obtain certificates free of charge. Engine-drivers were able to pay a small fee of, say, 5s. If the amendment were passed he would see the matter was looked into and that arrangements were made to meet the case.

MR. GREGORY: Perhaps it would be well to report progress at this stage. There was a phase of the question which had not been raised by the member for Dundas which was well worthy of consideration. A man might be driving a winding engine which was only raising water, in which case a first-class certificate should not be needed by the engine-driver. The proposal might be altered to read "any person being the holder of a first-class certificate," and then some words could be inserted so that an engine-driver while following his occupation every 18 months should pass an examination. If a man went away from his work as engine-driver for two or three years he should be compelled to have a certificate on returning to such work. There was no element of danger where an engine was used for raising materials, so then the necessity for examining the engine-driver did not exist.

THE MINISTER: There was no water shaft where water was hauled by bucket or by cage in which men had not to travel at least once a week in the shaft, because something was sure to go wrong in the shaft.

MR. GREGORY: There were supposed to be ladder ways.

THE MINISTER: But it would be impossible to reach the obstruction from the ladder ways.

MR. THOMAS: Where an engine was employed to carry material to an inclined stack or to a battery, it would not be necessary to employ a certificated engine-driver. It would be a distinct hardship to say that the man who was driving such an engine should obtain a certificate, because no danger existed.

THE MINISTER: This provision had been the law of the State for years.

MR. THOMAS: But it had never been in force.

THE MINISTER: The regulations about winding engines had.

MR. THOMAS: It would be a hardship which should not be inflicted on any man, to take away the means of livelihood and force him to remain out of work for a considerable time when the labour market was congested. The Minister might bring in an amendment to meet such cases.

Progress reported, and leave given to sit again.

ADJOURNMENT.

THE MINISTER FOR MINES, in moving that the House do now adjourn, reminded members that it was intended the House should adjourn next day at half-past eight. Members of the Assembly and the other place would then attend a "smoke social" to Mr. Walter James, within the precincts of the House.

Question passed.

The House adjourned at 10·31 o'clock, until the next afternoon.

Legislative Assembly.

Thursday, 6th October, 1904.

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

PRAYERS.

QUESTION—PRESS REPRESENTATIVES, USE OF PARLIAMENTARY CONVENIENCES.

MR. RASON, for Mr. Hopkins, asked the Premier: 1, In the management and control of Press galleries in the Federal and State Parliaments of Eastern Aus-

tralia, is it customary to admit Press representatives before prayers are read? 2, Are reporters given access to, and the use of, members' dining rooms and corridors? 3, Will he request the House Committe to give favourable consideration to the complaints raised by representatives of the Press, in order that local procedure may follow as closely as practicable the precedent of our Federal Legislature and other State Parliaments?

THE PREMIER replied by reading answers received from the Prime Minister of the Commonwealth, and from the Premiers of the several States, as follow:—

QUESTIONS sent forward: 1, Do you admit Press representatives to your Assembly before prayers are read? 2, Are reporters allowed to use Members' Dining Rooms and Corridors of House without restriction?

ANSWERS returned (6):—

Commonwealth—1, Press representatives are admitted to Assembly before prayers are read. 2, Reporters are not allowed to use Members' Dining Room, separate accommodation being provided for them. They are not allowed to use corridors without restriction if any complaint is made.

South Australia—1, Prayers are not read in our Parliament. 2, Members of the Press are not allowed use of Members' Dining Room or corridors, but by permission of Speaker are allowed to use a side room adjoining Members' Dining Room for dinner only.

Victoria—1, Prayers not read in Assembly. 2, Pressmen not admitted to Members' Dining Room, but special provision made for them in Strangers' Room; every facility afforded them interview Ministers and Members, but they have not access to Members' Sitting Rooms or Corridors and Rooms set apart for Members only.

New South Wales—1, No prayers here. Press admitted before Speaker takes the Chair. 2, Reporters not permitted to use Dining Room unless on *Hansard* Staff, who are entitled to do so. Members' Apartments and Library are strictly reserved for Members solely.

Queensland—1, Press representatives not admitted to floor of Assembly, but they are admitted to Press Gallery before Prayers. 2, Reporters who are in possession of Press Gallery Passes are permitted to occupy Special Table in Members' Dining Room. They are not permitted to use rooms and dormitories of House without restriction.

Tasmania—1, Prayers not read in our Assembly. 2, Press are not allowed to use rooms set apart for Members, which include Dining Room; no objection raised to their having access to bar and corridors.

The Premier added (3): I have forwarded copies of the communications received from the Prime Minister and the Premiers of other States on this subject to the Honourable the Speaker, who may think it proper to bring them under the notice of the House Committee.

QUESTION—ELECTORAL ROLLS, DISCREPANCIES.

MR. RASON (for Mr. Hopkins) asked the Colonial Secretary: 1, In view of the alarming discrepancies shown to exist by the recent house-to-house canvass or census taken in certain electorates, will the Government issue instructions that in all populous electorates where claims are lodged for inclusion on the electoral lists, such claims shall not be registered until an officer has personally visited the stated address of applicant claiming, and then certified to the claimant being entitled to enrolment? 2, If not, how is it possible to maintain the rolls in a condition of purity?

THE COLONIAL SECRETARY replied: 1, To delay entering the claimant's name on the roll until after an officer of the Electoral Department has been able to verify the correctness, by personal inquiry, of the statements contained in the claim would be contrary to Section 33 of the Electoral Act, which requires the Registrar, if the claim be in order, to *immediately* enter the claimant's name on the roll. The verification of claims by the Electoral Department has been purposely omitted from the present Electoral Act, as it has been recognised to be absolutely impracticable. 2, By strict enforcement of the penalty for making a false statement in any claim, and by the electors themselves discharging the duties cast upon them by the Electoral Act. The discrepancies which occurred in the rolls used at last elections appear to have arisen mainly through their hasty compilation from older rolls.

