used the argument that no accidents

happened because new machinery was used in this State.

THE MINISTER: That was not said by him. He said there were comparatively few.

MR. F. WILSON: The Minister said we were now using second-hand machinery. If that applied to the private owner of machinery, it also applied to our railways, on which there was a lot of second-hand machinery, which should be very carefully looked after.

THE MINISTER: And got it.

MR. F. WILSON: The private employer always got the best servants and paid the best wages.

MR. BOLTON: The private owner got the best job.

MR. F. WILSON: The private owner of machinery in this State was subject to all sorts of penalties if he injured his employees through defective machinery. Were not the laws already in existence sufficient to make an employer very careful in regard to machinery he was using? Had it been proved in any respect that there was neglect with regard to the machinery? He thought not.

THE MINISTER: What about the Boulder accident?

MR. F. WILSON: Nothing was known by him about the Boulder accident. But we had the Inspector of Mines to look after those matters. He believed the Boulder accident, which was the first of its kind in Western Australia, would have to be paid for very dearly. He agreed with the Minister that the safety of the public must be attended to, but he was not in accord with the Minister if the hon. gentleman said the safety of the public was threatened at the present juncture. We should go very slowly in legislation in this direction, and should not introduce Bills to increase the cost of administration and retard and hamper employers until there was necessity for them. It was easy to legislate, but very hard indeed to repeal. The member for Leonora (Mr. Lynch) quoted Massachusetts as having laws of this description, but there was no comparison between Massachusetts and Western Australia in point of population. In 10 or 12 years it would be time for us to hamper ourselves with the legislation required for millions.

THE CHAIRMAN: The hon. member was making a second-reading speech on a particular clause.

MR. F. WILSON: There was necessity to make legislation of this description apply to all departments. The haste in which the Minister had introduced the Bill had not given much opportunity for discussion on the second reading, which was to be deprecated. The Minister, contrary to parliamentary usage, asked that the second reading be passed on the first day the Bill was laid on the table.

THE MINISTER: The Bill was on the table on Friday.

MR. BURGES: It was no use then, as the House did not sit on Friday.

MR. F. WILSON: The member for North Fremantle (Mr. Bolton) was going to support the clause.

MR. BOLTON denied having said he was going to support the clause.

MR. F. WILSON: Was the hon. member then going to vote against it?

MR. BOLTON had not said so.

MR. F. WILSON: The hon. member must vote against it because he quoted an argument which would make it imperative on his part to vote for the amendment, having said there was no periodical inspection at present on the Government railways. That should prove that the railways ought to come under the Bill. The hon. member had pointed out also that few private owners of machinery did not have proper periodical inspections of their machinery, so, according to the argument of the hon. member, the Government railways ought to come under the operation of the Bill and not private owners. The hon. member had also said that he would deal with the Minister since he could not deal with the Commissioner. The private owner was subject to a charge of manslaughter for wilful neglect and could be gaoled, but one doubted whether we could put the Minister into gaol if he neglected to keep the Commissioner up to the mark. Members should look at this matter in a broad light. We should not legislate for privately-owned machinery and leave out public machinery. If the Bill were necesssary at all, all classes of machinery should be brought under it to fully protect individuals employed on or around machinery.

MR. BOLTON: The member for Sussex (Mr. F. Wilson) had evidently misunderstood him, which perhaps suited the hon. member, by taking words literally and misconstruing them. The hon. member claimed that he (Mr. Bolton) said no Government machinery was ever examined. That was not the case. He had not said any such thing, but had tried to explain that it was a continual examination without periodical visits, that private firms arranged for periodical visits, and that nothing of the sort took place on the Government railways, but that an engine-driver, before he was allowed to stable a locomotive, had half an hour in which to examine the machinery and boiler, and that this happened every day.

Mr. F. WILSON: That was clearly understood. The examination was only made by the driver. Private employers had locomotive engineers in charge of their engines.

MR. BOLTON: That also had been explained. There was a loco. foreman in charge of every district and responsible for the machinery being kept up to date. A driver was blamed if his machinery was not in good order.

MR. E. E. HEITMANN could not see why we should force on private owners of machinery and boilers laws and regulations under which the Government were not prepared to work. Private owners also had continual examinations. The engine-driver examined his machinery continually, and also the foreman fitter. Why should we have certificated men on privately-owned machinery and not on public machinery? Were the men in charge of boilers and machinery on pumping stations connected with the railways certificated men? If so, they were a long way behind drivers on mines in point of knowledge and ability. Two years ago one so-called engine-driver of the Railway Department had gone before a board of examiners in Cue for examination for a second-class certificate; but if the driver had sat until now he would not have got a third-class certificate. This man was an old servant of the department, but was not a locomotive driver. We should not have uncertificated men in charge of machinery on the railways alongside privately-owned machinery driven by certificated men, and we should not have Government machinery examined by men who perhaps knew nothing about it. Who could say the Government inspector was qualified? No doubt the Minister for Mines would see that the inspectors under the Act were qualified, but how did we know that railway inspectors were qualified? He (Mr. Heitmann) would vote for the amendment, because he did not think we should exempt the Government railways and at the same time force the Act on the private owner.

