pay fares back to the Old World than to keep people on our Charities Department, possibly for years.

Vote put and passed.

Progress reported.

House adjourned at 11 p.m.

Legislative Council,

Thursday, 29th October, 1925.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

LEAVE OF ABSENCE.

On motion by Hon. J. R. Brown, leave of absence for six consecutive sittings granted to the Hon. T. Moore (Central) on the ground of urgent private business.

MOTION—RAILWAY DINING CARS.

HON. A. LOVEKIN (Metropolitan) [4.35]: I move—

That the present system of leasing the dining cars on the railways, especially on the Goldfields line, is detrimental to the best interests of the State, and should be immediately altered or revised.

I submit this motion to the House because of a number of complaints and adverse comments that have been made for some time past as to the meals and fruit obtainable on the Goldfields trains. As members know, the Goldfields service carries quite a number of visitors to this State, and it seems to me that we should equip the train as well as possible with the products of the State. We had an instance only the other day of one of the delegates to the Imperial Press Congress who, when coming down by the train, remarked facetiously, "I thought this was a good fruitgrowing country." I said, "It is a good fruitgrowing country." He replied, "I suppose you export all that is of any value and you yourselves eat the windfalls." He was referring to the quality of fruit placed on the table of the dining car. Members who use that and other railway services know well the miserable fruit provided in a country that ought to advertise by every possible means its capacity to grow excellent fruit. I have tabled the motion to direct attention to the matter in the hope that this state of affairs may be remedied. The Chief Secretary, in reply to a question I put the other day, informed me that the Railway Department received £100 per annum from the lessee for the right of conducting the refreshment car from Kalgoorlie to Southern Cross. That £100 has to come out of something, and it comes out of the food, thus giving the State a bad advertisement while proving of very little benefit to the Railway Department. On the whole service, according to the reply of the Chief Secretary, the Government receive £1,250 10s. per annum. All that money has to be made out of the food and fruit partaken of in the dining and buffet cars, and the revenue benefits the department very little as compared with the bad advertisement it gives to the State. The Commissioner of Railways should endeavour to improve the service.

Hon. A. Burvill: Then you believe in State trading!

Hon. A. LOVEKIN: I have moved the motion merely in order to direct attention to the matter.

HON. J. CORNELL (South) [4.38] I could have wished that Mr. Lovekin had included in the motion that all papers relating to the leasing of railway dining cars and refreshment rooms to the present contractor be laid upon the Table. I hope the Minister will table the papers. There are rumours abroad that are anything but savoury regarding the way in which the present contractor secured his contract. I am given to understand on reliable authority that better offers were made by other tenderers. It is well known that the contract

was taken from the previous contractor, Mr. Dungey, on the ground, I understand, of complaints having been made by the travelling public. Anyone who has patronised the dining cars during Mr. Dungey's time and under the present contractor can come to no other conclusion than that instead of it being a change for the better, it has been an absolute change for the worse. There is another difference: Mr. Dungey was not permitted to charge for returns, but the present contractor had not been operating long before he did charge for returns. Members will agree that the necessity for asking for a return frequently arises from fault in the original serve. I recently covered 21,000 miles of railway travelling, and the only instance where there was room for complaint was in respect of our own dining cars. I travelled through four States and two different countries. The first meal I had on the Kalgoorlie dining car was breakfast. The meat I could not eat, and when I ordered bacon and eggs the eggs were certainly old-fashioned. In fact they must have been relics of a very old time, and I should not like them to be handy when an electioneering meeting was on. The butter was no better. In a country of primary production, there is no occasion to serve rubbish, especially in view of the prices charged. This can be done for only one purpose, namely, profit for the individual running the service and regardless of consideration for the damage done to the State. If there is one instrumentality that we ought to insist on being up to standard, it is that of the railway refreshment rooms and dining cars. The public are always prepared to pay for a reasonable and wholesome service. Mr. Lovekin has mentioned that people who travel the world patronise the Kalgoorlie train. It is said that the best way to get at a man is through his stomach, and certainly the surest way to create a favourable impression on a visitor is through his stomach. Men who travel the world have wide experience of railway dining cars, but I think the conclusion of any one of them would agree with mine, that of all the dining cars, ours are the worst. For a lower price the Victorian dining cars provide second-class passengers with a better meal than is available on our cars. People have a decided objection to paying for what they do not get, or to being given what they cannot eat. The trans-Australian dining car may fairly be quoted for purposes of comparison. I have it on the authority of a responsible officer of the Commonwealth Railways that the trans-Australian dining car does pay. One hears expressions of opinion from men who have travelled the world to the effect that the service given on the trans-Australian dining car compares favourably with any other service of the kind. The bill of fare is not elaborate, but the food is good, wholesome, well-cooked, and well served. The staff on the trans-Australian train have held their positions for a considerable time. On the trans-Australian car a traveller receives the following for 18s.: Leaving Perth to-night, he reaches Kalgoorlie to-morrow, and then has on the trans-Australian train afternoon tea and dinner. On the next day he has morning tea, breakfast, lunch, afternoon tea, and dinner, with black coffee served in the lounge car. Getting into Port Augusta at 3 o'clock, he has morning tea and breakfast on the trans-Australian train. All those meals are supplied for 18s. On the Kalgoorlie express the cost of the same meals would be at least 50 per cent. more, and the wholesomeness would be about 100 per cent. less. I have nothing derogatory to say of the present contractor. On his own showing, however, the service has gone back from what it was under his predecessor. Complaints are not isolated; they are general. I think every member of Parliament who travels on that train comes to the same conclusion as has been reached by me and by travellers generally. I trust that investigation will be made and the service cleaned up. If the problem is tackled seriously, there will be adequate returns from the service. On the Kalgoorlie express I prefer to have a cup of tea and a sandwich at a siding rather than go into the diningroom and pay for something I do not get.

