

1917.
(SECOND SESSION.)

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 11.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

FRIDAY, 3RD AUGUST, 1917.

1. The House met at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. DISTURBANCE WITHIN PRECINCTS OF HOUSE.—Mr. Speaker made a statement to the House with reference to a disturbance which was created by a number of strangers within the precincts of the House during yesterday's sitting, and informed honorable Members of the instructions which he had given in order to prevent a recurrence of such disturbance.
3. ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION.—Mr. Tudor rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "The great amount of misery in our midst caused through want of employment and the increased cost of living."
Mr. Speaker thereupon called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—
Mr. Tudor moved, That the House do now adjourn.
Mr. Hughes, addressing the House, and not having, in compliance with Standing Order No. 39, concluded his speech within fifteen minutes, the honorable Member was, by leave of the House, allowed to continue his speech.
Debate continued.
It being two hours after the time fixed for the meeting of the House, the debate was interrupted in accordance with Standing Order No. 119, and the Business of the Day was called on.
4. RAILWAYS BILL.—The Order of the Day having been read for the further consideration of this Bill 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.)

Clause 7 agreed to.

Clause 8—

Mr. Corser moved, as an amendment, That the word "five" be omitted with a view to the insertion of the word "seven" in place thereof (line 14).

Debate ensued.

Amendment negatived.

Clause agreed to.

Clauses 9 to 15 agreed to.

Clause 16 debated and agreed to.

Clause 17 debated and agreed to.

Clauses 18 to 28 agreed to.

Clause 29—

Mr. Watt moved, as an amendment, That the words "and impose such conditions" be inserted after the word "charges" (line 41).

Debate ensued.

Amendment agreed to.

Clause, as amended, agreed to.

3rd August, 1917.

Clause 30—

Mr. Watt moved, as an amendment, That the following words be added to the clause :—

“provided that the same toll or charge shall apply alike to all persons using the railways under the same conditions”.

Amendment agreed to.

Clause, as amended, agreed to.

Clause 31 postponed.

Clauses 32 to 43 agreed to.

Clause 44 debated and agreed to.

Clause 45 debated and agreed to.

Clause 46 agreed to.

Clause 47 debated and agreed to.

Clause 48 agreed to.

Clause 49—

Mr. Fenton moved, as an amendment, That the following sub-clause be added to the clause :—

“(3.) All such appointments shall be made by the Commissioner from persons who were at the commencement of this Act employed in connexion with railways worked by the Commonwealth, but if the Commissioner certifies in writing to the Minister that there was no person so employed qualified for any particular office, the Commissioner may appoint some person who was not so employed to such office.”

Debate ensued.

Amendment negatived.

Clause agreed to.

Clauses 50 and 51 agreed to.

Clause 52 debated and agreed to.

Clause 53—

Mr. Fenton moved, as an amendment, That the following sub-clause be inserted after sub-clause (3.) :—

“(3A.) The Appeal Board shall have power to take evidence on oath and shall also have power to vary any punishment imposed.”

Amendment agreed to.

Clause, as amended, agreed to.

Clause 54 agreed to.

Clause 55—

Mr. Watt moved, as an amendment, That the words “in any period of twelve months” be added to the clause.

Debate ensued.

Amendment, by leave, withdrawn.

Clause negatived.

Clauses 56 to 63 agreed to.

Clause 64 debated—

Mr. Watt moved, as amendments—Line 26, That the words “and adaptations” be inserted after the word “modifications”, and that the words in lines 26 and 27 “the acquisition of any lands under this section” be omitted and that the words “lands acquired or to be acquired for the purposes of a railway” be inserted in place thereof.

Amendments severally agreed to.

Clause, as amended, agreed to.

Clauses 65 to 73 agreed to.

Clause 74—

Mr. Page moved, as an amendment, That paragraph (b) be omitted from the clause.

Debate ensued.

Question—That the paragraph proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 32.

