

## Legislative Assembly,

Friday, 7th February, 1902.

Papers Presented—Question: Redistribution of Seats, to arrange for Bill—Question: Water Supply, Meekatharra—Question: Cue-Nannine Railway, Rails—Question: Italian Immigrants—Question: Supreme Court Buildings, Stone or Stucco—Question: State Mining Engineer—Appropriation Bill, Postponement—Criminal Code Bill, Legislative Council's Amendments—Public Works Committee Bill, in Committee (resumed), reported—Coal Mines Regulation Bill, in Committee (resumed), progress—Adjournment.

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

### PRAYERS.

### PAPERS PRESENTED.

By the PREMIER: 1, Report and By-laws of Karrakatta Cemetery Board. 2, Karridale Cemetery By-laws. 3, Statement of Receipts and Expenditure of Trustees of Fremantle Cemetery.

By the MINISTER FOR RAILWAYS: 1, Cost of Railway Sidings for use of mill-owners on S.W. Railway (ordered 22nd January). 2, Papers re punishment of Railway Officials at Burswood Station (ordered 15th January).

Ordered: To lie on the table.

### QUESTION—REDISTRIBUTION OF SEATS, TO ARRANGE FOR BILL.

MR. R. HASTIE asked the Premier: Whether it is the intention of the Government to propose the appointment of a joint select committee, or to appoint a commission, to arrange a scheme of redistribution of seats for the consideration of the next session of Parliament.

THE PREMIER (Hon. G. Leake) replied: This suggestion would in all probability be carried out, and the Cabinet would finally determine in a few days.

### QUESTION—WATER SUPPLY, MEEKATHARRA.

MR. J. B. HOLMAN asked the Minister for Works: 1, Whether he is aware that men from the Water Supply Works, with a boring plant, have been idle at Meekatharra for some weeks. 2, What is, or was, the cause of the delay in starting the boring operations. 3, Whether he will push forward this work and

endeavour to secure a suitable supply of water for Meekatharra, as soon as possible.

THE MINISTER FOR WORKS (Hon. C. H. Rason) replied: 1, A boring plant is there in anticipation of work being required almost immediately. There are probably some men waiting, but they are not on pay. 2, Negotiations pending as to method of operating. 3, Yes; instructions will be issued immediately.

### QUESTION—CUE-NANNINE RAILWAY, RAILS.

MR. HOLMAN asked the Minister for Works: 1, Whether he will have an immediate inquiry made to ascertain whether the rails being taken from the Southern Cross railway line, and intended for the Cue-Nannine line, are unfit to be relaid. 2, If so, whether he will make provision to obtain the rails required for this work at once.

THE MINISTER FOR WORKS replied: 1, and 2, Inquiry has already been made, and it has been found that the rails will be fit for relaying.

### QUESTION—ITALIAN IMMIGRANTS.

MR. HOLMAN asked the Premier: 1, Whether he has made an official communication to the Federal Prime Minister as to the influx of undesirable aliens into this State. 2, If not, whether it is his intention to do so. 3, Whether he will (seeing that it is alleged that attempts are being made to introduce Italians into this State under contract), as far as possible endeavour to have every inquiry made and precaution taken to prevent the landing of any undesirable alien into this State.

THE PREMIER replied: 1 and 2, Yes; in answer to an official letter from the Prime Minister. 3, Inquiries have been made and the shipping companies communicated with. From the representative of the Orient Company the Government have received the following memorandum:—

