

1901-2.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 212.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 24TH SEPTEMBER, 1902.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. MESSAGE FROM THE SENATE.—ELECTORAL BILL.—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 55.

The Senate returns to the House of Representatives the Bill for "*An Act to regulate Parliamentary Elections*," and acquaints the House of Representatives that the Senate has agreed to the amendments of the House of Representatives Nos. 1, 3, 4, 5, 7 to 20, 26, 29, 31 to 40, 42 to 57, 59 to 85, 89 to 94, 96 to 98, 100, 101, 103, 105 to 109, 111 to 113, 115 to 118, 120 to 138, 142, 144, 163 to 179, 181 to 191, and 193 to 195, has agreed to amendments Nos. 25, 28, 30, 41, 88, 95, 99, 102, 104, 140, and 143 with the amendments indicated in the annexed Schedule, has disagreed to amendment No. 141 amending clause 182 as indicated in the annexed Schedule, has agreed to part and disagreed to part of amendment No. 110, and made a consequential amendment in clause 146 as indicated in the annexed Schedule and for the reason set out therein, and has disagreed to amendments Nos. 2, 6, 21 to 24, 27, 58, 86, 87, 114, 119, 139, 145 to 162, 180, 192, and 196 for the reasons assigned herewith.

R. C. BAKER,
President.

The Senate,
Melbourne, 24th September, 1902.

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.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had dealt with the amendments as follows:—

SCHEDULE OF THE AMENDMENTS OF THE HOUSE OF REPRESENTATIVES AGREED TO BY THE SENATE WITH AMENDMENTS—TO WHICH AMENDMENTS THE COMMITTEE OF THE WHOLE HAS AGREED.

In amendment No. 25, viz.:—

No. 25.—Page 5, clause 26, at end of clause add the following proviso:—

"Provided that no polling place shall be so appointed after the issue of the writ and before the time appointed for its return."

In line 1, omit "appointed," insert "closed."

In amendment No. 28, viz.:—

No. 28.—Page 5, clause 33, line 33, omit "reside" and insert "live, but no person shall be qualified or entitled to have his name placed upon more than one Roll, or upon any Roll other than the Roll for the Division in which he lives.

Provided that any Senator or Member of the House of Representatives shall if he so desires be entitled to have his name placed on and retained on the Roll for any Division he represents instead of the Roll for the Division in which he lives."

In line 1 of the proviso, omit "or," insert "shall if he so desires be entitled to have his name placed on or retained on the Roll of any one Division of the State he represents instead of the Roll for the Division in which he lives, and that any."

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In amendment No. 30, viz.:—

No. 30.—Page 5, clause 35, line 40, after “State” insert “or municipality.”

Omit “municipality,” insert “local governing body.”

In amendment No. 41, viz.:—

No. 41.—Page 8, clause 57, after paragraph (b) add the following new paragraph:—

“(c) Lists prepared by the Commonwealth Electoral Officer in each State.”

Omit “Commonwealth Electoral Officer in each State,” insert “Returning Officer for each Division.”

In amendment No. 88, viz.:—

No. 88.—Page 17, after clause 119, insert the following new clause:—

“119A. Where any person who has received a postal ballot-paper satisfies the postmaster or officer that his sight is so impaired that he is unable to vote without assistance such postmaster or officer may and at the request of such elector shall for him in the presence of a witness (if so desired by such elector) mark the postal ballot-paper as such elector may designate and shall read over to the elector the declaration on the counterfoil and indicate to such elector the place for his signature and if desired shall enclose the ballot-paper in the envelope produced.”

Voter whose sight is impaired.

In line 1, omit “person,” insert “elector.”

In lines 2 and 3, respectively, omit “officer,” insert in each case “police, stipendiary, or special magistrate or head-master of a State school, or other person appointed as aforesaid.”

In lines 5 and 6, omit “and shall read over to the elector the declaration on the counterfoil.”

