

1911.

## THE PARLIAMENT OF THE COMMONWEALTH.

No. 55.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, 6TH DECEMBER, 1911.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. COMMONWEALTH INSCRIBED STOCK BILL.—The Order of the Day having been read for the consideration in Committee of the whole House of His Excellency the Governor-General's Message No. 17—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

*Resolved*, on the motion of Mr. Fisher, after debate<sup>21</sup>—That it is expedient that an appropriation of revenue and moneys be made for the purposes of a Bill for an Act to provide for Commonwealth Government Inscribed Stock and for other purposes in connexion therewith.

Resolution to be reported.

The House resumed; Mr. Poynton reported accordingly.

Ordered—That the Report be considered at once.

And the said Resolution was adopted by the House.

Ordered—That Mr. Fisher and Mr. Hughes do prepare and bring in a Bill to carry out the foregoing Resolution.

Mr. Fisher then brought up the Bill accordingly, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Ordered—That the second reading be made an Order of the Day for to-morrow.

3. ARBITRATION (PUBLIC SERVICE) BILL.—The Order of the Day having been read for the third reading—Mr. Fisher moved, That the Bill be now read a third time.

Debate ensued.

Mr. Kelly moved an amendment, That the word "now" be omitted from the question.

Debate continued.

Question—That the word proposed to be omitted stand part of the question—put and passed.

Debate on main question continued.

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Question—That the Bill be now read a third time—put.

The House divided—

Ayes, 31.

Mr. Anstey	Mr. Parker Moloney
Mr. Archibald	Mr. O'Malley
Mr. Bamford	Mr. Ozanne
Mr. Brennan	Mr. Poynton
Mr. Brown	Mr. Riley
Mr. Carr	Mr. Roberts
Mr. Chanter	Mr. Scullin
Mr. Fenton	Mr. Laird Smith
Mr. Fisher	Mr. Spence
Mr. Frank J. Foster	Mr. Thomas
Mr. Frazer	Mr. Tudor
Mr. Higgs	Mr. West
Mr. Hughes	
Mr. Jensen	
Mr. W. J. Johnson	<i>Tellers.</i>
Mr. Mathews	Mr. Cann
Mr. McDougall	Mr. Watkins

Noes, 21.

Mr. Atkinson	Mr. Palmer
Sir Robert Best	Sir John Quick
Mr. Cook	Mr. Rylie
Mr. Deakin	Mr. Sampson
Mr. Fairbairn	Mr. Sinclair
Mr. R. W. Foster	Mr. Thomson
Mr. Fowler	Mr. Wynne
Mr. Fuller	
Mr. Gordon	
Mr. Greene	<i>Tellers.</i>
Mr. Harper	Mr. Hedges
Mr. McWilliams	Mr. Kelly

And so it was resolved in the affirmative.—Bill read a third time.

4. PRINTING COMMITTEE—THIRD REPORT FROM.—Mr. Bamford, for the Chairman, brought up the Third Report from the Printing Committee (sitting in Conference with the Printing Committee of the Senate).

The Report was read, and is as follows :—

## THIRD REPORT.

The Printing Committee have the honour to report that they have met in Conference with the Printing Committee of the Senate.

The Joint Committee, having considered the undermentioned Petitions and Papers presented to Parliament, make the following recommendations :—

