

Legislative Assembly,*Thursday, 18th September, 1913.*

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

PAPERS PRESENTED.

By the Premier: Return showing the holders of exclusive licenses at Shark Bay (ordered on motion by Mr. McDonald).

By the Minister for Railways: Return showing the tonnage of coal consumed on locomotives from the 1st July, 1907, to 30th June, 1913 (ordered on motion by Mr. A. A. Wilson).

QUESTION—SWINE FEVER.

Mr. LANDER asked the Minister for Lands: 1, Is he aware that pigs suffering from swine fever have been sold during the past few days in the North Fremantle sale-yards? 2, Is he also aware that some of the diseased pigs have been travelled to Robb's Jetty and Guildford? 3, Taking into consideration the effective method adopted by the Hungarian Government to deal with swine fever, will the Government cause some inquiries to be made so as to apply similar treatment in this State?

The MINISTER FOR LANDS replied: 1, One pig was found to be suffering from swine fever, and was condemned at Robb's Jetty after passing through North Fremantle saleyards. 2, The one pig referred to in question 1 was travelled to Robb's Jetty but none to Guildford. 3, The steps suggested would require the establishment of a laboratory, and it is considered the methods already pursued are sufficient.

QUESTION—STATE BUTCHER'S SHOP, KALGOORLIE.

Mr. GREEN asked the Minister for Lands: 1, Has he yet considered the question of establishing a State butcher's shop at Kalgoorlie? 2, When will the shop be established?

The MINISTER FOR LANDS replied: 1, Yes. 2, In view of the good quality of the meat being obtained at Kalgoorlie from inland sources of supply it is considered the public at that centre is being well catered for at present.

BILL—FACTORIES ACT AMENDMENT.

Introduced by the Attorney General and read a first time.

BILL—TRAFFIC.

Read a third time and transmitted to the Legislative Council.

BILL—LEGAL PRACTITIONERS' ACT AMENDMENT.*Third Reading.*

Mr. HUDSON (Yilgarn) moved—

That the Bill be now read a third time.

Mr. TAYLOR (Mount Margaret): It was his intention to oppose the third reading of the Bill. There was no doubt that members had been treated to some wild reasons why the Bill should become law, and reasons had also been given why it should not pass. In his opinion the weight of evidence was in favour of the rejection of the measure. The Bill as it stood before the House was beyond doubt a one man measure. Its object was to allow someone to secure admission to a profession for which he had not qualified. There was no desire to delay the House by a long speech, and he looked for support in the rejection of the measure. With reference to the Bill, he desired to quote a passage which he believed would justify the action he was

taking. It was from the parable of the Good Shepherd.

Mr. Green : The devil quoting scripture.

Mr. TAYLOR : It reads—

Verily, verily I say unto you, he that entereth not by the door into the sheepfold, but climbeth up some other way the same is a thief and a robber.

This manner of attempting to climb up to the profession was a justification for not passing the Bill. The House should reject the measure on the sound principle that it was not asking the legislature to deal with a matter affecting the community; it was a principle of the House passing legislation for an individual.

Hon. J. Mitchell : There is nothing wrong in it.

Mr. TAYLOR : The member for Northam declared there was nothing wrong in it. Would the hon. member for Northam or any other hon. member support him if he desired to give some man in a lower walk of life a privilege which he was not entitled to receive, or would they allow a man to take charge of a tram car as motor man without having passed the necessary examination.

Mr. McDonald : In this case they must pass an examination.

Mr. TAYLOR : It is all very fine and large for the member for Gascoyne to say that an examination would have to be passed, but the individual interested would not go through the necessary examinations.

Mr. Underwood : Rubbish.

Mr. TAYLOR : This Bill should not become law, and if necessary he would divide the House on the third reading.

Mr. LANDER (East Perth) : So far as he was concerned, he wanted to see the Bill get a show. If it was a one-man Bill, as had been stated, and if an injustice had been done to any one man or one woman, the House would be justified in passing such a measure. It was all very well to say it was a one-man Bill, but there were men who had got into different associations and different societies

who were not entitled to join them, and many of them had got in on what might be called faked examinations. Therefore he was going to give his support to the Bill, even if it was a one-man Bill, so long as it would uphold justice.

Mr. Taylor : There is no justice in it.

Mr. UNDERWOOD (Pilbara) : For the reasons given by the member for East Perth it was his intention to support the Bill. He could not see why we should object to pass a Bill for one man supposing it was right to do so. He had never yet heard that because there was only one person concerned that that person was not entitled to justice or consideration. One man was as much entitled to justice as ten thousand or ten million men.

Mr. Taylor : But this is not justice.

Mr. UNDERWOOD : If the hon. member would plead that it was not justice at all if there were thousands of men seeking admission under this clause, then one could understand his logic. But when the hon. member based his opposition on the fact that the Bill was to benefit only one man, his attitude was absolutely absurd. In regard to what the hon. member had said about the pilgrim climbing up the wrong way being a thief and a robber, that remark called to mind a cartoon by Phil May. The drawing showed a man fishing, and the head of a lunatic looking over an asylum wall, and the following dialogue between the two was given—"Lunatic: Had a bite yet? Fisherman: No. Lunatic: How long have you been there? Fisherman: Three hours. Lunatic: Come inside." That cartoon would apply just the same if, as the hon. member for Mount Margaret had said, the person climbing up the wrong way was a thief, because he would then be fit for the legal profession.

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

Ayes	..	..	..	17
Noes	..	..	..	14
				—
Majority for	..			3
				—

AYES.

Mr. Angwin	Mr. Lewis
Mr. Bolton	Mr. McDonald
Mr. Collier	Mr. Mitchell
Mr. Green	Mr. Mullany
Mr. Harper	Mr. O'Loughlin
Mr. Holman	Mr. Swan
Mr. Hudson	Mr. A. A. Willson
Mr. Johnson	Mr. Underwood
Mr. Lander	(Teller).

NOES.

Mr. Allen	Mr. S. Stubbs
Mr. Carpenter	Mr. Taylor
Mr. McDowall	Mr. Turvey
Mr. Monger	Mr. Walker
Mr. Munster	Mr. F. Willson
Mr. A. E. Plesse	Mr. Layman
Mr. Scaddan	(Teller).
Mr. B. J. Stubbs	

Question thus passed.

Bill read a third time and transmitted to the Legislative Council.

BILL—MINES REGULATION.

In Committee.

Resumed from the 11th September; Mr. Holman in the Chair, the Minister for Mines in charge of the Bill.

Clauses 21 to 28—agreed to.

Clause 29—Notice of accident to be given:

Hon. FRANK WILSON moved an amendment—

That in line 1 of Subclause 1 the words "and to the workmen's inspector" be struck out.

This clause provided for notice being given by the manager of a mine on the occurrence of any accident which was attended with serious injury. He was to give notice to the district inspector and to the workmen's inspector, and, in the absence of the district inspector, to the warden, mining registrar, or Secretary for Mines. It had been argued by the Minister that the workmen's inspector was under the control of the district inspector, and therefore one failed to see why the manager should be bound to give notice of an accident to the workmen's inspector as well as to the district inspector. So long as notice was given to one of the permanent Government officials it ought not to be compulsory for

the manager to serve notice on the workmen's inspector as well.

The MINISTER FOR MINES: These words had been included practically for the same reason as had actuated the Committee in not limiting the clause dealing with the powers of inspectors when the Bill had been under discussion last week. The district inspector was not always present where an accident occurred. It might be that neither the district inspector, the mining registrar, nor the warden was in the district where the accident occurred, and surely if the workmen's inspector was to be entrusted with the powers and the duties already conferred upon him, there could be no possible objection to requiring the manager to notify him in case of an accident, so that he might visit the scene of the accident and take notice of the surroundings, for the same reason as the district inspector was given notice to-day. If the district inspector were in the vicinity of where an accident occurred there would be no occasion for the workmen's inspector to go to the scene, but in the event of the district inspector being 100 miles away, it was absolutely essential that somebody representing the department should have power to visit and inspect the scene of the accident. No possible harm could come from allowing workmen's inspectors these powers. After all, even the district inspector could not do anything in the way of interfering with or harassing the management by visiting the scene of an accident, and it was necessary in all cases that somebody with official standing should visit a mine as soon as possible after an accident had occurred.

Mr. HARPER: The amendment should be carried. What address would find the numerous workmen's inspectors? It was often very difficult to ascertain exactly where one of these inspectors might be, whether at a boarding house, in a camp, or in a permanent residence in the district.

Mr. HEITMANN: As if the inspector would not be well-known.

Mr. HARPER: The hon. member must know how often the workmen on the mines changed their address. This provision would cause no end of complications and

disagreement between the various inspectors. These check inspectors, who were under the authority of the district inspectors, would become the principal inspectors. The whole thing would be full of inconsistencies. Invariably the check inspector would be the first person to inspect the scene of the accident. If the Minister insisted on having the words in the clause there should be a registered address, and that registered address should be the Trades Hall, as that would be the only place where the check inspectors would be found, and where the mine owner could give notice of any accident. Otherwise it would be difficult for a mine owner to find a check inspector when an accident occurred. If the check inspectors were to be found at the Mines office they might as well be appointed principal inspectors of mines. If the words were allowed to remain in the clause they would lead to no end of complications.

Mr. MUNSIE: If the Minister would agree to strike out "district" before "inspector" he would have no objection to the amendment of the leader of the Opposition being carried. After going carefully through the Bill this was the only instance where there was a difference or discrimination made. It was the only instance where the management or proprietary of a mine had to notify both inspectors. If the district inspector was 100 miles away and the mine owner notified the workmen's inspector, that should be a sufficient compliance with the provisions of the Bill. If the provision in regard to the district inspector was allowed to remain in the clause he would vote against the amendment.

Mr. MALE: According to Clause 30, if the district inspector was away and he received by wire notice of an accident he would pass his authority on to the workmen's inspector, or some other person, to visit the scene of the accident. The notice should, in the first instance, be sent to the district inspector. He would support the amendment.

Hon. FRANK WILSON: All along he had opposed the appointment of workmen's inspectors, and he did so on sound ground. He had pointed out that the Bill gave dual authority. The Minister

disputed that on the second reading, but now the Minister took up the attitude, in defending the clause as it stood, that workmen's inspectors in carrying out the powers vested in them must have notice in case of an accident. If members studied the subsequent clauses they would find that the inspector on receipt of notice had to proceed to the mine, examine the scene of the accident, take down the evidence and statement of witnesses, or of any person who could give evidence as to the cause of the accident. In other words, he had to report to the warden or mining registrar from the evidence gathered on the spot as to what, in his judgment, was the cause of the accident. Still further on it was provided that the fact of the accident occurring was to be *prima facie* evidence of the neglect on the part of the manager, and we were to put a partisan in the position of having the same powers as the Government representative, a man who was impartial. The workmen's inspectors were there to look after the interests of the members of the unions, and their main object was to fasten the fault or neglect on the management of the mine. It was not just to place the inspectors, who were there with one object, in the same position as the district inspector, who was an impartial official. It was to be hoped the suggestion thrown out by the member for Hannans (Mr. Munsie) would bear fruit with the Minister and have some avail. If the Minister did not agree to the words being struck out, perhaps he would agree that the manager should give notice of the accident to the district inspector, and in his absence to the warden, mining registrar, or inspector of mines. It was only in the absence of the Government representative that the mine owner had to go to someone else, the warden, the mining registrar, or even send a wire to the Secretary for Mines, in Perth, so that action might be taken. If the words referred to were to remain in the subclause they ought to be inserted lower down, and ought to be there as an alternative.

The MINISTER FOR MINES: It was very unfair for the leader of the Opposition to say that workmen's inspectors would be appointed for the sole

purpose of fastening the blame on the management. There were one hundred and one reasons for appointing these inspectors, but these men in the hon. member's mind were incapable of taking an impartial view of matters. These inspectors could not fasten any blame or responsibility on the management any further than the powers conferred upon them by the Bill.