THE MINISTER: The boilers of the Railway Department were subject to proper inspection and examination. He could not support any proposition to make them subject to this Bill. Every part of the railway system was as severely examined as machinery owned by people outside. Certain members outside the House, pretending to be conservative, came forward with such propositions—he meant the members for Sussex and Dundas.

MR. F. WILSON interjected that he did not pretend to be a "conservative."

MR. A. E. THOMAS also interjected a denial.

THE CHAIRMAN: Order! It was highly disorderly to interject in such a way.

THE MINISTER: These members asked us to alter the present system, though it was known that the system of inspection on the railways was correct. The member for Dundas quoted an instance which occurred three years ago—[MR. THOMAS: Plenty more]—but that was the only instance quoted. The member for Sussex quoted no instance; but by a little twisting and misrepresenting——

AN INTERLUDE.

THE CHAIRMAN: You must withdraw.

THE MINISTER: I withdraw the word "misrepresenting."

[Interjections.]

THE CHAIRMAN: You must withdraw both words.

THE MINISTER: "Twisting," too?

THE CHAIRMAN: Yes.

THE MINISTER: Very well, I withdraw.

MR. F. WILSON: Does the Minister withdraw?

THE CHAIRMAN: I understand he has withdrawn.

THE MINISTER: I withdraw "twisting" and "misrepresentation."

MR. FOULKES: They are equal terms. The hon. member must withdraw both expressions.

THE CHAIRMAN: The hon. member must withdraw both expressions.

MR. F. WILSON: Has the Minister withdrawn both expressions?

THE MINISTER: The Chairman says I have done so.

MR. F. WILSON: I hope that the Minister will withdraw.

THE MINISTER: All members of the House heard me withdraw both words.

MR. F. WILSON: Mr. Chairman, I did not hear; did you?

THE MINISTER: I said that every member of the Committee heard me withdraw twice.

THE CHAIRMAN: The hon. member has received the assurance of the member for Kanowna that he has withdrawn both words. You may be satisfied.

MR. F. WILSON: As long as the Chairman is satisfied, I am.

THE CHAIRMAN: I must take the hon. member's assurance that he has withdrawn.

DISCUSSION RESUMED.

THE MINISTER: The member for Sussex quoted the member for North Fremantle in an unfair manner, quoting him as an authority and giving the House to understand that absolutely no inspection of machinery took place on the railway system. That is the impression the member for Sussex tried to convey to the House. Needless to say the member for North Fremantle had said nothing of the kind, and no member believed anything of the kind. The member for Sussex told us that every reliable private employer had an inspection of machinery, and led us to believe that such a large and important industry as the Government railways had no inspection of machinery. There was effective inspection on the railways. For the last five or seven years, since the Steam Boilers Act had been in force, there was not a single instance of boilers going wrong or of machinery being ineffective.

MR. HENSHAW: What of the machinery in the new shops?

THE MINISTER: The Bill provided for the inspection of privately-owned machinery and boilers, and could be extended to the Railway Department if good cause were shown. Apparently the member for Sussex (Mr. Frank Wilson) thought all inspections unnecessary for many years. From the melancholy tone of the hon. member's second-reading speech one would think he was trying to persuade us that the country was going to ruin. The hon. member tried the same dodge three years ago; and his principal function seemed to be to raise a scare.

THE CHAIRMAN: The Minister should confine himself to the clause.

THE MINISTER: The onus of proof was on those who desired change; and supporters of the amendment had not shown why the present effective system should be altered by appointing two sets of inspectors.

MR. HEITMANN: One set would do.

THE MINISTER: The railway inspectors were qualified men.

MR. THOMAS: And those on the mines?

THE MINISTER: Some were qualified and others unqualified.

MR. THOMAS: Why not exempt the qualified?

THE MINISTER: Ridiculous! The Government railway inspectors we knew to be qualified; therefore why duplicate the work? A member suggested that those inspectors be made honorary inspectors under the Bill. Would that improve matters? The Chief Inspector of Machinery would then be responsible for certain railway servants over whom he would have comparatively little control. Show that the amendment would do good, and the Government would withdraw their objection. If in future Government railway inspection proved inefficient, the Government would amend the Act and make it apply to the department.

MR. H. GREGORY: Railway machinery could be inspected under Clause 11.

MR. F. WILSON: No. An inspector of machinery could not enter railway premises to inspect.

MR. GREGORY: He could inspect and report; but no penalty was provided.

THE MINISTER: The inspector could ascertain whether the provisions of the Act were complied with.

MR. THOMAS: The Minister for Mines had a wonderful affection for the

Railway Department. This was surprising, after the debate on the Inspection of Machinery Bill of last session. The Minister reiterated the old argument that the inspection of Government railway machinery was sufficient, and that since the passing of the Steam Boilers Act railway boilers had been free from accident. In that period were there any private boiler accidents?

MR. GREGORY: One about 18 months ago in Kalgoorlie.

MR. THOMAS: Due not to faulty working, but to a flaw in construction.

MR. GREGORY: No.

MR. THOMAS: Private engineers were as careful as railway men. Why wait till an accident occurred? Prevention was better than cure. This being a good Bill, let it apply to Government railways as well as to private railways and the mining industry. If a machinery or boiler accident happened in a mine, probably only one person was injured; but a railway boiler explosion near a passenger platform, or an accident to a locomotive, might kill scores or hundreds. To say that the department had efficient inspectors of their own was foolish; for the vast majority of private machinery-owners had for financial reasons equally efficient inspection. He would vote for the amendment.

