

THE PARLIAMENT OF THE COMMONWEALTH.

No. 54.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 5TH OCTOBER, 1910.

- 1. The House met, at half-past two o'clock, p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
- 2. PAPERS.—Mr. Hughes presented, by command of His Excellency the Governor-General—
 Postal Services—Report of the Royal Commission.
 Ordered to lie on the Table, and to be printed.
 Mr. Frazer presented, by command of His Excellency the Governor-General—
 Defence—Memorandum by the Chief of the General Staff and of the Commonwealth Section of the Imperial General Staff (1909-10).
 Ordered to lie on the Table.
 Mr. Thomas presented, pursuant to Statute—
 Post and Telegraph Act—Regulations Amended—Postal—Pathological specimens (cancer) (Provisional)—Statutory Rules 1910, No. 80.
 Telegraphic—Nos. 17, &c.—Statutory Rules 1910, No. 83.
 Mr. O'Malley presented, pursuant to Statute—
 Public Service Act—Regulation Amended—No. 220—Statutory Rules 1910, No. 90.
- 3. CONSTITUTION ALTERATION (MONOPOLIES) BILL.—Mr. Hughes moved, pursuant to notice, *amended*, That he have leave to bring in a Bill for an Act to alter the Constitution by empowering the Parliament to make Laws with respect to Industries and Businesses declared to be the subject of a Monopoly.
 Question—put and passed.
 Mr. Hughes 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.
- 4. LAND TAX ASSESSMENT 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 44 read.
 Mr. Glynn moved the following amendment:—
 Line 25, after "Act" insert "wilfully with a view to evading taxation".
 Debate ensued.
 Amendment, by leave, withdrawn.

5th October, 1910.

On the motion of Mr. Hughes, the following amendments were made, after debate :—

Page 12, line 26 and line 35, after "land" in each case insert "to the extent of twenty-five per centum or more".

Page 12, line 37, omit "wilfully".

Page 13, line 9, at end of paragraph (e) add "together with the amount of ten per centum upon that improved value, by way of an allowance for compulsory dispossession."

Clause, as amended, agreed to.

Clauses 45 to 48 inclusive agreed to.

Clause 49 read.

On the motion of Mr. Hughes, the following amendment was made, after debate :—

Line 19, before "as" insert "in respect of the estate of the taxpayer".

Mr. Glynn moved the following amendment :—

Lines 26 to 28 omit "shall be treble the amount of the difference between the tax so assessed and the amount actually paid by the taxpayer, and".

Debate ensued.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 50, debated and agreed to.

Clause 51 read.

On the motion of Mr. Hughes, the following amendment was made, after debate :—

Add the following proviso :—

"Provided that the responsibility of the lessee or occupier under this section shall only be to the extent of any rent or payments due by him to the taxpayer at the time of demand made or action brought by the Commissioner, or from time to time accruing due thereafter."

Clause, as amended, agreed to.

Clause 52 read.

Mr. W. H. Irvine moved the following amendment :—

Line 2, after "whatever," insert "subject to any existing charge to a State created under the law of a State".

Debate ensued.

Amendment negatived.

Mr. Glynn moved the following amendment :—

Line 8, after "liability" insert "or after the expiration of six months from the date in which the tax became due and payable unless registered under sub-section two of this section."

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put.

The Committee divided—

Ayes, 21.

Noes, 26.

Mr. Cook	Mr. Palmer
Mr. Deakin	Sir John Quick
Mr. Fairbairn	Mr. Sinclair
Sir John Forrest	Mr. Bruce Smith
Mr. R. W. Foster	Mr. Thomson
Mr. Glynn	Mr. Wise
Mr. Groom	Mr. Wynne
Mr. Hedges	
Mr. Hans Irvine	
Mr. W. H. Irvine	<i>Tellers.</i>
Sir William Lyne	Mr. Greene
Mr. McWilliams	Mr. W. Elliot Johnson

Mr. Anstey	Mr. Mathews
Mr. Archibald	Mr. O'Malley
Mr. Batchelor	Mr. Riley
Mr. Beard	Mr. Laird Smith
Mr. Brown	Mr. Spence
Mr. Cann	Mr. Thomas
Mr. Chanter	Mr. Tudor
Mr. Charlton	Mr. Watkins
Mr. Fenton	Mr. Webster
Mr. Finlayson	Mr. West
Mr. Frazer	
Mr. Higgs	<i>Tellers.</i>
Mr. Hughes	Mr. Frank J. Foster
Mr. W. Maloney	Mr. Scullin

And so it was negatived.