QUESTIONS: NOTICE INSUFFICIENT.

THE PREMIER, referring to two questions on the Notice Paper, asked the members concerned to postpone them. He also said: I hope that members generally will allow Ministers at least 48 hours, as was done last session, when giving notice of questions, especially

questions of the important description of the two I have mentioned.

QUESTION—WEST PERTH SCHOOL, OVER-CROWDING.

Mr. THOMAS (for Mr. Moran) asked the Colonial Secretary: 1, Is he aware of the present over-crowded state of the West Perth School. 2, Does the Government intend to take prompt steps to increase the accommodation.

The COLONIAL SECRETARY replied: 1, Yes, The numbers have increased very rapidly. 2, Yes. An item has been placed on the draft Estimates for considerable additions, and plans are now being called for.

RETURN—IMPORTS, REBATES, AND COMMISSION.

On motion by Mr. A. J. Diamond, ordered: That there be laid on the table a return, showing—1, The rates of freight paid by the Government on imports from London to Fremantle by steamers and sailing vessels, under the usual headings. 2, Rebates allowed to the Government, if any. 3, The rates of commission and the total amount paid to the Government shipping agent in London. 4, The duties of the said agent.

INSPECTION OF MACHINERY BILL.

IN COMMITTEE.

Resumed from the previous day; the Minister for Mines (Hon. R. Hastie) in charge of the Bill.

New Clause (moved by Dr. Ellis, farther considered) — Winding engine-drivers to be examined by medical practitioners:

The MINISTER FOR MINES: When we were discussing this question last evening the member for Dundas suggested that we might exempt engine-drivers engaged at work where there was no danger to the lives of people working on leases. The hon. member proposed that engine-drivers working on winzes and in other places where men did not travel should not have to appear before a doctor every eighteen months. He (the Minister) had considered the question very carefully, and had not been able to meet the view of the hon. member. Apparently this should be farther considered when dealing with the Mines Regulation Bill, which he would place before the House in a short time.

Mr. H. GREGORY: We could not in the Mines Regulation Bill amend a clause of this Bill. He moved an amendment:

That the words "in charge of a winding engine used for raising or lowering men or materials on any mine," in lines 1 and 2, be struck out, and "who is the holder of a first-class engine-driver's certificate," be inserted in lieu.

Mr. A. E. THOMAS: The amendment met the case. Would the Minister accept it? The clause as it stood would provide that any person in charge of a winding engine must be examined at least once in 18 months; and the amendment would confine such periodical examinations to engine-drivers with first-class certificates. The Bill provided four grades of certificate. The only object of the clause was to safeguard life; hence it need not apply to any but holders of first-class certificates, the only drivers empowered to work winding engines used for lowering or raising men. The amendment was much preferable to the absurd proposal that all drivers engaged in hoisting material must be periodically examined. Any of these, if afflicted with an infirmity specified in the clause, would be thrown out of employment. No provision was made as to how men were to be examined. If examination every 18 months were compulsory, it should be made free of expense by a Government medical officer.

The MINISTER: The last speaker failed to explain the amendment. The clause proposed that all engine-drivers actually engaged in raising and lowering men or materials must be examined. The amendment proposed that every holder of a first-class certificate must be examined. Many men usually working as miners acted occasionally as engine-drivers; and these, if the clause passed, must either submit to periodical examination or have their certificates cancelled. Unless this were the difference between the clause and the amendment, it was hard to say wherein the difference lay.

Mr. GREGORY: The Bill already provided that a first-class certificate entitled the holder to drive any winding engine by which men were raised or lowered to or from the surface. There were many instances in which men were

employed in raising or lowering material on the surface, and this would be an anomaly. It was not desired to have any of the anomalies of old Acts repeated in this Bill, and the clause should not apply to men working on the surface. The member for Coolgardie only desired it to apply to men employed on winding engines raising or lowering men in shafts. No hardship would be inflicted in compelling the holders of certificates out of employment to pass these medical examinations, because at any time a man might resume work and be placed in charge of a winding-engine raising or lowering men. The clause should not apply to men in charge of machinery simply raising material, such as a machine raising ore from the surface to a battery. We should prevent such an absurdity creeping into the Bill.

MR. SCADDAN: By accepting the amendment of the member for Menzies we would substitute a greater absurdity than ever. No doubt it would be an absurdity to compel a second-class engine-driver raising or lowering material to undergo medical examinations; but it would be a greater absurdity to expect a holder of a Western Australian first-class certificate who might be out of the State to undergo periodical medical examinations, failing which his certificate would be cancelled. The clause would not hurt any particular individual, for very few first-class men were in charge of those machines mentioned by the member for Menzies.

THE MINISTER: The object of the member for Menzies might be obtained by putting in the words "any person who is the holder of a first-class certificate." The amendment would compel first-class engine-drivers to get certificates in all circumstances.

MR. GREGORY: The Minister should adhere to his Bill. By Clause 53 a second-class driver was entitled to drive engines except winding engines used in raising men. If the clause proposed by the member for Coolgardie followed the wording in the Mines Regulation Act it would be satisfactory.

DR. ELLIS: There seemed to be a difference of opinion, the member for Menzies wishing to include all first-class engine-drivers, and the Minister wishing to include only those in charge of winding engines. It appeared to him, looking at it from a health point of view, that the Minister was right in saying that it was better to make 200 men employed in raising material be examined than to make 500 first-class engine-drivers undergo the examinations.

MR. GREGORY: The hon. member should have taken the wording out of the old Act.