HON. J. M. MACFARLANE (Metropolitan) [4.49]: I feel much sympathy for Mr. Lovekin's motion, and hope that something will be done to improve the conditions on the dining car. It is true that the service there compares unfavourably with that on the dining cars of other States; and I know what I am talking about as regards foodstuffs. The Victorian service is much better, but not, as stated by Mr. Cornell, lower in price. The Victorian prices are a little higher, but much better value is given. In

Victoria the charge is 3s. 6d. for breakfast and lunch, and 4s. for dinner.

Mr. Lovekin: Mr. Cornell was referring to the second class.

Mr. MACFARLANE: Western Australia charges 2s. 6d. for breakfast and 3s. 6d. for the other meals.

Hon. J. Cornell: The charge is 3s. for breakfast.

Mr. MACFARLANE: In my desire to supply the dining car with foodstuffs, I have found that standard quality foods are not bought by the caterer in all cases. Travellers on the train, knowing that I am interested in the manufacture of local butter, have turned round to me and said, "Is this your local butter?" In some cases I have known that it was not local butter, but when it was local butter it was not the choicest line. Now, our choicest lines should appear on the tables of the dining car, because the Eastern Goldfields line is largely used by oversea travellers. As regards fruit, there is at present some excuse for not having the finest display on the table, as fruits are out of season; but something better could be done than is being done. Under the previous caterer one had the privilege of taking a hamper or going without food between here and Kalgoorlie; but now the tactics of the Commissioner of Railways, who I am sure is acting in conjunction with the present caterer, are to make one pay for all these meals if one is a trans-Australian traveller, whether one eats the meals or not. The cost of the meals is charged for in the fare. The other day a friend of mine, who was booking seats for two ladies, got wroth about this, because he had a hamper. Eventually he told the Railway Department that he would make them a present of the meals.

Hon. J. Cornell: That is a new thing, put up by the present Commissioner.

Hon. J. M. MACFARLANE: It is a recent ruling. All the blame, however, cannot be put on the caterer. The administration of the Railway Department mean to grab the last cent from every contractor. By competition the cost of the contract is made so high that the caterer has not an adequate margin. The matter should be regarded from the aspect of advertising the State, and the caterer should not be ground down to the lowest point. The menu put on should be such as will be a good advertisement for Western Australia. There should be co-operation between the caterer, whoever he may be, and the Commissioner of Railways towards that end. I would rather see the caterer do well and give the public a really good service.

HON. H. J. YELLAND (East) [4.55] I wish to add my quota in support of the motion. For some considerable time those who have been under the necessity of travelling on the Eastern Goldfields line have not received the satisfaction they consider should come from the service of the caterer. I can endorse what has been said about the Eastern States. It must be borne in mind that nearly all persons entering Western Australia from the East receive their first impressions of the products of this State from what is put on the table on the train between Kalgoorlie and Perth. I have often heard Eastern travellers remark that neither the meals nor the produce are up to standard, and that if they are a fair sample Western Australia's products must be poor. Mr. Macfarlane has drawn attention to that aspect. Butter and fruit especially are not up to standard. Even when fruit is in season, the supplies of it placed on the table in the Kalgoorlie express are not worthy of Western Australia. As a result, unfavourable impressions are derived by people entering this State for the first time.

Hon. V. Hamersley: Do the Commonwealth Railway Department get their supplies from Western Australia?

Hon. H. J. YELLAND: I cannot say.