In amendment No. 95, viz.:—

No. 95.—Page 18, clause 128, at end of clause add—

“and may, if authorized by the Returning Officer so to do, appoint one or more assistant presiding officers to assist him in presiding at any compartment in a polling booth, and any assistant presiding officer may, subject to the direction of the presiding officer, exercise all or any of his powers.”

In line 2, omit “compartment in a.”

In amendment No. 99, viz.:—

No. 99.—Page 19, clause 137, line 7, omit “place” and insert “compartment.”

Omit “compartment,” insert “booth or subdivision of a polling booth.”

In amendment No. 102, viz.:—

No. 102.—Page 19, after clause 139 insert the following new clause:—

“139A. An elector shall only be entitled to vote for the Division in which he lives, and for which he is enrolled, provided that an elector who has changed his place of living may continue to vote for the Division for which his name is enrolled until his name is transferred to some other roll, if he takes all necessary steps to procure the transfer of his name to the roll for the Division in which he lives, forthwith, after he has lived in such Division for one month.”

Electors to vote for Division in which they live.

At commencement of clause, insert “Subject to section 33.”

In line 4, omit “takes,” insert “has taken.”

In amendment No. 140, viz.:—

No. 140.—Page 27, clause 178, after paragraph (III.) insert the following new paragraph:—

“(IIIA.) Any attempt by a person authorized or required by this Act to witness the signature of an elector on the counterfoil of a postal ballot-paper to influence the vote of the elector whose signature he witnesses or except as provided by section one hundred and nineteen A to look at the elector’s vote.”

After paragraph (IIIA.) add:—

“and (IIIB.) Any disclosure by any person authorized to mark the vote of an elector on a postal ballot-paper touching the vote of the elector.”

In amendment No. 143, viz.:—

No. 143.—Page 30, after clause 190, insert the following new clause:—

“190A. Any person incurring or authorizing expenditure on behalf of a candidate without the written authority of the candidate or of his agent authorized in writing shall be guilty of a contravention of this Act.”

Expenditure on behalf of a candidate.

In line 1, omit “expenditure,” insert “any electoral expense.”

SCHEDULE OF THE AMENDMENTS OF THE HOUSE OF REPRESENTATIVES DISAGREED TO BY THE SENATE—
ON WHICH THE COMMITTEE OF THE WHOLE DOES NOT INSIST.

No. 2.—Page 2, clause 2, line 8, omit “Court of Disputed Returns, ss. 197–211,” and insert “Committee of Elections and Qualifications.”

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No. 27.—Page 5, clause 28, at end of clause add the following proviso:—

“Provided that no polling place shall be so closed after the issue of the writ and before its return.”

No. 86.—Page 16, clause 117, line 39, omit “at any Court of Disputed Returns” and insert “before the Committee of Elections and Qualifications at any inquiry.”

No. 87.—Page 17, clause 118, line 8, omit “Court of Disputed Returns” and insert “Committee of Elections and Qualifications.”

No. 119.—Page 22, clause 158, line 5, omit “Court of Disputed Returns” and insert “Committee of Elections and Qualifications.”

No. 145.—Page 30, line 34, omit in heading “Court of Disputed Returns” and insert “Committee of Elections and Qualifications.”

No. 146.—Page 30, clause 197, omit this clause.

No. 147.—Page 30, after clause 197, insert the following new clauses:—

197A. (1) In every session of the Senate and of the House of Representatives respectively as soon as conveniently may be after the commencement of the session the President or Speaker as the case may be shall by warrant under his hand appoint seven members of the House against whose return no petition is then pending and none of whom is a party to any petition complaining of any election or return to be members of the Committee of Elections and Qualifications (hereinafter called the Committee). Appointment of Committee.

(2) Every such warrant shall be laid on the table of the Senate or House of Representatives as the case may be, and if not disapproved by the House in the course of the three next following days on which the House meets for the despatch of business shall take effect as an appointment of the Committee.

(3) Every member who becomes a party to any petition complaining of an undue election or return or respecting whose return qualification or disqualification an inquiry is pending shall for the time be disqualified to serve on the Committee, and the President or Speaker as the case may be shall name another member to act in his stead until the petition is finally dealt with.