Hon. Frank Wilson: They have absolute power.

The MINISTER FOR MINES: They had not; they had power to see that the provisions of the Bill were carried out, but not unlimited power. No matter how partial they might desire to be they could not carry out any powers beyond those contained in the provisions of the measure. The district inspector could only insist on the provisions of the Bill being observed and so it was with the workmen's inspectors. If Parliament laid down certain conditions that must be observed in connection with employment underground, what objection could there be to appointing men to see that these provisions were carried out? The management could refuse to carry out the instructions of the workmen's inspectors or even of the district inspectors, as was frequently done. The manager could appeal to the board constituted in this Bill, to arbitration, if he considered the district inspector was forcing him to do something outside the scope and limit of the measure. If he were prosecuted for a breach of the regulations the duty would devolve upon the department, when the case came before the court, of showing the inspector was not exceeding the regulations, and the court would decide, as reasonable men, that if he were attempting to force the management to carry out something for which the regulations did not provide, then no case would lay against the management. No matter how desirous workmen's inspectors might be of going as far as they could, they could only go as far as the power given to them in the Bill enabled them to go. There was absolutely no harm in the provision which made it necessary for the management to notify them in case of accident.

One could understand the clause being opposed on the principle of the thing, but to raise the objection that the manager would be unable to find the address of the workmen's inspector was puerile in the extreme.

Mr. Harper: Take the case of the Boulder.

The MINISTER FOR MINES: The workmen's inspector would be well known in any part of the district, and in any case there would be no obligation on the part of the management to scour round the town, but they could post a notice to him at his last known address, and there would be no more difficulty than there was in finding the district inspector at the present time. The suggestion of the hon. member for Hannans could hardly be adopted as it would give the option of notifying the district inspector or the workmen's inspector. Although the district inspector might be absent, in that case the notification would be sent to the workmen's inspector, but at the same time it was essential that the departmental officer should be notified in all cases. The intention of this provision was that the workmen's inspector should work under the authority and supervision of the district inspector; but for record purposes, and because he was the official departmental inspector, the district inspector should also receive notification independent of the fact that the workmen's inspector might have been notified. There was no harm in this clause and it gave workmen's inspectors no power to do anything which would hamper, hinder, or harass the management in any way. It simply provided that the district inspector should be notified.

Hon. J. Mitchell: Look at clause 30.

The MINISTER FOR MINES: It said that the district inspector should be notified, and if both inspectors were in the district at the one time, the workmen's inspector would take no action. Clause 30 inferred that in the absence of the district inspector, the workmen's inspector should do certain things.

Hon. Frank Wilson: Why not make it clear?

The MINISTER FOR MINES: It was perfectly clear. The term "workmen's inspector" was like King Charles's head; every time some hon. member saw it, they wanted to strike it out. It was very essential that the workmen's inspector should, if the district inspector was not there, have an opportunity of visiting the scene of an accident and taking down statements. There could be no objection, to his mind. This was, in fact, the most harmless part of the whole Bill where the term of "workmen's inspector" occurred. Having passed the clause deciding that there should be workmen's inspectors, we must give them the power provided in this clause.

Hon. J. MITCHELL: Would the Minister say whether these workmen's inspectors would be officers of the department and paid by the department? During the discussion the other night the hon. member for Forrest said that workmen's inspectors would not be paid by the Government. They would be officers of the department, there was no doubt about that, if the Bill became law, but they would be officers paid by the union. Would the Minister officially state whether they would be officers paid by the department or not?

The Premier: That has nothing to do with this.

Hon. J. MITCHELL: It had. If they were to be the Minister's officers and paid by him, there would be less objection, but if they were merely paid agents of the unions and the workmen, it was still more unfair to thrust on them the duty which would be thrust on them under Clauses 29 and 30. Would the Minister say whether these workmen's inspectors would be paid officers of the Mines Department?

The Minister for Mines: That has nothing to do with the clause at all.

Hon. FRANK WILSON: It was marvellous to hear responsible Ministers of the Crown get up and say these inspectors had not undue powers, and only exercised such powers as the Bill gave them. Everyone knew that the Minister himself could not exercise any further power than Acts of Parliament gave

him. His (Mr. Wilson's) argument all along was that these inspectors had the full powers of district inspectors, and he had proved it, notwithstanding the fact that the Minister tried to mislead the Committee to understand that they would not have these powers, but would be subject to the district inspectors. They were no more subject to the district inspectors, so far as the powers conferred under this measure were concerned, than he (Mr. Wilson) was.

The Premier: It is for the protection of life.

Hon. FRANK WILSON: The Bill was establishing an inspection for one section employed in the mines. Any accident happening in a mine was to be prima facie evidence against the manager.

The Minister for Mines: That was in your Bill.

Hon. FRANK WILSON: This was against the manager and the staff every time, not against the men.

The Minister for Mines: We have taken that from your Act.

Hon. FRANK WILSON: No matter what Act it had been taken from, it was the present Bill we were discussing; if it was in any other Act it ought to be repealed now. If he had ever heard puerile arguments from a Minister of the Crown, he had done so in connection with this matter, and the Premier was just as inaccurate, when he got on his feet.

The Premier: All you know about it is what you receive second-hand from the Chamber of Mines.

Hon. FRANK WILSON: All the Premier knew was his instructions from the Trades Hall.

The CHAIRMAN: Order!

Hon. FRANK WILSON: It was an abomination, an absolute abomination in the eyes of all fair-minded men, the way these Ministers carried out their duties. They were supposed to be conversant with the whole of the measure, and not mislead us by wrong impressions. We had a right to expect a civil reply and to be able to rely on that reply.

Mr. B. J. Stubbs: You insinuate that the Minister is telling lies?

Hon FRANK WILSON: What he was insinuating was that the clauses of this Bill were being misrepresented. If the hon. member liked to put an interpretation on those remarks that was never intended, he was welcome to do so. He (Mr. Wilson) thought he had said quite sufficient to show that at any rate this subclause was not workable, and was not fair. The hon. member for Northam had put a very pertinent question to the Minister as to whether these workmen's inspectors were to be paid by the Crown and recognised by the Government as Government inspectors. He (Mr. Wilson) supposed they were to be paid by the Mines Department, which would be an added expense, but who appointed them? It was not the Minister or the Government, but the union.

The Premier: It is the Minister on their nomination.

Hon. FRANK WILSON: The Minister was bound to; they were elected. The Premier, however, had not the capacity to absorb the information that was poured towards him.

The Premier: Your cubic contents are not much at any rate.

Hon. FRANK WILSON: The Premier would be well advised to give this matter some consideration, and not think because it had been drafted by his colleague and put in this Bill, it should be swallowed holus bolus. The hon. member for Hannans had seen something in the contention, at any rate, that there should not be dual control by the inspectors, but the Minister would not accept it. He (Mr. Wilson) had the hon. member for Hannans converted about 10 minutes ago, but the Ministers were already beginning to crack their stock whips. The Committee should recognise that this was a faulty subclause and that it was an injustice.

The Minister for Mines: Everywhere you see the word it is faulty.

Hon FRANK WILSON: So it was faulty. Make them Government inspectors, as many as the Minister liked, but for goodness' sake do not accept them from one section, the trades union section, and then clothe them with all the powers of the Minister's own inspectors. The

majority of the Committee had approved of workmen's inspectors, and we could not go back on that. He was simply arguing it was not right that a manager should be forced to give notice to two inspectors, the district inspector and the workmen's inspector as well. The Minister's contention was that the workmen's inspectors were to be subject to the control of the district inspectors, and take their instructions from the district inspectors only, although the Bill did not provide it. If his argument was right, if his explanation was correct, then the notice should go on to the Minister's inspector. Failing him the notice could be given to the warden, or the mining registrar, or the workmen's inspector, but certainly it should go to the official head first.

The Minister for Mines: It shows how little you know about it. There are dozens of them.

Hon. FRANK WILSON: There were not dozens of them in a district. The hon. member was talking about individual mines.

The Minister for Mines: No, districts.

Hon. FRANK WILSON: Then the hon. member was badly administering his department if he permitted it. It was to be hoped the Committee would agree that the words should be struck out, or alternatively, to follow out the suggestion of the member for Hannans (Mr. Munsie) and add them to the subsequent portion of the subclause, and so provide that in the absence of the district inspector the notice should go to the workmen's inspector.

Mr. FOLEY: The hon. member's arguments were not equitable. They might be good if the accident invariably happened in a thickly populated centre. Under the clause, if the accident happened 70 miles away from the nearest centre, it would be imperative that the manager of the mine should send in to the district inspector and to the workmen's inspector, who might not always be at the centre, but who would probably be where he was most wanted, namely, in a remote district. The requiring of the manager to notify the workmen's inspector would insure that somebody with a thorough knowledge of min-

ing would be there to view the scene and take evidence on the spot. The proposal of the leader of the Opposition was that the mine manager should send to the warden of the district, who might be stationed another 70 miles away, and in whose absence the notification would have to go to the mining registrar, stationed perhaps equally far distant in another direction. Moreover, that gentleman would not know anything about the cause of the accident, nor what evidence to take in order to frame an equitable report as between employer and employee. It would be better to provide that in every instance the services should be secured of one with a sufficient knowledge of mining to enable him to critically examine the scene of the accident and equitably report upon it. It was provided that the notice should be sent to the district inspector. If the district inspector were not available, then the workmen's inspector would take up his duty. The proposition was essentially equitable. Of course, hon. members opposite did not wish to see workmen's inspectors appointed at all. They did not understand the difference between the men on a mine and the men working on a farm. He had no desire to see the workmen's inspector given full control, but if the district inspector was not available, then the workmen's inspector should take charge of the inquiry.

Hon. Frank Wilson: Why not word it that way?

Mr. FOLEY: The insertion of the word "or" would not meet the case, because the mine manager would merely write to the inspector and so fulfil the conditions and be done with it, while the man injured would have no redress. The Minister would be wise to leave the clause as it stood, because it held the balance fairly between the employer and the employee.

Mr. MUNSIE: On the last occasion of speaking he had distinctly stated that he was opposed to the amendment of the leader of the Opposition, unless the Minister would agree to eliminate the word "district." It was necessary that the workmen's inspector should get some notification, but it would be sufficient to eliminate the word "and" and insert "or." This would get over the whole difficulty.

The Minister for Mines: How many times would the workmen's inspector get notice?

Mr. MUNSIE: It had been suggested that if that were done the mine manager would never give notice to the workmen's inspector. In his opinion the manager would give notice to that inspector who was the most accessible. The manager would not attempt to ignore the workmen's inspector, because if he did it would make the case so much the worse for the management. In their own interests the management would notify the workmen's inspector if that officer were handy. He agreed with the leader of the Opposition that there was no necessity to compel the mine manager to notify two persons of the one accident. So long as an inspector was notified he would be satisfied. The leader of the Opposition and also the Minister had drawn attention to the next succeeding clause. He was of opinion that some amendment was required to Clause 30, although not in the direction suggested by the leader of the Opposition. He hoped the Minister would not press the point that notification should be given to both inspectors. It was unnecessary, and there was nothing to be gained by compelling the management to notify both officers.

Mr. HARPER: The substitution of the word "or" for "and" would be an improvement. He had always protested strongly against the appointment by the union of check inspectors. The workmen and the managers were in daily conflict with regard to wages and conditions. In the very nature of things they were ever at variance, and to appoint inspectors from the workmen themselves was a violation of justice. In the old days of the Liberal Government it was held that an accident was *prima facie* evidence against the mine owner. The previous Administration had been prepared to stand by that.

The CHAIRMAN: Order! The question before the Chair was the amendment.

Mr. HARPER: The whole thing savoured of partisan principles. It was wrong to have the union appointing their own inspectors. The Minister had said

that they were confined to the clause and the regulations; but it was only a matter of degree. It all depended upon how the regulations were interpreted. Under the Bill the workmen's inspectors had unlimited power.