For the months of November and December, 1901, and January, 1902, 208 Italians and other third-class foreigners were landed at Fremantle. For the similar period the year previous, 200 were landed. The increase is therefore very slight. Compared with former periods far fewer are landing. During last

year between 600 and 700 reached the colony, and of these about 20 per cent. returned to Europe. The net increase of foreigners in 1900 was therefore about 520, as against an increase of 12,000 in the population of the colony. In former years considerable numbers were imported through Mr. Vanzetti, who has now left the colony. It is certain that if any numbers were now coming in under contract we should be approached for concessions in passage money, as Vanzetti approached us. No requests of this nature have been made. Following an interview with the Minister in June, 1901, instructions were sent to all the Mediterranean agents to ascertain (as far as it was possible to do so) before booking any foreigners, if they came out under contract, or if their passage was paid by any employer; in either of which cases they were to be refused. These instructions are still being carried out. I was present throughout the examination of 30 Italians on the "Ophir" yesterday. The account each gave of himself was similar to what an English immigrant would give. Most of them had relatives in the colony to whom they were going. The places indicated were in different parts of the goldfields. With the exception of two they all had money—from £2 to £10 each man—to provide for immediate necessities. Some were returning to the colony after a visit to Italy, and in regard to all of them it was clear, after a most searching examination, they had no understanding or contract to work at any rate of wages whatever. Some had assurance of work from relatives; others had come on chance. I see it stated that this class of man is indigent. As stated above, of the 30 above referred to all had money except two, and these two I gave a bond to the Customs for. The police inform me that none of the Italians arriving become a burden on the State. Experience on board ship of these passengers is that they are a quiet and well conducted class of men—sober above the average of third-class passengers.

#### QUESTION—SUPREME COURT BUILDINGS, STONE OR STUCCO.

MR. HASTIE (for Mr. Johnson) asked the Minister for Works: 1, Whether the Works Department have arranged that a rebate be made by the contractors for the Supreme Court buildings in return for those contractors being allowed to use "stucco" in place of stone. 2, If so, how much.

THE MINISTER FOR WORKS replied: 1, Yes. 2 (a) Not less than £5,420 in any case, but subject to precise adjustment under schedule and the general conditions. (b) Rebate of six months in time of completion also included.

#### QUESTION—STATE MINING ENGINEER.

MR. A. E. THOMAS asked the Minister for Mines: 1, Whether it is his intention to invite public applications for the position of State Mining Engineer. 2, Whether he will change the name of this officer to Chief Mining Inspector or Assistant to Minister.

THE MINISTER FOR MINES (Hon. H. Gregory) replied: 1, Yes. 2, No.

#### APPROPRIATION BILL.

##### POSTPONEMENT.

Order read, for second reading of the Bill.

THE TREASURER (Hon. F. Illingworth): Strenuous efforts had been made to get the Bill printed in time to lay on the table, but without success. He moved that the Order of the Day be postponed till the next sitting.

Motion put and passed, and the order postponed.

#### CRIMINAL CODE BILL.

##### LEGISLATIVE COUNCIL'S AMENDMENTS.

Schedule of 15 amendments made by the Council now considered, in Committee.

MR. W. F. SAYER moved that the amendments made by the Legislative Council be agreed to.

Put and passed.

Resolution reported, and the report adopted.

#### PUBLIC WORKS COMMITTEE BILL.

##### IN COMMITTEE.

Resumed from 17th October.

Clause 17—No work of which the estimated cost exceeds £5,000 to be carried out unless first referred:

THE MINISTER FOR RAILWAYS (Hon. W. Kingsmill): When the Bill was before the Committee on the last occasion, the question arose as to whether the cost of the work to be submitted was high enough. He had made inquiries, and found that for the past five years the works and buildings which had been carried out, costing between £5,000 and £7,500 exclusive of works under the heading of additions and improvements to opened lines, numbered 43; that the works costing between £7,500 and £10,000 during the same period numbered

17; and that the works costing over £10,000 for the same period numbered no less than 74. Having regard to these facts, he moved that in line 2 the word "five" be struck out and "ten" inserted in lieu.

**MR. HASTIE:** What was the usual custom in other countries in this respect? What was the reason the amount should be raised from £5,000 to £10,000? It was giving power to the department to carry out works on their own account.

