

1914-15.

## THE PARLIAMENT OF THE COMMONWEALTH.

No. 35.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

THURSDAY, 29TH APRIL, 1915.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. THE WAR.—AUSTRALIAN EXPEDITIONARY FORCES IN ACTION.—Mr. Fisher, by leave, made the following statement to the House :—

“Some days ago the Australian War Expeditionary Forces were transferred from Egypt to the Dardanelles.

They have since landed, and have been in action on the Gallipoli Peninsula.

News reaches us that the action is proceeding satisfactorily.

I am pleased to be able to read the following cablegram received to-day from the Secretary of State for the Colonies :—

‘His Majesty’s Government desire me to offer you their warmest congratulations on the splendid gallantry and magnificent achievement of your contingent in the successful progress of the operations at the Dardanelles.’

To this the following reply has been despatched through His Excellency the Governor-General :—

‘The Government and people of Australia are deeply gratified to learn that their troops have won distinction in their first encounter with the enemy. We are confident that they will carry the King’s colours to further victory.’”

3. PAPERS.—The following Papers were presented, pursuant to Statute—

Prime Minister’s Department—

Arbitration (Public Service) Act—

(1) Copy of an Award dated the 8th day of April, 1915, which has been made by the Commonwealth Court of Conciliation and Arbitration on a plaint submitted by the Australian Letter Carriers’ Association.

(2) Statement of the Laws and Regulations of the Commonwealth with which, in the opinion of the President of the Court, the Award is not or may not be in accord.

Attorney-General’s Department—

Arbitration (Public Service) Act—

Award of the Commonwealth Court of Conciliation and Arbitration in Australian Letter Carriers’ Association v. Public Service Commissioner and Postmaster-General of the Commonwealth—Opinion of the Attorney-General.

4. EXPUNGING FROM JOURNALS RESOLUTION SUSPENDING MR. McGRATH.—Mr. Thomas moved, pursuant to notice, That the resolution of this House of the 11th November, 1913—“That the honorable Member for Ballarat be suspended from the service of this House for the remainder of the session unless he sooner unreservedly retracts the words uttered by him at Ballarat on Sunday, the 9th November, and reflecting on Mr. Speaker, and apologizes to the House” be expunged from the Journals of this House, as being subversive of the right of an honorable Member to freely address his constituents.

Debate ensued.

Question—put and passed.

5. POSTPONEMENT OF NOTICE OF MOTION.—Notice of Motion No. 2 was postponed until Thursday, 13th May next.

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6. HORSE-BREEDING FOR PUBLIC SERVICES.—Mr. Chanter moved, pursuant to notice, That this House resolves that it is expedient and urgently necessary for the Government to at once establish horse-breeding stations in order to create and maintain a full supply of suitable horses required for military and other public services.

Debate ensued.

Mr. Sampson, 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 Thursday, 13th May next.

7. MESSAGE FROM THE SENATE.—DEFENCE BILL (1915).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 41.

The Senate has passed a Bill for “*An Act to amend the ‘Defence Act 1903–1914,’*” and transmits the same to the House of Representatives for its concurrence.

THOS. GIVENS,  
President.

The Senate,  
Melbourne, 29th April, 1915.

8. DEFENCE BILL (1915).—Mr. Jensen moved, That the Bill transmitted by the foregoing Message 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.

9. WAR PRECAUTIONS BILL (1915).—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 4 further considered—

Mr. Anstey moved the following amendment—

Page 3, lines 7 and 8, omit “or if the regulations so provide by court-martial.”

Debate ensued.

Amendment negatived.

Debate continued.

Mr. Brennan moved the following amendment—

Page 3, at end of sub-clause (2.), add “Provided that no civilian shall be tried before a court-martial”.

Debate ensued.

And the words proposed to be added, having, by leave, been amended to read as follows—

“Provided that no civilian, other than an alien enemy, shall be tried before a court-martial”.

Debate continued.

Amendment, by leave, withdrawn.