The Minister for Mines: Only the same power as they had previously.

Mr. HARPER: It all depended upon how the Act was to be administered.

The CHAIRMAN: The hon. member was getting beyond the amendment. He must deal with the question as to whether notice should be given to the workmen's inspector.

Mr. HARPER: Possibly a digression had been made, but the Minister for Works had digressed more.

The CHAIRMAN: Order! The hon. member must withdraw that remark; it is a reflection on the Chair.

Mr. HARPER withdrew the remark. There was no doubt the Bill was full of confusion and ambiguity. It was the most paradoxical piece of drafting he had ever seen.

The CHAIRMAN: The hon. member was not speaking to the amendment.

Mr. HARPER: It was to be hoped the Committee would agree to the amendment. There should be some means provided of readily finding the workmen's inspectors. Their addresses should be registered, so that the managers might know where to find them. This clause was a contradiction of Clause 10, which said that the workmen's inspectors were under the district inspectors, and it would be the cause of endless trouble.

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

Ayes	..	..	..	11
Noes	..	..	..	26

Majority against .. 15

AYES.

Mr. Allen	Mr. Nanson
Mr. Harper	Mr. A. E. Plesse
Mr. Lefroy	Mr. F. Wilson
Mr. Male	Mr. Wisdom
Mr. Mitchell	Mr. Layman
Mr. Muir	(Teller).

NOES.

Mr. Angwin	Mr. Munroe
Mr. Bath	Mr. O'Loghlen
Mr. Bolton	Mr. Scaddan
Mr. Carpenter	Mr. B. J. Stubbs
Mr. Collier	Mr. Swan
Mr. Dwyer	Mr. Taylor
Mr. Foley	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Hudson	Mr. Underwood
Mr. Johnson	Mr. Walker
Mr. Lander	Mr. A. A. Wilson
Mr. Lewis	Mr. Heilmann
Mr. McDowall	(Teller).
Mr. Mullany	

Amendment thus negatived.

Mr. WISDOM: Would an amendment be in order to strike out the word "and" in the fourth line of Subclause 1, with a view to inserting "or in case the district inspector is not available" in lieu?

The CHAIRMAN: The hon. member cannot move any amendment prior to the words "workmen's inspector."

Hon. FRANK WILSON moved an amendment—

That in line 2 of Subclause 2 the word "results" be struck out, and "may reasonably be expected to result" be inserted in lieu.

It had already been agreed that in the case of serious injury, notice should be given within 24 hours to the district inspector and the workmen's inspector. Subclause 2 defined "serious injury" as being such as resulted in the injured person being disabled from following his ordinary occupation, and earning his usual rate of remuneration for two weeks or more. Therefore, in order to prove that the injury was serious, the manager had to wait for a fortnight after the accident so that he might know whether the man was incapacitated from following his occupation for that period. It seemed that the clause, as drafted, was unworkable. Apparently a manager would be able to sit back for a fortnight to see if the injury was serious or not, and the time for making inquiry would be past, or, if it was held that he could not sit back for the fortnight, he would be obliged to give notice of every trifling accident.

The MINISTER FOR MINES: This clause was identical with a section in the existing Act, for which the leader of the

Opposition and his Government had been responsible, and although the hon. member had declared that if the clause was allowed to remain as printed it would be unworkable, he had not given one instance of it having proved unworkable or causing any difficulty during the seven years it had been in operation. The clause certainly seemed somewhat paradoxical in requiring the manager to give notice of a serious accident within 24 hours, and then defining a serious accident as being one which incapacitated a man from work for a fortnight; but, at the same time, it required the manager to give notice within 24 hours of an accident that was serious or likely to be serious. That was the whole object of the clause. If the amendment were carried, the manager could still sit back and say that he did not expect the victim to be off duty for a fortnight. This clause, like any other, would require to be administered with judgment and discretion, and if the management, thinking that the accident was of a trivial nature, failed to report it within 24 hours, and a week subsequently found it turning out serious, no sane department would prosecute that manager for not having reported within the 24 hours. An instance had occurred of a man being knocked down in a mine and immediately jumping up and resuming his work. A couple of days later he died, and it was found that he had sustained a fracture at the base of the skull. No department would prosecute the manager for not reporting within 24 hours in a case like that.

Hon. Frank Wilson: That man did not knock off work.

The MINISTER FOR MINES: But it was a serious accident.

Hon. Frank Wilson: But the manager may not have known anything about it.

The MINISTER FOR MINES: The manager did not know anything about it, but nevertheless his failure to report within 24 hours was a breach of the Act. This provision had been in operation for seven years without causing any inconvenience, and it had the merit of throwing on the manager the responsibility of reporting an accident within 24 hours,

and even if a manager had to report every accident it was better to err on the side of caution than to allow undue liberty in this matter. Who could decide whether an accident might reasonably be expected to result in serious injury?

Mr. Nanson: If a man broke his leg it would be possible, but if he sprained his ankle it might not be.

The MINISTER FOR MINES: Yes. There were accidents which the management might say they did not consider would necessitate a man's absence, and therefore did not report them. This provision had been law for seven years.

Hon. Frank Wilson: And has caused great inconvenience.

The MINISTER FOR MINES: There was no record of that.

Hon. Frank Wilson: You have a record in the notices in the office.

The MINISTER FOR MINES: No. This was one of the sections about which no complaints had been received. It had operated without inconvenience to anyone and there was no need to alter it.

Hon. FRANK WILSON: When he advanced the argument that something else had operated satisfactorily for seven years he had been taken to task severely and told it was not satisfactory. Now when he said this provision had not worked satisfactorily the Minister replied that it had.

Mr. Green: Prove it.

Hon. FRANK WILSON: It might be satisfactory to the Minister and to the unions because they did not come into contact with it, but it was not satisfactory to the officials who had to report every accident that occurred. No matter how trivial an accident was, if a man knocked off work, the accident had to be reported. If the Minister called for a return from the different inspectors he would find there was a record of every accident. If a man smashed his finger or jammed his thumb it had to be reported.

The Premier: What is unsatisfactory about that?

Hon. FRANK WILSON: It caused trouble and expense. Why should such

accidents have to be reported? It hindered the carrying on of the work in the mines. This was one of the petty pinpricks that caused trouble and annoyance. If a man had to knock off for half a day to get a finger dressed, he did not want the fact reported. The man mentioned by the Minister did not cease work and did not report the accident, and did not know that he was hurt seriously. Why should we refrain from amending an old Act when we discovered a defect which should be patent to everyone?

Mr. MULLANY: The Minister should retain the clause, which would not cause injury to the mine owner. The provision had been in operation for many years, and had not resulted in any prosecutions or any harassing of the mine officials. To say that it caused trouble and expense was puerile. It paid the mines to keep a record of their production, stores, and the material used, and was it asking too much to require them to record the cost in another shape—that of the life and limb and general well-being of the men employed? The real objection of the leader of the Opposition or of those advising him was to the record itself, because it was painful and perhaps useful to goldfields members to know what accidents had occurred. An accident might happen and might be followed later on by serious or fatal results but no manager would be prosecuted if he could show that at first the accident was not thought to be serious.

Mr. FOLEY: It did not pay a miner to remain away from work for a fortnight malingering as the leader of the Opposition said many men did, because he received only half wages.

Hon. Frank Wilson: I never used the words.

Mr. FOLEY: If the hon. member did not say so, he would accept his word.

Amendment put and negatived.

Clause put and passed.

Clause 30—Examination and inquiry as to cause of accident:

Hon. FRANK WILSON: The clause gave instructions to the district spec-

tor, or whoever represented him in his absence, to proceed to the scene of an accident and take down the statements of any witness, and such statements were not to be taken in the presence of any person interested except when dying depositions were being taken from the person injured. What was the intention of the latter words? If a man was dying, anyone could be present; if not, other persons must not be present. Not only the miners but the managers, if they desired, should be permitted to be present when evidence was being taken down. The Bill aimed at fastening an accident on the manager as evidence of neglect, and yet when somebody was there to take notes and work up a case against him he was not to be present. The workmen's inspector was to have power to take down the evidence. He would be a member of the union and would not be there as an impartial person. He would represent the men who elected him, and would not be doing his duty to the union if he did not. This was going too far. Everyone who desired should be allowed to be present when evidence in regard to an accident was being taken down. He moved an amendment—

That in line 2 of Subclause 1 the words "a workmen's inspector or" be struck out.

Amendment negatived.

Hon. FRANK WILSON moved a further amendment—

That in Subclause 1 the words "(and such statements shall not be taken in the presence of any person interested except when dying depositions are being taken from the person injured)" be struck out.

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

Ayes	..	..	..	7
Noes	..	..	..	23

Majority against .. 16

AYES.

Mr. Harper	Mr. Monger
Mr. Lefroy	Mr. F. Wilson
Mr. Male	Mr. Layman
Mr. Mitchell	

(Teller).

NOES.

Mr. Angwin	Mr. Mullany
Mr. Bath	Mr. Munzie
Mr. Bolton	Mr. O'Loughlin
Mr. Collier	Mr. Scaddan
Mr. Dwyer	Mr. Swan
Mr. Foley	Mr. Taylor
Mr. Green	Mr. Thomas
Mr. Hudson	Mr. Turvey
Mr. Johnson	Mr. Walker
Mr. Lander	Mr. A. A. Wilson
Mr. Lewis	Mr. Carpenter
Mr. McDowall	(Teller)

Amendment thus negatived.

Sitting suspended from 6.18 to 7.30 p.m.

Clause put and passed.

Clauses 31, 32, 33—agreed to.

Clause 34—Engine-drivers to be certificated:

Mr. MUNSIE: Would the Minister give his attention to the part of the clause which said any person having charge of any winding machinery by which men and materials were raised or lowered in any shaft or under which men were working in any shaft must hold a first-class engine-driver's certificate under the Inspection of Machinery Act, 1904. The Whim Well copper mine, which was raising and lowering men, was exempted from the provisions of that Act. Above a certain parallel, he believed, an exemption applied. The present Bill was no doubt intended to deal with the whole of the State, and he believed that engine-drivers working on mines in the North-West should be subject to the same conditions as engine-drivers in other parts of the State. While, perhaps, an amendment of the Inspection of Machinery Act could not be brought about in this Bill, he wanted to draw the Minister's attention to the exemption of the North-West so far as engine-drivers were concerned, and he would like the Minister to give the Committee some assurance that the position would be remedied in the near future; or did this Bill, if passed, bring the whole of the State under its provisions, or would the exemption he had referred to still continue?

The MINISTER FOR MINES: This Bill would not alter the position. The exemption would continue until such

time as he decided to alter it. When the Inspection of Machinery Act, 1904, was gazetted all the districts north of the Murchison were exempted from its provisions, and they were still exempt. So it was not necessary for those in the North-West or in the district north of the Murchison to have certificates as engine-drivers. He was now making inquiries as to the advisability of bringing some districts now exempt under the operations of that Act. The exemption had been made in those days because of the fact that it had been very difficult to obtain certificated engine-drivers in that remote part of the State; but the position had been somewhat altered since that date. The Whim Well mine, where a fairly large number of men were employed, was fairly established and prosperous, and the same conditions did not obtain as in bygone days, so that it might be only fair to insist upon certificated engine-drivers being employed. At any rate inquiries were being made.

Mr. UNDERWOOD: Life in the North-West was worth as much as it was in the South-East, or in any other part of the State. A winding driver with men in his cage had human life under his control, and he should be a man having a certificate of competency to handle a machine on which others were travelling. In regard to the Minister's statement about the great difficulty of obtaining certificated engine-drivers in the North-West—

The Minister for Mines: I said at that time.

Mr. UNDERWOOD: At the present time there were dozens of certificated drivers engaged in all sorts of work in the North-West portion of the State, and particularly in the Pilbara electorate, and he had not altered his opinion in the slightest degree that the Machinery Act should apply there, particularly in regard to men driving winding engines, just the same as it applied in any other part of the State. The Minister for Mines should wipe out the exemption of the North-West.