197B. If the Senate or House of Representatives disapproves of any such warrant the President or Speaker shall on or before the third day on which the House meets after such disapproval lay upon the table of the House a new warrant for the appointment of seven members qualified as aforesaid, and so from time to time until seven members have been appointed by warrant not disapproved of by the House. Proceedings on disapproval by House.

Provided that the disapproval of any warrant may be either general in respect of the constitution of the whole Committee, or special in respect of any particular member named in the warrant; and the President or Speaker may, if he thinks fit, name in the second or any subsequent warrant any of the members named in any former warrant whose appointment has not been specially disapproved of.

197C. After the appointment of the Committee every member appointed shall continue to be a member thereof until the end of that session, or until he ceases to be a member of the House, or until the Committee reports that he is disabled by continued illness from attending the Committee, or that he has failed to attend four consecutive meetings without the leave of the Committee, or until the Committee is dissolved (as hereinafter provided), or until he resigns his appointment (which he may do by letter to the President or Speaker) which resignation shall not take effect until the appointment of another member in his place. Duration of office of members.

197D. (1) If the Committee at any time reports that, by reason of the continued absence of more than two of its members, or by reason of irreconcilable difference of opinion, it is unable to proceed satisfactorily in the discharge of its duties, or if the House resolves that the Committee be dissolved it shall be forthwith dissolved, and every re-appointment of the Committee after its dissolution, as well also as every appointment to supply a vacancy in the Committee by resignation or otherwise, shall be made by the President or Speaker by warrant under his hand laid upon the table of the House on or before the third day on which the House meets after the dissolution of the Committee or notification of the vacancy made to the President or Speaker, as the case may be. Dissolution and re-appointment of Committee.

(2) Such warrant shall be subject to the disapproval of the House in like manner as is hereinbefore provided in the case of the appointment of the first Committee.

(3) Upon any re-appointment of the Committee the President or Speaker may, if he thinks fit, re-appoint any of the members of the former Committee who are then not disqualified to serve on it.

(4) Every such new Committee or new member shall have power to take up and continue the business pending at the time of the dissolution or vacancy, in the same manner as might have been done by the Committee as previously constituted and composed.

197E. (1) The President or Speaker shall appoint the time and place of the first meeting of the Committee, and the Committee shall meet at the time and place so appointed, but no member shall act upon the Committee until he has taken an oath or made an affirmation at the table of the House before the Clerk well and truly to Time and place of meeting.

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try and determine the matter of any petition or other question referred to the Committee, and a true judgment to give according to the evidence, and truly and faithfully to perform the duties appertaining to a member of the Committee to the best of his ability without fear or favour.

(2) The Committee shall not be competent to transact any business unless a quorum of not less than four members thereof are present.

197f. (1) The Committee shall have power to adjourn its sittings as it thinks proper provided that the interval of adjournment shall not in any instance exceed seven days unless by leave first obtained from the House. In case four members have not met together within one hour of the time appointed for an original or adjourned meeting the members present may adjourn within the limits and subject to the restrictions aforesaid.

Powers of
Committee.
Adjournment.

(2) The Committee shall elect its own chairman and shall have power to regulate the form and manner of its own proceedings.

Election of
Chairman.

(3) Such proceedings shall be conducted openly except when the Committee thinks it necessary to deliberate before or after hearing evidence and argument if offered and all questions before the Committee shall be decided by a majority of votes and whenever the votes are equal the chairman shall have a second or casting vote and no member of the Committee shall refrain from voting on any question on which the Committee is divided.

Proceedings.

(4) The Committee shall be attended by one of the Clerks of the House who shall make a minute of all proceedings of the Committee in such form and manner as is directed by the Committee and a copy of the minutes shall be laid from time to time before the House.

Minutes.