At 6·30, the CHAIRMAN left the Chair.
At 7·30, Chair resumed.

MR. E. NEEDHAM: In pressing the amendment to a division, he did not wish to harass the Minister for Mines. Members did not seem to exactly gauge the meaning of the amendment. He had not heard a solid argument against the amendment; but although under the impression that he was fighting a forlorn hope, he proposed to allow his amendment to go as originally moved. He did not say that the inspection of boilers and machinery under the control of the Commissioner had been defective in the past, and he did not wish to convey that. As far as the Bill went, the Commissioner of Railways was not responsible for any accident that might occur. There might be an Act in existence that made the Commissioner liable; but why should there be a number of Acts on the statute book and an opportunity given in a court of law to prove something to the contrary? We wanted a Bill that the average man could understand. If the Bill was meant to protect life and property in the State, why not bring the Commissioner under the Bill as well as anyone else?

THE MINISTER: It was not possible.

MR. NEEDHAM: If the clause were deleted, the Commissioner would be liable. The member for Menzies had asked him to read Clause 11. He had read it.

MR. BURGES: Read Clause 52.

MR. NEEDHAM: That also he had read; but neither of the clauses provided for the matters he wished to meet. He would not have brought forward the amendment unless fully seized of the importance of the situation. He contended that if Subclause (1) of Clause 4 was allowed to remain in the Bill, the Commissioner of Railways would not be responsible; and any man working on the railways ought to be protected against defective machinery or boilers. This provision gave the Commissioner a loophole of escape, and he had already too many loopholes. The argument of the member for North Fremantle strengthened the position which he (Mr. Needham) had taken up. The member for North Fremantle said that the inspection of machinery and boilers in the Railway Department was, in his opinion, perfect. There was an amount of inspection in the Railway Department, but in the event of an accident occurring why should not the Commissioner be made responsible?

MR. BOLTON: The carrying of the amendment would not make him responsible.

MR. NEEDHAM: It would make the Commissioner subject to the Bill. Although the railways had been very free from accidents in the past, that was not to say there would be no accidents in the future; and we were legislating for the future. If the Bill was to be made perfect, then the subclause should be deleted.

THE MINISTER: The Commissioner for Railways was as responsible as any other person. Inquiries would be made, and if he found that the Commissioner for Railways was not responsible for any accident that took place, he promised to bring forward amending legislation; but

already the Commissioner was just as responsible as any one else for any accident which took place.

MR. NEEDHAM: The desire he had was to prevent litigation which might ensue. He wanted something in this Bill that no one could give two opinions about. We should insert something which would at once fix the responsibility on one individual. If we were going to make provisions to protect life and property, the measure should include every individual in this State, no matter what position he occupied.

MR. C. H. RASON was surprised that the Minister for Justice had offered to make inquiry to see whether the Commissioner was liable or not; but one would have thought that a gentleman occupying such an exalted position would be able at once to say that the Commissioner was liable as an employer.

THE MINISTER: That had been stated by him.

MR. RASON: What one understood was that the Minister said he would inquire. If we enacted that the boilers and locomotives engaged on the Government railways were to be examined by an inspector under this measure, could we have more competent inspectors appointed under it than the inspectors of boilers employed on the Government railways to-day? What was the good of substituting one inspector for another? There was already sufficient inspection and efficient inspection under the existing law, and there was nothing to be gained by striking out this clause.

Question put, "That Subclause (1) be struck out." The Chairman declared the Ayes had it.

MR. NEEDHAM: Divide!

POINT OF ORDER.

THE MINISTER (speaking with paper spread over his head): When the Chairman declared the Ayes had it, the member for Fremantle called for a division; therefore he (the Minister) claimed the hon. member's vote with the Noes.

THE CHAIRMAN: The hon. member must vote with the Noes.

MR. THOMAS (speaking also with paper over his head): This kind of cover on the head, used by the Minister, was not the proper cover to use in calling attention to a point of order during a division.

MR. NEEDHAM proceeded towards the door.

THE CHAIRMAN: The hon. member must not leave the Chamber.

MR. NEEDHAM left the Chamber.

THE CHAIRMAN: The member for Fremantle must vote with the Noes.

MR. NEEDHAM (re-entering the Chamber): As a new member, he claimed that he could vote as he wished, with the Ayes.

THE CHAIRMAN: The hon. member had called for a division, and must vote with the Noes.

MR. NEEDHAM: What about refusing to vote?

THE CHAIRMAN: The hon. member must not dispute the ruling of the Chair. Surely he must be aware, even if only a young member, that he must observe the ruling.

MR. NEEDHAM (bowing to the Chairman's ruling) passed to the side of the Noes.

MR. THOMAS (speaking with hat on): One would like the Chairman's ruling as to what constituted a hat. The Minister was not properly covered in rising just now to a point of order, and claiming the vote of the member for Fremantle.

THE CHAIRMAN: A ruling had been given by him that the hon. member was sufficiently covered for the purposes of the Standing Orders.