Hon. FRANK WILSON: It would seem from the reading of this clause that

engine-drivers in the North-West had to be exempted under the hand of the Minister, according to subclause 4.

The Premier: It only applies where the Machinery Act applies.

Hon. FRANK WILSON: The measure should apply to all parts of the State unless the Minister gave exemption in writing to one particular district because it was proved to him not possible to get certificated engine-drivers. The Minister, if need be, could give exemption for six months, but otherwise there did not appear any reason why this clause should not apply to every portion of the State.

The Minister for Mines: It will shortly.

The PREMIER: The hon. member would see that this clause only required a person to hold a first-class engine-driver's certificate under the Inspection of Machinery Act, 1904, for the purposes of hauling men and material, but if that Act was not operative in any part of the State, then this clause was not operative. The Inspection of Machinery Act was not operative in the North-West, with the result that any person there might haul men.

Hon. Frank Wilson: Where is it provided in the Machinery Act that the North-West is exempt?

The PREMIER: When it was gazetted, and until the Minister altered that we could not make this clause apply. When that alteration was made this clause would immediately apply. At the same time the Minister could in any part of the State exempt an individual from having to hold a certificate under paragraph (b) of Subclause 1. Where men were being hauled it should be essential to have competent men as engine-drivers and the only way to make sure of that was through the holding of a certificate. He had knowledge from a correspondent of one particular mine in the North-West, well able to employ a certificated driver, which refused to engage one when his services were offered, and this man was working in the mine, although holding a first-class certificate as an engine-driver, while a non-certificated man was in control of the winding machinery.

Hon. FRANK WILSON: It was not possible to follow the Premier's arguments. It was to be presumed that the men were working under an arbitration award in the North-West.

The Minister for Mines: I think not.

Hon. FRANK WILSON: It stood to reason that it was not possible to get men as cheaply up there as down here.

Mr. Foley: They can get men more cheaply there, because they are not certificated.

Hon. FRANK WILSON: Subclause 3 provided that certificated engine-drivers were not necessary for small winding appliances used in shafts for loads not exceeding 500 pounds in weight, and which were not raised or lowered through a greater distance than 200 feet. It would be well if the Minister agreed to insert after "shaft" the words "or winze," because it was not quite clear that all winzes were included in the definition of shaft. The definition read, "Shaft includes any winze which, in the opinion of a district inspector, is used as a principal shaft." There may be a winze which was not, in the opinion of the district inspector, a shaft. He moved an amendment—

That after the word "shafts," in line 3 of Subclause 3, the words "or winzes" be inserted.

The MINISTER FOR MINES: The hon. member was seeking to include something which was already in the clause. Winzes did not come within the purview of the clause, by reason of the fact that they were not mentioned. It was clear that they were exempt. Whilst at the present time a man might take charge of a Holman hoist in a winze, he could not do so in a shaft, although that shaft might be only 50 feet deep. Until such time as a winze was declared by an inspector to be a shaft, there was an obligation for a man to have a certificate. In the event of an inspector declaring a winze to be a shaft, it was essential that the man in charge of a winding appliance should have a certificate.

Amendment put and negatived.

Clause put and passed.

Clause 35—General rules:

Hon. FRANK WILSON moved an amendment—

That Subclause 11 be struck out.

This was the clause which limited the height of stopes to 10 feet, unless the inspector gave permission for the height to be exceeded. The subclause raised the whole question as to whether we should put a hard and fast limitation in our legislation regarding the height of stopes in our gold mines. He had been informed that very few accidents had occurred owing to the height of stopes being excessive, and as an illustration the Kalgurli mine might be quoted. The only fatal accident which had happened during the past seven years, had taken place at that mine in a stope which was filled within four feet of the back. At the other end, the stope was 20 feet high. The accident had occurred because the stope had not been worked down.

Mr. Green: That is the exception which proves the rule.

Hon. FRANK WILSON: It simply proved that if it was not worked down to the dangerous ground, accidents were liable to happen and that the limitation to 10 feet, therefore, was impracticable. It had to be worked down to make the stope safe.

Mr. Mullaly: It is not always necessary to take broken mullock away at once.

Hon. FRANK WILSON: Of course not. The limitation proposed in the subclause was going to increase rather than decrease the danger, and the desire of everyone of course was to minimise the danger. We were all at one in that respect, but would we be decreasing the danger by limiting the height of stopes?

Mr. Munsie: Yes.

Hon. FRANK WILSON: No. It would be better to leave the power in the hands of the inspector, who could judge according to the nature of the ground, and who could see whether the stopes were safe. If they were not safe he could stop the work. Inspectors had full power to do that now. The State Mining Engineer had been quoted with regard to this matter, and that officer had reported against the limitation of the height of stopes. If hon. members referred to the

report of the Mines Department for 1905, they would see there that the State Mining Engineer expressed a very decided opinion against any hard and fast rule in connection with the working of stopes. This was what Mr. Montgomery wrote in his report—

It has, therefore, been claimed on behalf of the workmen that it should be laid down by law that no stope should be carried higher than ten feet above the filling, which would involve that each stope should be filled with mullock immediately after removing the broken ore, before another could be commenced. The exigencies of mining work often do not permit of keeping the filling so close up to the working faces, and strict insistence on any such rule would undoubtedly hamper the mine owners very much indeed in keeping up supplies of ore for the mills, and would largely increase the working costs. This is against the interests of all concerned in the industry, whether workmen or mine owners, and the utmost latitude, compatible with safety, should be allowed to the latter in their methods of working to enable them to reduce cost of production to the minimum. So long as the work is carried on so that the workmen's safety is thoroughly secured, the methods of working should not be prescribed by law, but should be left to the mine manager. It is his prerogative to fix the method which he considers most applicable to the conditions of his mine.

Then the State Mining Engineer went on to say in his report—

There is so much variety in the conditions of different mines—the nature of the ground varying not only in adjacent mines, but even in the same mine—that it is not reasonable to prescribe hard and fast rules. A practice which is safe in one place may not be permissible in an adjoining one, and the precautions to be taken for safety must always be mainly a matter for individual judgment on the spot. Skilled workmen, under the direction of experienced foremen and capable managers, are the best guarantee of safety in mining operations. It is the practice

of the department, therefore, to leave to the discretion of the inspectors of mines, who are able to look into each case on its individual merits, the decision as to whether the methods of working adopted in any mine are or are not sufficient for the safety of the workmen; and I would urge that this is much more reasonable than laying down absolute rules. If an inspector considers that safety is not sufficiently provided for, he has now ample power to get his reasonable requirements attended to; but he should not dictate to the management of a mine the method by which the required result is to be brought about, unless he is convinced that no other proposal to arrive at the same end can safely be entertained. So long as safety of the workmen is secured the mine manager should be given all possible freedom in carrying out his work to what he considers the best advantage.

There we had the matured opinion of the State Mining Engineer in regard to this proposal. Was it necessary to labour the question any further? If we were going to allow the industry freedom for expansion, if we were going to assist to reduce the working costs of mining in order that we might derive the enormous advantage which must accrue from the reduction of costs, then we must leave a discretionary power with the mine management and with the men, that discretionary power so strongly advocated by the State Mining Engineer. The inspectors had full power to prohibit the working of any stope if they regarded it as dangerous. It would be interesting to know if Mr. Montgomery had changed his views in regard to the limitation of the height of stopes.

The Premier: This is not Mr. Montgomery's Bill, it is the Government's.

Hon FRANK WILSON: To a certain extent, at all events, it was Mr. Montgomery's Bill.

The Minister for Mines: I will give you his views on this clause if you like.

Hon. FRANK WILSON: Certainly it should be made known why Mr. Montgomery had changed those views so emphatically set forth in the departmental report

of a few years ago. It was only reasonable that latitude should be given in regard to the height of stopes. If there was a faulty back the only way to render it safe was to bar down the faulty ground, which in many instances would increase the height of the stope beyond what was prescribed in the clause. With the full power given the inspectors to prohibit the working of any stope which to them appeared to be dangerous, the workers were much better protected than they would be by the imposition of hard and fast rules.

The MINISTER FOR MINES: It was pleasing to observe that the hon. member attached such very great weight to the opinion of the State Mining Engineer, seeing that on a previous occasion the hon. member had utterly ignored the views of the State Mining Engineer backed up by seven or eight qualified officers. That was in regard to the appointment of workmen's inspectors. On this question of the height of stopes the hon. member held that the State Mining Engineer was a gentleman whose matured opinions ought to be followed. On the second reading the hon. member had quoted the fact that during the whole career of the Kalgurli mine only one fatal accident had occurred.

Hon. Frank Wilson: I said that during the last seven years only one accident had occurred in the stopes.

The MINISTER FOR MINES: At all events, the hon. member had sought to apply this illustration to all other mines, and had gone on to say that the majority of accidents occurred in low stopes. Most emphatically that was contrary to the facts. There was no necessity to recapitulate the figures quoted on the second reading, showing that a large number of the accidents occurred as the result of falls of ground, and in very high stopes. He had not at hand the figures as to the height of those stopes, but from his general knowledge he was aware that the majority of the accidents occurred in very high stopes. The hon. member had suggested that it was impossible to keep to the 10ft. limit because of the necessity which at times arose for barring down baulky ground, which would serve to increase the

height of the stope. But the Bill was to be administered with judgment and discretion, and if it was found necessary to bar down ground in a stope already 10 feet high, the department would scarcely prosecute the management because at this point the stope would then exceed the prescribed height. But it was impossible for the men to know the nature of the back of a stope if the stope was as high and as wide as the Assembly Chamber.

Mr. Harper: What about staging?

The MINISTER FOR MINES: If the whole of the shift was to be spent in bringing staging to examine a back, the shift boss would very soon want to know what it was all about. As for the inspector having power to prevent the stope being carried to dangerous height, it was to be remembered that the inspector was not in the stopes the 24 hours round. There were instances in which it was impossible for the district inspector to visit a given mine at intervals of less than from three to six months.

Hon. J. Mitchell: Appoint some more of them.

The MINISTER FOR MINES: If a hundred of them were appointed the difficulty would still remain. There was the case of the Whim Well mine in the Roebourne district. It was not necessary to have an inspector in the North-West, and it was quite impracticable to send one up there every week. Nor was there any real necessity for one to be stationed there permanently. A couple of months ago he had sent an inspector up there to examine the Whim Well mine, and in his report that inspector had shown that the stopes in that mine were 30 feet high and 60 feet wide. Of course, instructions were immediately given to have that condition of affairs altered, but what possible chance had the men employed in the mine of examining the back of a stope of those dimensions? As for the State Mining Engineer, the burden of his report was that it was impracticable in some cases to limit the height to 10 feet, and that no hard and fast rule should be made. The Bill got over that difficulty by empowering the inspector to give permission to carry a

stope to the height of 15 feet, if in the inspector's opinion it was desirable that this should be done. This provision effectively removed the hard and fast aspect of the question.

Hon. Frank Wilson: Why not give us Mr. Montgomery's opinion on the question to-day.

The MINISTER FOR MINES: Mr. Montgomery was of the same opinion to-day as when he had written that report which the hon. member had read. The hon. member had not attached much weight to the State Mining Engineer's views on the question of the appointment of workmen's inspectors. Those views would be found in the report of the Royal Commission on the Ventilation and Sanitation of Mines.

Mr. Harper: He has been sorry for that ever since.

The MINISTER FOR MINES: No, is a matter of fact Mr. Montgomery had not altered his opinions on that question. After having ignored the opinions of the State Mining Engineer on the one question the leader of the Opposition could not now consistently attach great weight to that officer's opinions on the question of the height of stopes. On this question he (the Minister for Mines) did not hold the same views as the State Mining Engineer. In his opinion it was feasible and practicable to carry out this provision limiting the height of stopes to ten feet, with power to the inspector to increase the height to 15 feet where necessary. In order to limit the liability to accident it was essential that some check should be placed on those who were careless in carrying stopes to a great height and thereby endangering the lives of the workmen.