DR. ELLIS: The wording was drawn up accurately and in order by the draftsman of the Bill. Any hardship that might be inflicted would come from the man in office using his position wrongfully, for men hauling machinery where no life was in jeopardy should not be interfered with. The clause was only to apply to machines where life was in danger. The Minister's suggestion might be adopted. It was hard to draw up a clause so accurately as to absolutely cut out one class of men; but it appeared that the clause included as few extra men as possible, while the amendment suggested by the member for Menzies would include too many men.

MR. E. E. HEITMANN: By this Bill we allowed second-class drivers to take charge of winding engines lowering or raising material, and we should not force these drivers to have medical certificates. The Minister should strike out the words "or materials."

Amendment (Mr. Gregory's) by leave withdrawn.

MR. GREGORY moved a fresh amendment:

> That in Subclause 1 the words "used for raising or lowering men or materials on any mine" be struck out and the following inserted in lieu: "by which men are raised or lowered, or used for hauling ore or other material from a main shaft of any mine."

This amendment would be more in keeping with Clause 53 of the Bill, and would provide that all work must be carried out by first-class drivers.

MR. SCADDAN: This amendment should not be adopted. No provision was made for a mine with several shafts. There was no objection if the words "main underlay shaft" were used.

MR. THOMAS: No provision was made in the amendment for a water-shaft. The more we looked into the question the more absurd the proposal of the member for Coolgardie appeared, and

the more difficult it was to find an easy way out. The only way to get over the trouble was to strike out the words "or materials" in the first line of the clause. Then we would protect the lives of men and would insist that the driver of any winding engine for raising or lowering men should go up for periodical examination. If the words "or materials" in the first line were struck out, the difficulty would be overcome. The amendment mentioned the main underlay shaft, thus excluding other shafts. The amendment moved by the member for Menzies was identical in wording with a section of the principal Act.

Mr. Gregory: The Minister had previously objected to the proposal to strike out the words "or materials."

The MINISTER: An engine-driver might drive any engine so long as the shaft was under 300 feet deep, for if a shaft was not 300 feet deep the men were instructed to use the ladder way. In shafts 200 feet deep the men were not raised in the cage. In such cases the engine-drivers would be exempt from examination. There was a difficulty in the way, and it appeared that to strike out the words "or materials" would overcome the difficulty, but that would cause other difficulties. The member for Ivanhoe had made a suggestion that the words "or materials" be struck out and the words "or where men's lives are in danger" be inserted. Who had to decide when a man's life was in danger? If words similar to those mentioned were inserted the difficulty might be met, but it would not be wise to strike out "or materials" unless it were understood that the clause would be subsequently amended so that no man should be working in a shaft where life was in danger.

Mr. THOMAS: Did the Minister say that in a shaft less than 300 feet deep instructions were issued that the men were not to ride in the shaft?

The Minister: Yes.

Mr. THOMAS: That appeared an absurd proposal. If men were working in a shaft under 300 feet deep they had the privilege of climbing ladders instead of riding on safe appliances. It was to be hoped that the Minister would not issue instructions that where a shaft was not 300 feet deep the men were to use the ladder ways.

The MINISTER: Such a proposal was never made by him. What he said was that the men could use the ladder ways and did use them. The member for Dundas knew that in many shafts 100 or 200 feet deep men were instructed to use the ladder ways, and if they used the cage they did so at their own risk.

Mr. Thomas: It was to be hoped that the Minister would not issue such instructions.

Mr. E. NEEDHAM: There would be a certain amount of hardship inflicted on engine-drivers who had to pass this examination, for be understood from an eminent medical authority that a proper examination would cost at least one guinea. Who would have to pay for the certificate? Perhaps a man would have to lose a day or two in order to get the certificate.

Dr. ELLIS: The difficulty could be met by leaving the clause as it stood and inserting, "when a man's life is in danger" after the words "or materials." Of course there was a difficulty in saying when a man's life was in danger, but the inspectors must use their discretion, and if the inspectors could not say when a man's life was in danger, the inspectors were a poor lot.

Mr. Gregory: The best way would be to strike the clause out.

Amendment (Mr. Gregory's) put and negatived.

Mr. THOMAS moved an amendment:—

That in line 1 the words "or materials" be struck out.

That was the only way out of the difficulty.

The MINISTER: Personally there was no objection to the amendment, but it would restrict the number of engine-drivers who would have to get doctor's certificates. If members thought that fair, then there was no objection. He would like to get as many engine-drivers examined every 18 months as was possible. If the member for Coolgardie agreed to the proposal he (the Minister) would not oppose it.

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

Ayes	...	...	14
Noes	..	...	20
Majority against		...	6

Ayes.	Noes.
Mr. Brown	Mr. Angwin
Mr. Burges	Mr. Bolton
Mr. Cowcher	Mr. Carson
Mr. Diamond	Mr. Daglish
Mr. Gregory	Mr. Ellis
Mr. Hayward	Mr. Hastie
Mr. Layman	Mr. Heitmann
Mr. McLarty	Mr. Henshaw
Mr. N. J. Moore	Mr. Hicks
Mr. S. F. Moore	Mr. Holman
Mr. Rason	Mr. Isdell
Mr. Thomas	Mr. Johnson
Mr. Frank Wilson	Mr. Needham
Mr. Gordon (*Teller*).	Mr. Nelson
	Mr. Scaddan
	Mr. Taylor
	Mr. Troy
	Mr. A. J. Wilson
	Mr. F. F. Wilson
	Mr. Gill (*Teller*).

Amendment thus negatived.

Mr. THOMAS: Another amendment he had was to strike out the new clause.

The CHAIRMAN: The hon. member could vote No, when the question was put that the new clause be added to the Bill.

