

It regulated the employment of boys :
 It touched on the Check weighman question :
 It required two outlets fitted for the passage of men :
 It stipulated for official returns, frequent surveys and reports of accidents :

It empowered inspection :
 It provided for Coroner's inquests :
 It laid down the well known General Rules :
 It furnished a means for supplementing these by Special Rules :
 And it imposed penalties for non-compliance.

The original form remained unchanged for many years and the first amendment of moment had to do with the restriction of operations under the landwash. This was felt necessary in the view of the very large mileage of workable coal that lay off the foreshore of Cape Breton and which can only be ultimately won by reserving access thereto.

When in 1880 the Foord pit explosion with a loss of 43 lives followed an irruption of water which occasioned the loss of other six seemed to call for further legislation, amendments looking to making inquiries more reaching if possible than before were introduced, at the same time the foundation was laid for more frequent inspections, which it may here be mentioned have developed into regular monthly inspections by deputies; the office of Head Inspector being merged with that of Deputy Commissioner of Public Works and Mines, an office which alone carries with it a multiplicity of duties.

Authority was also given for the establishment of a Board of Examiners and the granting of certificates of competency to underground officials. This portion of the Act has been since then expanded, mining schools have been established and facilities furnished in each coal district for aspiring young men to more readily acquire the theoretical knowledge demanded at the examinations. The full benefit expected to result from this step has not yet been felt, the present state being rather one of transition, but the ultimate advantage of having even a rudimentary theoretical knowledge added to the practical work of coal mining cannot be doubted, and the benefits are already most marked.

A minor evil incident to a transition stage is experienced in the tendency of those holding certificates to regard them as credentials of special fitness. This is of course a mistake, a certificate is no guarantee that the holder is a man of tact, of common sense, of resource, is capable of directing men or is in short a good pitman; all it does is to certify that the holder has actually had some practical experience, and possesses some of the qualifications that are desirable for one engaged in the management of a pit. In time, however, this difficulty should cease and a sufficiently large number of certificated men be available from among whom selections may be made of those possessing, besides a certificate, the more valuable practical qualifications essential to a successful pit manager. In this connection remarks last year by Mr. McKay, Supervisor of Schools, Halifax, on "School Preparation for Industrial Pursuits" are worth repeating:

Of one hundred pupils who enter our common schools, said Mr. McKay, only 33 per cent complete the sixth grade and 20 per cent the eighth grade. Nine per cent enter the academy and four per cent remain three years. Of ten who enter the academy, one matriculates into college with a view to one or other of the learned professions. The other nine leave with a more positive dislike for manual work than when they left the common school. Some of them will therefore teach, and others will become clerks, book-keepers, etc. Why should educational forces and government aid be so largely expended in preparing the few in Latin, so as to enable them to matriculate in medicine, law or teaching, while agriculturists comprising 45 per cent, or the working classes, are left ignorant of the fundamental principles of chemistry, botany and the use of tools? Why are artisans, comprising 28 per cent, left without a knowledge of industrial drawing? These subjects are not only of more importance to these classes than Latin is to professional men, but also of more practical utility to all classes and at the same time, in the opinion of educational reformers, better adapted as educational instruments for mental discipline.

Mr. McKay then went on to consider what constituted the best school preparation for industrial pursuits. Seven things, he thought, were necessary: A thorough Kindergarten training; a sound physical education, good health and muscle; a knowledge of reading, writing, and arithmetic; a knowledge of history and economics; a knowledge of the physical, chemical, and physiological forces of the material world; drawing; and manual training. In concluding he reminded his hearers that the literary classes had so far directed education, the industrial classes would do so hereafter.

But to return to our legislation, the intention of the numerous amendments following those of 1881 which related to raising the standard of official knowledge was obviously good, but we as a people have a very general belief that in legislation lies the panacea for almost every ill, and hence it is not uncommon to find Acts drafted by those untrained in legal phraseology and with limited experience, though evidently well meaning, accepted and as freely passed by the Legislature. The statute book is full of Acts hastily prepared and revised in the same laudable spirit, it may be even amended by two and sometimes three separate Acts during the same session. The various attempts to straighten out the clauses relating to certificated officials and their duties are cases in point.

First, the Act of 1881 stated that after a fixed time it shall not be lawful for any one not having a certificate of competency to be employed at any mine in this Province. The time was subsequently fixed for January 1st, 1884, but although there was the Act applying to all mines, gold, coal and iron, and strictly read to all workers in mines, boys and men without exception, no attempt was made to enforce this law. Again there remained for years on the statute book, clause 44, ostensibly framed to reduce the numbers of certificated officials required for the class it was intended to relieve,

by being made to read, "but the operations below ground shall be under the charge of persons holding certificates as underground managers and over-men." Strictly enforced, this, in some cases, would have required four officials at least to supervise the operations of even as few as two working men.