MR. THOMAS (bowing to the Chairman's decision and again rising) asked whether the member for Kimberley (Mr. Connor) was entitled to vote, having entered the Chamber after the doors were ordered to be closed.

THE CHAIRMAN: The order to lock the doors was given just after the hon. member entered. The time was not restricted to the two minutes' interval.

DIVISION.

Division taken with the following result:—

Ayes	...	...	...	4
Noes	...	...	...	34
Majority against			...	30

AYES.	NOES.
Mr. Butcher	Mr. Angwin
Mr. Thomas	Mr. Bolton
Mr. Frank Wilson	Mr. Brown
Mr. Henshaw (*Teller*).	Mr. Burges
	Mr. Connor
	Mr. Cowcher
	Mr. Daglish
	Mr. Diamond
	Mr. Foulkes
	Mr. Gordon
	Mr. Gregory
	Mr. Hastie
	Mr. Hayward
	Mr. Heitmann
	Mr. Hicks
	Mr. Holman
	Mr. Isdell
	Mr. Johnson
	Mr. Keyser
	Mr. Layman
	Mr. Lynch
	Mr. McLarty
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Needham
	Mr. Nelson
	Mr. Quinlan
	Mr. Rason
	Mr. Scaddan
	Mr. Taylor
	Mr. Troy
	Mr. Watts
	Mr. A. J. Wilson
	Mr. Gill (*Teller*).

Amendment thus negatived, and the clause passed.

Clauses 5 to 10—agreed to.

Clause 11—Powers and duties of inspectors:

MR. THOMAS: What reason was there for including the words in brackets, "whether declared to be subject to this Act or not?" We had just had a division; and a vast majority of the Labour members who were fighting to see that all were included in the provisions of this measure, Government railways and others as well, had deserted their principles.

THE CHAIRMAN: The hon. member must not reflect upon a vote of the Committee.

MR. THOMAS: We had seen a division by which it had been declared that the Government railways should be exempt; therefore he failed to see why the inspectors should be able to go on these railways and inspect. It would be a needless waste of time. The Minister in charge of the Bill had told us earlier that the inspector had a right to go on to the railways, or on farms or anywhere else where people were exempt under this Bill, and inspect the machinery. What was the good of this waste of time if the inspector could do nothing with machinery not under his control? ...

THE MINISTER: A lot of criticism had been levelled against the inspections carried on by the Railway Department but by the wording of this clause we could see that the duties of the railway inspectors were carried out. Again, if the Act applied to the whole State the wording of the clause might not be necessary; but as certain districts had to be proclaimed, it was necessary to have these words in the clause so that inspectors could be sent into districts not proclaimed under the Act.

MR. F. WILSON: The Government railways did not come within the provisions of the Act, and an inspector could not be sent on to the railways to inspect machinery, as Clause 4 clearly provided that the railways were entirely exempt from examinations. The present condition of the railways probably did not permit of examination. The wording of Clause 11 only referred to machinery mentioned in Clause 14, by which the Governor could declare any class of machinery to be exempt from the Act. The Minister would find that he had no power to send an independent inspector to inspect the machinery of the Railway Department. There was no objection to this clause. It was as well that the Government had power to inspect any machinery whether declared to be under the Act or otherwise.

MR. GREGORY: The wording was necessary. Clause 14 provided that only certain machinery should be subject to the Act. The Governor-in-Council would have power to alter the schedule so as to bring machinery under the Act, or reduce the classes of machinery under the Act. An inspector might find some new class of machinery which he would think dangerous, and he would report it to the department, so that the Governor-in-Council might have it added to the schedule. This part of the Bill would depend on its administration. There was a possibility of friction being caused, so that people might rise in revolt against the Act.

Clause put and passed.

Clause 12—Inspector may call in aid:

MR. THOMAS: The Minister had assured the House that only competent inspectors would be appointed; and these inspectors would issue orders that competent men in control of machinery must obey; yet this clause provided that the inspector might call to his aid any

person he thought competent to assist therein, and might require the owner of the machinery to explain its working. The inspector, who had to give authority to a man to run machinery, was to ask the owner to explain the machinery to him. Seeing that we were to have competent men as inspectors, it was rather funny to find such language in the Bill.

THE MINISTER: The wording was in the Act passed last year. It was also in the New Zealand Act of 1882, and in the Tasmanian Act of 1889, and had always been in the rules of the Manchester Boiler Users Association. A little reflection would show that the words were not so funny after all. The Bill authorised the inspection of every class of machinery; but no mechanical engineer was prepared to know what every class of machinery was able to do. It was absurd to expect it. So the inspector was empowered to ask the person in charge of any machinery to explain its working, and the inspector would be able to get some other competent man acquainted with the intricate working of a piece of machinery to assist him. We could be doing no harm in following the good example of other Acts.

MR. R. G. BURGES: This clause was a necessary clause. We would not have inspectors understanding all machinery. On farms there were half-a-dozen classes of machines, and it would be necessary to have half a dozen men to inspect farmers' machinery if the clause were eliminated, while there would be the unnecessary expense of sending different inspectors to visit farms. It was well that the owner should be called upon to explain his machinery, as the inspector could see that the owner was capable of working it safely. The inspector should see that the machinery was thoroughly tested, as he would be responsible for it once having passed it, while the owner would be pleased to have his machinery thoroughly examined. The member for Dundas seemed to be in one of his argumentative moods; but the Bill had been thoroughly discussed last session. Several members who had thought certain clauses were unnecessary had interviewed the Chief Inspector of Boilers, who explained to their satisfaction that those clauses were necessary. Nevertheless he (Mr. Burges) did not think and never would think that all of the clauses were necessary.

