

1901.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

No. 9.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE
OF THE WHOLE.WEEK ENDED 23RD AUGUST, 1901.TUESDAY, 20TH AUGUST, 1901.No. 1.—*Post and Telegraph Bill*—Clause 26—

26. (1) Any publication coming within the following description shall for the purposes of this Act be deemed a newspaper that is to say any publication known and recognised as a newspaper in the generally accepted sense of the word which consists wholly or principally in substantial part of political or other news or of articles relating thereto or to other current topics with or without advertisements and printed for sale provided—

- (a) that it is printed and published within the Commonwealth;
- (b) that it is published in numbers at intervals not exceeding one calendar month;
- (c) that the full title and date of publication be printed at the top of the first page and the whole or part of the title and the date at the top of every subsequent page.

(2) The following shall for the purposes of this Act be deemed a supplement to a newspaper that is to say a publication consisting wholly or in part of such matter as aforesaid or consisting wholly or in part of engravings prints or lithographs illustrative of articles in such newspaper or supplement A provided that no such supplement shall consist of only one advertisement placard or circular and that every such supplement be enclosed in every copy or issue of the paper of which it forms the supplement and in every case be printed on a sheet or sheets of paper of similar size to and published with such newspaper and having the title and date of publication of the newspaper printed at the top of every page or at the top of every sheet or side on which any such matter appears:

Provided that the limitation as to size shall not apply to coloured supplements or engravings if not of inconvenient form or size.—(*Sir Philip Fysh.*)

Further amendment proposed—That after the word “supplement,” where it first occurs, in line 4 of sub-clause (2) the following words be inserted, “the letter-press of the same being printed A within the Commonwealth from type set up within the Commonwealth or from stereotypes or electrotypes made therefrom.”—(*Mr. Hume Cook.*)

Amendment proposed upon the proposed amendment—That the words “with ink and on paper manufactured” be inserted after the word “printed” in the proposed amendment.—(*Mr. Page.*)

Question—That the words proposed to be inserted in the proposed amendment be so inserted—put.
The Committee divided—

Ayes, 9.		Noes, 47.	
Mr. Brown,	Mr. Wilkinson.	Mr. Bamford,	Mr. Mauger,
Mr. Crouch,		Mr. Barton,	Mr. McColl,
Mr. Fowler,	<i>Tellers.</i>	Mr. Batchelor,	Sir Malcolm
Mr. Mahon,		Sir Langdon	McEacharn,
Mr. O'Malley,	Mr. McDonald,		Mr. Paterson,
Mr. Tudor,	Mr. Page.	Bonython,	Mr. Phillips,
		Sir Edward Braddon,	Mr. Piesse,
		Mr. Chapman,	Mr. Poynton,
		Mr. Clarke,	Sir John Quick,
		Mr. Joseph Cook,	Mr. Ronald,
		Mr. Winter Cooke,	Mr. Sawers,
		Mr. Deakin,	Mr. Skene,
		Mr. G. B. Edwards,	Mr. Sydney Smith,
		Mr. R. Edwards,	Mr. E. Solomon,
		Mr. Fisher,	Mr. V. L. Solomon,
		Sir John Forrest,	Mr. Thomas,
		Mr. Fuller,	Mr. Thomson,
		Sir Philip Fysh,	Mr. Watkins,
		Mr. A. C. Groom,	Mr. Watson,
		Mr. Harper,	Mr. Wilks,
		Mr. Higgins,	Mr. Willis.
		Mr. Isaacs,	
		Mr. Kingston,	<i>Tellers.</i>
		Mr. Kirwan,	Mr. Hume Cook,
		Mr. Knox,	Mr. McCay.
		Sir William Lyne,	
		Mr. Manifold,	

And so it passed in the negative.

No. 2.—*Post and Telegraph Bill*—Clause 26 (*continued*)—

On further amendment proposed to this clause, viz.:—That after the word “supplement,” where it first occurs, in line 4 of sub-clause (2) the following words be inserted, “the letter-press of the same being printed within the Commonwealth [from type set up within the Commonwealth or from stereotypes or electrotypes made therefrom.]”—(*Mr. Hume Cook.*)

Further amendment proposed upon proposed amendment—That the words “from type set up within the Commonwealth or from stereotypes or electrotypes made therefrom” be omitted from the proposed amendment.—(*Mr. Piesse.*)

Question—That the words proposed to be omitted stand part of the proposed amendment—put.