Mr. HARPER: On this question he agreed with the Royal Commission of 1905. The proposed limitations would be surrounded with very serious consequences. It was difficult for the Committee to be conversant with the varying conditions of mining and make a hard and fast rule that stopes were not to exceed ten feet and 15 feet in height. It was practicable to make these laws, of course, but it was equally practicable to make laws to close down the mines en-

tirely. There were many occasions when it would be impossible to get out the ore and have the stope mullocked up to 10 or 15 feet. Perhaps a new shoot of ore was discovered some considerable distance away from the old workings. It might be only a patch, where there were no other levels and no passes down, and to put in another level or a pass might involve a large expense, and it would mean that this limitation in regard to stoping would practically prevent the taking out of that ore.

The Premier: Is mullocking the only way it could be worked?

Mr. HARPER: Mullock could not be carried up.

The Premier: But you could timber.

Mr. HARPER: Timbering did not mean filling in, and the Bill said that the stopes were to be filled in.

The Minister for Mines: Not necessarily.

Mr. HARPER: If timbering was allowed one could go to any height he chose. He had worked at heights of from 80 to 100 feet on stages, which were perfectly safe.

Mr. Foley: Are there any places in the State where you could work on stages 100 feet high?

Mr. HARPER: The hon. member must know that there were places where it was impossible to get the mullock in, and to make a hard and fast rule would hamper mining operations.

The Premier: You assert that men are cheaper than mullock.

Mr. HARPER: One did not want accidents, but the men, with the assistance of inspectors, should be allowed to use their own judgment. Often it was not practicable to get stopes filled in.

The Premier: They do not require to fill them in.

Mr. HARPER: The Bill said that stopes must be filled in to within 10 or 15 feet of the back. The leader of the Opposition had referred to baulky ground. It was more safe to take such ground down than to allow it to remain. The only safe way to work a mine was to take out any ground which was likely to fall. It was not economical to work

stopes to a great height if one could avoid it, and when he was a mine manager high stoping was his last resort.

The Minister for Mines: What height did you generally work?

Mr. HARPER: Within seven or eight feet where mullock was available.

The Minister for Mines: Then this would not alter the conditions much.

Mr. HARPER: It would not mean much alteration where the conditions were suitable.

The Minister for Mines: Where the conditions are not suitable the inspector can permit the stopes to be carried to 15 feet.

Mr. HARPER: There were mines in the States that had 50 and 60 feet of underhand stoping, and such places were quite safe because they were well protected by timber. If they were not so the danger could be avoided by extra timber. So many conditions were being imposed that mining was not given a chance.

The Minister for Mines: That is why we are having the best year we have had for a long time.

Mr. HARPER: There was a great deal of talk about the few thousand extra ounces which had been yielded this year, but how long was that increase going to last.

The Premier: You are a croaker.

Mr. HARPER: Mining was not going to be permanent, and if there was any trouble ahead it was just as well that the country should know. Every condition hon. members were imposing was tending to diminish the gold output and to decrease the number of people employed. He, on the other hand, wanted to see conditions which would allow of the mining industry continuing. Gold production was all a matter of cost, and if the cost of production could not be kept down the industry would be brought to an end. The Minister for Mines did not realise the seriousness of this clause or he would not be stubborn enough to enforce it. If this Committee did not strike the clause out he hoped that another place would.

Mr. FOLEY: The leader of the Opposition had only quoted that portion of the State Mining Engineer's remarks

which he thought would make his case good. In the very report from which the hon. member had quoted, the State Mining Engineer had said—

One of the questions which the Amendment Act of 1904 has enabled the inspectors to deal with more decisively than heretofore is that of the height to which stopes may be carried without filling. There have been a great many complaints from time to time that the stopes in many mines are carried so high that there are large overhanging masses of unsupported rock, and that the "back" cannot be properly examined and freed from loosened material.

That was the argument hon. members were using to-day, and no doubt the State Mining Engineer would voice the same opinion as he had then given.

Hon. Frank Wilson: Read on.

Mr. FOLEY: He then went on to say that the limitation of the height of stopes to 10 feet was not practicable. If it was not practicable no hard and fast rule would obtain under this measure. The Minister would allow the opinion of the State Mining Engineer to be taken. If the inspectors thought it wise, they could allow a height of 15 feet. As one who had worked as long as any hon. member in high stopes, he could say there had been more accidents in high than in low stopes. No matter how great a man's knowledge of mining or his ability to protect himself, he had not the opportunity to protect himself in high stopes because he could not perceive the danger. When working in a 10-foot stope it was very hard to know when one was safe. If he owned a mine and could work stopes of 7 feet or 8 feet, he would do so. When the member for Pingelly was managing mines he seldom worked a stope higher than 8 feet. One of the hon. member's managers would not work a stope of a greater height than 8 feet if he could help it, but if he did, as was sometimes necessary, he would let the men go only to a height at which they could protect themselves. If fewer accidents happened the mining companies would not have to pay such heavy

premiums to the insurance companies so that the clause would not only protect the men but would benefit the companies by lessening their insurance premiums. The State Mining Engineer at the period quoted said the inspectors were doing excellent work. The opinions of those inspectors were expressed in the same report. Mr. Crabb, inspector for the Coolgardie, Yilgarn, and Dundas fields, stated—

The fatal accidents from falls of ground were fewer than in the previous year, 10 being reported for 1904 and 13 for 1903. Accidents of this nature are inseparable from the miner's occupation and cannot always be prevented by any foresight and caution, but the inquiries into some of the cases emphasised the necessity for careful inspection of all overhanging ground and removal of any loose material. The practice of working out high stopes, the back of which cannot be easily examined for loose ground, is constantly being fought against by the inspectors of mines.

The inspectors of mines had to report every accident to the State Mining Engineer, and the opinion of these men who were dealing with the practical side of the question was the more valuable. Another inspector whose opinion every hon. member with experience in mining would place above others was Inspector Greenard, who said—

Filling stopes has received considerable attention during the year. I have insisted on them being filled to within 10 feet or 15 feet of the back. Of course this is not possible in every case.

In the course of further remarks he said that where it was possible to work ground and leave pillars of ore it should be done. There were few mines which left sufficient ore as pillars to afford protection for the men. In some mines the loss of a stope was regarded more seriously than the loss of life. There were mine managers who were saddened by an accident, and if all mine managers were the same, the opposition to this clause would not be so manifest. Since the hon.

member for Pingelly had ceased practical mining the brains of the men in the industry had been availed of by the managers so that to-day there were three distinct classes of stoping, two of them being greatly used. The old system of back stoping was used in only a very few mines where the ground could be kept up with a moderate amount of timber. Then there was the rill system of stoping whereby if the mullock from every slice taken off was not put on top of the stope they had finished the men's lives were endangered to a greater extent than under the old system. The Bill provided that irrespective of the system of stoping adopted, the men working in the faces should have an opportunity to protect themselves by using the ability they had acquired from years of experience to keep the stope safe. Another system of stoping was the shrinking system. This system was being worked in many of the mines on the Golden Mile. The ore was broken down until it filled up sufficiently to be used as a stage to be worked upon, but in none of these mines were the men working in such stopes asked for an opinion as to how much mullock should be taken from underneath. The clause provided that only sufficient ore should be taken out of the stope when worked on the shrinking system to allow the back of the stope to be worked to a height of 10 feet, and if in the opinion of the inspector, which meant the opinion of the mine manager as the inspector was not always there, it was thought necessary it could be worked to a height of 15 feet. The inspectors were not bound hard and fast to a height of 10 feet, but it was desirable that they should be allowed to exercise their discretion by allowing a height up to 15 feet and no more. Under those conditions, a greater amount of ore would be broken by the men because they would have an opportunity of breaking down the loose overhanging and unsafe rock. They would work more contentedly and would put in more time into the actual breaking of ore and less time would be occupied in barring down loose rock. The clause would not prove any hindrance to mining.

Hon. FRANK WILSON: The Minister in replying to his argument in favour of the deletion of the subclause based his contention mainly on the fact that he (Mr. Wilson) opposed the appointment of workmen's inspectors although they were recommended by Mr. Montgomery in the report of a royal commission of which that gentleman was a member. That was not very sound argument, and it would not appeal to anyone who desired to act fairly by the industry and those employed in it. To show how inaccurate the Minister was in his contentions and how ready he and others were to do what they were always accusing him (Mr. Wilson) of doing and of which he said he was not guilty, the royal commission did not recommend workmen's inspectors as provided in this Bill, but only recommended that they should have similar facilities as they had in the collieries of the State.

Mr. Foley: Would you be prepared to give us that in this Bill?

Hon. FRANK WILSON: Certainly, and he had offered it before. Inspectors of mines had that power in the Act of 1906.

The CHAIRMAN: The hon. member was going outside of his amendment.

Hon. FRANK WILSON: It had been necessary for him to do so in answering the argument of the hon. the Minister.

The Minister for Mines: I drew attention to your inconsistency.

Hon. FRANK WILSON: Surely it could be shown that the Minister was unfairly quoting his authority. Mr. Montgomery got what he wanted in that respect in the legislation of 1906, and in the report of the Mines Department of the same year he was dead against the proposal to limit the height of stopes. No matter how the hon. member for Mount Leonora might endeavour to construe or endeavour to read something into it—

Mr. Foley: Take the whole of the report.

Hon. FRANK WILSON: That was what he was prepared to do. The hon. member had quoted the first introductory remarks regarding the height to which

stopes might be carried without filling, and where the report went on to say—

There have been a great many complaints from time to time that the stopes in many mines are carried so high that there are large overhanging masses of unsupported rock, and that the "back" cannot be properly examined and freed from loosened material. Several accidents from falls of rock have occurred in such places, which might presumably have been prevented if the "back" had been more accessible.

Then Mr. Montgomery went on as he (Mr. Wilson) had already quoted to the effect that limiting the height to 10 feet above the filling was impracticable and in his opinion we should not be asked to legislate and make a hard and fast rule, but it should be left to the experts of the department to regulate the height. Mr. Crabb's report said—

The mines on the various goldfields from a safe point of view have been worked in a fairly satisfactory manner. Defects which I have observed and brought under the notice of the management have been almost invariably remedied. In the cases when unwillingness was shown to comply with the provisions of the Act, proceedings were instituted, and fines ranging from a few shillings up to £18 were inflicted.

Then Mr. Crabb referred to the accidents which the hon. member for Mount Leonora quoted, but said that right through he was perfectly satisfied; and he had had power to enforce his commands and when unwillingness was shown by the management, he had taken action and recovered penalties. The hon. member for Mount Leonora quoted from the report of Inspector Greenard, a man whom he said we might all follow and whose advice we might accept, but the hon. member did not quote him *in extenso*; the hon. member left out an important part in the following place:—"Filling stopes has received considerable attention during the year. I have insisted on them being filled to within 10 or 15 feet of the back." The hon. member did not go on to read the next statement—"Of

course this is not possible in every case."

The Minister for Mines: They have made provision where possible.

Hon. FRANK WILSON: They had not; the Minister knew he was not stating what was correct. Inspector Greenard said it was not possible in every case to keep them to 15 feet, and said—

Some latitude has been extended where the ground was hard and the stopes on the underlie; in that case, I have insisted upon solid pillars being left at regular intervals. With the Cosmopolitan stopes at Kookynie we are confronted with serious difficulties, as the large flow of water (370,000 gallons per day) prevents the use of tailings for filling. Since the amended Act came into force the powers conferred were used on this mine with good effect; although I did not get all I wished done, measures were taken for greater safety, the Act thereby being vindicated.