Hon. J. M. Macfarlane: They get most of their supplies from South Australia.

Hon. H. J. YELLAND: In any case, I am of opinion that the meals provided on the Eastern Goldfields line have greatly deteriorated within the last few years.

HON. E. H. HARRIS (North-East) [4.57]: As one who has travelled up and down the Eastern Goldfields line twice a week for two years, I shall no doubt be permitted by Mr. Lovekin to express an opinion regarding the system that prevails on the dining car. I think it would have been better had we first called for a copy of the form of tender, so that we might be well acquainted with the details of the matter before discussing it at length. I believe that tenders are called, and that at present the whole of the catering on the Eastern Goldfields line is done by one man. I fail to see that there is much difference between the quality of what is put on the table now

and what was put on by the former contractor, or, before his time, by the Government. When the present contract was let, the discovery that charges had been altered on some parts of the line created public interest; and the local bodies on the goldfields called on the member for the district to make inquiries into the matter. He informed them that the charges at the goldfields end remained as before, and that at this end of the line the charges had been reduced. The traveller on the goldfields end of the line is now called upon to pay exactly the same charges as before, except that the contractor has the right to charge for returns. In many cases this means an increased charge, the travellers being hungry. Under the previous contractor the price at the goldfields end was the same as now, and there was no extra charge for returns. The class of fruit is the same as the class of edibles and drinkables, which are not of a very high standard. I do not say that derogatorily to the contractor. Still, the standard is not so high as in the Eastern States. The slightly higher charges made in the East are in the interests of everyone who travels. In 99 cases out of 100 travellers on the railways of the Eastern States are perfectly satisfied with what is put before them. To judge by expressions of opinion from Eastern travellers on the goldfields line, such is not the case there.

HON. A. LOVEKIN (in explanation): I would like to say a few words in reference to fruit. I have been informed that some time ago the Fruitgrowers' Association were dissatisfied with the class of fruit sold on the railway stations, and that after some lengthy negotiations and after overcoming much opposition on the part of the authorities, they were allowed to supply the railway stalls with decent fruit. I was on the Perth railway station the other evening, and can certify that really first class fruit is obtainable there. It seems to me that if the Fruitgrowers' Association would take in hand the supplying of the trains as well, it would make very little difference to them and would do much good to the State. I throw out that suggestion.

On motion by the Chief Secretary, debate adjourned.

BILL—LAND ACT AMENDMENT.

In Committee.

Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 105:

The CHIEF SECRETARY: The clause as it stands does not go quite far enough and the addition of several words will make the position perfectly clear. I move an amendment—

That in line five, after "applicant," the words "or his predecessor in title" be added.

Hon. J. J. HOLMES: The words will improve the clause. The amendment contained in the clause is long overdue and I thank the Government for rectifying the existing position. In the early days, before any surveys were made, pioneers went out and put up their fences, and at a later stage it was not found possible to bring the boundaries of the leases within the four corners of the improvements. Avaricious people who came along claimed the improvements that had been effected by the original holders. Under the Bill it will be possible for those who pioneered the country and carried out improvements, to reap the advantage of their work. If those who come along desire the possession of those improvements, they must be prepared to pay for them.

Amendment put and passed; the clause, as amended, agreed to.

Title—agreed to.

Bill reported with an amendment.

BILL—NEWCASTLE SUBURBAN LOT S8.

In Committee.

Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Revesting of land:

The CHIEF SECRETARY: At the second reading stage Mr. Nicholson questioned whether the Bill was sufficiently explicit in the direction of conveying the land to the new trustees for the purpose set forth in the schedule. I brought the matter under the notice of the Solicitor General, and he has written—

The new trustees necessarily will hold on the same trust with the former trustees. If

the House desires, these words may be added to the clause, "for the purpose of the trust as stated in the schedule."

In order to make assurance doubly sure I move an amendment—

That the following words be added to the clause:—"for the purpose of the trust as set out in the schedule."

Hon. J. Nicholson: That will make the position quite clear.

Amendment put and passed; the clause, as amended, agreed to.

Schedule, Title—agreed to.

Bill reported with an amendment.

BILL—LAND DRAINAGE.

Second Reading.

Debate resumed from the previous day.