When representations have been made by those whose liberty of action was threatened to be restricted in consequence of the Act bearing a construction beyond that intended, the answer has been good-naturedly made, "the intention is evidently otherwise, and an amendment next session can correct the ambiguity."

Or again, on complaints that important alterations have been made to the mining Acts without those chiefly affected having an opportunity of studying their bearing prior to their passage through the House, they have called forth the remark, "Oh, the Government cannot prevent any member of the House from bringing in an amendment to any Act." This may be generally true, but as there is a special department devoted to mining matters under the direction of a member of the Government, it has been urged, and it is thought fairly, that all Acts and amendments relating to mines should invariably be Government measures. Not only so, but that no Act should be sprung on the mining community towards the close of a session when it is impossible to carefully consider it, but rather that all Acts relating to mines should be prepared during recess and be subject to the criticisms of all classes likely to be affected by them.

The Department of Mines has experienced officers capable of weighing the advantages expected to be gained by additional legislation, putting on the one hand the restrictions to be imposed, and on the other the possible cost to the industry, and the attitude of this Department towards any proposed legislation should be clearly established, as is understood to be the case in England.

The strong faith in the efficacy of the mere passage of legislation leads to the assumption that when an amendment to the mining law is proposed it is evidence of its necessity, and our legislators are apt to consider the opposition of mining men to be expected and rather indicative of the necessity than otherwise for the additional restriction. They therefore say, let us give the bill a trial, and if it doesn't suit, why we can repeal it. As a seafaring people we know the benefit derived from the law requiring masters and mates to hold certificates—let us apply it to our mines as is done in other countries, and not only require the head pitman to hold a certificate, but let us go further and include all deputies, gas triers, shot firers, and even drivers of hoisting engines. This has been done, but the possible combination of circumstances and conditions has not been carefully worked out and made clear in the Act. In its present form, the Act suggests several questions on the intention respecting officials. How many offices can one man fill? Does a certificate of higher grade legalize the holder to perform the offices appertaining to a lower?

Again whether the object of the Act is solely to ensure the employment of suitable men or has it in view to find employment for the greatest number of officials. This question arises when an attempt is made to follow the law in a small mine where the full train of colliery officials contemplated by the Act does not seem warranted. The list of officials besides the owner and agent reads as follows: manager, underground manager, overman, night examiner, and shot-firer.

It is a grave question whether the advantages expected to accrue from certificating shot firers and firemen such as gas triers and night examiners are not more than met by the disadvantages the complications to which the law in its present shape gives rise, and the infraction of the letter of the law when temporary substitutes have unavoidably to be made of non-certificated men. In making appointments for these offices who can know the fitness of men so well as the mine managers? A Board of Examiners certainly cannot. Take the case of a shot firer, who must not only know the law relating to firing shots and the use of explosives underground about which he can be examined, but he must know the coal in which the shots are to be fired, how best the shots should be placed, and whether the pickmen has "properly worked" the coal for the proposed shot. Especially must he have backbone enough to refuse to fire it when the conditions are not favorable. To judge of this fitness personal knowledge is essential, not mere acquaintance but knowledge of a man at his work, and who has that so well as the manager of the mine? And yet under the law the selection is no longer entrusted to this official, of all men the most interested in the appointment of fit persons, but it is subject to the approval of whom? Not even of a Board of Examiners, for there is no written examination, but of a local miner, who may not be the holder of an underground manager's certificate of competency.

That this was intentional when the Act was framed is not for a moment suspected, and yet it is the result when the law comes to be put in operation. It goes without saying that the management of a mine will appoint the best available men to the permanent positions and the best men for substitutes when such are required. Then again for such an occupation as driving an engine, book learning, it has been contended, does not add to the efficiency of a man; if anything, rather the reverse, as it leads to abstraction and inattention to immediate surroundings. And it may be doubted if in this case the stipulation requiring a certificate is worth the annoyance it may at times occasion; at any rate in its present form, as no provision has been made for the temporary substitution of uncertificated men during the unavoidable absence of the regular drivers.

One anomaly connected with the law respecting the certification of officials having to do with mines has yet to be mentioned. In the Statutes of 1885 it was required that future Deputy Inspectors of Mines should be holders of certificates to be granted subsequently to examination, but this clause was on a later revision thought to be a mistake and deleted.

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