197g. (1) The Committee shall have power to inquire into and determine upon all election petitions and upon all questions which may be referred to it by the House respecting the validity of any election or return of a member to serve in the House whether the dispute relating to the election or return arises out of an error in the return of the Returning Officer or out of an allegation of bribery or corruption against any person concerned in any election or out of any other allegation calculated to affect the validity of the election or return and also upon all questions concerning the qualification or disqualification of any person who has been returned as a member of the House.

Jurisdiction of
Committee.

(2) On the trial of any such question the Committee shall be guided by the real justice and good conscience of the case without regard to legal forms and solemnities and shall direct itself by the best evidence it can procure or which is laid before it whether it be such evidence as the law would require or admit in any other case or not, and the Committee may receive or reject as it deems fit any evidence that may be tendered to it.

197h. (1) The Committee shall have power to direct the attendance of witnesses and to examine them on oath (which oath it shall be competent for any member of the Committee to administer) and also to send for and examine papers records and other documentary evidence, and the Committee may if it thinks fit receive affidavits or declarations relating to any of the matters referred to it taken before any justice of the peace (which affidavits or declarations such justice of the peace is hereby authorized to take).

Power to
examine wit-
nesses and
compel
production of
papers.

(2) If any person summoned by the Committee disobeys the summons or refuses or neglects to produce any papers records or other documentary evidence relating to the matter under investigation which has been sent for by the Committee, or refuses to submit himself for examination or gives false evidence, or prevaricates, or otherwise misconducts himself in giving or refusing to give evidence, he shall be liable to be imprisoned with or without hard labour for any period not exceeding two years.

(3) Any person wilfully or knowingly giving false evidence before the Committee or a quorum thereof, or in any such declaration or affidavit, shall be liable to imprisonment with or without hard labour for any period not exceeding three years.

197i. The Committee shall have the power to inquire whether or not the petition is duly signed, and so far as Rolls and voting are concerned to inquire into the identity of persons and whether their votes were improperly admitted or rejected, assuming the Roll to be correct, but shall not have power to inquire into the correctness of any Roll.

What questions
may be enter-
tained by the
Committee.

197k. (1) The Committee shall determine finally on all questions referred to it, and if it determines and reports to the House that a person returned was not duly elected, he shall cease to be a member of the House; and if it determines and reports that any person not returned was duly elected, he may take his seat in the House accordingly; and if the Committee declares any election to have been wholly void, or declares any sitting member to be unqualified or disqualified, a new election shall be held.

Effect of
determination
of Committee.

(2) If the Committee comes to any resolution other than the determination above mentioned, it shall, if it thinks proper, report the same to the House for its opinion and decision at the same time as it informs the House of such determination, and the House may confirm or disagree with the resolution and make such order thereon as it thinks fit.

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197L. (1) Every petition complaining of the undue election or return of a member to serve in the Senate or House of Representatives, or complaining that no return has been made according to the exigency of the writ issued for the election of a member to serve in the Senate or House of Representatives, shall be subscribed by some person who voted or claimed to have the right to vote at the election to which the same relates, or by some person claiming to have had a right to be returned or elected thereat, or alleging himself to have been a candidate at the election, and shall be addressed to the House affected and presented to the Clerk of the House within thirty days after the next meeting of the House, or within forty days after the return of the writ to which the petition relates.

Petitions against return &c.

(2) Every such petition shall be forthwith notified in the "*Gazette*," and shall, as soon as conveniently may be after such presentation, be laid by the President or Speaker before the House, and shall by the House be referred to the Committee either forthwith or as soon as the Committee has been duly appointed or affirmed.

197M. The House may upon any petition subscribed as aforesaid and presented to the Clerk refer such petition and the question thereby raised to the Committee and the House shall also have power upon the like petition to refer to the Committee all questions respecting bribery or corruption alleged to have been committed at any election at any time within twelve months after the election notwithstanding that the period in either of the above cases has elapsed for a petition against the election or return according to the provisions hereinbefore contained.

House may refer petition to Committee after lapse of prescribed time.