Mr. GREGORY moved an amendment:

That the words "eighteen months," in line 2, be struck out with a view of inserting "ten years" in lieu.

We should do well to throw the clause out or make it as absurd as possible.

Mr. THOMAS supported the amendment. The whole thing was absurd, and amendments of this sort would draw attention to the fact. The member in charge of the clause told us he knew nothing about the subject.

Dr. ELLIS: This clause was a medical one, and in a matter of medicine he was able to say what should and what should not be. Experts who had spoken in the House differed from one another. He found out a case in Coolgardie where a man, having a tumour on the brain and being in charge of a winding engine, refused to leave the work and went on hauling men up and down. Knowing the serious results, he (Dr. Ellis) came down and saw the Minister and others. If the mining members in this Chamber were against the clause, on their shoulders rested the liability of any loss.

Mr. H. E. BOLTON: It was not the practice in the Government service to allow medical men to make this test. The test was made by officers of the department, and more frequently than the member for Coolgardie asked that it should be done. The test was more severe and far more satisfactory than it would be if undertaken by medical men. In regard to engine-drivers the usual thing was for a man to pass a medical test when he entered the service, and he drove a locomotive 20, 30, or 40 years and never underwent another test. [Dr. Ellis: He ought to.] No accident had happened. The engine-driver went through his vision test only; not a medical test. He (Mr. Bolton) hoped the amendment would be carried and the clause rubbed out entirely.

Mr. GREGORY: If the hon. member (Dr. Ellis) had read the Bill he would not have brought forward such a ridiculous proposal on account of a special occurrence. Under Clause 55 there was power, especially when any certificate had been granted, to call upon any person guilty of any offence or misconduct, or showing symptoms of epilepsy or other complaint rendering him unfit to follow his calling, to show cause why he should not be disqualified.

Dr. Ellis: Who would give the information that the man was in such condition?

Mr. GREGORY: The board had full power.

Dr. Ellis: But they could not get the information.

Mr. GREGORY: Surely a doctor who saw an engine-driver on duty while physically unfit ought to notify the proper authority. The clause would be unobjectionable if it sought to protect life only.

The MINISTER regretted the temper shown by the members for Dundas (Mr. Thomas) and Menzies (Mr. Gregory), who, as they could not have the clause worded to their liking, moved to insert a provision for a medical examination every 10 years, and said they did this to call attention to the absurdity. The discovery was made very late. The member for Menzies agreed with the clause when first proposed.

Mr. Gregory: And last night asked the Minister to amend it.

The MINISTER: The hon. member thought it all right till yesterday; but now he held that none but himself and the member for Dundas knew anything of mining. The member for Menzies, to give some appearance of reason to his argument, said the necessary power was already in the Bill. None knew better that we had no such power. A former

clause declared that inspectors of machinery might visit mines about once a year.

MR. GREGORY: What he said was that we had power to deal with such cases as those mentioned by the member for Coolgardie.

THE MINISTER: That was not the impression the hon. member intended to convey to the Committee, but rather that we had already sufficient power to deal with medical examinations.

THE CHAIRMAN: The Minister must accept the hon. member's statement that he did not say so.

THE MINISTER: That was the impression conveyed.

MR. GREGORY: Nothing of the sort had been said by him.

THE CHAIRMAN: The Minister was not in order in saying that was the meaning the hon. member intended to convey.

THE MINISTER accepted the hon. member's explanation, though his statement must have misled the Committee; but the Bill gave no power to provide for any medical examination unless it were proved to the board that a certain driver was unable to perform his duties; and to give effect to the provision in Clause 67 was almost impossible unless a large number of inspectors was appointed. Engine-drivers who could endanger men's lives should be medically examined once at least in every 18 months; but the members for Menzies and Dundas said this provision might compel some drivers engaged at work not dangerous to life to submit to examination. Let us be serious. He courted fair and honest discussion; but if those members declared that they would either get their own way or wreck the clause, he asked the Committee to pass the clause as it stood.

MR. GREGORY congratulated the Minister on the fact that, after accepting the amendment in Committee——

THE MINISTER: It was not accepted.

MR. GREGORY: Then he congratulated the Minister on having shown him, at 11 o'clock at night in presence of the member for Coolgardie, a draft amendment to be proposed by that member. He (Mr. Gregory) glanced at it, and said he thought it would be a suitable amendment. Now he wished to amend one or two words, and was under the impression that the Minister had stated he would agree to the omission of the words "or materials."

THE MINISTER: In Committee to-day he said that if the hon. member (Mr. Gregory) and other members would accept the amendment limiting the examination of engine-drivers, he would agree to that; but now that they were not willing to accept it, he would oppose them. He had not mentioned any interview on the night before last or at any other time, but simply stated that the hon. member was agreeable to the new clause. Even last night the hon. member was agreeable, but said to-night that the whole proposal was absurd, simply because he could not get this little exemption.

Amendment (ten years) put and negatived.

MR. THOMAS: Who would pay for the medical certificates? It was hard that the men should pay at least a guinea a time. In most cases doctors would charge much more for an examination to ascertain whether the man was subject to any physical infirmity which would render him unfit for duty. The visual test alone would cost a guinea. The Government should bear the expense. Would Government medical officers make free examinations, or would the Government pay the private doctor's bill?

THE MINISTER: Clause 57 already declared that every candidate for an engine-driver's certificate must present the board with a doctor's certificate that he was not subject to any infirmity which would render him unfit for duty. None thought this an undue tax on applicants; and the new clause declared that the driver must get a certificate every 18 months to show that he was still fit. If doctors would charge a driver several pounds for such examination, they would charge the State much more; and it was not fair to ask the State to pay. However, the department would do its best to arrange that all hospital doctors should make such examinations for a small fee. Many other medical certificates were required by law, and the persons concerned had invariably to pay for them.