HON. E. ROSE (South-West) [5.10]: The Bill is long overdue; it has been required for many years throughout the South-West agricultural areas. I therefore compliment the Government on having introduced it. Although it is not exactly what we would wish to see, it may be possible to improve it when it reaches the Committee stage. One has only to travel from Fremantle to Bunbury, and on to Albany, to see the great area of land that has not been brought under production. Many people are under the impression that the land is not worth cultivating; but I assure the House that in the territory that will be affected by the Bill we have some of the finest mixed farming land in Western Australia. It is all lying idle now because of the heavy rainfall and the absence of anything in the way of drainage. The Bill will give the Government power to construct drains throughout the South-West without fear of being sued for damages by owners of the property. It will give power to the Government to declare drainage areas and drainage boards. The land is capable of carrying thousands of dairy farms which should be producing all that we now import from the Eastern States. We are importing no less than half a million pounds' worth of butter alone from the Eastern States annually. I hope that when drainage operations are commenced the scheme to be carried out will be a comprehensive one, and that all the main drains will be looked upon as national drains. The rivers and watercourses have to be opened up and it would be unfair to the holders of land in those districts if they were debited with the cost of the main channels. We have only to see what has already been done in the way of draining some of these areas to realise the advantage of carrying out the work on a big scale. In the past the Government started at the wrong end with their drainage works; instead of starting at the outlet, and giving the water an opportunity to get away to the ocean, they started at the top end and did damage, in many instances, instead of providing benefits. We have only to look at the recent arbitration matter in connection with Benger swamp. The Government started a drain to intercept the water from the gullies with the intention of running it into the river. They started at the top end, and ran a certain distance until the water reached the smaller private drains. When the first heavy rains came, the lower drains were not big enough to carry off the water. The country therefore flooded, the water burst through the drains, and the crops of the settlers were ruined. I do not know whose fault it was, but someone was to blame. We have not heard how the matter was settled. I hope that the Government, when undertaking new schemes, will start at the bottom end and allow plenty of room for water to be carried away to the ocean before they reach the top end. If this is not done, the same thing will occur as occurred at Benger, and it will be the same thing as occurred at Busselton near Wonnerup. Rivers have been cleaned out and straightened, with the result that the water is now flooding thousands of acres of country on which there was no water previously. The same thing applies to the Albany district. At Herdsman's Lake, owing to the swamping of the country the Government have had to carry out an extensive drainage scheme at a cost of about £90,000. Land around Fremantle, Bunbury, Geraldton and Albany which is now wet and low-lying, can be brought into a productive state. It is country that is admirably suited for closer settlement, for dairy farming, pig raising, etc., if it is properly handled. The grasses that one sees when going through the cultivated land will convince one what the country is capable of carrying. The whole of it is capable of carrying a tremendous lot of stock. If the land is used only for dairying, the expenditure by the Government, in opening up main channels so that the settlers can drain their land into them, will be money

well spent. The Harvey is another object lesson of what is being done in the way of drainage. These main channels should not be debited up to the farmer. They should be looked upon as main arteries just as our railways and our Kalgoorlie water scheme are regarded. Where the main pipe line runs through the different properties it is not charged up to the farmers, and only where smaller pipes are run out into the agricultural areas have the farmers to pay for them. A charge of 2s. in the pound as a maximum is rather high, especially when the other taxes the farmer has to pay are added to it. Very often the maximum charge becomes the only charge that is made. Farmers have to pay road board taxes, land tax, taxes under the Health Act and under the Drainage Act. All this legislation makes the tax very heavy, and leaves little or no profit to the farmer who has to work long hours in order to support his family. The road board rates are only 3d. in the pound, but there is such a multiplicity of taxes that the Government should in this case fix a maximum rate far below that which is set down. The Government should take into consideration the nature of the country that is to derive a benefit from these drains. They could well study the New Zealand Act, which applies particularly to Western Australia because of the wet nature of the land to be dealt with. There is a heavy rainfall both in New Zealand and the South-West. They would find that the New Zealand Act differentiates between different classes of land, and makes allowances for the benefits that are to derived from these drains. There are three or four different charges. Some of the land may be worthless without a drain, but when it is drained, say, in the case of our swamps, it becomes worth £40 or £50 an acre. Other land, however, would probably not benefit to the extent of more than two or three shillings an acre. This factor should be taken into consideration when the rates are levied. I agree with the Bill regarding the appointment of boards. It is necessary that the matter should be under the control of boards. I also agree that the Governor in Council should have power to declare drainage areas, and to increase or reduce the size of such areas as may be thought fit. The South-West will benefit more from this Bill than any other part of the State. Between Fremantle and Albany the country is wet, and there is a heavy rainfall. There are, however, very few outlets for the water. In conjunction with this Bill I should have liked to see an irrigation scheme dealt with. In the long, dry summers the land could be irrigated and summer fodders of every description could be grown. If our rivers could be harnessed they would provide sufficient water for the irrigation of thousands of acres of first-class land. We know what is being done elsewhere by irrigation, and what benefits have accrued from such works. I have always advocated a comprehensive drainage scheme, and have supported the closer settlement measures for that reason. The Government could go in for a large scheme without any fear of trouble from the owners of the land. The Bill provides that the Government shall not be mulcted in any money for damages that may occur through the building of large drains. I compliment the Government upon introducing this Bill, which is long overdue. We shall not do any good with the South-West until schemes of this description have been put into operation. I have much pleasure in supporting the second reading.