**THE MINISTER FOR RAILWAYS:** Five thousand pounds was an exceedingly low limit. Both in New South Wales and Victoria the amount above which works were referred to the Works Committee was £20,000. Taking into consideration the smaller cost of works in this country and the smaller scope of the works it was decided to make a tentative provision of £5,000, but having regard to the facts which he had produced, he thought £10,000 would meet the requirements of the State. Parliament could not ask the Works Committee to sit every day of the week, which they would have to do if the sum was fixed at £5,000.

Amendment put and passed, and the clause as amended agreed to.

Clauses 18 and 19—agreed to.

Clause 20—Remuneration of Committee:

**THE MINISTER FOR RAILWAYS:** This was another clause which he might describe as tentative. The remuneration set forth was smaller than was paid in other States, but personally he had no wish to raise the amount. On the second reading of the Bill some difference of opinion was expressed about the amount of payment. He was prepared to take the sense of the Committee on this matter, although he was inclined to let the amount, as fixed in the Bill, stand. Sub-clause (c.) he proposed to amend. A difference was drawn between the travelling expenses of the chairman and that for other members. It was not right; therefore he intended to move an amendment to make the travelling expenses of all alike.

**MR. M. H. JACOBY:** A member of the Works Committee who lived a considerable distance away, and who had to attend a meeting of the committee in answer to summons, might find there was

no quorum present, and as a consequence would not be entitled to receive the fee. He suggested that in line 6 the words "at which a quorum is present" be struck out.

**THE MINISTER FOR RAILWAYS:** This was not a desirable amendment to make. The sub-clause practically contained the same rule which guided all meetings of this sort.

**MR. JACOBY:** There was no desire to press his suggested amendment, but the provision struck him as unfair.

**MR. HASTIE:** When discussing the Bill on the second reading and previously in Committee of the House, several members thought the remuneration provided was too small, and that seemed to be the general feeling of members. He would like provision to be made so that we could get on the Works Committee absolutely the best men available.

**MR. W. D. JOHNSON:** The remuneration was altogether too small. We wanted the best services of the best men. He moved that the word "one" in paragraph (a) be struck out with a view of inserting "two."

**THE MINISTER FOR RAILWAYS:** One objection to the amendment was that the amount destroyed the symmetry of the sum, because £2 11s. 6d. was a peculiar amount.

**MR. TAYLOR:** Make it two guineas all round.

**THE MINISTER FOR RAILWAYS:** There was a good deal of danger in increasing the remuneration of this board, and he did not want to see it done. He would ask members not to increase the amount beyond two guineas for the chairman, and £1 11s. 6d. for the other members.

**MR. TAYLOR:** Presumably, the members of the Works Committee would be members of Parliament. Hon. members were now receiving £200 a year, and members of the Works Committee would be getting paid better for the work done on that Committee than for Parliamentary duties.

**THE MINISTER FOR RAILWAYS:** Owing to the smaller amount as compared with other States, namely, £10,000 as against £20,000, this Works Committee would necessarily have more works to consider, and therefore more days on which to sit. Moreover, many members

sat for days and days on select committees, and did not get anything for it. He did not consider the remuneration in the Bill any too little.

MR. TAYLOR: Members had only to be present two hours for a meeting to constitute a sitting.

MR. JOHNSON, after the expression of opinion given, asked leave to withdraw his amendment.

Amendment by leave withdrawn.

MR. A. E. THOMAS: The Minister was understood to say he would be agreeable to pay two guineas, and a guinea and a half.

THE MINISTER FOR RAILWAYS: If members insisted, he would accept that; but he did not wish it. He moved that the word "chairman," in the first line of paragraph (c), be struck out, and "members of the Committee" inserted in lieu.

Put and passed.

THE MINISTER FOR RAILWAYS farther moved that all words after "Crown," in paragraph (c), be struck out.

Put and passed, and the clause as amended agreed to.

Clauses 21 to 23, inclusive—agreed to.

Schedule and title—agreed to,

Bill reported with amendments, and the report adopted.

## COAL MINES REGULATION BILL.

### IN COMMITTEE.

Consideration resumed from the previous Wednesday.