MR. BOLTON: The clause was absolutely necessary. It would be necessary on many occasions for more than one man to be present at an examination of machinery; and no matter how competent an inspector might be, he must make certain inquiries from the owner, such as questions referring to the speed at which the machinery was run, and the pressure at which it was worked. Special information must be got from the owner, and could not be got except for the wording of the Bill. Without the wording of this clause the owner of the machinery might simply open the gate to the inspector and shut it again after he had left, and the inspector would simply look over the machinery without obtaining necessary information.

MR. THOMAS: The member for York (Mr. Burges) had forgotten what he said last session, as per *Hansard*, vol. 23, page 523. Farming machinery was exempted say for six months in the year; yet though the Bill did not concern the hon. member, he found fault with the criticisms of mining members, whose interests were vitally affected.

Clause put and passed.

Clauses 13, 14—agreed to.

Clause 15—Persons having machinery subject to this Act to notify inspector:

MR. FRANK WILSON: Would not this cover electric motors driving fans, sewing machines, etcetera, in private houses? Was the clause needed, anyhow? Why not let the inspector find the machinery?

THE MINISTER: To find every machine in this vast country would be next to impossible. Five or six times the proper number of inspectors would be needed. The definition clause clearly exempted small domestic machines. People affected by the Bill must notify the inspector within three months; but that time could be extended to suit outlying districts. Not one serious complaint was made of the operation of a similar section in the Steam Boilers Act; and this clause could not work hardship.

MR. RASON: The Minister's explanation of the definition of "machinery" was hardly correct; for that definition included all machinery worked by any

means save treadle, wind, or animal power.

THE MINISTER: This was simply a repetition of a section in the Steam Boilers Act. The machinery affected was fully described in the second schedule.

MR. BURGES: Notification in the *Government Gazette* was insufficient.

MR. GREGORY: Special consideration should be given this matter, and the clause recommitted. Trouble was not likely to arise; for the machinery to which the Bill could apply was defined in Schedule 2; yet by regulation other machinery might be included, the owners of which, though ignorant of the *Gazette* notice, would become liable to a penalty if they did not notify the inspector. It should be the inspector's duty to discover the machinery. However, this was a question of administration; and the clause would provide means of penalising anyone who wilfully concealed the fact that he had machinery subject to inspection.

MR. J. SCADDAN: By Clause 19 the inspector, when he found defective machinery, must notify the owner; hence the inspector should know who was the owner, so that questions of bad service could not arise in the courts. The clause would prevent this by compelling the owner to declare himself. To say that a kite would come under the Bill was a quibble. Members seemed unable to imagine that the Act would be administered on common-sense lines. This clause was necessary if Clause 19 was to stand.

THE MINISTER: If the clause were passed he would agree to its recommittal, and would meanwhile consult experts. The many machinery experts in the House might well do likewise.

Clause put and passed.

Clause 16—Young persons not to be employed in certain cases:

MR. GREGORY: In Subclause 2 of last year's Bill, was not the age limit 16 years instead of 18? The Bill of last year provided that no one under the age of 16 should take charge of machinery.

THE MINISTER: The age was 17.

MR. GREGORY: Since that time the House had passed a Factory Act, and decided that no person under the age of 18 should work amongst machinery. It was not necessary to have two Bills dealing with the same question. There should not be two different inspectors doing the same business. We should insert 18, the same as in the Factories Act. It was to be hoped the Committee would agree to the subclause as printed.

MR. FRANK WILSON: Why should we limit the control of machinery to male persons; why not include females? In a laundry there might be one or two machines driven by an electric motor; why should a female be prevented from taking charge of these machines, as it only meant the switching on or off of the power? In tailoring and printing establishments the same thing applied. Were we to throw girls out of this class of employment altogether? We knew that females were not employed about quartz crushing and such like machinery, but women could be profitably employed from 18 years and upwards, and were capable of taking charge of such machines as he had mentioned.

THE MINISTER: The Bill was brought forward primarily for the protection of life, and it must be obvious to the member for Sussex that it would not tend to the protection of life if boilers and machinery were put under the control of any but males.

MR. F. WILSON: Boilers were not suggested.

THE MINISTER: The clause said that no boilers or machinery at any time should be left in charge of any person unless a male of 18 years. It seemed to him that until women dressed differently and wore bloomers it would not be safe for them to have anything to do with boilers or machinery. It was not right to pass a Bill for the protection of life and offer inducements to unsatisfactory people to take charge of machinery.

MR. F. WILSON: The Minister should have more respect for the opposite sex, and not desire to exclude them from natural avenues of employment. There were tens of thousands of women employed in factories in the old country, and why should they be excluded from employment in this country? He moved as an amendment:

That in line 2 of Subclause 3 the words "is a male" be struck out, and the words "or she is a person" be inserted in lieu.