The Committee divided—

Ayes, 32.		Noes, 25.	
Mr. Barton,	Mr. Manifold,	Mr. Bamford,	Mr. Paterson,
Mr. Batchelor,	Mr. Mauger,	Sir Edward Braddon,	Mr. Piesse,
Sir Langdon	Mr. McColl,	Mr. Brown,	Mr. Poynton,
Bonython,	Sir Malcolm	Mr. Conroy,	Mr. Sydney Smith,
Mr. Chapman,	McEacharn,	Mr. Joseph Cook,	Mr. E. Solomon,
Mr. Clarke,	Mr. Phillips,	Mr. Winter Cooke,	Mr. Thomas,
Mr. Crouch,	Sir John Quick,	Mr. G. B. Edwards,	Mr. Thomson,
Mr. Deakin,	Mr. Ronald,	Mr. Fisher,	Mr. Wilks,
Mr. R. Edwards,	Mr. Sawers,	Mr. Fowler,	Mr. Willis.
Sir John Forrest,	Mr. Skene,	Mr. Fuller,	
Sir Philip Fysh,	Mr. Tudor,	Mr. Kirwan,	<i>Tellers.</i>
Mr. A. C. Groom,	Mr. Watkins,	Mr. Mahon,	Mr. Page,
Mr. Harper,	Mr. Watson,	Mr. McDonald,	Mr. V. L. Solomon.
Mr. Higgins,	Mr. Wilkinson.	Mr. O'Malley,	
Mr. Isaacs,	<i>Tellers.</i>		
Mr. Kingston,			
Mr. Knox,	Mr. Hume Cook,		
Sir William Lyne,	Mr. McCay.		

And so it was resolved in the affirmative.

No. 3.—*Post and Telegraph Bill*—Clause 26 (*continued*)—

Original amendment proposed—That after the word “supplement,” where it first occurs, in line 4 of sub-clause (2) the following words be inserted, “the letter-press of the same being printed within the Commonwealth from type set up within the Commonwealth or from stereotypes or electrotypes made therefrom.”—(*Mr. Hume Cook.*)

Question—That the words proposed to be inserted in the sub-clause be so inserted—put
The Committee divided—

Ayes, 31.

Mr. Barton,	Mr. Mauger,
Mr. Batchelor,	Mr. McColl,
Sir Langdon	Sir Malcolm
Bonython,	McEacharn,
Mr. Chapman,	Mr. Phillips,
Mr. Clarke,	Sir John Quick,
Mr. Crouch,	Mr. Ronald,
Mr. Deakin,	Mr. Sawers,
Sir John Forrest,	Mr. Skene,
Sir Philip Fysh,	Mr. Tudor,
Mr. A. C. Groom,	Mr. Watkins,
Mr. Harper,	Mr. Watson,
Mr. Higgins,	Mr. Wilkinson.
Mr. Isaacs,	
Mr. Kingston,	<i>Tellers.</i>
Mr. Knox,	
Sir William Lyne,	Mr. Hume Cook,
Mr. Manifold,	Mr. McCay.

Noes, 25.

Mr. Bamford,	Mr. Page,
Sir Edward Braddon,	Mr. Paterson,
Mr. Brown,	Mr. Poynton,
Mr. Conroy,	Mr. Sydney Smith,
Mr. Winter Cooke,	Mr. E. Solomon,
Mr. G. B. Edwards,	Mr. V. L. Solomon,
Mr. R. Edwards,	Mr. Thomas,
Mr. Fisher,	Mr. Thomson,
Mr. Fowler,	Mr. Willis.
Mr. Fuller,	
Mr. Kirwan,	<i>Tellers.</i>
Mr. Mahon,	
Mr. McDonald,	Mr. Joseph Cook,
Mr. O'Malley,	Mr. Wilks.

And so it was resolved in the affirmative.

WEDNESDAY, 21st AUGUST, 1901.