Clause 34—Penalty on unqualified person taking charge of machinery:

MR. J. RESIDE: One would like to ask whether a certificate under this Bill would be equivalent to one under the Mines Act.

THE MINISTER FOR MINES (Hon. H. Gregory): It would be the same as under the Mines Regulation Act, with the exception that a person who might apply for a certificate would have to show that he had been in charge of some engine for twelve months prior to the passing of this measure, and there were very few in the State—he should say none—without a certificate who had been in charge of a steam engine for 12 months, because, had they been, they would have been acting contrary to the Mines Regulation Act.

MR. RESIDE: An endeavour was made by him to get Clause 32 amended, but it failed. He did that, not so much to protect the engine-drivers as the lives of the miners, and he was surprised mining representatives opposed him. Men should not be allowed to go down coal mines and get a certificate which they would not be able to obtain under the Gold Mines Act. He objected to men getting certificates under the Coal Mines Bill, and then driving engines on gold mines.

MR. TAYLOR: Were the conditions of driving down coal mines much the same as those of driving down a gold mine?

MR. J. EWING (in charge of the Bill): The same exactly.

Clause put and passed.

Clause 34—agreed to.

Clause 35—Penalty on unqualified person taking charge of machinery:

THE MINISTER FOR MINES moved that in line 7, after the word "boards," the following be inserted: "his certificate may be cancelled by the Governor or." Without this amendment the Bill would provide no penalty. Power of cancellation ought to exist.

MR. RESIDE: Experience had shown that this amendment was necessary. The board of examiners on recommending cancellation in various cases had found that the power to cancel vested in neither the Minister nor the Governor in Council.

Amendment put and passed, and the clause as amended agreed to.

Clause 36—Person having charge of machinery, etc., without certificate:

MR. THOMAS moved that Sub-clause (b) be struck out. Sub-clause (a) rightly provided that anyone in charge of winding machinery, in connection with which men's lives were concerned, should hold a first-class certificate. Under Sub-clause (b), engine-drivers holding second-class certificates could, apparently, be put in charge of sinking pumps and boring machines alone. This was unreasonable. There were many other classes of machinery which holders of second-class certificates might safely take charge of, human life not being at stake. Mine managers might be trusted to see that men in charge of valuable machinery were competent.

**MR. EWING:** A careful perusal of the whole clause would show the hon. member that a certificated engine-driver could have charge of machinery of various kinds, with oilers and cleaners under him.

**MR. RESIDE:** The member for Dundas (Mr. Thomas) contended that mine managers might be trusted to see that only qualified persons were placed in charge of machinery. Why, then, should the hon. member object to Sub-clause (b)? The real reason of the hon. member's opposition to the sub-clause was that certain people connected with the Kalgoorlie Chamber of Mines were desirous of engaging men at a lower rate of wages than that paid to certificated engine-drivers.

**THE MINISTER FOR MINES:** Sub-clause (a) specially provided that men in charge of machinery in connection with which life might be at stake should hold first-class certificates. Sub-clause (b) provided, practically, that engine-drivers in charge of other classes of machinery, in connection with which life was not at stake, must hold second-class certificates. Holders of second-class certificates, on becoming thoroughly proficient, were granted first-class certificates. It was the duty of the engine-driver and not of the oiler to see that engines and boilers were properly cared for. There was, perhaps, some force in objecting to the restriction regarding machinery driven by electricity, since the average engine-driver could not have any great knowledge of electrical arrangements. Men in charge of steam engines, however, should be certificated.

**MR. TAYLOR:** If the present Bill related to the gold-mining industry, there would be some reason in the objections of the member for Dundas (Mr. Thomas); but the measure dealt with coal-mining. A man working a rock-drill—

**MR. RESIDE:** Men working rock-drills were exempt under both the Gold Mines Regulations Act and this Bill.

**MR. TAYLOR:** Anyhow, a rock-drill was not a boring machine, and was not used in connection with coal-mining.

**MR. RESIDE:** Nonsense!

**MR. THOMAS:** No mine manager having control of valuable machinery would be so foolish as to place it under the care of an incompetent man. Ninety-ninths of the engine-drivers holding first

or second-class certificates had a knowledge of steam engines alone. He would be very sorry to put such men in charge of any machinery worked by water, air, gas, oil, or electricity. Mine managers with electrical machinery, for instance, should be allowed to go outside the ranks of certificated engine-drivers to secure competent men.