HON. J. J. HOLMES (North) [5.24] : There are one or two points that members should consider in dealing with this Bill. The first is that raised by Mr. Rose, in reference to the drains being begun at the wrong end, at the top instead of at the bottom. I do not know whether that was the fault of previous Governments or of departmental engineers. It may have been the result of political motive or it may be the fault of the officers. I am inclined to think the trouble is that there is a range of sandhills between the sea and these swamps. The sandhills keep the sea back on the one side, and keep the water back on the other. If a beginning were made at the bottom end, I understand this would let the sea into the swamps, instead of the swamp water flowing into the sea. This arises from the fact that many of the swamps are below sea level. It is a difficult matter to drain country like that. If the difficulty has been partially overcome by starting at the top end and sending the water down to the lower levels, it is all right for some people, but it is pretty bad for the man below. Many of these drains are below sea level. I do not want to see any engineer or any person with a political axe to grind starting a drain either at the top end or at the bottom unless the work is to be a success. Another question raised by Mr. Rose is, who shall pay

for these main drains? The hon. member seems to think it should be a national charge. I think that when a drain travels through Crown land it should be a national charge, but when it passes through privately owned land, and the result of the main drain is to turn that land from a marsh into first-class land, the owner should pay.

Hon. A. Burvill: He has to put the subsidiary drains in.

Hon. J. J. HOLMES: As things are, the land would be no good to him. If the Government converts marshy land into first-class land, and creates a valuable asset for the owner, he should at all events pay some proportion of the cost of the main drains. Mr. Rose does not seem to think there should be any claim for compensation for damages. I cannot agree with that. If through the fault of the engineer, or the fault of someone else, or through instructions given by the Minister, a drain is started at the top end, and it sends the water down upon the settlers below——

Hon. E. Rose: I do not mean that.

Hon. J. J. HOLMES: And the settler below suffers damage, the Government should be responsible for it. I do not know whether the Bill provides that the Government are going to rate everything within a given area, or whether the rating will be on a more equitable basis so that the rates shall be paid only by the people whose land is improved. It does not seem equitable that the man who does not require to have his land drained, or has none that is worth draining, should pay the same as the other man.

The Chief Secretary: That is the principle.

Hon. J. J. HOLMES: He should not be asked to pay. A lot of the South-West can be drained and has been drained. There is no doubt about the possibilities of that portion of the State. Since group settlement was started I have made it my business to go round the South-West as often as possible, generally in the company of departmental officers. There is better land there than I ever dreamed of. There is a wonderful future before the south. As I said in connection with another Bill, the trouble is that we are trying to put a square peg into a round hole. We have a certain class of men who do not know their jobs. The controller of group settlement said that a good man would succeed on inferior land, but that a man who did not understand his job would fail on the best of land. He was asked how he proposed to spoon-feed these people into prosperity, and the only answer he could give was, "I did not bring them to the country. The policy of the Government was to bring them here, and I have to do the best I can with the material I have." I do not want hon. members to think that because there may be a lot of failures there, and there are bound to be failures, that it is the fault of the land. The failures will be the result of putting round pegs into square holes, or, to put it another way, putting the wrong class of people on the right class of land. I support the second reading of the Bill.

On motion by Hon. A. Burvill debate adjourned.

BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

In Committee.

Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4 of principal Act:

Hon. V. HAMERSLEY: I move an amendment—

That in line five of Subclause (1), the words "and also any club, employing one or more workers" be struck out.

I regret that an effort has been made to include clubs within the definition of "employer." Club employees are not in the same position as hotel employees. There are various forms of clubs, including social clubs and such clubs as those concerned with tennis, golf, and so on. Those clubs employ assistants and I do not think it is necessary for them to be included within the scope of the Bill. As to residential clubs, they come within the same category as a person's private home, and the employees of those clubs do not come into contact with the public as they do when employed in hotels, which are open to the public. It would be a direct interference with the homelife of club members, if the secretary of a union or his nominees were given the right of entry at any time.

Hon. W. H. Kitson: What are you afraid of?

Hon. V. HAMERSLEY: Interference on the part of union officials in my private home.

Hon. W. H. Kitson: We are not speaking about your home.

Hon. V. HAMERSLEY: Yes we are. My club is my home.

Hon. E. H. Gray: If you lived in an hotel, it would be the same thing.