Subject of Paper.	Recommendation of Committee.	Remarks.
Petitions—		
†Public Service (Arbitration) Bill—From Officers of Service against provisions .. .. .	To be printed	
†Electoral Bill—Elections on Saturday—From Seventh Day Adventists of Tasmania against provision .. .. .	No recommendation	
From the Ministers of the Hebrew Congregations at East Melbourne and St. Kilda against provision .. .. .	To be printed	
†Arrowroot—From residents of Nerang Creek praying for imposition of Import Duty of 2d. per lb. ..	No recommendation	
†Federal Capital Territory—Representation of residents in the Parliament—From H. J. S. Hungerford ..	To be printed	
Papers—		
Audit Acts—Statutory Rules 1911, Nos. 148 and 180	No recommendation	Already in print and circulated to Members
Australian Notes Act—Statutory Rules 1911, No. 165	" "	" "
Customs Act—Statutory Rules 1911, No. 168 ..	" "	" "
Defence Act—Statutory Rules 1911, Nos. 166, 167, 172, 173, 174, 179, 182, 183, 184, 186, 187, 188, 189, 190, 191, and 196	" "	" "
Department of Home Affairs—Schedule No. 5, containing information <i>re</i> Works, &c., dealt with by Department .. .. .	No recommendation	" "
Disaster to French Battleship <i>Liberté</i> —Message of Sympathy .. .. .	To be printed	
Election for Boothby—Detailed return .. .. .	" "	
*Electoral Offences—Return .. .. .	No recommendation	
Lands Acquisition Act—Land acquired, or disposed of, under at—Leura (N.S.W.), Redbank (Queensland) (2), West Maitland (N.S.W.), Dunedoo (N.S.W.), Jervis Bay (N.S.W.), and Wivenhoe (Tasmania) .. .. .	" "	Published in <i>Gazette</i>

\* Presented to Senate only.

† Presented to House of Representatives only.

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## REPORT—continued.

Subject of Paper.	Recommendation of Committee.	Remarks.
<i>Papers—continued.</i>		
Land Tax Assessment Act—Statutory Rules 1911, Nos. 176 and 177 .. .. .	No recommenda- tion	Already in print and circulated to Members
Meteorology Act—Statutory Rules 1911, No. 193 ..	" "	" "
Military College—Report for 1910-11 .. .. .	To be printed	
Naval College Sites—Reports by Captain B. M. Chambers .. .. .	No recommenda- tion	
Naval Defence Act—Statutory Rules 1911, No. 178..	" "	Already in print and circulated to Members
Papua—Ordinances of 1911—		
Aliens .. .. .	To be printed	
Arms, Liquor, and Opium Prohibition .. .. .	" "	
Animals Prohibition and Restriction .. .. .	" "	
Supply (No. 1) 1911-12 .. .. .	" "	
Native Children .. .. .	" "	
Auctioneers .. .. .	" "	
Defamation .. .. .	" "	
Bird Protection .. .. .	" "	
Public Hospitals .. .. .	" "	
Public Officers' Fees .. .. .	" "	
Claims by and against the Government .. .. .	" "	
Coroners .. .. .	" "	
Bankers' Books Evidence .. .. .	" "	
Currency .. .. .	" "	
Customs Duties Amending .. .. .	" "	
Survey Marks .. .. .	" "	
Post and Telegraph Act—Statutory Rules 1911, Nos. 134, 135, 142, 169, 170, and 171 .. .. .	No recommenda- tion	Already in print and circulated to Members
*Postal Rates for Savings Bank and Building Society Pass Books—Correspondence .. .. .	" "	
*Press Cable Subsidy—Amounts paid; two further Returns .. .. .	To be printed	
*Postal Voting Papers—General Election 1910—Return	No recommenda- tion	
Public Service Act—		
Documents in connexion with appointments, promotions, &c., of—Mr. A. P. Westhoven, Mr. R. H. Allars, Mr. R. W. Chenoweth, and Mr. H. J. A. Pike	" "	
Statutory Rules 1911, Nos. 175, 181, and 185 .. .. .	" "	Already in print and circulated to Members
Quarantine Act—Statutory Rules 1911, No. 121 ..	" "	" "
Railway Gauges of Australia and their Unification—Review—Memorandum by Mr. H. Deane .. .. .	To be printed	
*Receiving Post Offices—Number in each State, &c. . .	" "	
Representation Act—		
Certificate of Chief Electoral Officer <i>re</i> Numbers of People of Commonwealth and States .. .. .	" "	
Determination by Chief Electoral Officer of the Representation of the States in the House of Representatives .. .. .	" "	
Seat of Government—Ordinance of 1911—No. 2—Rates .. .. .	No recommenda- tion	Published in <i>Gazette</i>
Sugar Industry—Copy of Letters Patent appointing Royal Commission .. .. .	To be printed	
†Trade and Customs Department—Report, &c., of Board of Inquiry into Charges against Hugh Smith and Ernest Bryant, Fremantle .. .. .	No recommenda- tion	
*Trade Unions, Industrial Organizations, &c.—Regis- tration .. .. .	" "	
*Treasury Notes—Amount issued to the respective Banks of the Commonwealth .. .. .	To be printed	

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Committee Room,  
6th December, 1911.