New clause as amended put, and a division taken with the following result:—

Ayes	...	...	15
Noes	...	...	18
Majority against		...	3

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

Proposal thus negatived.

First Schedule:

THE MINISTER moved an amendment:—

That in the third column the words "Sections 16, 17, 18, 19, 20, and 21" be struck out, and the words "Sections 18, 19, and 20" inserted in lieu.

The endeavour was to confine the Bill solely to steam engines; but it was suggested later that we might depart from that course and cancel some of the sections in the Mines Regulation Act, and to that course he agreed. It was pointed out, while considering this Bill, that if we cancelled all the sections of the Mines Regulation Act there would be absolutely no provision to control the manner in which machinery was worked on the goldfields; and he had promised to reconsider the matter on recommittal. He had done so, and thought it best to confine the provisions of the Inspection of Machinery Bill to steam machinery alone. Several sections in the Mines Regulation Act declared who should control all kinds of machinery, and we should not cancel those sections. Within a month or five weeks we would have before us a consolidating Mines Regulation Bill, and would then have an opportunity of considering the whole question and of making other provisions. The Inspection of Machinery Bill would not come into force before January of next year, and the new Mines Regulation Bill could not come into force before that time, so that anything done at present would be practically inoperative. His suggestion was, therefore, to provide only for machinery driven by steam.

MR. GREGORY: When the Inspection of Machinery Bill came before the House, it was distinctly understood that all matters relating to certificates would apply to steam engines alone. At the last moment the Minister, finding that all the efforts of a certain section of the House were to try and place in the Machinery Bill restrictions regarding the use of oil, gas, and electric engines, asked us now to leave in the Mines Regulation Act all the anomalies of the past. The Minister said that in five weeks we should have another Mines Regulation Bill before the House; but there was a Mines Regulation Act Amendment Bill now before the House; and if the Minister was earnest in his desire to make alterations, why could he not make them in the Bill now before the House? The Committee should not agree to this amendment giving the Minister the right to retain a second board of examiners—one under the Inspection of Machinery Bill and one under the Mines Regulation Act. Section 16 provided that the Governor might appoint a board of examiners, Section 17 gave power to grant certificates of service under the Act. Section 21, which was also to be retained according to the amendment, provided that no person could take charge of a winding engine driven by any motive power without holding a certificate of competency, and also that any person driving a small oil or gas engine must hold a second-class certificate under the Mines Regulation Act. This seemed to be a compromise made between the Minister and a certain section of the House. It should be easy to move a slight amendment to the Mines Regulation Act Amendment Bill now in the Committee stage, and make it compulsory that any person in charge of a winding engine should have a first-class certificate. He (Mr. Gregory) had prepared a rough clause which he thought would cover the desire of members, but apparently the Minister intended to do nothing for five or six weeks, when possibly the Machinery Bill might become law, and when possibly the Minister might become a little more plastic to the demands of those sitting on the Government side of the House. It was understood that by the Machinery Bill we should abolish all the anomalies of the Mines Regulation Act.

THE MINISTER regretted that the member for Menzies was so fond of insinuations as those just thrown out. If a Minister was in error, the hon. member tried to convince members that there was

some trick; and now he boldly told members that the Minister was becoming somewhat plastic and under the influence of certain members—hon. gentlemen whom he (the Minister) opposed in many respects stronger than the member for Menzies did. Then the hon. member suggested that mentioning Sections 16 and 17 of the Mines Regulation Act was another trick to hide Section 21. He (the Minister) candidly admitted that he was not very able to explain why Sections 16 and 17 were retained, but the Parliamentary Draftsman had assured him it was absolutely necessary to do so. The member for Menzies knew that he (the Minister) had proposed a clause to add to the present Mines Regulation Act Amendment Bill providing for one board of examiners only. He was anxious to provide that the Machinery Bill should apply to steam power only, and that we should deal with the other subjects in the ordinary course. The member for Menzies had a strong and almost passionate opinion on this subject; and if the Mines Regulation Act had been administered in the strict sense it would have caused enormous loss and inconvenience; but it was not administered too strictly, when the member for Menzies was in office or now. He (the Minister) was not aware of any particular complaint as to the manner in which the Act was now being administered. The complaint of the member for Menzies was practically that quite possibly there might be a change in the control of the Mines Department, and that some person might administer the Act so strictly that it would be very inconvenient to numbers of people. The Inspection of Machinery Bill would not come into force before the 1st January, and unless something extraordinary happened we could deal with motive power other than steam in the new Mines Regulation Bill which would be before the House later on.

MR. GREGORY: Why not in the Bill we have now?

THE MINISTER: There were many reasons why we should not do so. One reason was that the Government desired the Bill to become law at the earliest possible moment. He felt disappointed at the delay that had occurred up to the present, because the Bill would have the effect of saving life and preventing accidents. The subjects referred to by the member for Menzies could be dealt with in their proper place, in the Mines Regulation Bill.

Amendment (the Minister's) put, and negatived on the voices.

THE MINISTER called for a division.

THE CHAIRMAN: The Noes had it.

[Explanations ensued.]

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

Ayes	...	...	...	14
Noes	...	...	...	15
Majority against			...	1

AYES.	NOES.
Mr. Angwin	Mr. Brown
Mr. Bolton	Mr. Burges
Mr. Daglish	Mr. Cowcher
Mr. Hastie	Mr. Diamond
Mr. Heitmann	Mr. Gregory
Mr. Henshaw	Mr. Hayward
Mr. Holman	Mr. Hicks
Mr. Horan	Mr. Layman
Mr. Needham	Mr. McLarty
Mr. Nelson	Mr. N. J. Moore
Mr. Scaddan	Mr. S. F. Moore
Mr. Taylor	Mr. Rason
Mr. Troy	Mr. Thomas
Mr. Gill (*Teller*).	Mr. Frank Wilson
	Mr. Gordon (*Teller*).