Hon. A. Lovekin: That is a different position altogether.

Hon. V. HAMERSLEY: A servant in an hotel is not my servant if I stay there. Everyone has a right to go into an hotel, which is a public place. I would have no control over an hotel servant.

Hon. E. H. Gray: Nor have you any control in a club.

Hon. V. HAMERSLEY: Undoubtedly I have. There is a great distinction between the two positions and the employees of a club recognise it. When we remember what happened in connection with public eating houses some little time back and the actions of a union secretary, it can be understood why such a thing is not desired in connection with clubs. If that sort of thing were attempted, there would soon be a revolution.

Hon. A. LOVEKIN: I support the amendment. This is a new principle which was not embodied in last year's Bill. The employees of a club are in the same position as a domestic employed in the home. Union officials should have no right to come into my home without my permission.

The CHIEF SECRETARY: The object of Mr. Hamersley's amendment is to remove clubs from the operations of the Bill.

Hon. J. M. Macfarlane: And quite right, too.

The CHIEF SECRETARY: A ruling has been given that under the existing legislation, only clubs that have been incorporated are subject to the Act. There is no sound reason why any club not registered as a company, should not be compelled to pay its employees a fair wage or observe reasonable industrial conditions. Unless the provision in the Bill be agreed to, clubs can cancel their registration and they will be no longer subject to the Arbitration Act.

Hon. A. Lovekin: Does not the Licensing Act operate against that?

The CHIEF SECRETARY: A club is similar to an hotel and hotels come under the provisions of the Arbitration Act. The employees of a club, therefore, are entitled to recognition under the Arbitration laws. It is not right that club employees should have to work any hours dictated by their employers, nor that they should receive any wages the employers choose to give them. That is the position at present. Mr. Hamersley has not supplied any reasons why there should be any discrimination between these employees.

Hon. J. NICHOLSON: We discussed this question extensively last year when the Bill was before us. While clubs are brought in at an earlier stage of the Bill this time, there is also provision made in Clause 66. I agree with the amendment. No argument has been advanced to justify us in departing from our decision of last year to delete from the Bill all clauses relating to clubs.

Hon. W. H. KITSON: I hope members will not expect the Bill to be exactly similar to that which was before us last session. What is there in connection with clubs that will not bear investigation and which hon. members want to hide? If there is no such reason, why do they object to the inclusion of clubs?

Hon. J. Nicholson: The position is quite different.

Hon. W. H. KITSON: It is not different at all.

Hon. A. Lovekin: Suppose we have a political club and Labour representatives have the right to go there day or night as they think fit?

Hon. W. H. KITSON: The hon. member knows that he is not stating the position fairly.

Hon. A. Lovekin: That could happen.

Hon. W. H. KITSON: If the Bill becomes law, a union representative will merely have the right to interview members.

Hon. J. Nicholson: But a club is a man's home!

Hon. W. H. KITSON: That does not alter the position in any way whatever. Wherever a worker is employed, those employing him should be subject to the same conditions as any other employer. There is no difference between a worker employed in a club and another employed in a warehouse. In recent years disclosures have been made regarding conditions under which some of these club employees have to work, and it is only right that those employees should be able to go to the Arbitration Court, and that their union secretary should be permitted to interview them and inspect their time books, etc.

Hon. V. HAMERSLEY: There is a great distinction between employees in a club and other employees. If the club employees were to be brought under the Act, it would mean an entire alteration in their conditions of employment. At present, in addition to their wages, they are shown great consideration in the terms and conditions of their employment. There may be at Fremantle some clubs that work their employees long hours, but I have no personal knowledge of that. Residential members of clubs do not want to be brought under the conditions to which residents at hotels in Perth were recently subjected.

Hon. J. DUFFELL: The club to which I belong has a large membership roll.

Hon. E. H. Gray: The Karrakatta Club.

Hon. E. H. Harris: The goose club.

Hon. J. DUFFELL: I know that the employees in my club have not asked to be brought under the Act. Generally speaking, I should say that clubs ought not to be brought under the Act.

Hon. J. J. HOLMES: I can quite realise that, in the light of recent experiences in Perth, the exemption of clubs from the provisions of the Arbitration Act has been found to be a weak link in the line of attack. As a result of the recent strike, people in hotels and those who take their meals at restaurants were left without meals. Fortunately, that did not apply to clubs. Many men make the club their home, and if the club employees had been members of a union under the Arbitration Act, those resident members would have been deprived of their homes during the recent strike. The Bill is much the same as the one we had last year, and I see no reason to alter any vote I gave on the previous occasion. I do not mind voting this time without discussion, for there has been but one change in the personnel of the House since last year's Bill was under consideration. But there has been a change in industrial circles, a change suggesting that we ought to go further this time than we went last time; for now nobody seems to be prepared to abide by an order of the Arbitration Court. I would abolish the Arbitration Court.

