

REPORT OF PROCEEDINGS OF THE CONFERENCE.

out gradually, and that is a misfortune for the Navy. That is where our sailors are trained. We don't want sailing ships to go out altogether; we don't want to handicap them unless we are bound.

SIR WILLIAM LYNE: You have this provision in the North Atlantic, and I do not think you will find heavier seas there than you will round Cape Horn.

HON. DUGALD THOMSON: Have you ever been there?

SIR WILLIAM LYNE: No, but I have read terrible accounts.

CAPTAIN CHALMERS: The Cape Horn sea is a long regular sea. The North Atlantic is like a boiling porridge pot; you never know where the sea is coming from. You never get a true sea in the Atlantic, and south of Cape Horn there is a long regular sea which seldom or never changes.

SIR WILLIAM LYNE: I saw a person the other day who came from South Africa, and he said it was like a boiling pot sometimes, from the Cape of Good Hope to Australia.

MR. DUNLOP: The whole point is this: you are not going to handicap a trade which is of great benefit to the nation simply out of an imaginary idea? You must show proof before you do a thing of that kind.

SIR WILLIAM LYNE: They have the power to do it in New Zealand. Give us the power; that is all we want.

MR. DUNLOP: You are here to confer with us. I think Mr. Chalmers, as a practical seaman, has given very good reasons why you should not apply it, and therefore we want you to give a good reason why you want it.

HON. DUGALD THOMSON: May I ask New Zealand if they apply the North Atlantic mark to ships going round the Horn?

SIR JOSEPH WARD: If we found a ship lifting this mark up, we should step in and exercise the provisions of our law and detain her. We don't use it for the purposes of restricting our trade. We have the power to protect people by the use of the mark. We accept the Imperial Board of Trade's mark upon ships that come to our country.

HON. W. M. HUGHES: I would like to suggest to Sir William Lyne, if he is going to stand by subsection A of Clause 2, that he should not put it on ships leaving Australia via Cape Horn merely. As a matter of fact, very few vessels do leave Australia via Cape Horn to trade to any British port. There are ships that run from Newcastle to Valparaiso or Rio de Janeiro, but that is another thing. If you mean it to apply to these, well and good. As a matter of fact, they don't go—Captain Chalmers will tell you how near they go to the Horn. It might apply to these, but it does not apply to the regular trading steamers. The one only comes to Australia via the Horn and goes back via the Cape. If we are to have a bad weather load line, it ought to apply to vessels trading round Australia as well as those—if there are any—that go round the Horn from Australia. I venture to say this, that you get on occasions, as heavy seas round the Australian coast as you get anywhere. The Commission, however, found it could not fix a season for a winter load line; we could not get evidence to warrant it. You might get heavy seas in the summer or in the spring. Round the south, east, and west you get rough weather at any time of the year, and therefore if we are going to have this mark we ought to have it to apply indifferently to all seasons and all voyages, and it certainly should apply to the coast. The evidence we have with reference to the "Nemesis," a coal-laden boat that went down, was, that she was loaded right to her mark, and it was sought to be shown that if she had had the lower mark she would not have gone down; but we could not get that evidence.

MR. COX: Might I ask Sir William, if he gets the New Zealand provision, will he undertake to follow the New Zealand practice?

SIR WILLIAM LYNE: Oh, no; I do not make any promise of that kind, because I can only promise while I am in office.

MR. COX: I only asked for yourself.

SIR WILLIAM LYNE: I would be quite prepared to accept the New Zealand provision, and I think we should most likely deal with it in the way they do, that is, have the power to raise or lower the mark if it appears a vessel was too heavily laden. I only want it for safety; I don't want to do anything to injure the trade.

THE CHAIRMAN: Which is the section of the New Zealand Act?

SIR JOSEPH WARD: Section 207.

MR. CUNLIFFE: I should like to point out that under the Imperial Act, Section 440, if a vessel leaves our waters marked according to our law she has to keep that mark the whole time she is out there, and she comes under a penalty, and it must be considered, as it has been considered in New Zealand, that it would be very difficult, if not raising a point of law, if after a vessel has left our port properly equipped according to our law and goes on her voyage, because she happens to touch at a colony she should come under a new condition. The Imperial Act says: "Where a ship proceeds on any voyage from a port in the United Kingdom for which the owner is required to enter the ship outwards, the disc indicating the load line shall be marked before so entering her, or if that is not practicable, as soon afterwards as may be." I want to save that position, at all events, and I have very little doubt New Zealand has borne that in mind in framing their Act.

SIR WILLIAM LYNE: Cannot you trust Australia the same as New Zealand?

HON. DUGALD THOMSON: We have the power.

SIR WILLIAM LYNE: New Zealand has made a special law.

HON. DUGALD THOMSON: We can do the same.

THE CHAIRMAN: May I ask Sir Joseph Ward what is the effect of the New Zealand law upon this proposal with regard to vessels leaving New Zealand by way of Cape Horn?

SIR JOSEPH WARD: We would follow the Board of Trade; there is no doubt about that.

SIR WILLIAM LYNE: Would you if, in your opinion or in the recommendation of your officers, that vessel was going away and it was unsafe?

SIR JOSEPH WARD: We could deal with her under the general provisions.

MR. COX: I understood Sir William Lyne to say he only wanted it for the purposes of safety.

SIR WILLIAM LYNE: I don't want it for any other reason.

THE CHAIRMAN: Your general provisions will protect you.

HON. W. M. HUGHES: What is your proposal?

MR. CUNLIFFE: My point is that if a vessel leaves here and goes to Australia she is under an obligation to keep her mark according to the Imperial Merchant Shipping Act. I think that ought to be borne in mind in considering this. If the mark is altered, she comes under a technical penalty. She is bound to keep her mark, and if we are satisfied here, and after many inquiries we have come to the conclusion that is a safe mark, I would suggest you give that consideration before you legislate.

HON. W. M. HUGHES: If that principle be admitted, and I think it is a sound one since we have accepted the Survey Certificate, you are not going to handicap the Australian shipowner by insisting upon him having a mark that practically puts him 50 or 100 or 500 tons to the bad. You cannot do that.

SIR WILLIAM LYNE: I will put it in another way. Supposing we provide in any Act we are passing, as we will pass one almost immediately we go back, a provision such as New Zealand has, are there any exceptions to be taken to it?

MR. FERNIE: So far as the shipowners are concerned, we should very strongly object.