Amendment thus negatived, and the schedule passed.

Seventh Schedule:

THE MINISTER moved an amendment:

That the figures "£1 10s." after the words "and for every additional boiler" be struck out, and "£1 5s." inserted in lieu.

This schedule applied to the fees to be charged for the inspection of boilers and machinery. It was proposed to reduce the charge for the inspection of additional boilers.

Amendment passed.

MR. N. J. MOORE moved an amendment:

That the figures "£3" after the words "for every boiler erected or any sailing vessel" be struck out, and "£1" inserted in lieu.

To charge £3 for the inspection of a donkey boiler on a sailing vessel was exorbitant, as few donkey boilers had greater power than six-horse power. In another place the Minister should have a clause inserted providing that vessels with a Board of Trade certificate or holding Lloyds' certificate should be exempt from inspection.

THE MINISTER: The fee for the inspection of a boiler on a sailing vessel seemed rather excessive, but the hon. member had gone to an extreme in pro-

posing to reduce the charge to £1. Western Australian charges were lower than the charges in any other State. It must be borne in mind that the cost of inspecting boilers on sailing vessels would be heavy. If inspections were only carried out at one port the cost would not be great; but Western Australia had more ports extensively used by vessels than any other State, and obviously it would be impossible to have inspectors of boilers at each port, so that there would be the expense of inspectors' train fares. An amendment to fix the fee at £2 would be accepted.

MR. N. J. MOORE: Most inspections would take place at Fremantle, so that the loss on inspections at distant ports would be recompensed by the inexpensive inspections at Fremantle. He was prepared to accept a compromise.

Amendment put and negatived.

MR. N. J. MOORE moved an amendment:

That "£3" be struck out and "£2" inserted in lieu.

Amendment passed.

THE MINISTER: Vessels showing Lloyds' certificates should not be treated as vessels that could not show they had examination.

MR. DIAMOND: It would depend on the age of the certificate.

THE MINISTER: That was foreseen. If it were possible to insert a clause, such as the hon. member desired, in another place, he (the Minister) would undertake to do it. It would not be possible to say what the amendment would be. The matter would have to be left to administration.

MR. N. J. MOORE suggested that the following clause be inserted:

Provided that any foreign-going sailing vessel possessing a certificate issued by Lloyds or the Board of Trade which has been in force for a period of not more than six months shall be exempt from inspection.

THE MINISTER: Something of that kind might be inserted.

Schedule as amended agreed to.

Bill reported with farther amendments.

MINES REGULATION ACT AMENDMENT BILL.

IN COMMITTEE.

Resumed from the 4th October; the MINISTER FOR MINES (Hon. R. Hastie) in charge of the Bill.

New Clause (on Notice Paper, previously moved):

THE MINISTER: This provision depended solely on the passing of a clause which an attempt had been made to insert in the Inspection of Machinery Bill; but as that clause had been thrown out, it was not now necessary to insert a new clause in this Bill. The Machinery Bill had not provided for any person driving an engine, other than a steam engine, having a certificate. The matter was placed before the experts of the department, and the Crown Solicitor was consulted and assured him (the Minister) that the only way to provide for an examination for certificates to be held by those who drove winding engines, other than those driven by steam, was to insert a clause such as that which was before the Committee. As the provision had been thrown out by the Committee on the Inspection of Machinery Bill, the new clause was not now necessary, and he asked leave to withdraw it.

MR. GREGORY: The Minister might let the Committee know what action it was intended to take with the Mines Regulation Bill. Every member recognised the necessity for having certain regulations in the Mines Regulation Bill which would deal with certificates to be granted to any person who would be employed driving any winding machinery where men's lives were at stake. It only meant the introduction of one or two clauses in the Mines Regulation Bill to the effect that anyone driving winding machinery should hold a certificate provided for under the Inspection of Machinery Bill. If we passed the Inspection of Machinery Bill and the present Bill, the old state of affairs would exist. We wanted provisions to carry out the principles which had been enunciated, and why could not the Minister bring down new clauses and add them to the Mines Regulation Bill at the present time? While passing measures, we should try to make them complete. We should not have laws on the statute-book that we could not carry out. Were we to have a Mines Regulation Bill or were the present anomalies to exist?

THE MINISTER: In Committee on the Inspection of Machinery Bill, a certain decision was arrived at, and there was no farther proposal to make in

regard to that decision. The Machinery Bill would not come into force until the beginning of January, but the Mines Regulation Bill the Committee were now dealing with, it was hoped, would become law next week; and with that object in view he would not like the measure to be delayed by controversial matters being introduced into the debate. He would bring forward at an early date a Mines Regulation Bill to deal with all the subjects which had been mentioned. When the Machinery Bill was passing through Committee, he laid the matter before the experts of the department, and was assured that the matter could not be gone into under the present Mines Regulation Bill, unless we dealt with all subjects in connection with engine-driving, which could not well be done at the present time. He proposed to accept the verdict of the Committee, and not introduce fresh matter into the Bill.

Proposal by leave withdrawn.
Preamble, Title—agreed to.
Bill reported with amendments.

At 6·26, the Speaker left the Chair.
At 7·30, Chair resumed.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

IN COMMITTEE.

Resumed from the previous Tuesday; Hon. W. C. Angwin (Minister) in charge of the Bill.