No. 4.—*Post and Telegraph Bill*—Clause 27—

27. (1) The proprietor printer or publisher of any newspaper may at such time and in such form and with such particulars as may be prescribed upon payment of a fee of Five shillings register it at the General Post Office of any State and the Deputy Postmaster-General of such State may from time to time **subject to appeal as hereinafter mentioned** revise the register and ~~remove therefrom~~ **may call upon the proprietor printer or publisher of** any publication a posted copy of which contains ~~seditions blasphemous~~ indecent or obscene matter or which by reason of the proportion of advertisements to other matter therein or for any other reason is not within the description aforesaid **to show cause why such publication should not be removed from the register, and if sufficient cause be not shown he may remove it accordingly,** and any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.
- (2) No publication which after the expiration of one month from the commencement of this Act is tendered for transmission at any post office in the Commonwealth shall be sent by post as a newspaper unless the provisions of this section have been complied with.
- (3) Any Deputy Postmaster-General may refuse to transmit or deliver any **issue of a** publication ~~containing~~ **if such issue contains** [seditions blasphemous] indecent or obscene matter.
- (4) Any posted newspaper found to contain seditions blasphemous indecent or obscene matter may be destroyed by order of the Postmaster-General.
- (5) No action shall be brought against the Postmaster-General or any officer of the Department for anything done under the provisions of this section but any person aggrieved by anything done by the Postmaster-General or a Deputy Postmaster-General under this section may appeal to a Justice of the High Court or until the establishment of such Court to a Judge of a Supreme Court of a State by summons or petition in a summary manner and the decision of such Justice or Judge shall be final.
- (6) All unregistered or irregularly posted newspapers and all newspapers having any matter which is not a supplement accompanying them shall be treated as packets.—(*Sir Philip Fysh.*)

Further amendment proposed—That the words “or grossly offensive” be inserted after the word “obscene” in line 7 of sub-clause (1).—(*Mr. Barton.*)

Question—That the words proposed to be inserted in the sub-clause be so inserted—put
The Committee divided—

Ayes, 27.

Mr. Barton,	Mr. Manifold,
Mr. Chapman,	Mr. Mauger,
Mr. Clarke,	Mr. McColl,
Mr. Crouch,	Sir Malcolm
Mr. Cruickshank,	McEacharn,
Mr. Deakin,	Mr. A. McLean,
Sir John Forrest,	Mr. Phillips,
Sir Philip Fysh,	Mr. Piesse,
Mr. A. C. Groom,	Sir John Quick,
Mr. Harper,	Mr. Ronald,
Mr. Higgins,	Mr. Wilkinson.
Mr. Isaacs,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Knox,	Mr. Hume Cook,
Sir William Lyne,	Mr. McCay.

Noes, 28.

Mr. Bamford,	Mr. Poynton,
Sir Langdon	Mr. Skene,
Bonython,	Mr. Sydney Smith,
Mr. Brown,	Mr. E. Solomon,
Mr. Cameron,	Mr. V. L. Solomon,
Mr. Conroy,	Mr. Thomas,
Mr. Joseph Cook,	Mr. Thomson,
Mr. Winter Cooke,	Mr. Tudor,
Mr. G. B. Edwards,	Mr. Watkins,
Mr. R. Edwards,	Mr. Wilks,
Mr. Fowler,	Mr. Willis.
Mr. Kirwan,	
Mr. Mahon,	<i>Tellers.</i>
Mr. McDonald,	
Mr. O'Malley,	Mr. Batchelor,
Mr. Paterson,	Mr. Fuller.

And so it passed in the negative.

No. 5.—*Post and Telegraph Bill*—Clause 27 (*continued*)—

Further amendment proposed—That the words “seditious blasphemous” be omitted from sub-clause (3).—(*Sir Edward Braddon.*)

Question—That the words proposed to be omitted stand part of the sub-clause—put.

The Committee divided—

Ayes, 26.		Noes, 27.	
Mr. Barton,	Mr. Mauger,	Mr. Bamford,	Mr. O'Malley,
Sir Langdon	Mr. McColl,	Mr. Batchelor,	Mr. Page,
Bonython,	Mr. A. McLean,	Sir Edward Braddon,	Mr. Poynton,
Mr. Chapman,	Mr. Paterson,	Mr. Brown,	Mr. Sydney Smith,
Mr. Clarke,	Mr. Phillips,	Mr. Joseph Cook,	Mr. E. Solomon,
Mr. Cruickshank,	Mr. Piesse,	Mr. R. Edwards,	Mr. V. L. Solomon,
Mr. Deakin,	Sir John Quick,	Mr. Fowler,	Mr. Tudor,
Sir John Forrest,	Mr. Salmon,	Mr. Fuller,	Mr. Watkin,
Sir Philip Fysh,	Mr. Skene,	Mr. Higgins,	Mr. Wilkinson,
Mr. A. C. Groom,	Mr. Thomson.	Mr. Kirwan,	Mr. Wilks,
Mr. Harper,		Mr. Mahon,	Mr. Willis.
Mr. Isaacs,	<i>Tellers.</i>	Mr. McDonald,	
Mr. Knox,		Mr. F. E. McLean,	<i>Tellers</i>
Sir William Lyne,	Mr. Hume Cook,	Sir William	Mr. Conroy,
Mr. Manifold,	Mr. McCay.	McMillan,	Mr. Thomas.