Mr. Bamford	Mr. Mackay
Mr. Bayley	Mr. Manifold
Sir Robert Best	Mr. McWilliams
Mr. Brennan	Mr. Poynton
Mr. Joseph Cook	Mr. Riley
Mr. Corser	Mr. Sampson
Mr. Fenton	Mr. Sinclair
Mr. Fowler	Mr. Laird Smith
Mr. Glynn	Mr. Spence
Mr. Gregory	Mr. Story
Mr. Groom	Mr. Watt
Mr. Hughes	Mr. Webster
Sir William Irvine	Mr. Wise
Mr. Kelly	
Mr. Leckie	<i>Tellers:</i>
Mr. Lister	Mr. Atkinson
Mr. Lynch	Mr. Greene

Noes, 14.

Mr. Considine	Mr. Pigott
Mr. Falkiner	Mr. Tudor
Mr. Finlayson	Mr. Wallace
Mr. Higgs	Mr. West
Mr. Mahony	
Mr. W. Maloney	<i>Tellers:</i>
Mr. Nicholls	Mr. J. H. Catts
Mr. Page	Mr. Mathews

And so it was resolved in the affirmative.

Clause agreed to.

Clauses 75 to 79 agreed to.

3rd August, 1917.

Clause 80—

Mr. Watt moved, as amendments, That the word "Commonwealth" (line 26) be omitted and that the word "Commissioner" be inserted in place thereof, and that the word "its" (line 27) be omitted and that the word "his" be inserted in place thereof.

Amendments severally agreed to.

Clause, as amended, agreed to.

Clause 81—

Mr. W. Maloney moved, as an amendment, That the following words be added at the end of sub-clause (1.) :—

"and on the request of the injured person where reasonable such examination shall be held in the presence of the private medical practitioner of such injured person".

Amendment debated and agreed to.

Mr. Watt moved, as a further amendment, That the following words be added to the clause :—

"unless he satisfies the Court in which the action is brought that—

(a) his refusal or failure to undergo examination was reasonable in the circumstances ; and

(b) the Commissioner is not prejudiced in his defence by the refusal or failure of the person to undergo examination."

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 82 to 88 agreed to.

Clause 89—

Mr. J. H. Catts moved, as an amendment, That the following sub-clause be added to the clause :—

"(4.) All such by-laws shall be laid before both Houses of the Parliament within thirty days after the making thereof, if the Parliament is then sitting, and if not, then within thirty days of the next meeting of Parliament."

Amendment agreed to.

Clause, as amended, agreed to.

Postponed clause 31—

Mr. Watt moved, That the clause be omitted.

Question—put and passed.

New clauses—

Mr. Higgs moved, That the following new clause be added to the Bill :—

"38A. The Commissioner may provide land on lease and house accommodation for railway employees."

Question—put and passed.

Mr. Tudor moved, That the following new clause be added to the Bill :—

"47A. Employees in the Commonwealth Railway Service shall be deemed to be employees in the Public Service of the Commonwealth within the meaning of the *Commonwealth Arbitration (Public Service) Act 1911.*"

Debate ensued.

Proposed new clause, by leave, withdrawn.

Schedule agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Chanter reported accordingly.

On the motion of Mr. Watt (see entry No. 3 of *Votes and Proceedings*, No. 4) the House adopted the Report, and the Bill was read a third time.

5. ADJOURNMENT.—Mr. Watt moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at a quarter to five o'clock p.m., adjourned until Wednesday next at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—General Abbott*, Mr. Anstey, Mr. Burchell*, Mr. Chapman, Mr. Fleming*, Sir John Forrest, Mr. Jensen, Mr. McDonald*, Mr. McGrath*, Mr. Orchard, General Ryrie*, Mr. Salmon*, Mr. Bruce Smith, Mr. Watkins, and Mr. Yates*.

* On leave.

(a) Joined Australian Imperial Expeditionary Forces.

WALTER A. GALE,
Clerk of the House of Representatives.