The CHAIRMAN: The hon. member must confine himself to the question before the Chair.

Hon. J. J. HOLMES: Yes, it is the exclusion of club employees. I will vote for that exclusion.

Amendment put and a division taken with the following result:—

Ayes	.. .. ..	14
Noes	.. .. ..	7
Majority for	..	7

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. A. Burvill	Hon. G. Potter
Hon. J. Duffell	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. J. J. Holmes	Hon. H. Stewart
Hon. A. Lovekin	Hon. H. J. Yelland
Hon. J. M. Macfarlane	Hon. E. Rose (*Teller.*)

NOES.

Hon. J. R. Brown	Hon. J. W. Hickey
Hon. J. Cornell	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. E. H. Gray
Hon. E. H. Harris	(*Teller.*)

PAIR

AYE.	NO.
Hon. J. Ewing	Hon. T. Moore

Amendment thus passed.

Hon. A. LOVEKIN: I move an amendment—

That at the end of paragraph (h) of Subclause (4), the following be added:—"but so as not to limit the right of an employer to employ or dismiss whom he pleases."

Unless we get some such words as these in the clause, it will be left open to the Arbitration Court to prescribe that the last man on shall be the first man off.

Hon. W. H. KITSON: I see no reason why this should not be left to the court. The hon. member knows that certain procedure is customary in respect to the dismissal of employees. In any event, surely if we are prepared to leave the settlement of general conditions, including wages, to the court, we should also leave the court to decide whether there shall be any conditions of this kind laid down in the award. It is quite conceivable that in some industries conditions prevail that require regulation of this kind, and if the evidence is sufficient to convince the court, no one could complain of its being inserted in an award. A provision similar to paragraph (h) appears in the Commonwealth Act, and it has operated satisfactorily.

Hon. A. LOVEKIN: The answer to Mr. Kitson is that the unions are inserting in their domestic rules the condition of last man on first man off, but when they go to the Arbi-

tration Court, the court cannot make an award embodying that condition. If the words of the amendment are not inserted, the court in future will be able to insert in an award the condition that the employer shall put off the last man before taking on another. That would be unsatisfactory for any industry. Mr. Kitson asks why we should not leave it to the court. That was what we asked when he urged that the Bill should provide for a basic wage. Yet in this instance he asks that the matter be left to the court.

The CHIEF SECRETARY: Evidently the amendment will give the employer the right to employ or dismiss whom he pleases and this will be not an ordinary right but a statutory right. Section 107 of the Act makes victimisation an offence punishable by law.

Hon. A. Lovekin: That is another matter.

The CHIEF SECRETARY: But this amendment will over-ride that section, and will be a direct invitation to an unscrupulous employer to victimise not only one or two men but a whole body of men. He could dismiss men for giving evidence in an arbitration case. Then if action were taken under Section 107 on the ground of victimisation the employer could escape under Mr. Lovekin's amendment. Would such an amendment be fair to men who accept arbitration? If it were put into operation, it would mean an end of arbitration, and we would be going back prior to the days of 1912, when there was no provision for the punishment of victimisation.

Hon. J. NICHOLSON: It is doubtful whether the amendment would accomplish what Mr. Lovekin intends. The interpretation section of the Act contains a long definition of industrial matters, but the question of dismissal and employment is surely a matter for a court other than the Arbitration Court. If I wrongfully dismissed a man, he would have a remedy against me for wrongful dismissal in a proper court.

Hon. A. Lovekin: That is quite a different thing.

Hon. J. NICHOLSON: Paragraph (c) of the definition in the Act refers to the dismissal of or refusal to employ any person or class of persons.

Hon. A. Lovekin: That covers victimisation, but this is a totally different thing.

Hon. J. NICHOLSON: Paragraph (h) would give the power to award preferential employment. Last year it was deleted.

Hon. A. Lovekin: Delete it again, and I shall be satisfied.

Hon. J. NICHOLSON: I take it I shall be able to move for the deletion of paragraph (h) after Mr. Lovekin's amendment has been disposed of.

The CHAIRMAN: Yes.

Hon. J. CORNELL: It has been suggested that as the personnel of this Chamber has not changed much since last year, we should come to grips on this question. Last year Mr. Lovekin moved an amendment somewhat similar to the one now before us, and it was negatived. Then Mr. Nicholson moved an amendment to delete paragraph (h) and the amendment was carried.