**MR. TAYLOR:** This clause was necessary in order to prevent employers from engaging engine-drivers who had not proved their competency before a board of examiners. This had been made plainly apparent in connection with the gold-mining industry: mine managers were frequently brought before the Warden's Court for employing uncertificated engine-drivers. The risk of prosecution under such circumstances was what the member for Dundas was seeking to evade.

**MR. THOMAS:** Certainly not.

Amendment (to strike out the Sub-clause) put and negatived.

**MR. THOMAS** moved that in Sub-clause (b), lines 4 and 5, the words "water, air, gas, oil, or electricity, or any two or more of them" be struck out.

**MR. EWING:** If this amendment were passed, the whole sub-clause might as well be struck out.

**MR. THOMAS:** No; the word "steam" would remain.

**MR. EWING:** Electricity was already used in connection with coal-mining at Collie.

**MR. THOMAS:** Could the hon. member find in a hundred certificated engine-drivers one competent to take charge of electrical machinery?

**MR. RESIDE:** The reason why engine-drivers were not examined as to their competency in electrical machinery was that electricity was not in common use on the goldfields. Drivers were, however, examined in regard to other matters than steam engines. The member for Dundas was endeavouring to mutilate the Bill for the purpose of getting cheap labour.

**MR. THOMAS:** The remarks of the hon. member (Mr. Reside) were quite uncalled for, and he protested against them. He had no intention of mutilating the Bill, his only desire being to make it a workable measure. He repudiated the insinuation that his object in moving the excision of the sub-clause was to obtain

cheap labour. The hon. member had uttered nothing but sheer nonsense.

MR. HASTIE: It was not necessary to discuss at great length a Bill affecting a comparatively small industry. [MR. EWING: No.] The principal mining industry was undoubtedly that of gold-mining. It would be very unwise, for the sake of the coal-mining industry as against the gold-mining industry, to alter the regulations under which men were employed to drive engines. Regulations of any kind would, of course, work some hardship. It might be advisable to introduce an amendment providing that engine-drivers should hold a special certificate of competency to drive water, air, gas, oil, or electrical machinery. One could not in every case trust mine managers to get the best men obtainable.

THE MINISTER FOR MINES: Early next session he would bring in a Bill to deal comprehensively with the examination of engine-drivers in all State industries.

Amendment put and negatived.

MR. THOMAS moved that the words "or electricity," in line 4 of Sub-clause (b), be struck out. Electricity was coming into more extensive use in mines, and the Minister's promise made the use of the word here unnecessary.

MR. RESIDE: No. The Minister's announcement made it unnecessary to alter the sub-clause.

Amendment put and negatived.

MR. EWING moved that in the last line but one of the clause the words "and coal-cutting" be inserted between "boring" and "machines."

Put and passed.

MR. THOMAS moved that after "machines" the word "pumps" be inserted.

MR. RESIDE: This would exempt the Cornish lift, the man in charge of which should be fully competent.

MR. EWING: To allow an incompetent man to be in charge of the pumps now worked at Collie would be dangerous to human life.

Amendment put and negatived, and the clause as amended agreed to.

Clause 37—Returns by owner, agent, or manager of mine:

THE MINISTER FOR MINES moved that in line 8, after "shall," the words

"contain such other particulars and" be inserted. The return should contain such particulars as might be desired by the Minister.

Amendment put and passed, and the clause as amended agreed to.

Clause 38—agreed to.

Clause 39—Duties and responsibility of manager:

MR. EWING moved that in line 4, between the word "or" and "registrar," there be inserted, "in the absence of the inspector to the." Then, when the inspector was on the field, the first report would be made to him.