There was an inspector whom the hon. member had quoted and that inspector said it was not possible to make a hard and fast rule with regard to the height of these stopes. Mr. Montgomery condemned the attempt to have it put into an Act of Parliament in emphatic terms. The Minister had asked him (Mr. Wilson) whether he would like to hear Mr. Montgomery's opinion to-day and he had answered in the affirmative, but the Minister on getting up refrained from giving it until he (Mr. Wilson) pressed him again. The Minister had wanted us to believe he had something up his sleeve, but when pressed he said, "Yes, Mr. Montgomery is of the same opinion to-day as he was in 1905 when he wrote that." That was the attitude which he (Mr. Wilson) was always taking exception to in Ministers. We were entitled to have from Ministers full, free and frank expositions of the legislation brought forward by them, and we ought not to be hoodwinked. The Minister had been very lacking in the fulfilment of his duties on this occasion in attempting to deceive us.

The Premier: Take out your cane, schoolmaster.

Hon. FRANK WILSON: Hon. members who had worked in gold mines—and the Minister had not worked in gold mines—

The Minister for Mines: How do you know?

Hon. FRANK WILSON: The Minister followed another occupation far from it when on the goldfields, and knew about as much about it as the man in the moon.

Mr. Heitmann: What were you mining for, timber?

The Premier: He has been mining for diamonds all his life.

Hon. FRANK WILSON: Ministers should be asked again to realise the responsibility of their position, and when they came to the House with legislation new in all its main features and principles, such as this limitation of the height of stopes was, which did not exist in any other portion of the British dominions, they should frankly state it was so, and when they got on their feet they should give the true opinion of their responsible officers with regard to the effect of this legislation.

Mr. Heitmann: Did you get the opinion of your responsible officer when you imposed fees for school children?

Hon. FRANK WILSON: Of course he had taken a responsible officer's advice on that occasion.

The CHAIRMAN: Order, order!

Hon. FRANK WILSON: The hon. member had better turn up the files.

The CHAIRMAN: Order! The question is the height of stopes.

Hon. FRANK WILSON: We were not discussing school fees now. At the present time he was asking the Committee to support him in striking out this limitation, and he had shown that all the authorities we could depend upon in this State were against it. Inspectors had shown in their reports that they had full power to limit the height of stopes. He had shown that the proposal would delay, hamper, and interfere with the management of this industry, which ought not to be hampered at the present time, but ought to be encouraged in every reasonable way, so long as the lives of the workers were protected. He had shown that

every precaution was taken, or if a precaution was neglected, the inspectors prosecuted and got convictions. Inspectors had been able to get their orders carried out. The conditions varied in the same mine, and we could not put a hard and fast rule like this in an Act of Parliament without injuring the industry. That being so, we would be foolish to pass the subclause. Hon. members did not want to injure the industry and lessen the avenues of employment and unduly hamper the management; they wanted, with him, if possible to encourage the industry and so give employment to a greater number of workers, and they wanted with him, although they would not be generous enough to give him credit for wanting it, to protect in every possible way the lives of the workers in that industry.

Mr. Heitmann: How could we give you credit for it when we do not know it?

Hon. FRANK WILSON: It was not possible for him to give the hon. member credit for sixpence, much less for sufficient brain power to evolve proper legislation. Hon. members opposite seemed desirous of running this country in an off-hand way. The effect of this legislation would work untold injury to the mines and the owners thereof, and the workers who were dependent upon those mines. That was not a desirable state of affairs, and when we could get all that we were aiming at under existing legislation, why go out of our way to build up obstacles and create fences that no one could get over? Once we put this into the Act we could not get beyond it; there was no discretionary power left. The inspector would have to prosecute as soon as there was a breach of the Act.

Mr. Foley: Not at all.

Hon. FRANK WILSON: Most decidedly. And the inspector would have to stop the work as soon as the stope got above the height fixed by the Act. It was to be hoped that the Committee would have common sense enough to support him in striking out the subclause, which was not backed up by the expert officers, and which he had shown would be injurious, not only to the mines, but to the men employed in them.

Mr. FOLEY: The clause only provided, and rightly so, how far an inspector's discretion could go.

Hon. Frank Wilson: No.

Mr. FOLEY: Yes. On top of that it was provided in Clause 40 that there should be a Mines Regulation Board appointed, representative of the workers, the employers, and the Government, and that board, which should be impartial, could consider the complaint of a company, if that company considered they were being treated harshly by an inspector ordering the stopes to be limited even to 15ft. That board had the power to hear evidence, and decide finally appeals from the requirements of any inspector, to make inquiry and decide finally the extent to which any regulation under the measure was reasonably practicable, in the circumstances of any case which might be referred to the board by the Minister. As long as there was that safeguard, they were right. But the peculiar part of the position was that the sub-editor's pen had been run through this by the friends of the leader of the Opposition and he was the one who intended to strike out the clause which would do for his friends that which he thought most essential in the Bill, by giving the Government of the day the right to go over an inspector, which they should have in every instance.

Mr. MULLANY: Much of the discussion had been as to whether the putting into operation of this Bill was going to increase the cost of mining in this State, but to-night the Opposition had shifted their ground and endeavoured to prove that low stopes were more dangerous than high stopes. The utter absurdity of this was so obvious to any one with underground experience that it seemed to be hardly necessary to endeavour to combat such an argument. The leader of the Opposition instanced the one fatal accident in the Kalgurli mine, and he assumed from that that all accidents had occurred in low stopes. It was well known by men who worked under ground that it was impossible to compare low and high stopes. It was obvious that men could not take proper precautions in a high stope, and it was hard to understand how the Opposi-

tion could put forward such an argument. There was one thing which pleased him and it was that he was able, for the first time, to agree with the member for Pingelly in the statement that he made that the carrying on of high stopes was not an economical method of mining. Where high stopes were carried on, in nine cases out of ten it showed slipshod methods, and hon. members would agree with him on that point. The leader of the Opposition quoted the mines inspectors, each one of whom said that it was well not to carry stopes more than 10ft. or 15ft. in height. But in some cases it might not be practicable to limit stopes to this height from a filling. This might be so, but these gentlemen stated that the experts were against the limiting of the height of stopes. Be that as it may, he knew from experience what his own opinion was, and he knew also the opinion of the great majority of the men who were engaged in underground work, and it was that they had for many years advocated the limiting of the height of stopes, and they had sent men to Parliament to support that advocacy. That was expert knowledge which was good enough for him, and it was backed up by members in the Chamber who had practical mining experience. Reverting to the cost of mining, where good mining was carried on it would rarely be found that there were high stopes and if the height were limited, as the Bill proposed, the added sense of security which the miners would feel would enable them to work much more freely; their time would be more occupied in breaking ore from the face, and instead of the cost of mining being increased, the tendency would be the other way. That was his firm opinion and it was based on the experience he had had. There could be no comparison in the work which a man was able to do when he was working in a comfortable place, and where he felt a sense of security, as against where he had in some instances, as the Minister had pointed out, to tie ladders together to climb 20 or 30 feet to get to his work, and perhaps drag with him a heavy drilling machine weighing up to 300 or 400 lbs. It could, therefore, be easily under-

stood that there was a waste of time in getting to work under such conditions as these. The member for Pingelly agreed that in all main workings it was practicable to keep the filling up to this height but there might be isolated places where a new discovery had been made, where there was no possibility of getting the mullock or other filling into a piece of ground which had been worked up to a new shoot. There would be a difficulty there but it would be got over. There was nothing in the Bill to provide that the whole stope must be filled with mullock; timber could be put in to keep the working floor on all occasions within the 10 or 15 feet. Another argument used by the leader of the Opposition was that the clause would prevent miners being allowed to work down broken ground, and that if they once went over the 10 or 15 feet, it would mean the stopping of the work in that particular place. Instead of stopping the work there, however, it would mean that they would have to proceed to fill that stope again, take out the broken ore, and generally add to the security in carrying out these underground operations. The leader of the Opposition would give people not conversant with the industry, the idea that the men would not be able to work down the loose ground, and if they did they would be constantly climbing and increasing the height of the stope. That was a fallacy. Although it was necessary to take down the broken ground, there was nothing to provide that the broken material should be taken away immediately. The Committee should pass this clause, which, to his mind, was one of the most important in the Bill.

The MINISTER FOR MINES: There was no desire on his part to labour the question but he wanted to protest against the personal tone adopted by the leader of the Opposition in discussing this matter. It was a great pity that on a question of this kind, the hon. member who was leader of the party opposite could not discuss it without being personally offensive.

Hon. Frank Wilson: Why do you not set the example?

The MINISTER FOR MINES: The matter had been discussed by him without making one offensive or personal remark to any hon. member.

Hon. Frank Wilson: Well, the Premier did.

The MINISTER FOR MINES: What did the Premier do? The leader of the Opposition would find that there was still some truth in the old adage regarding glass houses and the throwing of stones.

Hon. Frank Wilson: Then keep on throwing.

The MINISTER FOR MINES: The leader of the Opposition had accused him (the Minister) of attempting to mislead the House.

Hon. Frank Wilson: So you did.

The MINISTER FOR MINES: And the whole of the speech of the leader of the Opposition was nothing but deliberate misrepresentation. The leader of the Opposition went so far as to say that he (the Minister) misled the House regarding the views of the State Mining Engineer on the question of workmen's inspectors.

Hon. Frank Wilson: So you did and I was not allowed to discuss it.

The MINISTER FOR MINES: The leader of the Opposition went on to read a paragraph from the report of the Royal Commission wherein the State Mining Engineer dealt with the matter and followed it up by saying that the views expressed by the State Mining Engineer were embodied in our Act to-day. Did the hon. member not say that?

Hon. Frank Wilson: I did.

The MINISTER FOR MINES: Just to show how correctly the hon. member quoted the State Mining Engineer, he (the Minister) might be permitted to read the latter half of the paragraph in question.

Hon. Frank Wilson: I claim, with the permission of the Chairman, the right to reply to this.

The CHAIRMAN: I do not know what the Minister is going to say!

The MINISTER FOR MINES: There was no desire on his part to return to the debate upon the question of workmen's inspectors, but for the fact that the leader

of the Opposition accused him of misrepresenting the State Mining Engineer's views on that matter, and in support of that accusation the hon. member quoted half of the paragraph dealing with it.

Hon. Frank Wilson: Read the lot.

The MINISTER FOR MINES: With the permission of the Chairman he would read the latter half and that would be sufficient to prove that he did not misquote the State Mining Engineer, and it would also convict the hon. member of deliberate misquoting when he read that paragraph. On the question of workmen's inspectors, the State Mining Engineer had gone on to say in his report, "To make the check inspector's influence of the most value they should be permanently engaged in the larger centres."

The CHAIRMAN: The question before the Committee was not in any way connected with check inspectors.

The MINISTER FOR MINES: That was so, but the hon. member, after having charged him (the Minister for Mines) with misrepresenting the State Mining Engineer, had gone on to read half the paragraph. It was now desired to refute the charge made by the leader of the Opposition by reading a few more lines from the report.

The CHAIRMAN: The hon. member should have risen at the time by way of explanation.

The MINISTER FOR MINES: Surely it would not have been in order to interrupt the hon. member except on a point of order. And no point of order had been involved.

The CHAIRMAN: The question of check inspectors was not now before the Committee.

The MINISTER FOR MINES: It was unfortunate that he was not permitted to show the Committee that the leader of the Opposition, whilst charging him (the Minister for Mines) with misrepresentation, had himself indulged in deliberate misrepresentation.

Hon. Frank Wilson: You cannot do it. Certainly not. It is quite impossible.

The MINISTER FOR MINES: It was worthy of the hon. member and was in accordance with the tactics which the

hon. member always pursued. The hon. member had quoted half a paragraph supporting his own contention, and refrained from quoting the other half which proved that the statements made by him (the Minister for Mines) were correct. It was a pity the rules of the House did not permit him from quoting the second half.

Hon. Frank Wilson: Give it to the Press.

