

REPORT OF PROCEEDINGS OF THE CONFERENCE.

THE CHAIRMAN : Yes. I have been looking it up just now, and I certainly think we have. I think the powers are wide enough, even if we wished to impose a scale. I say this because I do not doubt it at all. As a lawyer, Mr. Hughes, you will see that under the Merchant Shipping Act, 1894, we have power to detain unsafe ships, ships which are unfit to proceed to sea without serious danger to human life, and that applies to machinery; and by the Act of 1897 the definition of unseaworthiness was extended to undermanning. There was no scale imposed.

HON. W. M. HUGHES : We have not got that Act of 1897. I should like to have a copy.

THE CHAIRMAN : We have issued instructions under the Act of 1897.

MR. HAVELOCK WILSON : Which section?

THE CHAIRMAN : There is only one section. We have simply extended the definition of unseaworthiness to undermanning. We can issue any instructions we like to our surveyors. We can impose a scale. We can say, "You must consider ships which have not got a certain number of men as unsafe." Take your point if you like; we can say we must have a certain number of men to each boat, and so on. It strikes me that we have very full powers without any legislation at all. There is no doubt about it.

MR. HAVELOCK WILSON : I would like that made clear. It only applies to the deck.

THE CHAIRMAN : You are quite wrong there.

MR. HAVELOCK WILSON : There has never been a regulation upon it.

THE CHAIRMAN : That is a question of the instructions which the Board of Trade issue, but we have the power without going to Parliament at all to extend that to all hands on deck.

MR. HAVELOCK WILSON : The stokehold, I mean.

CAPTAIN CHALMERS : May I say a few words with regard to the stokehold. With regard to that we have never interfered. When the articles of agreement are being signed, if the Superintendent finds that the master is signing on short of six deck hands he sends a notice to the detaining officer of the Board of Trade at once, and says, "This man is attempting to clear with less than the proper number." The Board of Trade detaining officer immediately goes to him and says, "If you attempt to go to sea with only five hands, I will detain you."

MR. HAVELOCK WILSON : On deck?

CAPTAIN CHALMERS : On deck.

SIR JOSEPH WARD : May I ask if any cases of that description have occurred?

CAPTAIN CHALMERS : We had numbers of cases during the first three or four years, about up to 1901, and invariably when the detaining officer interfered, the other hand, or the other two hands, were shipped. We never had a single ship detained, for the simple reason that they carried out the recommendations without detention. With regard to the stokehold, we have never found it necessary to interfere except in cases where suicides have been reported amongst the firemen. Invariably our practice in that case is for the owner to be approached, and it is pointed out to him: "We find that your stokehold is so manned that you seem to be putting an inordinate amount of work upon your men, that is to say, there are more than $3\frac{1}{2}$ tons per man of coal being worked per day, and we consider that an unsafe standard, and you had better bring your manning up to that."

HON. W. M. HUGHES : Is that the standard observed by the Board of Trade?

CAPTAIN CHALMERS : It is the standard recommended by the report of the minority.

HON. W. M. HUGHES : Is that the standard which your Department acts upon?

CAPTAIN CHALMERS : We act upon that recommendation.

HON. W. M. HUGHES : I see.

CAPTAIN CHALMERS : I would like to read a clause in the Committee's Report:—"After full consideration of the evidence laid before us, and after regarding the subject from all available points of view, we have come to the conclusion that no British steamer of over 700 tons gross measurement ought to be allowed to proceed to sea from a British port with less deck hands than six, in addition to the master and the mates. Of the six deck hands, at least four should be A.B.'s. All the six men must be watchkeeping men, so that there must always be three men on deck in addition to the officer of the watch during the night watches." This is the Report of the Majority Committee, which Mr. Havelock Wilson signed.

MR. HAVELOCK WILSON : I would like to put this question to Captain Chalmers. What would the Board of Trade do in the case where the owners or the captain take two of the deck hands and keep them at work all day, and then in the night time there are really only two men in the watch? Would the Board of Trade say that that was not right?

CAPTAIN CHALMERS : We say it is not right, but we cannot follow a ship to sea.

MR. HAVELOCK WILSON : If a case was brought under the notice of the Board of Trade, where they had six deck hands and two of them were kept working on paint work all day, and then the look-out and the steering was done by the other men in each watch, would the Board of Trade say that that was right?

CAPTAIN CHALMERS : The only way that that would come before us would be in the case of a casualty, and if we ordered a Court of Inquiry into that casualty and the Court found this wrong disposition of hands had taken place, the captain or master might be censured by the Court and probably might lose his certificate for a certain time.

SIR JOSEPH WARD : That is only in the case of accident?

CAPTAIN CHALMERS : Yes.

HON. W. M. HUGHES : That would apply to long hours in the case of officers, too?

CAPTAIN CHALMERS : No.

HON. W. M. HUGHES : Supposing a casualty occurred as you say, and it was shown that an officer had been 16, 20, 24, or 30 hours on watch or on duty, that would be undermanning?

CAPTAIN CHALMERS : It would be open to the Court to find whatever they desired to find on the subject.

HON. W. M. HUGHES : As an expert you would say that was so?

CAPTAIN CHALMERS : I am loth to express an opinion, because such a case has never come before us in our Courts of Inquiry. We have never had a single case where a casualty happened through an officer being overworked, or alleged to be overworked.

HON. W. M. HUGHES : I have evidence here which I think ought to be brought under your notice. Here is a case of several collisions off the Australian coast, and they have all occurred or nearly all occurred when the officers have been on the watch for a very long while. There was the collision between the "Dovedale" and the "Silver Cloud"; the officer had been on deck for 30 hours. Another officer had been on deck $21\frac{1}{2}$ hours, and another 57½. It was observed that quite a number of these accidents occurred within the first watch after the ship got to sea. They had been on duty all day, and the man had to go on after being up all night and all day. The ship started at 5 o'clock at night; it was his watch, and he actually went to sleep, and the collision occurred within four or five miles of the coast.

MR. DUNLOP : All these cases occurred in the coasting trade?

HON. W. M. HUGHES : Entirely.

MR. DUNLOP : You have ample power to deal with them?