Put and passed, and the clause as amended agreed to.

Clauses 40 and 41—agreed to.

Clause 42—Plan of abandoned mine or seam to be sent to Minister:

THE MINISTER FOR MINES moved that all the words after "plan," in line 10 of Sub-clause (1), be struck out, and "or section shall be on such scale as may be from time to time prescribed by the Minister," inserted in lieu; and that the words "so abandoned" be added to Sub-clause 2.

Amendment put and passed, and the clause as amended agreed to.

Clause 43—Appointment of inspectors of mines:

THE MINISTER FOR MINES moved that after the word "persons," in line 2, "qualified to obtain first-class certificates of competency," be inserted. A person appointed might not have such certificate, but might be qualified to obtain a certificate. For such a case the amendment provided.

Amendment put and passed.

MR. THOMAS moved that Sub-clause 3 be struck out.

Put and passed, and the clause as amended agreed to.

Clause 44—Powers of inspectors:

MR. THOMAS: Was there any provision that the representative of the colliery owners should attend and ask questions?

THE MINISTER FOR MINES: Power was given, he thought.

MR. EWING: It was intended to grant that power.

MR. THOMAS moved that in Sub-clause (g), line 2, after "district" the words "or of an employer" be inserted.

Put and passed, and the clause as amended agreed to.

Clause 45—Notice by inspector of the cause of danger not expressly provided against:

MR. EWING moved that in Sub-clause (2), line 26, the word "shall" be struck out, and "may" inserted in lieu.

MR. THOMAS: There should be some finality in a matter of this kind. If the inspector found fault with the manager and ordered certain work to be done the manager should know whether it had to be done at once.

Amendment put and passed.

MR. EWING moved that in line 27 the second word "may" be struck out, and "shall" inserted in lieu.

Put and passed.

MR. THOMAS: Was any provision made for the costs of the arbitration?

MR. EWING: Yes.

Clause as amended agreed to.

Clause 46—Provision as to arbitration:

THE MINISTER FOR MINES moved that in Sub-clause 16, line 6, the word "Prothonotary" be struck out, and the words "by the proper taxing officer" inserted in lieu.

Put and passed, and the clause as amended agreed to.

Clause 47—Notice of accident to be given to Inspector of Mines:

MR. EWING moved that in line 1, after "mine," the word "personally" be inserted.

Put and passed.

MR. THOMAS: It should be made an offence against the Act if a miner personally knew of an accident and failed or neglected to report it to the manager. He moved that in line 3, after "overman," the words "and any workman who fails to immediately report the same shall be deemed to be guilty of an offence against this Act," be inserted.

Put and passed.

MR. EWING moved that the words "expenses (if any)," in line 3 of para-

graph (d) be struck out, and "conduct money" inserted in lieu.

Put and passed.

THE MINISTER FOR MINES moved that after "mine," in line 6 of paragraph (e), the words "or if the registrar so direct" be inserted.

Put and passed.

MR. EWING moved that paragraph (f) be struck out.

THE MINISTER FOR MINES: This paragraph appeared in the Mines Regulation Act, but when we passed the Workers' Compensation Bill it was decided that this provision should be repealed.

Amendment put and passed, and the clause as amended agreed to.

Clauses 48 to 64, inclusive—agreed to.

Clause 65—Regulations:

THE MINISTER FOR MINES: By Clause 72 power was given to compel owners of coal mines to contribute towards an employees' accident fund a halfpenny per ton on the output of all coal sold. It was his duty to bring the matter before the Committee, because it was introducing a new principle, which, if instituted in regard to our coal mines must also be instituted afterwards with regard to our goldfields. A man working in a gold mine was subject to far greater risk by way of accident than was a person who worked in a coal mine, and yet by this clause the owners of coal mines would be compelled to provide a fund called an accident fund. The Committee should consider whether this provision should be made or not. Paragraph (d), of Clause 65, gave power to make regulations.

