

## REPORT OF PROCEEDINGS OF THE CONFERENCE.

regular burden that they should be surveyed every six months, but if the surveyor has good reason to believe a ship is unseaworthy, then he would pay no heed to a Board of Trade certificate or any other certificate. What they want to avoid is being subjected to this thing, as it were, in the natural course of events.

SIR JOSEPH WARD: What my motion is intended to do is this: As the law stands, we make provision that every steamship shall be surveyed every year. Under this, if the Board of Trade issue a certificate, this survey can be dispensed with. We want to save trouble; we do not want to have an unnecessary examination.

THE CHAIRMAN: Supposing a sailor complained to your officer in Australia and said this ship is unseaworthy, then your surveyor has a right to go on board, although the captain presents a Board of Trade certificate—it makes no difference at all.

SIR WILLIAM LYNE: Mr. President, I take it that if the Government of New Zealand or Australia has any idea, no matter what certificate is issued, that there should be a survey, they will do it in any case.

THE CHAIRMAN: Certainly.

SIR WILLIAM LYNE: And they won't do it unless there is reason. At the present time, it is compulsory for a certain time. Well, the only difference that this makes is that it is non-compulsory, but it can be done, and in that I quite agree. But I am not going one step further to give up the right under any conditions that might arise. I understand Sir Joseph Ward is proposing to insert the word "vessels."

SIR JOSEPH WARD: I will let it stand as it was—"non-passenger vessels."

SIR WILLIAM LYNE: There was a remark made by Mr. Dunlop about sailing ships, and I want to say a word about that. A sailing ship is not, perhaps, of the very best class, but the sailing ships that come to our coast want overhauling more than steamships. That has been demonstrated times without number, and therefore we must reserve our full right, especially with sailing ships, to survey every time under any conditions unless they have a new certificate. We would not do it if there was a reasonably late certificate from the Board of Trade. I speak of this because I have had to deal with them, and I had to pass legislation to prevent the previous state of things, with regard mainly to sailing ships that came for coal.

MR. FERNIE: I would like to ask how you would deal with ships under a foreign flag?

SIR WILLIAM LYNE: We never allow a ship to go out of Newcastle without being surveyed, especially one with a foreign flag. There are Eastern ships—many flags are flying over a less safe hull than a British, and whenever there is the slightest desire, we won't let them go out of port without being surveyed.

THE CHAIRMAN: I think we are fairly agreed.

MR. BELCHER: A great deal of stress has been laid upon manning and life-saving appliances, but there is one point in connection with efficiency I wish to raise, and that is the question of the eyesight of officers.

THE CHAIRMAN: We will come to that later on.

HON. W. M. HUGHES: I want to ask now, do I understand that this motion has been carried?

THE CHAIRMAN: No, I want to put it to the meeting.

HON. W. M. HUGHES: I want you to put every motion formally, if you don't mind.

THE CHAIRMAN: I want to be perfectly certain the discussion has been exhausted.

HON. W. M. HUGHES: It has been very exhausting, but what I want to ask is, who is going to vote supposing that we are differing in opinion? Who is going to vote?

THE CHAIRMAN: That's a question, I think. I think we must vote by delegation.

HON. W. M. HUGHES: I do not think we can.

THE CHAIRMAN: Let us see first of all whether there is a difference of opinion. One thing is clear, you cannot carry by majorities, because we are each responsible to his own Government, and it is perfectly clear you cannot carry anything by a majority in a Conference of this kind. But still if we can be unanimous, it is all the better. Well, now, I think I had better put this motion.

HON. W. M. HUGHES: One moment. It is quite true that we cannot carry anything by a majority, but there are a number of gentlemen here who outnumber us, of course, and yet do not constitute a majority, because they cannot be regarded as delegates by the British Government. I only ask what "unanimous" means? "Unanimous" does not mean "official," or representatives other than Government Delegates.

THE CHAIRMAN: Oh yes, they are here by invitation of the British Government.

HON. W. M. HUGHES: Then all I have to say is this. Your invitation to us was to send three or four representatives. Well now, it is a very obvious thing that if you propose to confront us with 13 or 14 other gentlemen who are already on the spot, nothing we can say or do can ever make us equal to 13 or 14.

THE CHAIRMAN: That is why I say the vote of the majority could not bind you. Therefore, this question does not arise. I am rather a believer in Abraham Lincoln's motto, "Don't cross the Fox River until you 'come to it.'" If we are agreed, then we need not raise that discussion; if we are not, then we have to decide the question of voting. Sir Joseph Ward's motion is:—

"That it should be a suggestion to the Board of Trade that they should provide for the issue of a survey certificate in the case of non-passenger vessels, and that standards as to hull, machinery, boilers, and life-saving appliances established by the Board of Trade and testified by current certificates should be accepted for British ships throughout the Empire."

SIR WILLIAM LYNE: That raises the question that I raised at first, that it does not make any provision for us keeping an elastic power, and that ought to be added to the resolution, otherwise when that is presented to my own Government they will say, "Why 'did you agree to it? It binds you hard and fast to 'that certificate'; there must be something added to it."

THE CHAIRMAN: The idea is this, that this does not provide for any Government to survey a ship in case of necessity.

HON. W. M. HUGHES: I do not think that is necessary.

SIR WILLIAM LYNE: I do, and I am very strong on it. This is a bald resolution.

HON. W. M. HUGHES: This is not a recommendation to alter a Statute. It cannot alter an English Statute or an Australian Statute. It is simply a means whereby any shipowner who chooses can avoid our periodical survey in Australia.

SIR WILLIAM LYNE: I hold on by the resolution without some words to show it is not intended to be absolutely tight.

MR. PEMBROKE: I am very glad to hear Sir William Lyne say that. I thought the Australian Government were absolute. I thought you had that inherent right.

SIR WILLIAM LYNE: I think we have. I think that is very necessary.

THE CHAIRMAN: I thought it was not necessary to confirm that at the Conference at all.

HON. W. M. HUGHES: Then I suggest, Mr. President, that what you should do is to make a general proviso that none of these recommendations should take away or affect in any way the inherent constitutional right that an Australian or any other Government has to make any law it pleases. I don't say it is wanted: I think it goes on the face of it.

THE CHAIRMAN: We cannot lay down constitutional principles here.