The MINISTER FOR MINES: All were not as ready to run round the backstairs to the Press as was the hon. member. The hon. member had declared that the clause was going to ruin the mining industry. It was the same old claptrap parrot cry which had been heard in regard to every Bill of this description. In every sentence of his speech the hon. member had exuded the sentiments of the Chamber of Mines.

Hon. Frank Wilson: I would rather take their views than yours.

The MINISTER FOR MINES: The hon. member had declared that he (the Minister for Mines) was withholding from the Committee the views of the State Mining Engineer on this matter.

Hon. Frank Wilson: His views of today—so you did.

The MINISTER FOR MINES: As soon as the question was raised he had clearly informed the Committee of those views. He had no objection to the hon. member going to the department and obtaining the views of the State Mining Engineer on this or any other clause in the Bill. He would adopt the views of the State Mining Engineer when they coincided with his own, but when not agreeing with them he would not adopt them.

Hon. Frank Wilson: You should give good reasons for refusing to do so.

The MINISTER FOR MINES: Those good reasons had already been given. As for the hard and fast rule, probably the hon. member did not know that the Governor-in-Council could exempt any mine in the State or even any district from not only this rule but from the whole of the operations of the Bill.

Hon. Frank Wilson: That is a dangerous power to put in the Bill.

The MINISTER FOR MINES: It was very desirable, because so widely varying were the conditions prevailing in different mines and in different districts that it might be found impracticable to apply rules or provisions to all alike.

Hon. Frank Wilson: But why put it in your Bill?

The MINISTER FOR MINES: The hon. member would not have the Bill at all if he could avoid it. As the hon. member had laid so much stress upon the value of expert opinions given in the 1905 report it was desirable to quote an expert opinion presented in the report of a Royal Commission which, only last year, had dealt with these very questions in New Zealand. One of the recommendations of that Royal Commission was that a certain regulation should be so amended that the maximum height of stopes should be 8ft. 6in., measured from the ordinary level of the working floor of that stope.

Hon. Frank Wilson: That has to do with a regulation, and not an Act of Parliament.

The MINISTER FOR MINES: The observation was a childish one.

Hon. Frank Wilson: Why not make it 8ft. 6in. here?

The MINISTER FOR MINES: Because 10 feet was quite sufficient. There was a large number of regulations under the Mining Act which had all the force of an Act of Parliament.

Hon. Frank Wilson: They can be altered.

The MINISTER FOR MINES: So could an Act of Parliament. The opposition to the clause was exactly the same as that presented to all the provisions of a Bill of this nature. The gloomy predictions we had heard as to the effect it was going to have on the industry would not be fulfilled. Under all this harassing legislation we heard so much about, there was a higher state of efficiency in the mines to-day and a greater production than ever before.

Hon. Frank Wilson: But this is not passed yet. They are working under our Act to-day.

The MINISTER FOR MINES: The same things had been said about many other Bills, but the predictions had not come true, and neither would they come true in regard to this Bill.

Mr. HARPER: The expert opinions of Mr. Greenar and Mr. Crabbe should be observed and supported by the Committee, and should not be treated in a light manner. He was in agreement with the member for Menzies (Mr. Mullany) in regard to the height of stopes where it was possible for filling in to be carried out. He hoped to see provision made for safeguarding those conditions when filling in was not obtainable. The Premier and the Minister for Mines had declared that timber could be substituted for filling in, but reference to the clause would show that there was no such discretionary power. The clause clearly set out that filling in must be adopted.

The Minister for Mines: No, it says "When the method of filling in is adopted."

Mr. HARPER: It was clearly set out that the filling in must be of sand, earth, broken ore, and other like material. In plenty of places there was no filling to be had, and in many instances there was no necessity for filling in. It would be a great pity to lay down a hard and fast rule. The Minister had stated that the Governor-in-Council could alter these conditions. That might be difficult to do, and other members of the Cabinet might be of the same opinion as the Minister, in which case there would not be much chance of the Governor-in-Council making any alteration. As one wanting to see the industry continue and to give it every encouragement, he thought that the rule should not be embodied in the Bill.

The MINISTER FOR MINES: Although the leader of the Opposition had assured the Committee that he had had a large experience of mines, one failed to see any evidence that he had profited by his experience, whilst if the member for Pingelly, who had had experience, had spoken with the fullest measure of candour, he would have assured the Committee that until very recently no necessity had ever arisen in any other part of

the Commonwealth for a provision to limit the height of stopes. The height to which stopes were carried on the Kalgoorlie field and elsewhere in Western Australia was entirely an innovation, and a form of stoping ore which had not been pursued, and so far as his information went, was not being pursued in the mining centres of the Eastern States. He had had a considerable experience, not only of gold-mining centres, but also of metalliferous mines in which the lodes were usually larger than in gold mines, and where enormous quantities of ore had to be mined week by week in order that any profit at all might be realised, and in none of those centres had he ever seen stoping carried on as it was at the present time on the big mines of the Eastern goldfields. The invariable practice pursued was to have the floor of the working stope within easy reach of the back that was being worked, and it was also the invariable practice, even on mines where the margin of profit was very small, as it was in many copper and silver mining propositions, to have the passages carried right through to the surface, and to have them at such convenient distances apart that when the filling was put into the stopes the edges of the two heaps would meet; when this was done it was only a matter of shovelling at the most for two shifts to level the filling, and then have the back within easy working distance again. This meant that always the miners were in a position to take the fullest precautions to see that their lives or limbs were not endangered by loose ground, and it also meant infinitely greater facility in working and infinitely greater economy in the actual cost of taking out the ore.

Mr. Harper: Do you think the managers would adopt that from an economical point of view.

The MINISTER FOR LANDS: The fact remains that it was a reproach to them, and to-day where there was something like equality of other considerations and factors, the costs were lower where the working face was conveniently placed for the miners, as compared with those

mines where the stopes were carried up to such great heights as was done at the present time on the Eastern goldfields. It was also regrettably true in connection with this innovation, that it had gone hand in hand with an increasing callousness on the part of those in charge of these mining operations, so far as the health and interests of the employees were concerned. There had been a time when those accidents were regarded with the very gravest concern. He had known on the fields he had mentioned of a mine being stopped at least for a shift when a man was killed, but to-day, when a fatal accident occurred it was merely a question of removing the body, and the wheels continued to turn and the work went on just the same. There was not the same contact between those in control, and those employed, and that helped to breed an absolute callousness which was responsible for this disregard of the lives of the workers in this fad for working stopes at an extreme height. The greater cost in working stopes to these heights could not be gainsaid. One, no matter how inexperienced, had only to enter one of these great caverns, and note how dimly lighted they were to realise how much more difficult it was for the miners to conserve their health where a back which had just been fired was 30 feet or 40 feet above their heads. Even if sufficient time was given to examine the back prior to men working underneath, it meant that high stages had to be raised and the risk was greater for the men examining the face when they had to mount on ladders and examine the back with the aid of a candle on the end of a scraper 10 feet long; whereas if a stope was properly worked, as under reasonable and decent conditions of mining, it meant that the back was always within easy reach and could be properly and comfortably examined before the miners were called upon to work underneath.

Hon. Frank Wilson: Are they not reasonably worked now under the inspectors?

The MINISTER FOR LANDS: The inspectors were not able to ensure proper protection.

Hon. Frank Wilson: They have the power.

The MINISTER FOR LANDS: They might have the power to say that the back should be examined, but if the hon. member had sufficient interest to examine one of these big stopes he would realise that it was almost impossible for any one to carry out a thorough examination of the back of the stope. Even if one raised a stage he could only examine one portion, or if he wanted to examine more he had to drag the stage over the whole of the stope before the back could be examined, and managers were too impatient—

Hon. Frank Wilson: It costs too much to work the stopes to that height and they do not do it.

The MINISTER FOR LANDS: It did cost too much for a proper examination, and that was why the objection was raised to this system. It was not only dangerous, but it was uneconomical, and in the interests, not only of the miners, but also of the good fame of our managers, we should prevent that sort of thing in future. The member for Pingelly argued that the Bill made no provision for stopes which were worked by timbering. The rule read, "When stoping is carried on by any method by which the excavated ground is filled with waste rock, etcetera," certain conditions should be observed. This had no reference to stoping carried on by means of, say, the square-set system, and, therefore, the objection of the hon. member fell to the ground. Further, the general objection that this provision was altogether too hide-bound, and made no provision for exceptional cases, was set at naught by the fact that in Subclause 3 of Clause 4 it was enacted that the Governor might from time to time exempt from the operation of this measure or any of its provisions, any mine or class of mines for such period and on such conditions as he might think fit. In those circumstances the proposal was an entirely reasonable one. It made provision for a safe system of working stopes which not only helped to secure the lives of the workers, but was also economical from the point of view of securing the best results in mining operations, and further allowance was made for an extreme set of circumstances where

this rule might impose a hardship by the general provision in Clause 4 which he had just referred to. What else was wanted by anybody, other than the leader of the Opposition, who desired to raise extravagant objections to the measure and to build up a fine frenzy of protest against legislation which he said was going to ruin or imperil the mining industry? This provision had been put into force in other countries where they were more regardful of the interests of miners, and the disastrous consequences predicted by the hon. member had not accrued. From his knowledge and experience of the industry he was convinced that a provision such as this, instead of doing damage to the industry, would certainly be a very great advantage to it.

Hon. FRANK WILSON: The Minister for Lands spoke from practical experience; he, of course, did not. The Minister for Lands had worked for a month or two in a mine; he had been connected with mining since he was a boy. While not professing to be infallible, he preferred the opinions of members of the Chamber of Mines who were acknowledged experts throughout the world. In addition to those gentlemen he much preferred to take the reports of the inspectors whom he had quoted. The inspectors were not paid to carry out the dreams and fancies of a man who was an expert miner, and was then pitchforked into the Lands Department to be an expert farmer, and who knew as much about mining as about farming—very little indeed. He apologised for having to reply to the personal attacks and innuendoes of the Minister for Lands, but he would always take the opportunity to defend himself, whatever Ministers thought, and to defend any acts of administration during his occupancy of the Treasury benches. The Minister for Lands had left his agricultural pursuits for a few minutes to dash into the arena and discuss a technical question, and we had the extraordinary argument advanced in favour of this clause that the Governor-in-Council could at any time exempt any portion of the State or any

mine from the operations of the measure. The Government of the day really constituted the Governor-in-Council and we were asked to pass all manner of impossible conditions which he had proved over and over again would be detrimental to the industry. He did not want them to exempt mines, but to pass sensible legislation with sensible conditions and leave the rest to regulations, which they would be fully empowered to impose with regard to the height of stopes. Why put it in the measure? He took no exception to the Government trying their experiments by regulation, for then as soon as it was proved that their experiments were futile, they had only to pass a minute in Cabinet and put it through Executive Council to have the thing altered, but it would be impossible to alter an Act of Parliament until the Government again met Parliament and hon. members ought to know that it was easier to pass legislation than to amend it. Why should the Minister for Lands lecture him? Why should that Minister say he had no knowledge on the subject when, on the other hand, he was accused of consorting with members of the Chamber of Mines and of having had this information pumped into him. If that was so, he ought to have some knowledge.

The Minister for Lands : I did not say a word about the Chamber of Mines.

Hon. FRANK WILSON : The Minister for Mines had done so, and the Minister for Lands had backed him up. His information had come from the fountain head. Should he have gone to the Minister for Lands on a question of mining when he could go to experts who had proved themselves in other parts of the world and were acknowledged to be in the van so far as this profession was concerned? We had the best skill, the best expert knowledge, and the best and most up-to-date system—

The Premier : We have the best miners and they ought to be considered.

Hon. FRANK WILSON : That was so, but why was the Premier chipping in? The Minister for Lands had been discussing stopes when he ought to have

been discussing turnips and now the Premier notwithstanding that he had received a drubbing half an hour before, had come along for a second edition. The whole thing was becoming a farce ; it was a travesty. Hon. members were simply playing up to the Trades Hall to whom they were beholden for their existence, and he objected to it. Let them consider the matter in a reasonable way. Was it necessary to legislate by a hard and fast provision for the height of stopes?