197N. No election shall be avoided on account of any delay in the declaration of nominations the polling or the return of the writ or on account of the absence or error of any officer which shall not be proved to have affected the result of the election.

Immaterial errors not to vitiate election.
W.A. 63 Vict. No. 20 s. 150.
S.A. 1890, No. 607 s. 186.

197O. Before presenting any such petition to the Clerk the person by whom it is subscribed or some one on his behalf shall deposit with the Clerk of the House the sum of Fifty pounds as security for costs which sum shall be payable towards the costs of the petition as hereinafter regulated, and shall be liable to be applied upon the order of the President or Speaker, either for the purpose of such payment or for the purpose of restoring the same to the petitioner wholly or in part as the case may require.

Deposit as security for costs.

197P. All persons subscribing any such petition shall be deemed to be parties to the reference and the sitting member to whose election the petition relates or any person who voted or who had the right to vote thereat, or any person complained against in any such petition may within four weeks after the presentation thereof by notice in writing to the President or Speaker be admitted as a party to support or oppose the same or to defend the return of the sitting member as the case may be, and every person so admitted shall be deemed to be a party to the reference.

Parties to petition.

197Q. The parties to any such reference may at any time after presentation of the petition so referred jointly or severally withdraw their support or opposition as the case may be by written notice to that effect under their hands or the hand of their agent to the President or Speaker and also to the sitting member or his agent and also to the adverse parties or their agent, and in such cases the parties so withdrawing shall be liable to the payment of all such costs and expenses incurred by any of the adverse parties as the Committee in its discretion deems reasonable and just.

Withdrawal of parties.

197R. The Committee may determine and report to the House affected upon every petition so referred and may in all cases award payment of all such costs or expenses incurred by any of the parties as the Committee in its discretion deems reasonable and just and name the parties in each case who shall be liable for such payments and the parties if any to whom such payments are to be made.

Award of costs.

197S. If costs are awarded to any party against the petitioner the deposit shall be applicable in payment of the sum ordered but otherwise the deposit shall be repaid to the petitioner.

Deposit applicable for costs.
W.A. ib. s. 154.
S.A. ib. s. 190.

197T. All other costs awarded by the Committee including any balance above the deposit payable by the petitioner shall be recoverable as if the order of the Committee were a judgment of the High Court of Australia, and such order certified by the Committee may be entered as a judgment of the High Court of Australia and enforced accordingly.

Other costs.
W.A. ib. s. 155.

- No. 148.—Page 31, clause 198, omit this clause.
- No. 149.—Page 31, clause 199, omit this clause.
- No. 150.—Page 31, clause 200, omit this clause.
- No. 151.—Page 31, clause 201, omit this clause.
- No. 152.—Page 32, clause 202, omit this clause.
- No. 153.—Page 32, clause 203, omit this clause.
- No. 154.—Page 32, clause 204, omit this clause.
- No. 155.—Page 32, clause 205, omit this clause.

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No. 156.—Page 32, clause 206, omit this clause.

No. 157.—Page 32, clause 207, omit this clause.

No. 158.—Page 32, clause 208, omit this clause.

No. 159.—Page 33, clause 209, omit this clause.

No. 160.—Page 33, clause 210, omit this clause.

No. 162.—Page 33, after clause 213, insert the following new clause:—

“213A. (1) The allowance to each Senator under section forty-eight of the Constitution shall be reckoned—

Allowance to
Members.

(a) in the case of a Senator chosen at the first election after a dissolution of the Senate, from the day of his election ;

(b) in the case of a Senator chosen to fill a place which is to become vacant in rotation, from the first day of January following the day of his election ;

(c) in the case of a Senator chosen or appointed to fill a casual vacancy, from the day on which his name is certified by the Governor of a State to the Governor-General.

“(2) The allowance to each Member of the House of Representatives under section forty-eight of the Constitution shall be reckoned from the day of his election.”

SCHEDULE OF AN AMENDMENT OF THE HOUSE OF REPRESENTATIVES
AGREED TO BY THE SENATE WITH AN AMENDMENT.