On the motion of Mr. Hughes, the following amendment was made :—

At end of sub-clause (1.) add the following proviso :—

"Provided further that a purchaser shall be deemed to have made due inquiry who has made inquiry of the Commissioner as prescribed."

Mr. Wise moved the following amendment :—

At end of clause add new sub-clause—

"(3.) The Commissioner shall, upon the application in writing of any person addressed to him, stating in such application the particulars of the property in respect of which information is required as to the Land Tax and other moneys due or payable thereon under this Act, and upon payment of a fee of One shilling forthwith procure and give to such applicant, or send by registered letter by post to the person so applying (whose name and address shall be stated in such application) a certificate in writing, signed by or on behalf of the Commissioner, in which certificate it shall be stated what (if any) Land Tax and other moneys and interest are due or payable under this Act in respect of such property, with the particulars of such Land Tax and other moneys and interest, and when the same became due or payable or that no such Land Tax or other moneys are then due or payable, as the case may be. The production of such certificate so signed shall for all purposes whatsoever be deemed conclusive proof that at the date thereof no Land Tax or other moneys were due or payable under this Act other than those stated in such certificate in respect of such property."

Debate ensued.

Question—That the sub-clause proposed to be added be so added—put.

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The Committee divided—

Ayes, 22.		Noes, 27.	
Mr. Cook	Sir William Lyne	Mr. Anstey	Mr. Mathews
Mr. Deakin	Mr. Palmer	Mr. Archibald	Mr. O'Malley
Mr. Fairbairn	Sir John Quick	Mr. Batchelor	Mr. Riley
Sir John Forrest	Mr. Sinclair	Mr. Beard	Mr. Scullin
Mr. R. W. Foster	Mr. Bruce Smith	Mr. Brown	Mr. Laird Smith
Mr. Fuller	Mr. Thomson	Mr. Cann	Mr. Spence
Mr. Glynn	Mr. Wise	Mr. Chanter	Mr. Thomas
Mr. Greene	Mr. Wynne	Mr. Charlton	Mr. Tudor
Mr. Groom		Mr. Fenton	Mr. Webster
Mr. Hedges	<i>Tellers.</i>	Mr. Finlayson	Mr. West
Mr. Hans Irvine	Mr. W. Elliot Johnson	Mr. Frazer	
Mr. W. H. Irvine	Mr. McWilliams	Mr. Higgs	
		Mr. Hughes	<i>Tellers.</i>
		Mr. Jensen	Mr. Frank J. Foster
		Mr. W. Maloney	Mr. Watkins

And so it was negatived.

Clause, as amended, agreed to.

Clause 53 debated and agreed to.

Clause 54 agreed to.

Clause 55 read.

On the motion of Mr. Hughes the following amendment was made:—

Line 46, omit "forty-seven" and insert "forty-nine".

Clause further debated and agreed to, as amended.

Clause 56 agreed to.

Clause 57 read.

Mr. Wynne moved the following amendment:—

Line 22, omit "Fifty" and insert "Ten".

Debate ensued.

Question—That the amendment be agreed to—put.

The Committee divided—

Ayes, 18.		Noes, 24.	
Mr. Cook	Sir John Quick	Mr. Anstey	Mr. O'Malley
Mr. Deakin	Mr. Sinclair	Mr. Archibald	Mr. Riley
Mr. Fairbairn	Mr. Bruce Smith	Mr. Batchelor	Mr. Scullin
Sir John Forrest	Mr. Thomson	Mr. Brown	Mr. Laird Smith
Mr. R. W. Foster	Mr. Wise	Mr. Cann	Mr. Spence
Mr. Fuller	Mr. Wynne	Mr. Charlton	Mr. Thomas
Mr. Glynn		Mr. Fenton	Mr. Tudor
Mr. Groom	<i>Tellers.</i>	Mr. Finlayson	Mr. Webster
Mr. Hans Irvine	Mr. Greene	Mr. Frazer	Mr. West
Mr. McWilliams	Mr. W. Elliot Johnson	Mr. Hughes	
		Mr. Jensen	<i>Tellers.</i>
		Mr. W. Maloney	Mr. Frank J. Foster
		Mr. Mathews	Mr. Watkins

And so it was negatived.