On the motion of Mr. W. Maloney, after debate, the following amendment was made—

Page 3, lines 40 to 47 inclusive, omit this portion of sub-clause and insert in place thereof—

“(6.) Notwithstanding the preceding provisions of this section, no person other than an alien enemy or a person subject to the Naval Discipline Act or to Military Law shall be tried by court-martial for an offence against this Act.”

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

Page 4, sub-clause (7.), omit this sub-clause.

Mr. Brennan moved, That sub-clause (8.) be omitted.

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

The Committee divided—

Ayes, 35.

Noes, 14.

Mr. Archibald	Mr. Orchard
Mr. Boyd	Mr. Page
Mr. Carr	Mr. Palmer
Mr. Charlton	Mr. Pigott
Mr. Joseph Cook	Mr. Poynton
Mr. Dankel	Mr. Rodgers
Mr. Fisher	Mr. Salmon
Sir John Forrest	Mr. Sampson
Mr. R. W. Foster	Mr. Sinclair
Mr. Glynn	Mr. Spence
Mr. Gregory	Mr. Thomas
Mr. Hughes	Mr. Tudor
Sir William Irvine	Mr. Watkins
Mr. Jensen	Mr. Watt
Mr. Kelly	
Mr. Lynch	
Mr. Manifold	
Mr. McWilliams	Mr. Greene
Mr. Parker Moloney	Mr. John Thomson

Mr. Anstey	Mr. Riley
Mr. Brennan	Mr. Webster
Mr. Burns	Mr. West
Mr. Hampson	Mr. Yates
Mr. Hannan	
Mr. W. Maloney	<i>Tellers:</i>
Mr. McGrath	Mr. Mathews
Mr. O'Malley	Mr. Laird Smith

And so it was resolved in the affirmative.

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On the motion of Mr. Jensen, after debate, the following further amendment was made—

At the end of sub-clause 8, add—

“ Provided that while such proclamation is in force, any sentence passed by a court-martial against a person to whom sub-section (6.) of this section applies shall be referred to the Governor-General for confirmation, mitigation, or remission.”

Mr. Anstey moved the following further amendment—

After the words added to sub-clause (8.), add—

“ Nothing shall be deemed a military emergency which deprives a British subject of the right of trial by jury.”

Debate ensued.

Question—That the words proposed to be added, be so added—put.

The Committee divided—

Ayes, 5.

Noes, 41.

Mr. Anstey	<i>Tellers:</i>
Mr. W. Maloney	Mr. Brennan
Mr. O'Malley	Mr. McGrath

Mr. Archibald	Mr. Page
Mr. Boyd	Mr. Palmer
Mr. Burns	Mr. Pigott
Mr. Carr	Mr. Poynton
Mr. Charlton	Mr. Riley
Mr. Joseph Cook	Mr. Rodgers
Mr. Dankel	Mr. Salmon
Mr. Fisher	Mr. Sampson
Sir John Forrest	Mr. Sinclair
Mr. R. W. Foster	Mr. Laird Smith
Mr. Glynn	Mr. Spence
Mr. Hampson	Mr. Thomas
Mr. Hannan	Mr. Tudor
Mr. Hughes	Mr. Watkins
Sir William Irvine	Mr. Webster
Mr. Jensen	Mr. West
Mr. Kelly	Mr. Yates
Mr. Lynch	
Mr. Manifold	
Mr. McWilliams	<i>Tellers:</i>
Mr. Parker Moloney	Mr. Greene
Mr. Orchard	Mr. John Thomson

And so it was negatived.

Clause, as amended, debated and agreed to.

Clause 5 agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Chanter reported accordingly.

Mr. Fisher moved, pursuant to contingent notice, That the Standing Orders be suspended, to enable the remaining stages to be passed without delay.

Question—put and passed.

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

Mr. Jensen moved, That the Bill be now read a third time.

Debate ensued.

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

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

Question—put and passed.

And then the House, at nine 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. Abbott, Mr. Atkinson, Mr. Bamford, Mr. Chapman, Mr. Finlayson, Mr. Fleming, Mr. W. Elliot Johnson, Mr. Livingston, Mr. Patten, Colonel Ryrie\*, and Mr. Sharpe.

\* On leave.

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