Amendment negatived.

MR. P. J. LYNCH moved as an amendment:

That the following words be added to Subclause 3: "and in possession of certificates either issued under this Act or validated by it."

If the amendment were not carried all boilers would not be placed under competent supervision, and a lot of machinery included either in the clause or the schedules would be exempt. The proposal which he made would bring boilers and machinery directly under competent supervision. A boiler, of all the elements in the combination of motive power, was the one that required the most careful attention whilst it was being used.

MR. GREGORY: Was there any necessity for a boiler, in many cases?

MR. LYNCH: The word "boilers" could be used. Many explosions were due to faulty supervision. Men were placed in charge who were utterly unacquainted with the character of the work they had to perform; therefore boilers and machinery should be subject to rigid examination. The proposal was to provide that only certificated men should be placed in charge. A casual glance at the list of examination questions which were always put to every grade of engine-driver or engineer, would reveal to any person that the questions on the management of boilers always formed a most prominent part of the examination, and when the necessity existed for such a large number of questions out of the sum-total being put, it went to show that those responsible for the institution of the examination required a competent supervision as an indispensable necessity. Michael Cusack, a man who rose from an humble situation to a high position in a railway company in the south of England, said that a man could not be a good engine-driver unless he had first been a good fireman. This authority recognised that there must be a full knowledge of every minute detail about a boiler. It had been found convenient to place boilers in isolated positions, to be away from the care of those nominally in charge of them. On the big mines on the Boulder Belt, and in other places, it was found necessarily convenient to place boilers at a point where it was utterly impossible to expect those nominally in charge to be able to supervise them The Bill should provide that boilers should be placed directly under someone who understood all about them, and all about their fixings and the pumping appliances, so that when anything went wrong attention could be given to them. It was often found in the working of boilers that time meant everything. Time meant the difference between averting a catastrophe and the occurrence of a catastrophe; so in order to insure the most competent supervision it was necessary that a man should know down to the minutest details everything about boilers and their adjuncts, pumping appliances included. With regard to machines, air winches in shafts were not exempt, under the Bill, from certificated control, whereas electric hoists and air winches, situated in places other than shafts, were exempt; so in order to cover those two particular classes of machinery this proposal was introduced, the object being to bring those two classes under the competent supervision of men who could show the board of examiners that they could be fully entrusted with the charge of that machinery. On the Cosmopolitan Mine at present an air winch was used on the underlay shaft for the purpose of sinking beneath the main shaft, and as he read the present measure that air winch would be exempt.

MR. GREGORY: It would be exempt under this measure, but the Minister had promised to make every provision for that in a Mines Regulation Bill.

MR. LYNCH: It had lately been agreed that any machinery used on the underlay shaft for raising material or men should be included, so that as far as that particular class was concerned this measure applied; but so far as electric hoists were concerned there was no provision in this measure which would cover them. He had no complaint against the measure as far as steam engines were concerned. He made this proposition simply to give authority to the administrators of the measure to insure that boilers and that type of things he had referred to should be brought under competent control.

MR. GREGORY: Under the old Mines Regulation Act we had provision that no person should be allowed to work any machinery of which the motive power was either steam, water, gas, oil, elec-

tricity, or any two or more of those powers, without being the possessor of an engine-driver's certificate; so if that Act had been strictly enforced, no matter how small the machinery required to supply the motive power, there must have been a certificated engine-driver in charge of it. If we passed this amendment we should find exactly the same condition of things would apply again; and if one had a small printing press driven by a small oil engine or electric power, even if only worked one or two hours a day, a certificated engine-driver would have to be in charge of it. [MEMBER: Did the hon. member enforce that?] Not unless satisfied there was some danger to the men employed. He always insisted, when an air winch was worked underground and men were working under that air winch, no matter if it was employed only one hour a day, the man in charge must be a certificated engine-driver. The Minister would make provision for certain sections of the Mines Regulation Act to be repealed, and would not allow winding plant of which the motive power was electricity to be worked by anyone but a certificated man. The Minister would also insist with regard to air winches, where men's lives were at stake, that the men in charge should be certificated. The measure provided that where there was a large nest of boilers and more than one man was required to look after the whole, the inspector might insist upon a second certificated man being employed. In the Cosmopolitan Mine an engine-driver working near the platman was asked to assist that platman, but refused to do so and protected himself, he (Mr. Gregory) believed, under rule 16 of the Mines Regulation Act, which said he should not leave his engine; the result being that a third man had to be employed. [MR. HEITMANN: The hon. member heard one side of the case.] Members opposite would not desire that such harassing conditions should apply.

THE CHAIRMAN: Loud conversation by members (as during the last speech) was disconcerting to a member addressing the Committee, and order must be maintained.

MR. CONNOR: By the amendment, hardships would be inflicted on several businesses. Boilers were sometimes used only for a few hours once a week, such as in soap-making and in tallow-melting, and it would be an impossibility to carry on these businesses if it were necessary to employ certificated drivers. The amendment was too drastic.

MR. T. HAYWARD: The amendment would considerably affect the agricultural industry. It clashed with Clause 53, and if passed might prevent the exemption provisions of that clause, extended to agricultural and dairying industries, being carried out.

