

1914-15.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 89.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY, 9TH SEPTEMBER, 1915.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION.—Mr. W. Maloney 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 case of the soldier, W. Perry."
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. W. Maloney moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
3. MESSAGES FROM THE GOVERNOR-GENERAL.—ASSENT TO BILLS.—The following Messages from His Excellency the Governor-General were presented, and the same were read by Mr. Speaker:—

[Supply (Works and Buildings) Bill (No. 2) 1915-16]—

R. M. FERGUSON,
Governor-General.

Message No. 95.

A Bill intituled "*An Act to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June One thousand nine hundred and sixteen for the purposes of Additions, New Works, Buildings, &c.*," as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.

Government House,
Melbourne, 6th September, 1915.

[Sugar Purchase Bill]—

R. M. FERGUSON,
Governor-General.

Message No. 96.

A Bill intituled "*An Act to authorize the borrowing of money from the Commonwealth Bank of Australia*," as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.

Government House,
Melbourne, 6th September, 1915.

[War Census [Postal Matter] Bill]—

R. M. FERGUSON,
Governor-General.

Message No. 97.

A Bill intituled "*An Act to Provide for the free transmission of Postal Matter relating to the War Census*," as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.

Government House,
Melbourne, 6th September, 1915.

9th September, 1915.

[*Wireless Telegraphy Bill (1915)*—R. M. FERGUSON,
Governor-General.

Message No. 98.

A Bill intituled "*An Act to amend the 'Wireless Telegraphy Act 1905,'*" as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.

Government House,
Melbourne, 6th September, 1915.

4. PAPER.—The following Paper was presented, pursuant to Statute—

Department of Home Affairs—

Electoral Act and Referendum (Constitution Alteration) Act—Provisional Regulations—
Statutory Rules 1915, No. 154.

5. CONCILIATION AND ARBITRATION BILL (1915).—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.

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

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

(In the Committee.)

Clauses 1, 2, and 3 agreed to.

Title agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Chanter reported accordingly.

On the motion of Mr. Mahon the House adopted the Report.

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

Question—put and passed.

On the motion of Mr. Mahon the Bill was read a third time.

6. COMPULSORY VOTING BILL.—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.

Question—put.

The House divided—

Ayes, 30.

Noes, 17.

Mr. Archibald	Mr. Mathews	Mr. Atkinson	Mr. Rodgers
Mr. Bamford	Mr. Parker Moloney	Mr. Joseph Cook	Mr. Sinclair
Mr. Brennan	Mr. Poynton	Mr. Fleming	Mr. Stumm
Mr. Burns	Mr. Riley	Mr. Glynn	Mr. Watt
Mr. Chanter	Mr. Sharpe	Mr. Gregory	Mr. Wise
Mr. Charlton	Mr. Laird Smith	Mr. Groom	
Mr. Dankel	Mr. Spence	Sir William Irvine	
Mr. Fenton	Mr. Thomas	Mr. Manifold	<i>Tellers:</i>
Mr. Finlayson	Mr. Tudor	Mr. Orchard	Mr. Greene
Mr. Hampson	Mr. Webster	Mr. Patten	Mr. John Thomson
Mr. Hannan	Mr. West		
Mr. Hughes	Mr. Yates		
Mr. Jensen			
Mr. Lynch	<i>Tellers:</i>		
Mr. Mahon	Mr. Burchell		
Mr. Mahony	Mr. Page		

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

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

(In the Committee.)

Clauses 1, 2 and 3 agreed to.

Clause 4—

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

Page 1, line 10, after "elector" insert "residing within five miles of a polling place".

Mr. Joseph Cook moved the following further amendment :—

Page 1, line 10, after "vote" insert "either at a polling place or by means of a postal vote."

Debate ensued.

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

9th and 10th September, 1915.

The Committee divided—

Ayes, 17.		Noes, 31.	
Mr. Atkinson	Mr. Rodgers	Mr. Archibald	Mr. Parker Moloney
Mr. Joseph Cook	Mr. Sinclair	Mr. Bamford	Mr. Page
Mr. Fleming	Mr. Stumm	Mr. Burchell	Mr. Poynton
Mr. Glynn	Mr. John Thomson	Mr. Burns	Mr. Riley
Mr. Gregory	Mr. Watt	Mr. Charlton	Mr. Sharpe
Mr. Groom		Mr. Dankel	Mr. Laird Smith
Mr. W. Elliot Johnson		Mr. Fenton	Mr. Spence
Mr. Manifold	<i>Tellers:</i>	Mr. Finlayson	Mr. Thomas
Mr. Orchard	Mr. Greene	Mr. Hampson	Mr. Tudor
Mr. Palmer	Mr. Patten	Mr. Hannan	Mr. West
		Mr. Hughes	Mr. Wise
		Mr. Jensen	Mr. Yates
		Mr. Lynch	
		Mr. Mahon	
		Mr. Mahony	<i>Tellers:</i>
		Mr. W. Maloney	Mr. Brennan
		Mr. Mathews	Mr. McGrath

And so it was negatived.