Hon. A. J. H. SAW: The crux of the clause is that the court is to have power to award preference to industrial unions. I have always opposed preference to any one, and I intend to adopt the same attitude now. I shall oppose Mr. Lovekin's amendment and also the paragraph.

Hon. A. LOVEKIN: I ask leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Hon. J. NICHOLSON: I move an amendment—

That paragraph (h) of Subclause (4) be struck out.

Amendment put and a division taken with the following result:—

Ayes	.. .. ..	13
Noes	.. .. ..	7
Majority against	..	6

AYES.

Hon. J. Duffell	Hon. E. Rose
Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. A. Lovekin	Hon. H. Stewart
Hon. J. M. Macfarlane	Hon. H. J. Yelland
Hon. J. Nicholson	Hon. A. Burvill
Hon. G. Potter	*(Teller.)*

NOES.

Hon. J. Cornell	Hon. J. W. Hickey
Hon. J. M. Drew	Hon. W. H. Kitson
Hon. E. H. Gray	Hon. J. R. Brown
Hon. E. H. Harris	*(Teller.)*

PAIR.

AYE	NO
Hon. J. Ewing	Hon. T. Moore

Amendment thus passed.

Progress reported.

Sitting suspended from 6.15 to 7.30 p.m.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. J. J. HOLMES (North) [7.33]: I moved the adjournment of the debate in order that I might look into this Bill. A point on which I always desire to be clear, and on which I think the House always desires to be clear, is that no injustice will be done by the closing of any street, road, or thoroughfare. The present position, as I understand it, is that before any thoroughfare in a municipality can be closed, special authority must be obtained by Act of Parliament. In connection with such measures I have always inquired whether the local authority had been consulted and whether they approved of the proposed closing. This Bill provides that municipalities shall have power to close any road at any time without reference to Parliament. That is a drastic change. Further, it is said that the roads are vested in the municipalities; and the Bill proposes that any lands dealt with under it shall be vested in the municipalities. However, whilst the roads are vested in the municipalities, they are so vested for a specific purpose, namely the carriage of traffic. The Bill provides that whenever a street or way has been closed in accordance with it, such street or way shall be deemed land vested in the municipal council, and may be leased subject to the provisions of the measure. Therefore, the Bill proposes that we shall give municipalities not only power to close any roads they please, but also power to lease such roads. I should like to hear from members representing thickly populated parts of the State with regard to these proposals, which concern them more than the concern me. A week ago, in referring to the difficulty of legislating for the North, I explained that anyone outside a radius of seven miles from a municipality can carry a gun in defiance of anybody and everybody. I also stated that all the coloured men of Broome are armed with guns, and that the nearest municipality is Carnarvon, a thousand miles away. This question of municipalities does not concern my province, but I would like to hear something on the subject from metropolitan members.

Hon. H. J. Yelland: The closing would be merely temporary.

Hon. J. J. HOLMES: But the land becomes vested in the municipality.

Hon. H. J. Yelland: It is deemed to be vested.

Hon. J. J. HOLMES: If it is deemed to be vested, it is vested. I do not think the House should consent to delegate to municipalities the power of Parliament in respect of the closing of roads.

HON. H. J. YELLAND (East—in reply) [7.38]: I have not had the opportunity of conferring with the parties concerned regarding the objection which has been raised, but I am given to understand that the idea underlying the subclause in question is that when land is temporarily vested in a municipality, the municipality shall have the opportunity of dealing with it.

Hon. J. Nicholson: I wish to make an explanation. I take it that Mr. Yelland is now replying. If he completes his reply that will close the debate on the Bill.

The DEPUTY PRESIDENT: I may point out to Mr. Nicholson that he will have an opportunity of discussing the matter in Committee. The Bill contains only two clauses, and the object of the Bill is practically embodied in Clause 2. Perhaps the hon. member could reserve what he has to say until the Committee stage. In the meantime, he is out of order in speaking.

Hon. J. Nicholson: I intended to refer this matter to the City Council authorities but I omitted to do so.

The DEPUTY PRESIDENT: I regret that I cannot allow the hon. member to proceed.

Hon. H. J. YELLAND: The intention of the subclause is merely to give power to the municipality, while the land is temporarily vested in it, to deal with that land as though it had been acquired by the municipality under a section of the principal Act. The land does not actually become the property of the municipality. For that it would be necessary to have a special Act vesting the land in the municipality in perpetuity.

Hon. J. M. Macfarlane: How can it be suggested that the closing is temporary when power is given to lease?

Hon. H. J. YELLAND: The other part of the Bill deal with that aspect. The matter can easily be explained in Committee and I am prepared to let the vote be taken now.

Question put and passed.

Bill read a second time.

House adjourned at 7.42 p.m.