The CHAIRMAN: Before proceeding farther with the Bill in Committee, it was desirable that members should, as far as possible, place amendments on the Notice Paper; but when members desired to move amendments as the discussion was progressing, it would facilitate business generally if they would make a copy of those amendments and hand them to the Clerk, so that when the amendments were moved later they would have been received. This would facilitate business and avoid delay.

Clause 7 (mayor and councillors, by whom elected)—postponed.

Clause 8—Amendment of Section 56, Electoral lists:

Hon. W. C. ANGWIN: The intention of this Bill was that every person who was the owner or occupier should go on the list. It was necessary that an electoral list should be prepared, and a voters' list, as payment of rates constituted the right to vote.

Mr. N. J. MOORE: Would there be provision for a list of owners independent of ratepayers?

Hon. W. C. ANGWIN: There would be provision for an owners' list in the case of a vote being taken for a loan. This was merely a list of occupiers or owners.

Mr. H. BROWN: This was a list the town clerk had to compile, which was forwarded on to the Registrar for electoral purposes more than for ratepayers' purposes.

Mr. C. C. KEYSER: Paragraph (*b*) of Clause 6 provided that a person who, on the 1st September, was the owner or occupier of rateable land in a municipality should be entitled to vote. A man might pay the first moiety of the year's rates and be in possession on the 1st September. After September he might leave the house, and the succeeding tenant might pay the second moiety. Who then would be entitled to be enrolled?

The PREMIER: One must be a ratepayer on or before the 1st September to exercise the franchise. It was a reasonable provision which enabled ratepayers to vote who had some local knowledge.

Mr. KEYSER: It did not appear reasonable that a man who paid the second moiety of the rate should not be able to vote.

Mr. N. J. MOORE: Apparently this was only an electoral list, and not a roll. It was not constituted an electoral roll until the rates had been paid.

Mr. KEYSER: The man who was the occupier on the 1st September might not even have paid the first moiety of the rates.

The PREMIER: The present clause did not deal with that question, the clause which dealt with it being Clause 6, which had been passed. Clause 8 merely provided for the preparation of electoral lists.

Clause put and passed.
Clause 9—agreed to.
Clause 10—Amendment of Section 91:
Mr. H. BROWN moved:

That the clause be struck out.

It would be unfair to cause any candidate to go to the poll against his wish. Only a few years ago a practical joke was played by nominating the town bellman as mayor. When people saw that the joke had gone far enough, he naturally withdrew. The position could be met by stipulating for a larger deposit, to be forfeited if a person nominated without any idea of going to the poll. If through sickness or any other matter a person who nominated for mayor or councillor desired to withdraw, he should have the opportunity of so doing.

THE PREMIER: It would be seen the only object of the clause was to prevent the nomination of unsuitable persons; or if they nominated, to prevent them from recovering their deposits by withdrawing from the contest. This would put municipal elections on a par with parliamentary elections, in which a candidate who lodged his deposit must forfeit or go to the poll. Any candidate could withdraw by advertising the fact; but then he lost his deposit, and rightly so, as he had put the other candidates and the municipality to the expense of a contest. The loss sustained by the opposing candidate or by the municipality should be considered, rather than the loss borne by the withdrawing candidate. If full opportunity were given for withdrawal, many might nominate for the purpose of being bought out. This should be avoided.

MR. C. H. RASON agreed to a great extent with the Premier; but the section provided that the candidate must withdraw within 48 hours after the time of nomination, at least four days before the day of election. If a withdrawal were not permitted, ballot papers must contain the names of all candidates who nominated; and great confusion would arise if on election day these papers contained the name of a candidate who did not stand. Prevent withdrawals, or make them expensive, and the returning officer and the electors would know that every name on the ballot paper was that of a *bona fide* candidate. Section 91 had stood the test of time, and none complained of it.

THE PREMIER: There had been complaints.

MR. RASON: On the other hand, we had illustrations of what might have happened had withdrawals been impossible. Ridiculous circumstances, bringing great odium to municipalities of high standing, might have arisen.

HON. W. C. ANGWIN: The last speaker forgot that Section 91 permitted a candidate who had no intention of contesting the election to be nominated for the fun of the thing. Fun of this sort should be paid for, as it put other candidates to expense.

MR. A. J. WILSON supported the clause as printed. It was unfair that a candidate should withdraw even five minutes after nominations had closed, much less 48 hours after. Why should such candidates save their deposits? The prohibition of withdrawals would prevent fictitious nominations.

MR. RASON: We could not prevent people from nominating. No Act would prevent dummy candidates. If candidates nominated and withdrew, they should forfeit their deposits. This object could be attained by amending the principal Act. He suggested as an amendment:

That the words "he shall forfeit any deposit" be added to the proviso of Section 91 of the principal Act.

MR. A. J. WILSON: The same object might be achieved by striking out the whole proviso.

MR. RASON: That might do harm. Accept this suggestion, and the candidate withdrawing within 48 hours after the date of nomination would forfeit his deposit; but the withdrawal would prevent his name from appearing on the ballot papers, and thus the country would be saved expense and the electors trouble. In any case we could only forfeit a man's deposit. He need not go to the poll.

MR. KEYSER agreed with the last speaker; because, if only two candidates nominated, the one withdrawing lost his deposit and the constituency was not put to the trouble of an election.

THE PREMIER: Would not the proposed amendment of Section 117 of the Act meet all requirements? It provided that the words "or who has retired as herein provided" be struck out, and that the following be inserted in lieu: "or the legal personal representatives of any candidate who may have died after nomination and before polling day." Thus, unless a candidate died, his deposit would

be retained if he retired. Would that meet the wish of the hon. member (Mr. Rason)?

Mr. RASON: No. Retain the right of withdrawal within 48 hours; but in case of such withdrawal, let the candidate forfeit his deposit.