Mr. Wise moved the following further amendment:—

Page 2, line 1, after "Division" insert "residing within five miles of a polling place".

Debate ensued.

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

The Committee divided—

Ayes, 12.		Noes, 32.	
Mr. Boyd	Mr. Sinclair	Mr. Archibald	Mr. McGrath
Mr. Gregory	Mr. Watt	Mr. Brennan	Mr. Page
Mr. W. Maloney	Mr. Wise	Mr. Burchell	Mr. Palmer
Mr. Parker Moloney		Mr. Burns	Mr. Poynton
Mr. Orchard	<i>Tellers:</i>	Mr. Carr	Mr. Riley
Mr. Patten	Mr. Charlton	Mr. Joseph Cook	Mr. Sharpe
Mr. Rodgers	Mr. Ozanne	Mr. Dankel	Mr. Laird Smith
		Mr. Fenton	Mr. Spence
		Mr. Glynn	Mr. Stumm
		Mr. Greene	Mr. Thomas
		Mr. Hampson	Mr. Tudor
		Mr. Hannan	Mr. Webster
		Mr. Hughes	Mr. West
		Mr. Jensen	
		Mr. Lynch	<i>Tellers:</i>
		Mr. Mahony	Mr. Finlayson
		Mr. Mathews	Mr. Yates

And so it was negatived.

Clause further debated.

And the Committee continuing to sit till after twelve o'clock midnight—

FRIDAY, 10TH SEPTEMBER, 1915.

Clause further debated.

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

Page 3, after sub-clause (11.) insert the following new sub-clause—

"(11A.) Non-compliance with the requisitions contained in a notice under sub-section (4.) of this section shall not have any effect where the elector is serving outside Australia with the Forces of any part of the British Dominions or of an allied country."

Mr. Charlton moved the following further amendment:—

Page 3, line 38, after "Officer" add "Provided that an elector who commits a breach of this Act, he or she shall have the option of forwarding the amount of penalty to the Divisional Returning Officer or to appear before a Police Magistrate."

Debate ensued.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 5—

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

Lines 5 and 6, omit "on the prosecution and trial of," insert "in relation to the recovery of penalties for".

Clause, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

9th and 10th September, 1915.

The House resumed ; Mr. W. Maloney reported accordingly.

Mr. Hughes moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clause 4.

Question—put and passed.

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

(In the Committee.)

Clause 4—

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

Page 2, line 10, omit “sub-section”, insert “sub-sections (1.) and”.

Clause, as amended, agreed to.

Bill to be further reported with an amendment.

The House resumed ; Mr. W. Maloney reported accordingly.

Mr. Archibald 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. Archibald the House adopted the Reports, and the Bill was read a third time.

7. MESSAGE FROM THE SENATE.—INCOME TAX ASSESSMENT BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 84.

The Senate returns to the House of Representatives the Bill for “*An Act relating to the Imposition Assessment and Collection of a Tax upon Incomes,*” 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.

THOS. GIVENS,
President.

The Senate,

Melbourne, 9th September, 1915.

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 4, clause 11, paragraph (c), line 13, after “union” insert “or of an association of employers or employees registered under any Act of the Commonwealth or a State relating to the settlement of industrial disputes”.

No. 2.—Page 6, clause 17, line 32, leave out “calendar”, insert “financial”.

No. 3.—Page 6, clause 17, line 38, leave out “year”, insert “financial year beginning the first day of July”.

No. 4.—Page 7, clause 18, line 34, leave out “of”, insert “by”.

No. 5.—Page 8, clause 18, paragraph (h), line 21, insert before “contributions” the words “gifts exceeding Twenty pounds each to public charitable institutions in Australia and”.

No. 6.—Page 8, clause 18, paragraph (i), line 32, leave out “and”,

No. 7.—Page 8, clause 18, after paragraph (i), insert the following proviso :—

“Provided that the total amount of calls paid in the year in which the income is derived shall be deducted in the case of calls on shares in a mining company ; and”.

No. 8.—Page 8, clause 18, at end of clause add the following new proviso :—

“Provided also that if the Commissioner is satisfied that a sum has been so set aside or paid by any person to provide individual personal benefits, pensions, or retiring allowances to employees in any business, the person setting aside or paying the sum shall be entitled to deduct it.”

No. 9.—Page 12, clause 27, line 25, after “company”, and, within the bracket, insert “or a trustee”.

No. 10.—Page 12, clause 27, after sub-clause (1.) insert the following new sub-clause :—

“(1A.) In the assessment of a trustee, there shall be deducted from the tax assessable to him so much of the total tax as bears to the total tax the proportion which that part (if any) of the whole income, which is distributed to the beneficiaries, bears to the whole income.”

On the motion of Mr. Hughes, after debate, the Amendments were agreed to.

Resolution to be reported.

The House resumed ; Mr. W. Maloney reported accordingly.

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

9th and 10th September, 1915.