F. W. BAMFORD,  
For Chairman.

Mr. Bamford moved, by leave, That the Report be adopted.  
Question—put and passed.

6th December, 1911.

5. MESSAGE FROM THE SENATE.—KALGOORLIE TO PORT AUGUSTA RAILWAY BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 14.

The Senate returns to the House of Representatives the Bill for "*An Act to provide for the construction of a Railway from Kalgoorlie in the State of Western Australia to Port Augusta in the State of South Australia, the acquisition of the necessary land, the appointment of officers, the making of charges, and the appropriation of money in connexion with such Railway,*" to which it has agreed with the amendments indicated in the annexed Schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

H. TURLEY,  
President.

The Senate,  
Melbourne, 6th December, 1911.

Ordered—That the consideration of the foregoing Message in Committee of the whole House be made an Order of the Day for to-morrow.

6. PURCHASE TELEPHONE LINES ACQUISITION BILL.—The Order of the Day having been read for the consideration of the Report from the Committee of the whole House on this Bill—

Mr. Frazer moved, That the Report be now adopted.

Debate ensued.

Question—put and passed.

Mr. Frazer moved, by leave, That the Bill be now read a third time.

Question—put and passed.—Bill read a third time.

7. ELECTORAL BILL (1911).—The Order of the Day having been read for the resumption of the debate on the question, That the Bill be now read a second time—

Debate resumed.

Mr. Hedges addressing the House, and not having concluded his speech, the House ordered that he have leave to continue his speech when the debate is resumed.

Ordered—That the debate be now adjourned, and that the resumption of the debate be made an Order of the Day for to-morrow.

8. MESSAGE FROM THE SENATE.—LIGHTHOUSES BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 15.

The Senate returns to the House of Representatives the Bill intituled "*A Bill for an Act relating to Lighthouses, Lightships, Beacons, and Buoys,*" and acquaints the House that the Senate has agreed to Amendments Nos. 1, 2, 3, 4, 7, 8, and 9, made by the House of Representatives therein.

The Senate has agreed to amendments Nos. 5 and 6, with the amendments indicated in the annexed Schedule, and desires the concurrence of the House of Representatives in such amendments.

H. TURLEY,  
President.

The Senate,  
Melbourne, 6th December, 1911.

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

The Committee proceeded to consider the Amendments, which are as follow :—

SCHEDULE OF THE AMENDMENTS OF THE HOUSE OF REPRESENTATIVES TO WHICH THE SENATE HAS AGREED WITH AMENDMENTS.

No. 5.—Page 2, after clause 8 insert the following new clauses :—

"8A.—(1.) Every harbor authority or other local authority having control of any harbor lights or the lighting or marking of any navigable waters shall, as prescribed, make returns to the Minister in relation to the following matters :—

Returns of harbor lights and marks.

(a) the description and situation of each light under its control, and

(b) the description and situation of each marine mark under its control."

"8B. An action or other proceeding shall not be maintainable against the Commonwealth, or the Minister, or any officer of the Commonwealth by reason of any act, default, error, or omission, whether negligent or otherwise, in relation to any lighthouse or marine mark."

Protection from actions.

Amendment agreed to with the following amendment, viz. :—

Clause 8B, line 1, after "other" insert "civil".