And so it passed in the negative.

FRIDAY, 23RD AUGUST, 1901.

No. 6.—*Post and Telegraph Bill*—Clause 92—

92. (1) Any person employed in a telegraph office **Postmaster** may refuse to receive or transmit a telegram containing [blasphemous] indecent obscene offensive or scandalous matter in its contents address or signature.

(2) Telegrams which appear to contain seditious language shall be submitted to the Deputy Postmaster-General in the State of origin before being transmitted.—(*Sir Philip Fysh.*)

Further amendment proposed—That after the word “telegram,” in sub-clause (1), the following words be inserted, “addressed to any bookmaker, turf commission agent, ‘tote-shop’ keeper, or any other person relating to a wager or bet on any horse-race or other race, or any fight, game, sport, or exercise : or a telegram.”—(*Mr. Clarke.*)

Question—That the words proposed to be inserted in the sub-clause be so inserted—put.

The Committee divided—

Ayes, 11.		Noes, 35.	
Sir Edward	Mr. Salmon,	Mr. Barton,	Mr. A. McLean,
Braddon,	Mr. E. Solomon,	Sir Langdon	Mr. F. E. McLean,
Mr. Crouch,	Mr. Wilks.	Bonython,	Mr. O'Malley,
Mr. Cruickshank,	<i>Tellers.</i>	Mr. Brown,	Mr. Page,
Mr. Fowler,		Mr. Chapman,	Mr. Paterson,
Mr. Mahon,	Mr. Clarke,	Mr. Joseph Cook,	Mr. Phillips,
Mr. McDonald,	Mr. Ronald.	Mr. Winter Cooke,	Mr. Piesse,
		Mr. Deakin,	Mr. Poynton,
		Mr. R. Edwards,	Sir John Quick,
		Sir John Forrest,	Mr. Skene,
		Mr. Fuller,	Mr. Thomson,
		Sir Philip Fysh,	Mr. Tudor.
		Mr. A. C. Groom,	Mr. Wilkinson,
		Mr. Higgins,	Mr. Willis.
		Mr. Kirwan,	
		Mr. Knox,	
		Sir William Lyne,	<i>Tellers.</i>
		Mr. Manifold,	
		Mr. Mauger,	
		Sir Malcolm	Mr. Hume Cook,
		McEacharn,	Mr. McColl.

And so it passed in the negative.

No. 7.—*Post and Telegraph Bill*—Clause 92 (*continued*)—

Further amendment proposed—That the word “blasphemous” in sub-clause (1) be omitted from the sub-clause.—(*Sir Edward Braddon.*)

Question—That the word proposed to be omitted stand part of the sub-clause—put.

The Committee divided—

Ayes, 29.

Mr. Barton,	Mr. Mauger,
Mr. Batchelor,	Mr. McColl,
Sir Langdon	Sir Malcolm
Bonython,	McEacharn,
Mr. Chapman,	Mr. Page,
Mr. Clarke,	Mr. Paterson,
Mr. Joseph Cook,	Mr. Phillips,
Mr. Winter Cooke,	Sir John Quick,
Mr. Cruickshank,	Mr. Skene,
Mr. Deakin,	Mr. E. Solomon,
Mr. R. Edwards,	Mr. Thomson,
Sir John Forrest,	Mr. Willis
Sir Philip Fysh,	
Mr. A. C. Groom,	<i>Tellers.</i>
Mr. Knox,	
Sir William Lyne,	Mr. Hume Cook,
Mr. Manifold,	Mr. Salmon.

Noes, 13.

Mr. Bamford,	Mr. F. E. McLean,
Sir Edward Braddon,	Mr. O'Malley,
Mr. Fowler,	Mr. Wilks.
Mr. Fuller,	
Mr. Higgins,	<i>Tellers.</i>
Mr. Kirwan,	
Mr. Mahon,	Mr. Crouch,
Mr. McDonald,	Mr. Tudor.

And so it was resolved in the affirmative.