8. MESSAGE FROM THE SENATE.—INCOME TAX BILL.—Mr. Deputy-Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 85.

The Senate returns to the House of Representatives the Bill for "*An Act to impose a Progressive Tax upon Incomes*," to which it has agreed without requests.

THOS. GIVENS,
President.

The Senate,
Melbourne, 9th September, 1915,

9. MESSAGE FROM THE SENATE.—CONCILIATION AND ARBITRATION BILL (1915).—Mr. Deputy-Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 86.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the Commonwealth Conciliation and Arbitration Act 1904-1914*," to which it has agreed without amendment.

THOS. GIVENS,
President.

The Senate,
Melbourne, 9th September, 1915.

10. MESSAGE FROM THE SENATE.—REFERENDUM (CONSTITUTION ALTERATION) BILL (1915).—Mr. Deputy-Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 87.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the Referendum (Constitution Alteration) Act 1906-1912*," to which it has agreed without amendment.

THOS. GIVENS,
President.

The Senate,
Melbourne, 10th September, 1915, a.m.

11. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered, That the consideration of Orders of the Day, Government Business, Nos. 3 and 4, be postponed until after Order of the Day, No. 5.
12. PUBLIC SERVICE BILL (1915).—SENATE'S AMENDMENTS.—The Order of the Day having been read for the consideration in Committee of the whole House of the Amendments made by the Senate in this Bill—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 MADE BY THE SENATE.

No. 1.—Page 1, clause 4, line 19, leave out "One hundred and twenty-six pounds per annum".

No. 2.—Page 5, clause 13, line 18, leave out "was on the fourth day of August One thousand nine hundred and fourteen", insert "is at the commencement of this Act".

Amendment No. 1 disagreed to, on the motion of Mr. Hughes, after debate, and the following consequential amendment made in place thereof :—

Omit the whole clause.

Amendment No. 2, on the motion of Mr. Hughes, agreed to.
Resolutions to be reported.

The House resumed ; Mr. W. Maloney reported accordingly.
On the motion of Mr. Hughes the House adopted the Report.

13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That the consideration of Orders of the Day, Government Business, Nos. 6 and 7, be postponed until after Order of the Day No. 8.
14. PUBLIC WORKS COMMITTEE.—REFERENCE OF WORKS (AUTOMATIC TELEPHONE EXCHANGES).—The Order of the Day having been read for the resumption of the debate on the following motion of Mr. Spence :—That, in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913-1914*, the following works be referred to the Parliamentary Standing Committee on Public Works for their report, viz.:—
1. Provision of Automatic Telephone Exchange, Sydney.
 2. Provision of Automatic Telephone Exchange, Malvern, Victoria.
 3. Provision of Automatic Telephone Exchange, Collingwood, Victoria.

Debate resumed.

Mr. Spence having laid on the Table plans, &c., in connexion with the proposed works—
Question—put and passed.

9th and 10th September, 1915.

15. WAR PRECAUTIONS BILL (No. 2) (1915).—The Order of the Day having been read for the second reading—Mr. Hughes moved, That the Bill be now read a second time.
 Debate ensued.
 Question—put and passed—Bill read a second time.
 Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 1 agreed to.

Clause 2—

Mr. McWilliams moved the following amendment—

Page 2, lines 4–8, omit “and upon the Naval Board and the Military Board, and the members of the Naval and Military Forces of the Commonwealth, and other persons”.

Debate ensued.

Amendment negatived.

Mr. Mathews moved the following amendment:—

Page 2, line 13, after “any” insert “enemy alien.”

Debate ensued.

Amendment, by leave, withdrawn.

Clause agreed to.

Clauses 3 and 4 agreed to.

Title agreed to.

Bill to be reported without amendment.

The House resumed ; Mr. Chanter reported accordingly.

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

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

Question—put and passed.

On the motion of Mr. Jensen the Bill was read a third time.

16. FREIGHT ARRANGEMENTS 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. 91—
 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. Hughes, after debate—That it is expedient that an appropriation of revenue and moneys be made for the purposes of a Bill for an Act to authorize the borrowing of money from the Commonwealth Bank of Australia.

Resolution to be reported.

The House resumed ; Mr. Chanter reported accordingly.

Mr. Hughes 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.

Ordered—That the Report be considered at once.

The said Resolution was read and, on the motion of Mr. Hughes, was adopted by the House.

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

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 the next sitting.

17. ALTERATION OF TIME OF NEXT MEETING.—Mr. Hughes moved, That the House, at its rising, adjourn until noon this day.
 Question—put and passed.

9th and 10th September, 1915.

18. ADJOURNMENT.—Mr. Hughes moved, That the House do now adjourn.
Question—put and passed.

And then the House, at thirty-six minutes past three o'clock in the morning, adjourned until this day at twelve o'clock noon.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—
Lieut-Colonel Abbott*, Mr. Catts, Mr. Chapman, Mr. Fisher, Mr. R. W. Foster, Mr. Livingston,
Mr. Pigott, General Ryrie*, Mr. Salmon, and Mr. Watkins.

* On leave.

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