No. 6.—Page 3, clause 9, omit the clause and insert the following new clause :—

"9.—(1.) Light dues in accordance with the prescribed rates or scales, shall <sup>Light dues.</sup> be levied, and shall be payable with respect to the voyages made by ships or vessels or by way of periodical payment as the regulations prescribe.

"(2.) The regulations may prescribe the rates or scales of light dues to be payable by ships or vessels and all matters necessary or convenient to be prescribed to carry this section into effect.

"(3.) When rates or scales of light dues have been prescribed under this Act, light dues prescribed by or under any State Act shall cease to have any effect ;

"Provided that nothing in this sub-section shall release any ship or vessel or any person from any liability in respect of any light dues prescribed by or under any State Act which became due before the rates or scales of light dues under this Act came into force."

Amendment agreed to with the following amendment, viz. :—

Sub-clause (3.), line 2, after "Act" (second occurring) insert "(other than dues solely in respect of lights maintained by the State)".

Amendments made by the Senate on amendments Nos. 5 and 6 of the House of Representatives agreed to.

Resolution to be reported.

The House resumed ; Mr. Poynton reported accordingly.  
On the motion of Mr. Tudor, the House adopted the Report.

9. MESSAGE FROM THE SENATE.—SEAMEN'S COMPENSATION BILL (1911).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 16.

The Senate returns to the House of Representatives the Bill for "*An Act relating to compensation to Seamen for injuries suffered in the course of their employment,*" to which it has agreed with the amendments indicated in the annexed Schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

H. TURLEY,  
President.

The Senate,  
Melbourne, 6th December, 1911.

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

The Committee proceeded to consider the amendments made by the Senate, which are as follow :—

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 3, clause 5, line 23, after "Dominions" insert "or of any foreign country".

No. 2.—Page 3, clause 5, at end of clause add the following new sub-clause :—

"(4.) Any undertaking given in pursuance of paragraph (e) of sub-section (2.) of this section shall have effect as a contract between the claimant and the person from whom the compensation is claimed."

No. 3.—Page 5, clause 8, lines 25 and 26, leave out "not exceeding in any individual case one hundred pounds".

No. 4.—Page 11, First Schedule, paragraph (19.), line 6, leave out "is", insert "are".

Amendments Nos. 1 and 2 agreed to.

Progress to be reported, and leave asked to sit again.

The House resumed ; Mr. Poynton reported accordingly.

Resolved—That the House will, to-morrow, again resolve itself into the said Committee.

10. MESSAGE FROM THE SENATE.—POST AND TELEGRAPH RATES BILL (1911).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 17.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Post and Telegraph Rates Act 1902-1910,'*" to which it has agreed without amendment.

The Senate,  
Melbourne, 6th December, 1911.

H. TURLEY,  
President.

6th December, 1911.

11. MESSAGE FROM THE SENATE.—PURCHASE TELEPHONE LINES ACQUISITION BILL.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

*Message No. 18.*

The Senate returns to the House of Representatives the Bill for "*An Act to provide for the Acquisition of Purchase Telephone Lines*," to which it has agreed with the amendments indicated in the annexed Schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

The Senate,

H. TURLEY,

Melbourne, 6th December, 1911.

President.

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

*(In the Committee.)*

The Committee proceeded to consider the Amendments made by the Senate, which are as follow:—

## SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Clause 2, line 9, after "owner" insert "or his predecessor in title".

No. 2.—Clause 2, lines 9 and 10, leave out "by the owner".

No. 3.—Clause 2, line 10, after "1883" insert "by the owner".

Amendments Nos. 1 to 3 inclusive agreed to.

Resolution to be reported.

The House resumed; Mr. Poynton reported accordingly.

On the motion of Mr. Fisher, the House adopted the Report.

12. ADJOURNMENT.—Mr. Fisher moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twelve minutes past eleven o'clock p.m., adjourned until to-morrow at half-past ten o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Finlayson, Mr. Glynn, Mr. Groom, Mr. Hans Irvine, and Mr. Livingston.

WALTER A. GALE,

*Clerk Assistant,**for Clerk of the House of Representatives.*