MR. EWING: In Northumberland and Yorkshire, in England, there was a permanent relief fund on account of accidents. He believed there was no law in England to compel owners of collieries to subscribe, but for many years past they had voluntarily contributed to what was called a superannuation fund, the amount given by them being 25 per cent. upon the contributions of the miners, and they also paid 50 per cent. upon the amount paid in case of accident. In New South Wales the miners subscribed more liberally than the owners. In Collie there had been in three months 22 accidents, costing the miners upwards of £100.

THE MINISTER FOR MINES moved that paragraph (d) be struck out.

Amendment put and passed, and the clause as amended agreed to.

Clauses 66 to 70, inclusive—agreed to.

Clause 71—Sanitation :

MR. EWING moved that the words "as far as practicable" be added to the clause.

Put and passed, and the clause as amended agreed to.

Clause 72—Coal mines accident relief fund :

MR. THOMAS: This clause represented an innovation, but an innovation which he welcomed. Sub-clause 5 imposed a penalty on mine owners or managers failing to pay their contributions to the accident fund. Was there any provision that the working miners should contribute to the fund?

MR. TAYLOR: Yes; under Sub-clause 2 boys would contribute sixpence, and other employees one shilling, per week.

Clause put and passed.

Clauses 73 to 76, inclusive—agreed to.

Schedule :

On motions by MR. EWING, resolved that in Rule 1, line 13, the word "forty" be struck out and "fifty" inserted in lieu; that in Rule 4, paragraph 1, line 23, "workmen" be struck out and "check inspectors" inserted in lieu; that in Rule 9, all words after "be," in line 1, be struck out and "constructed of a type to be approved by the inspector" be inserted in lieu.

MR. THOMAS: Rule 12, paragraph (b), which forbade the storing of explosives in a mine, would cause unnecessary inconvenience. No danger arose from the storage of explosives in old workings properly secured. In conjunction with paragraph (d), which prohibited a party of workmen from taking down more than one canister at a time from the surface, paragraph (b) would entail a great waste of time.

MR. EWING: To store explosives in a coal mine would be most dangerous. All expert witnesses examined by the select committee on the Bill agreed that the provision was necessary. He moved that

in Rule 12, paragraph (e), line 2, the word "scraper" be struck out.

MR. THOMAS: Why this amendment? Scrapers were made of iron or steel.

MR. EWING: The select committee's report recommended this amendment. The scrapers used at Collie were not made of iron or steel, and were not considered dangerous.

MR. THOMAS: So long as "scraper" here did not mean an iron or steel scraper, he was satisfied. While on this rule, he would like to know what was a "charger" in connection with coal-mining? A tamping rod was certainly needed after the explosives had been put into the hole; yet the rule provided that no iron or steel tool of any description should be used.

MR. EWING: These amendments had been recommended by practical men, and the Committee would be justified in accepting them.

MR. THOMAS: After the hole was bored, how were the explosives to be got in without the use of a tamping rod?

MR. TAYLOR: Tamping rods used in coal-mining were made of copper or wood.

MR. THOMAS: Farther information on this point, and also regarding scrapers, was very necessary.

Amendment put and passed.

MR. NANSON moved that progress be reported.

MR. EWING: This was hardly fair. Could he speak to the motion?

THE CHAIRMAN: A motion that progress be reported could not be spoken to.

Motion put and passed.

Progress reported, and leave given to sit again.

#### ADJOURNMENT.

THE PREMIER moved that the House, at its rising, do adjourn until the next Wednesday.

Question put, and negatived on the voices.

THE PREMIER called for a division.

SEVERAL MEMBERS: The motion was not opposed.

MR. HASTIE rose to a point of order. Was it necessary to have a division when members who had called "No" had expressed themselves as prepared to agree to the motion?

THE SPEAKER: No.



THE PREMIER: There being apparently no opposition to the motion, he withdrew his call for a division.

Motion formally agreed to.