Clause agreed to.

Clause 58 agreed to.

Clause 59 read.

Mr. Hughes moved the following amendment:—

Line 41, after "verbally," insert "whether before or after the commencement of this Act".

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put.

The Committee divided—

Ayes, 25.		Noes, 15.	
Mr. Anstey	Mr. Riley	Mr. Cook	Mr. Sinclair
Mr. Archibald	Mr. Scullin	Mr. Deakin	Mr. Bruce Smith
Mr. Batchelor	Mr. Laird Smith	Sir John Forrest	Mr. Thomson
Mr. Brown	Mr. Spence	Mr. R. W. Foster	Mr. Wynne
Mr. Cann	Mr. Thomas	Mr. Glynn	
Mr. Charlton	Mr. Tudor	Mr. Greene	
Mr. Finlayson	Mr. Webster	Mr. Groom	<i>Tellers.</i>
Mr. Frank J. Foster	Mr. West	Mr. Hans Irvine	Mr. Atkinson
Mr. Frazer	Mr. Wise	Mr. McWilliams	Mr. W. Elliot Johnson
Mr. Hughes			
Mr. Jensen			
Mr. W. Maloney	<i>Tellers.</i>		
Mr. Mathews	Mr. Fenton		
Mr. O'Malley	Mr. Watkins		

And so it was resolved in the affirmative.

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On the motion of Mr. Hughes the following further amendment was made:—
Line 41, after "shall" insert "(except as provided by section 26B of this Act)".

Clause, as amended, agreed to.

Clause 60 debated and agreed to.

Clause 61 read.

Mr. Wise moved the following amendment:—

Line 9, after "not," insert "after tendering such person a reasonable sum for his expenses".

Debate ensued.

Question—That the words proposed to be inserted be so inserted—put.

The Committee divided—

Ayes, 16.

Noes, 21.

Mr. Atkinson	Sir John Quick
Mr. Charlton	Mr. Sinclair
Mr. Cook	Mr. Bruce Smith
Sir John Forrest	Mr. Thomson
Mr. R. W. Foster	Mr. Wise
Mr. Glynn	
Mr. Groom	<i>Tellers.</i>
Mr. W. Maloney	Mr. Greene
Mr. McWilliams	Mr. W. Elliot Johnson

Mr. Anstey	Mr. Scullin
Mr. Archibald	Mr. Laird Smith
Mr. Batchelor	Mr. Spence
Mr. Brown	Mr. Thomas
Mr. Cann	Mr. Tudor
Mr. Fenton	Mr. Webster
Mr. Finlayson	Mr. West
Mr. Frazer	
Mr. Hughes	<i>Tellers.</i>
Mr. Mathews	Mr. Frank J. Foster
Mr. O'Malley	Mr. Watkins
Mr. Riley	

And so it was negatived.

Clause agreed to.

Clause 62 read and debated.

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.

5. MESSAGE FROM THE SENATE.—SOUTH AFRICAN UNION.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 23.

The Senate concurs with the House of Representatives in the following resolution, viz.:—
"That the Parliament of the Commonwealth of Australia offers most cordial congratulations to the Parliament of the Union of South Africa upon the establishment of a National Government and Legislature for that Dominion capable, under the blessing of Divine Providence, of accomplishing the tasks required for the development of its Provinces and for the unity of the Empire."

The Senate,
Melbourne, 5th October, 1910.

H. TURLEY,
President.

6. MESSAGE FROM THE SENATE.—SUPPLY BILL (No. 3) 1910-11.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 24.

The Senate returns to the House of Representatives the Bill for "*An Act to grant and apply out of the Consolidated Revenue Fund a sum for the service of the year ending the thirtieth day of June One thousand nine hundred and eleven,*" to which it has agreed without requests.

The Senate,
Melbourne, 5th October, 1910.

H. TURLEY,
President.

7. ADJOURNMENT.—Mr. Hughes moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-five minutes to twelve o'clock, midnight, 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. Carr, Mr. Catts, Mr. Fisher, Mr. Hall, Mr. Harper, Mr. Howe, Mr. W. J. Johnson, Mr. Kelly, Mr. Parker Moloney, Mr. Roberts, and Mr. Sampson.

C. GAVAN DUFFY,
Clerk of the House of Representatives.