Mr. Munsie : Yes.

Hon. FRANK WILSON : Would it not be better to do it by regulation, or better still to leave it to the discretion of the expert inspectors of the Government? The whole of the expert evidence showed that this was a fit and proper thing to leave in the hands of the inspectors who had power under the Act to enforce their commands. That being so, we ought not to behave foolishly by passing the subelause.

Mr. MUNSIE : With the leader of the Opposition, he agreed that it was time to be serious. The hon. member had again instanced the fatal accident in the Kalgurli mine where the back of the stope was only four feet high. Once more he would like to direct attention to the report of the Mines Department which contained a list of accidents in mines for the years 1911 and 1912. He would pit his knowledge gained by practical experience against the information and knowledge of the leader of the Opposition in the statement that the majority of fatal and serious accidents caused by falls of ground had occurred in high stopes. Owing to falls of ground there were 12 fatal accidents and 42 serious accidents in 1911, and 14 fatal accidents and 62 serious accidents in 1912. The term "serious accident" meant that the victims had been incapacitated for more than two weeks. This was sufficient to show that steps should be taken to remedy the existing state of affairs.

Hon. Frank Wilson : This clause will not do it.

Mr. MUNSIE: In his opinion it would.

The Premier: It will minimise it, anyhow.

Mr. MUNSIE: No legislation could prevent accidents in mines, but this measure would go a long way towards minimising the number. In the report from which he had quoted, under the heading "miscellaneous underground" the number of accidents was three fatal and 291 serious in 1911, and seven fatal and 284 serious in 1912. A diagram was given showing the proportion of accidents from 1894 to 1912 caused by falls of ground, and it would be seen that this was the cause of most of the underground fatalities. The statement that the limiting of the height of stopes would cripple or ruin the industry was absurd. It would be to the interest of the State to work stopes at a lesser height than 15 feet. The necessity for limiting the height of stopes had arisen through the adoption of the shrinking system. Until that system became fairly popular, stopes were not worked to the height they were at present, but since the introduction of the shrinking system the height of stopes worked under other systems had also been increased. The argument of the leader of the Opposition that this measure would prevent miners from working in the bad ground at the back of a stope, was stupid.

Hon. Frank Wilson: Then why pass stupid legislation?

Mr. MUNSIE: It was the argument of the leader of the Opposition that was stupid. If the hon. member had had any practical knowledge of the conditions of the industry, he would have known that in many instances where stopes were 15 feet or more than 15 feet high, it was almost a matter of impossibility for men to work in the bad ground. He trusted that the subclause would be passed. If it was, he was prepared to predict that it would not have the detrimental effect supposed by the leader of the Opposition and the hon. member for Pingelly; but if the mine managers and the Chamber of Mines generally treated the proposition as it should be treated, they would

soon discover, or within 12 months they would discover, that it had been to the interests of the companies and the shareholders themselves that legislation such as this had been placed on the statute-book. He was positive it would be to the great advantage of employees in the industry, who deserved more consideration than the shareholders or the mine managers.

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

Ayes	..	..	..	8
Noes	..	..	..	23

Majority against .. 15

AYES.

Mr. Allen	Mr. Mitchell
Mr. Harper	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
	(Teller.)

NOES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Mullaoy
Mr. Bolton	Mr. Munsie
Mr. Carpenter	Mr. O'Loughlen
Mr. Collier	Mr. Scaddan
Mr. Dwyer	Mr. B. J. Stubbs
Mr. Foley	Mr. Swan
Mr. Green	Mr. Thomas
Mr. Hudson	Mr. Turvey
Mr. Lander	Mr. Underwood
Mr. Lewis	Mr. Heltmann
Mr. McDonald	(Teller.)

Amendment thus negatived.

Mr. HARPER: It was his wish to give his opinion upon Subclause 12, as he considered he knew something about it. The timbering of a shaft depended entirely upon the conditions of the ground. For instance, the winze might be classed as a shaft, an underlay shaft, and the timber there would mean a very great expense. This subclause was unnecessary. In relation to a shaft where hard ground had to be worked it was quite impossible, as the shaft would be more dangerous timbered than otherwise. The wording of the subclause was absurd. The proposal was quite unnecessary and should not be enforced. It was quite useless for any member on the Opposi-

tion side of the House, however, to make a suggestion, as the Minister for Mines had a brutal majority to carry him through, whether what he proposed was right or wrong.

Mr. Heitmann: Is it true that the Chamber of Mines will make you the next Minister?

Mr. HARPER: The hon. member for Cue would never be anything and was lucky to be where he was now. We wanted to make this Bill as workable as possible, and as practicable as possible.

The Premier: What is your amendment?

Mr. HARPER: This subclause should be deleted: it was absolutely superfluous; it was not a subclause which should be enforced. The timbering of a shaft of this description meant a very great expense and in many cases it was not required. The whole thing depended entirely on the condition and nature of the ground, and every hon. member present who knew anything about mining was aware of that fact.

Hon. FRANK WILSON moved an amendment—

That in line 4 of Subclause 13 the word "forty" be struck out and "sixty" inserted in lieu.

Progress reported.

BILL—SUPPLY (TEMPORARY ADVANCES), £223,145.

Standing Orders Suspension.

The PREMIER (Hon. J. Scaddan) moved—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committees of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also to admit of the passing of a Supply Bill through all its stages in one day.

Question passed.

Message.

Message from the Governor received and read recommending appropriation for the purpose of the Bill.

In Committee of Supply.

The House having resolved into Committee of Supply, Mr. Holman in the Chair,

The PREMIER (Hon. J. Scaddan) moved—

That there be granted to His Majesty for the temporary advances to be made by the Colonial Treasurer a sum not exceeding £223,115.

It is really only necessary to explain that without such a Bill the Treasurer has no authority to draw from the Public Account for the purpose of making advances to departments to enable them to carry on their various works. This is a system which was adopted on the advice chiefly of the Auditor General, and I regret to have to admit at once that it was overlooked to some extent this year. The Bill should have been introduced much earlier in the session, but as soon as my attention was drawn to the matter, I immediately made arrangements for the Bill to be drafted so that it might be submitted to Parliament without further delay. I might explain that we have no right to draw from the Public Account without authority, and it is necessary each year to obtain the consent of Parliament so that the Treasurer may draw from the public accounts and make these temporary advances to the departments, and they are brought into account at the end of the financial year, when fresh advances are again made. This Bill does not mean the authorisation of any expenditure. It is merely the authorisation of advances.

Hon. FRANK WILSON: Before agreeing to the motion I should like the Premier to explain some of the items which appear in the schedule of the Bill. I notice there is an item of £70,000 for expenditure advances. I suppose that is for departmental advances. The Premier I expect has the information which he can make available. I do not object to

the course taken, but if the Premier will give us the information it will facilitate the passage of the Bill subsequently. We are aware that this course was not pursued in past years. Last year was the first occasion when we had a Bill of this description brought down. There cannot be the slightest objection to supplying the information. The Premier might explain the main items of the schedule, and then we need not discuss the schedule at a later stage.

The PREMIER: I could not if I desired explain to the hon. member how this money is expended. As a matter of fact it need not be expended at all. The hon. member will know that on the first day of the session we submitted and passed a Supply Bill for £1,324,000 and that that was the authority given to the Treasurer to spend the money in the same direction as it was expended during last year. The supply which was obtained was based on the previous year's expenditure for the same period, but the authority I require is to make these advances for a period of twelve months. These amounts are paid into the various accounts in the banks, where the departments operate; in other words, we are merely placing funds at their disposal. The money is spent by imprest on the Treasury, and it is by authority of the Supply Bill previously passed. The item referred to by the hon. member—Expenditure Advances—is largely in connection with public works. Hon. members are aware that a large sum must always be available because there are so many accounts to be paid—and it sometimes takes at least a month before the imprest is forwarded to the Treasury—otherwise we would be overdrawing the accounts. We get as near as possible to the amount we require each month. They spend more than that it is true, but in cases where they can get vouchers to the Treasury the account can be recouped, and we give them the money to carry on. As I have said, this is merely an authority to draw on the Public Account, which embrace Consolidated Revenue, Loan and Trust funds, and to place in the branches of the various banks an amount which the departments can operate.

Hon. FRANK WILSON: I understand that this is an amount of £223,145 which the Treasurer takes from his Treasury account and places to the credit of the departments. He hands the money over to officers who are authorised to pay in the different departments. Any payments made against these advances will go into the current account each month.

The Premier: That is so.

Hon. FRANK WILSON: I would like to know something about the items State Steamship Service Orders £6,000, Trans-Australian Railway Sleepers Suspense £13,000, and Purchase of Stock and Equipment Yandanooka Estate £2,430.

The PREMIER: With regard to the State Steamship Service, that is an order to permit that service to draw large cheques at times against orders which will be honoured by the bank in lieu of having a large sum of money drawn from the public accounts made available to them at the Fremantle branch of the bank. They merely operate on an order instead of a cash account which is to our advantage.

Hon. Frank Wilson: An overdraft at the Fremantle Bank.

The PREMIER: That is really what it means. The bank will honour the cheque and we will make the money available by arrangement with the head office up to an amount of £6,000, but we must have authority to take it from the Public Account in the event of the order reaching that amount. With regard to the Trans-Australian Railway Sleepers Suspense £13,000, that deals with the advance payments made to the men for hewing sleepers, which is not recouped until the Commonwealth repay us; therefore they too must have an amount from which to draw. The same thing applies to the purchase of stock and the equipment of the Yandanooka estate.

Hon. Frank Wilson: Is that stock for the butchers' shops?

The PREMIER: Yes.

Hon. Frank Wilson: And is Stock Suspense £4,000 in connection with the butchers' shops?

The PREMIER: One is in connection with cattle for the meat stalls, and the other is for horses.

The Minister for Lands: The Stock Department buy all the horses for the various departments.

The PREMIER: In lieu of the various departments buying horses which may be required, this is now done through the Stock Department. When a department has used a horse for a certain period and has no further need for it, that horse is returned to the Stock Department, and they supply it to another department that may require it. The Stock Department therefore must have an account to operate.

Question put and passed.

Resolution reported; and the report adopted.

Committee of Ways and Means.

The House having resolved into Committee of Ways and Means, Mr. Holman in the Chair,

The PREMIER (Hon. J. Scaddan) moved—

That towards making good the Supply granted to His Majesty a sum not exceeding £223,145 be granted from the Public Account.

Question passed.

Resolution reported; and the report adopted.

Supply Bill introduced, etc.

In accordance with the foregoing resolutions Supply Bill introduced, passed through all its stages, and transmitted to the Legislative Council.

House adjourned at 10.32 p.m.

Legislative Council,

Tuesday, 23rd September, 1913.

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

PAPERS PRESENTED.

By the Colonial Secretary: Regulations, forms, and specimen account books, and directions for keeping same, in connection with roads boards.

PROPORTIONAL REPRESENTATION.

The COLONIAL SECRETARY (Hon. J. M. Drew): Last week the Hon. D. G. Gawler asked a question as to when the report of the Chief Electoral Officer in connection with proportional representation would be laid on the Table of the House. There is only one spare copy and that has been in Cabinet, but I got the permission of the Premier to bring it away for about a fortnight as the subject would not come up for discussion until about a fortnight's time. I will not officially place it on the Table of the House, but will leave it here so that hon. members can peruse it.

Hon. D. G. Gawler: Can you not have it printed straight away?

The COLONIAL SECRETARY: It would cost a tidy sum to print.

Hon. D. G. Gawler: You do intend to have it printed?

The COLONIAL SECRETARY: Not straight away, in view of the voluminous nature of the document. However, that matter will doubtless come up for consideration. In the meantime hon. members will know where to find the report.