The PREMIER: To strike out Clause 10 would attain that object; and Section 117 could be amended by forfeiting the deposit of anyone who retired. He would not oppose the striking out of the clause.

Motion passed, and the clause struck out.

Clause 11—Repeal of Subsection (2) of Section 94:

Mr. N. J. MOORE: There was no objection to this clause. It simply repealed the provision made to enable voting in absence papers to be printed.

Mr. RASON: What would occur if we struck out this clause and subsequently decided to allow voting in absence? It would be advisable to postpone the clause.

Clause postponed.

Clause 12—Repeal of Section 106:

Mr. N. J. MOORE moved an amendment that the clause be struck out and the following inserted in lieu:—

> Whenever at any election a person, being a *bona fide* resident in the municipality, entitled to vote is desirous of voting and is resident in the State, but more than ten miles distant from the place of such election, it shall be lawful for such person, previous to the date of such election, to go before the returning officer and record his vote.

No doubt voting in absence had been considerably abused; but this proposal would enable *bona fide* residents to record votes, and would not necessitate the printing of ballot papers.

The CHAIRMAN: The clause might be struck out; but the words the hon. member desired to insert in lieu must be moved as a new clause, and dealt with later on.

The PREMIER: The Committee should have opportunity of expressing opinion on the clause, as a guide to the member for Bunbury (Mr. N. J. Moore) in framing a new clause he might submit later if this clause be struck out. He (the Premier) did not object to the wording of the proposed clause, except that the voting should not take place before the day of nomination. The Government desired an expression of opinion on the question so as to be guided in framing a clause that might be acceptable should this clause be struck out.

The CHAIRMAN: Members could discuss the clause now; but if struck out a new clause could be moved at the end of the Bill.

Mr. N. J. MOORE: Section 106 of the present Act should be repealed, as it was most cumbersome. A person being absent from a municipality was required to go before a justice of the peace, before whom a counterfoil had to be signed and enclosed with a voting paper in separate envelopes, both being placed in another envelope and forwarded to the returning officer. His (Mr. Moore's) proposal was simpler. He would accept the suggestion of the Premier that the voting should not be recorded until after the day of nomination.

Mr. RASON: The member for Bunbury was going too far. In the Electoral Act it was recognised that everyone entitled to vote should have the opportunity of recording a vote, and under the old Municipal Act a *bona fide* resident in the State was entitled to a vote and to record a vote if ten miles away from the polling place. The member for Bunbury's proposal applied to a *bona fide* resident in the municipality. What would be the effect of that? We were told that the rights of owners of property in regard to the raising of loans were amply protected; but they would not be protected by the proposed clause. There were many *bona fide* owners of property in a municipality who were *bona fide* residents in the State, and yet did not live in the municipality in which they owned property. If the owner of property had a vote he should be given the opportunity to exercise it; therefore the wording of the old Act "*bona fide* resident in the State" was better than the wording of the proposed clause "*bona fide* resident in the municipality." We could hedge the opportunity of giving a vote with such safeguards as we liked in order that there might be no abuse; but anyone entitled to a vote who was the owner of property in a municipality and a resident in the State should have an opportunity of recording a vote. The clause should be struck out, and a new clause added to the Bill in

which it should be easily possible to meet the views of the member for Bunbury, and insert all the safeguards that the Premier and members were anxious to insert.

MR. KEYSER objected to the proposal of the member for Guildford (Mr. Rason), because it would give the owner of property in each municipality a vote in each municipality. Only residents in a municipality should vote.

MR. RASON: Then in regard to the raising of the loan the absent owner would not be protected.

THE PREMIER: It might be possible to meet the views of the member for Guildford in regard to owners by making a distinction between the ratepayer claiming to vote for a mayor or councillors and the ratepayer who required a vote on loan proposals. His (the Premier's) objections to absentee voting for mayors and councillors were, first of all, the great abuse to which the practice of voting in absence had led, and in the second place the want of local knowledge in regard to the candidates and their merits from which absentees must suffer. However, in regard to owners voting on loan proposals these objections would not apply, because there would be a definite proposal before the ratepayers; and no matter where a man lived, he could express an opinion as to how his property would be affected in the expenditure of loan money on municipal matters. With a view to meeting the wishes of the member for Guildford, he (the Premier) was quite prepared to embody in the Bill a provision giving land owners a right to vote in absence on such questions. Thereby the rights of owners would be adequately protected.

MR. N. J. MOORE: In the case of elections for mayor or councillors the absent owner would only have a vote for unimproved land. His proposal would do away with the abuses that applied to the system of voting in absence. The present system simply meant that the man who could afford it sent out a rather smart canvassing agent, and the absent owner recorded his vote in favour of a man of whom he knew nothing. It would be well to confine the voting to *bona fide* residents in the municipality, with the exception that, in the case of raising a loan, the owner would have an opportunity of recording a vote.

On motion by MR. A. J. WILSON, progress reported and leave given to sit again.

ADDRESS-IN-REPLY, PRESENTATION.

MR. SPEAKER and hon. members (at a time fixed in the afternoon) proceeded to Government House, and presented to His Excellency the Governor the Address in reply to His Excellency's Speech delivered at the opening of the session (His Excellency having since been absent from Perth).

HIS EXCELLENCY was pleased to make the following reply (as reported later to the House by Mr. Speaker):—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY.

I thank you for your Address in reply to the Speech with which I opened Parliament, and for your expression of loyalty to His Most Gracious Majesty the King.

FRED. G. D. BEDFORD,
Government House, Governor.
Perth, 6th October, 1904.

ADJOURNMENT.

At 8·15 o'clock (by arrangement for a farewell function in the Dining Room, in compliment to the new Agent General on his proceeding to London), the House adjourned till the next Tuesday afternoon.