The House adjourned accordingly at 6:30 o'clock, until the next Wednesday.

## Legislative Council,

Tuesday, 11th February, 1902.

Paper Presented—Auditor General's Report: Reasons for Delay—Question: Rabbit Fence, Tendering—Question: Railway Accounts, Audit—Paper (Plan): Kurrawang Company's Tramways, and Forest Reserves—Standing Orders, to Suspend (negatived)—Early Closing Bill, third reading—Workers' Compensation Bill, Recommittal, reported—Kalgoorlie Tramways Act Amendment Bill, third reading—Judges' Pension Bill, in Committee, reported—Industrial Conciliation and Arbitration Bill, Recommittal, reported—Dividend Duty Act Amendment Bill, second reading moved, negatived—Coolgardie Water Supply Loan Reallocation Bill, second reading—Perth Suburban Lots (Subiaco) Exchange Bill, second reading (adjourned)—Wines, Beer, and Spirit Sale Amendment Bill, second reading—Light and Air Bill, Assembly's Amendment—Public Health Act Amendment Bill, second reading (lapsed)—Brands Bill, second reading (moved)—Adjournment.

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

PRAYERS.

PAPER PRESENTED.

By the MINISTER FOR LANDS: Report of trustees of the Karrakatta Cemetery, year ended June, 1901. He stated that the report was ready for audit on the 2nd July, the audit did not begin till the 20th September, and was not completed till the 6th November; so there had been a little delay due to the audit.

Ordered: To lie on the table.

AUDITOR GENERAL'S REPORT:  
REASONS FOR DELAY.

Letter from the Auditor General received and read, as follows:—

7th February, 1902.

To the Hon. the President of the  
Legislative Council.

SIR,—As I understand that Parliament is to be prorogued early next week, and in view of

the fact that my statutory report for the year 1900-1901 is all but completed in the manuscript, as far as it is possible for me to do so, it has occurred to me to be a move in the right direction to address you on the subject, in order that no misapprehension may exist as to the delay in presenting it to Parliament; and in doing so I beg to quote *in extenso* the concluding paragraph thereof:—

“As I have strained every nerve and done all that is possible in my power to compile my statutory reports to Parliament year by year, and have so often dwelt upon the hindrances which I have had to face in this wearisome task, there is very little for me to add by way of explanation as to the delay which is unavoidable and inevitable as far as my responsibility in the matter is concerned. It must be well known that in these days everything is quite colossal, and, as far as my department is able, the work required to be performed under the provisions of the Audit Act is pushed forward with all speed. I cannot and dare not be a party to shirk the burden of responsibility which presses so heavily upon me, but on the contrary I have striven to the utmost of my ability, with the aid of a loyal and competent staff, to keep the work under, and to present a complete report to Parliament with all possible despatch; but, unhappily for me, my efforts have not been rewarded, or in other words I have not been able to present it at an earlier date; as the delay in passing the Appropriation Act and obtaining the required data in strict conformity with the Act, and satisfactory explanation on the numerous points raised on financial transactions of the Government, Parliament being in session just prior to the close of the financial year, and the prorogation as a rule taking place before sufficient time has been allowed to complete the audit in detail, checking the returns, compiling the reports and appendices, and finally publishing the bulky document, are some of the primary causes of the delay for which I cannot be held responsible; and no expert seized of the facts could or would attempt to controvert that fact. And finally, let me add that I have striven loyally and faithfully to maintain the supremacy of Parliament in all matters, and at the same time I can only hope that the Government of the day has no cause for complaint, as I have tried to be loyal and faithful to it too, in the due discharge of my very onerous, difficult, and delicate duties, which are becoming more critical and responsible day by day.—2. The mass of information required to be furnished under the Act has yet to be printed and the proofs verified.”

I have the honour to be, sir,

Your most obedient servant,

FRED. SPENCE, Auditor General.

QUESTION—RABBIT FENCE,  
TENDERING.

HON. R. G. BURGESS asked the  
Minister for Lands: When the Govern-