HOW DEALT WITH BY
THE COMMITTEE.

In amendment No. 104, viz:—

No. 104.—Page 19, after clause 140 insert the following new clause:—

“140A. Any elector may vote at the polling place for which he is enrolled, or if he is absent from the polling place for which he is enrolled may vote at any other polling place for the same Division, if he makes and signs before the presiding officer a declaration in the Form R 1 in the Schedule.”

Leave out all the words after “elector” in line 1, insert—

“when voting at a polling place at elections for the Senate or for the House of Representatives shall, except as provided in sub-section (2) of this section, only be entitled to vote at the polling place for which he is enrolled.”

“(2) Provided always that the regulations under this Act may provide facilities for enabling electors to vote at elections for the Senate or for the House of Representatives at other polling places within the State in which the election is held, and may provide for all matters (not inconsistent with this Act) necessary or convenient to be prescribed for the purpose of carrying this part of this section into effect, and in particular for the following matters:—

- (a) The form of ballot-paper to be used ;
- (b) The method of dealing with the ballot-papers ; and
- (c) The allowance or disallowance and counting of the ballot-papers.”

Where electors
may vote.

Where electors
may vote.

Amendment to leave out all the words after “elector” in line 1, disagreed to, but the following consequential amendment made in the clause, viz:—Line 4, after “Division,” insert “in an election for the House of Representatives.”

Amend the words proposed to be inserted by the Senate as follows, viz:—Line 1, before “when voting,” insert “Any elector.” Lines 2 and 3, omit “or for the House of Representatives” —and then add the words as so amended at end of the clause instead of inserting them where proposed by the Senate.

SCHEDULE OF THE AMENDMENTS OF THE HOUSE OF REPRESENTATIVES TO WHICH THE SENATE
HAS DISAGREED—ON WHICH THE COMMITTEE OF THE WHOLE INSISTS.

No. 6.—Page 3, clause 8, at end of clause add “but no Assistant Returning Officer shall be appointed in or for any portion of a Division in which less than one hundred electors are enrolled.”

No. 21.—Page 4, clause 22, lines 34 and 35, omit “both Houses of Parliament” and insert “the House of Representatives.”

No. 22.—Page 4, clause 23, line 38, omit “both Houses of Parliament pass” and insert “the House of Representatives passes.”

No. 23.—Page 4, clause 24, line 43, omit “either House of Parliament” and insert “the House of Representatives.”

No. 24.—Page 4, clause 24, at end of clause add “in accordance with the requirements of any such resolution.”

No. 58.—Page 13, after clause 98, insert the following new clause:—

“98A. No person who is at the date of nomination or who was at any time within fourteen days prior to the date of nomination a Member of the Parliament of a State shall be capable of being nominated as a Senator, or as a Member of the House of Representatives.”

State Members
not entitled to
be nominated.

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- No. 114.—Page 21, clause 151, line 8, after “votes” omit the remainder of clause.
 No. 139.—Page 26, clause 174, line 17, omit “(vii.) Election agents.”
 No. 180.—Page 39, Form M, lines 15 and 16, omit “The elector must vote for the full number of candidates to be elected, but not for any greater number.”
 No. 192.—Page 42, Form Q, lines 15 and 16, omit “You must vote for the full number of candidates to be elected.”
 No. 196.—Page 43, after Form R, insert the following new Form:—

FORM R¹.

Form of Declaration to be signed by a Voter before voting at any Polling Place other than the Polling Place for which he is enrolled.

Polling Place.

I declare that I am the person whose name appears as No. [here insert number on roll and name of elector] on the Electoral Roll for the Electoral Division of [here insert name of Division], and that I have not voted either here or at any other polling place at this election, and I promise that if I am permitted to vote here, I will not vote at this election at any other polling place.

Signature of Elector—

Place of Living—

Occupation—

Declared before me the

day of

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Presiding Officer—

AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO PART OF WHICH THE SENATE HAS DISAGREED, MAKING A CONSEQUENTIAL AMENDMENT IN CLAUSE 146.

