

REPORT OF PROCEEDINGS OF THE CONFERENCE.

"seaman has served in the capacity in which the discharge is given for the time specified in such discharge." It positively intimates the capacity in which the seaman shall serve. The next clause provides for the delivery to the seaman of a copy of the discharges. Those two provisions we intend to propose, and I move this resolution because I want to stop the system which has been carried on in some of our ports—the system of crimping—which is going on to a fearful extent. There were two or three cases in Sydney lately, just before I left, where the exposures were really very horrible, as to what was done under this buying and selling in the crimping system.

MR. HAVELOCK WILSON: Buying and selling discharges—single sheets.

SIR WILLIAM LYNE: Oh, yes; but they go and take money.

MR. MILLS: That is an argument in favour of continuous discharge. I think I am right in saying that the system of continuous discharge is in existence in New Zealand—not in book form, but of sufficient size to admit of something like 14 discharges being entered upon it.

SIR WILLIAM LYNE: This resolution, I submit, does not interfere with continuous discharge.

MR. MILLS: You are speaking of the facility that they have to transfer their discharges.

HON. DUGALD THOMSON: It is already the Imperial law, and it is in this Royal Commission Report. We are all agreed as to that.

MR. BELCHER: So far as the men in New Zealand are concerned, they are not favourable to continuous discharge at all.

THE CHAIRMAN: That is not involved in this resolution. This resolution does not raise the question of continuous discharge.

MR. BELCHER: But it was being referred to, and I wanted to make my position clear, that the men do not favour it in New Zealand, and some very good reasons can be advanced for that. So far as the continuous discharge-book is concerned, I believe it emanated in the first place from the Shipowners' Federation.

MR. HAVELOCK WILSON: I think that is a point worth the consideration of the Conference. If we could get a uniform kind of discharge through the Empire it would be a good thing for Australia and New Zealand. The only objection we have to the continuous discharge is to the character being inserted in the book, otherwise we are in agreement with it. I speak from an experience of over 20 years, and I say, certainly the continuous discharge has done a good deal to put down crimping, and the selling of the single-sheet discharges. The only thing we object to in it is the character report, but otherwise it is a very good thing, and it would be beneficial if it could be adopted throughout the Empire.

THE CHAIRMAN: That must, of course, come up at a later stage.

HON. W. M. HUGHES: I should be glad to supply the Conference with the evidence given for and against.

THE CHAIRMAN: Can we adopt this resolution?

HON. W. M. HUGHES: Three years?

The resolution was then adopted.

THE CHAIRMAN: Three years, yes. Now is there anything more on "Manning"?

HON. W. M. HUGHES: Oh, yes, I think so. I think we have not started on "Manning" yet.

THE CHAIRMAN: We have no resolution before us at the moment.

HON. W. M. HUGHES: I will move a resolution about this. In Clause 8 of our Report we deal with the manning of ships, and there it is set forth that the recommendations contained in that section are "to apply (a) ships registered in Australia; (b) ships licensed to trade on the Australian coast; (c) ships continuously trading to any port in the Commonwealth whose articles are drawn out in the Commonwealth, and whose final port of discharge of crew is in the Commonwealth."

Now we considered this very fully, and, after a good deal of discussion and evidence, we came to the conclusion that it was not sufficient to see that a ship was sound in boilers and machinery, life-saving appliances, unless manned with a sufficient crew of competent persons. Now, the competency we sought to secure by the recommendation that has just been passed—namely, that no person should engage unless he was qualified for the rating which he engaged in, and so far as sufficiency in numbers we recommend the adoption of a manning schedule we considered. We say in the 7th paragraph of Section 8: "The weight of evidence was very strongly in favour of a manning scale of some sort, and in this opinion your Commissioners most heartily concur. They consider that no ship can be regarded as seaworthy unless she is not only properly constructed, provisioned, and in every respect equipped to encounter the perils of the voyage which she is about to undertake, but also manned with a sufficient crew of competent persons. We have, therefore, adopted the recommendation of the Draft Bill, as set forth in the judgment of *Hedley v. Pinkney S.S. Co.*, as to what 'seaworthy' ought to mean." Now "seaworthy" means, according to that, that the ship should be manned, &c., in accordance with the judgment as set out in 10 Appeal Cases, page 227. Now we have provided for the "manning" in the different schedules which appear in the Report. They deal with the officers, the deck hands, the engineers, and the stokehold hands. Now whether they are suitable schedules or not, we need not discuss that, although I shall be able to discuss it, if it is wished; but, I think it is very necessary that some scale should be adopted. Take first the question of officers. Under the Merchant Shipping Act, a ship may go to sea, provided it is in the home trade, without any certificated officers at all. Mr. Lawrence, Secretary of the Merchant Service Guild, an association which is composed of officers and masters in the Australian trade, gave evidence before us, and on page 335 of our evidence, he says: "The conditions in 'England are very bad.' Of course, he said this in Australia; had he been in England he would probably not have dared to say it. 'They can hardly be said to be commensurable. A cargo vessel in England does not require to carry a master according to my reading of the Act. If she trades as a passenger steamer she has to carry a master and one mate. (Q.) Can she go to sea without a mate? (A.) A home-trade cargo vessel need not have officers at all.' I asked him: 'What section of the Merchant Shipping Act do you refer to?' and he said, 'Section 92, 1 (a), (b), (c).' That is the principal Section. Now Section 92 says: 'Every British foreign-going ship and every British home trade passenger ship when going to sea from any place in the United Kingdom, and every foreign steamship carrying passengers between places in the United Kingdom, shall be provided with officers duly certificated under this Act according to the following scale:—(a) In any case with a duly certificated master; (b) If the ship is of one hundred tons burden or upwards, with at least one officer besides the master holding a certificate not lower than that of only mate in the case of a foreign-going ship, or of mate in the case of a home trade passenger ship.' There is no mention of any cargo ship, so that a cargo ship may go to sea not only without certificated officers, but without a certificated master, according to that section. (c) If the ship is a foreign-going ship, and carries more than one mate, with at least the first and second mate duly certificated; (d) If the ship is a foreign-going steamship of one hundred nominal horse-power or upwards, with at least two engineers" (up to that point there is no need to carry any engineers at all), "one of whom shall be a first-class and the other a first-class or second-class engineer duly certificated." It would appear then that a home trade passenger ship can go to sea without any certificated person at all.

CAPTAIN CHALMERS: A home trade cargo ship.

HON. W. M. HUGHES: A cargo ship. Now, no home trade cargo ship, as far as I know, ever does go to sea without certificated officers.

CAPTAIN CHALMERS: Oh, yes.

HON. W. M. HUGHES: Well, that is even worse than we thought.

CAPTAIN CHALMERS: They go without a certificated master, but they must have a master.