MR. E. P. HENSHAW: Though in accord with the mover of the amendment in his desire that persons in charge of boilers should hold certificates, he could not see that the amendment would do any good in compelling those working machinery to hold certificates. The amendment being passed would seriously menace many industries. He (Mr. Henshaw) had recently seen a clothing factory where the machinery was in perfect order and thoroughly safeguarded though under the control of a woman. It would be harassing that industry to require the machinery to be driven by a certificated engine-driver. Many timber mills and lolly factories would be affected. It was not necessary to have a certificated engine-driver on a saw-bench.

THE MINISTER: The hon. member should withdraw the amendment. It was altogether too serious a thing to declare that every machine and boiler should be under the charge of a certificated engine-driver. The hon. member did not allege that engine-drivers were competent to drive all the machinery in the State. Engine-drivers were only examined as to their competency to look after an engine and boiler, though they might know something also about air. Engine-drivers should not have a monopoly of the whole of the machinery in the State, and the hon. member surely did not desire that. The effect of the amendment, if passed, would probably be that a hundred or two hundred people would lose their employment, and would at once cease to follow their callings.

MR. A. J. WILSON: That was no reason why we should perpetuate the iniquities of the present.

THE MINISTER: The hon. member surely did not want to add to the number of unemployed among those capable of

driving machinery, but not able to obtain service certificates. The Bill would increase employment on the fields. At present persons not holding certificates could drive certain machinery on the goldfields, in towns and on water rights; but the Bill would require these drivers to hold certificates, so that a certain number of extra men would be required. The Government expected to introduce a consolidating Mines Regulation Bill, which was already prepared and only awaited some additional information to be obtained by the Ventilation Commission. The rules in that Bill would be made to safeguard all dangerous machinery, which would be required to be under the control of responsible individuals. The Committee would therefore be quite safe in passing the clause as it stood.

Amendment negatived, and the clause passed.

Clause 17—Certain machinery to be fenced:

MR. NEEDHAM moved as an amendment:

That after the word "water-wheel" in line 3, the words "or driving-wheel or" be added.

The clause was not sufficiently comprehensive, and the addition of the words would give still farther protection to life and limb. Straps or belts should be fenced, but this was not provided for in the clause. He (Mr. Needham) had in view a belt that passed from one wheel to another, alongside which men were working. Should that belt break it might hit somebody. Two years ago, the owner of a shop at Fremantle was struck in this way and killed.

MR. SCADDAN: How was the belt to be fenced?

MR. NEEDHAM: That was easy. Members who would oppose the amendment would perhaps "fence" the question. These belts, if exposed, should be protected in such manner as to safeguard the men working in close proximity to them. In regard to his previous amendment it was his desire to have it passed that had led him to call for a division by which he had been compelled to vote against his own amendment. He had paid for his experience.

MR. SCADDAN: The hon. member evidently had not read Clause 18, which provided that where an inspector was of opinion that any driving strap or band he deemed likely to cause bodily injury to any person was not securely fenced or otherwise sufficiently guarded, he could serve a notice upon the owner, specifying the part of the machinery he considered dangerous, and the owner would have, subject to penalties, to comply with the requisition. "Machinery," in the interpretation clause, covered almost every machine; hence this was a matter of administration, and the Minister would surely have enough intelligence to ascertain whether an inspector was acting reasonably.

THE MINISTER: After the last speaker's explanation the amendment should be withdrawn. Experts whom he (the Minister) had consulted assured him it was unnecessary.

MR. NEEDHAM: Notwithstanding the expert advice of the member for Ivanhoe (Mr. Scaddan), it did not appear that Clause 18 saved the situation. Reliance was placed on the inspector's opinion as to whether the fence should be erected. The door was generally locked after the steed was stolen. Someone's life would be lost, and then the machinery would be fenced. However, as a majority opposed the amendment, let it be withdrawn.

Amendment withdrawn, and the clause passed.

Clauses 18 to 21—agreed to.

Clause 22—Boilers to be fitted with certain fittings:

MR. P. J. LYNCH moved as an amendment:

That the words "when necessary," in line 14, be struck out.

To compel the insertion of "a fusible plug in the crown of the firebox or other suitable position," should not be optional but compulsory. If "when necessary" applied to the position of the plug, the wording was not so objectionable; but then the words were needless, for there was little difference of opinion as to where the plug should be. The plug was needed in all boilers the construction of which would permit of its insertion.

THE MINISTER: The words were intended to exempt boilers in which a fusible plug would not be suitable, and without the words, plugs must be inserted in boilers of the Babcock & Wilcox type.

MR. GREGORY: Plugs were always insisted on when necessary. The Boilers Act had a similar section.

Amendment put and negatived.

MR. J. SCADDAN moved as an amendment:

That the words "all glass water-gauges to be properly guarded by sheet glass of approved thickness," be inserted after "horse-power," line 23.

The amendment would apply to boilers of more than six horse-power, thus exempting those used in agriculture. For the protection of firemen these guards were as necessary as fusible plugs. Many men lost their eyesight for want of them, because the glasses gave no warning when they were about to explode, but often burst when the attendant was trying the boiler. In the Lancashire and the Cornish boilers the glasses were on a line with one's face; and an explosion sent glass, water, and steam in all directions. On locomotive and other boilers where pressure was considerable, guards could be provided at a small cost which would be covered a hundredfold by the saving of damages under the Workmen's Compensation Act. A first-class guard was advertised at £3. Firemen were continually complaining of the danger of approaching unguarded gauge-glasses, especially on a Monday morning after the water had been shut down, and in winter. As the tendency on mines was to increase boiler-pressure, the danger was becoming more serious.

MR. H. E. BOLTON supported the amendment, and hoped the Minister would not oppose it on the score of expense. A guard could hardly cost £3. A shield for a low-pressure boiler gauge-glass could be produced for three shillings. The American idea was a clasp of thin steel, and by pressing two buttons it opened. He personally much preferred the glass shield. All locomotives in the Railway Department were supposed to be provided with glass protectors, but when one was broken it was not always replaced. Since the protectors had been introduced on the locomotives there had been no accidents with water-gauge glasses, but there were a number of drivers and firemen who had been injured by explosions from sight-feed lubricators, which were situated at about the height of a man's eye, and many drivers and firemen had been injured by explosions. There was a case which was now *sub judice* in which a driver had lost his eyesight by an explosion. He hardly agreed with the member for Ivanhoe that agricultural boilers should be exempted, for gauge glass protectors could be obtained at 3s. each. If the Minister was not agreeable to make the private owners amenable to this provision it would be justifiable for the Commissioner of Railways to remove his gauge-glass protectors. It was necessary that boilers outside the Railway Department should be protected.

MR. E. E. HEITMANN supported the amendment. He had known many accidents through not having guards. He could not quite understand the member for Ivanhoe wishing to exempt boilers of low pressure, for he had known just as many explosions on boilers working at a low pressure as with those working at high pressure. He would like to see all boilers included. A man working for a farmer and engaged at a boiler where there was only 40lbs. pressure should not be placed under any more danger than those working at a high-pressure boiler.

MR. GREGORY suggested that the mover should withdraw his amendment, and add after the word "complete" in line 4 of subclause (*a.*) the farther words "an approved shield." The department would then see what class of shield was required and specify it in the regulations.

Amendment by leave withdrawn.

MR. SCADDAN moved as suggested:

That the words "an approved guard" be inserted after "completed," in line 4 of Subclause (*a*).

THE MINISTER: No doubt there was a great danger in having unprotected gauges, but most people who had much machinery provided guards to gauge glasses; on the other hand many careful people had not the guards. He was not desirous that this provision should apply to small farmers and owners of small boilers, for the greatest danger occurred with high-pressure boilers. The member for North Fremantle had stated that gauge-glass protectors could be obtained for 3s. each. He had inquired into the matter and found that the lowest price was 30s. each, and as each boiler required two gauges, that would mean £3. If the hon. member included in his amendment any boiler over 100lbs. pressure he

would accept it, but he did not feel inclined to accept the amendment without a special case being stated. He was assured that the danger was not so great on boilers under 100lbs. pressure. Great danger did not exist unless there was a heavy pressure on a boiler.

MR. FRANK WILSON: This was an important matter, and time should be given to consider the question. He moved that progress be reported.

Motion passed, and progress reported.

LEAVE TO SIT AGAIN.

THE MINISTER: The Committee would allow him, in moving that leave be given to sit again on Tuesday next, to say a few words in explanation. The member for York (Mr. Burges) had mentioned that last year, when this measure was before the House, a great deal of contentious matter was brought to a close by some members who considered how the Bill would affect certain districts visiting the Chief Inspector of Boilers and Machinery. He (the Minister) would now strongly advise any members considering the particulars of this Bill to be good enough to call upon Mr. Matthews, the machinery expert of this State, who would be glad to discuss with members any matters connected with the Bill, between now and Tuesday next.

Leave given to sit again on the next Tuesday.

ADJOURNMENT.

The House adjourned at 9·48 o'clock, until the next Tuesday afternoon.

Legislative Assembly,

Tuesday, 27th September, 1904.

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

PRAYERS.

Several Notices given.

PETITION: KALGOORLIE TRAMWAYS RACECOURSE EXTENSION BILL (PRIVATE).

MR. W. NELSON presented a petition for leave to introduce a Bill to authorise the Kalgoorlie Electric Tramways Ltd. to construct and manage a line of tramways on the Kalgoorlie Racecourse.

Petition received and read.

THE SPEAKER: The hon. member has not brought up the petition at the right moment; but I have allowed him to proceed thus far. The proper time for presenting a petition is before Notices are called for. The proceedings this afternoon are getting slightly irregular, and I hope this will not occur again. The hon. member has a notice of motion regarding the Bill. When that is called on, he can then move his motion that the Bill be introduced.

PAPERS PRESENTED.

By the PREMIER: Agricultural Bank, annual report, 1904.

By the MINISTER FOR WORKS: Port Hedland to Nullagine Railway Survey, report and plans. 2, Return showing Railways under construction on 30th June, 1903, moved for by Dr. Ellis.

By the COLONIAL SECRETARY: Fremantle Harbour Trust Commissioners' half-yearly Report.

QUESTION—MINE INSPECTORS' INSTRUCTIONS TO MANAGERS.

MR. GREGORY asked the Minister for Mines: In how many instances during