HOW DEALT WITH BY THE COMMITTEE.

No. 110.—Page 20, clause 146, lines 19 and 20, omit “he delivers to the presiding officer a voter’s certificate,” and insert “his name is on the roll for the Division and he makes and signs a declaration as required by section one hundred and forty A.”

Disagree to insertion of words “his name is on the roll for the Division and he makes and signs a declaration as required by section one hundred and forty A.”

Consequential amendment made, viz.:—

To add to clause 146 the following proviso:—

“Provided that the fact that an elector’s name is not on the list of voters for the polling place shall not prevent him from voting in cases where provision is made by regulation allowing electors to vote at polling places other than the polling places for which they are enrolled.”

Insertion of words disagreed to by Senate not insisted on, and addition of Senate’s proviso to the clause agreed to with the following amendment:—

Add at end of proviso the words “subject to section one hundred and forty A.”

AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO WHICH THE SENATE HAS DISAGREED, AMENDING CLAUSE 182.

HOW DEALT WITH BY THE COMMITTEE.

Amendment of the House of Representatives No. 141.—Page 28, clause 182, omit this clause.

Clause 182 amended by the Senate to read as follows:—

182. No part of any premises—

(a) on which the sale by retail of any intoxicating liquor is authorized by a licence; or

(b) where any intoxicating liquor is sold or is supplied to members of a club, society or association—

Licensed premises not to be used for election purposes.

shall be used as a committee room for the purpose of promoting or procuring the election of a candidate, and every person who hires or uses any such premises or any part thereof for such purposes and every person who knowingly lets or allows the same to be used for that purpose, shall be guilty of an illegal practice.

Provided that nothing in this section shall apply to any part of such premises which is ordinarily let for the purpose of chambers or offices or the holding of public meetings, if such part has a separate entrance and no direct communication with any part of the premises on which any intoxicating liquor is sold or supplied as aforesaid.

Amendment to omit clause 182 insisted on, and clause as amended by Senate disagreed to.

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AMENDMENT OF THE HOUSE OF REPRESENTATIVES DISAGREED TO BY THE SENATE.

No. 161, omit clause 211, which is as follows :—

211. The Justices of the High Court or a majority ^{Power to make} of them may make Rules of Court not inconsistent ^{Rules of Court.} with this Act for carrying this Part of this Act into effect and in particular for regulating the practice and procedure of the Court the forms to be used and the fees to be paid by parties.

HOW DEALT WITH BY THE COMMITTEE.

Omission of clause not insisted on, but clause amended as follows :—
Line 2, after "them" insert "or until the High Court is established the Governor-General," and at end of clause add—"Every Rule of Court made ^{To be laid be-} in pursuance of ^{fore the Par-} this section ^{liament.} shall be laid before the Senate and the House of Representatives within forty days next after it is made if the Parliament is then sitting, or if the Parliament is not then sitting then within forty days after the next meeting of the Parliament; and if an Address is presented to the Governor-General by either House of the Parliament within the next subsequent forty sitting days of the House praying that any such rule may be annulled the Governor-General may thereupon annul the same; and the Rule so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which have in the meantime been taken under it."

On the motion of Sir William Lyne the House adopted the Report.

3. CLAIMS AGAINST THE COMMONWEALTH BILL.—The Order of the Day for the consideration in Committee of the whole House of His Excellency the Acting Governor-General's Message No. 61, having been read—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had agreed to a certain resolution.

Ordered—That the Report be considered at once.

And thereupon the said resolution was read, and is as follows :—

Resolved—That it is expedient that an appropriation of moneys be made for the purposes of a Bill for an Act to make temporary provision for enforcing Claims against the Commonwealth.

And the said resolution was adopted by the House.

Ordered—That Mr. Deakin do prepare and bring in a Bill to carry out the foregoing resolution.

4. PARLIAMENTARY ALLOWANCES BILL.—The Order of the Day for the consideration in Committee of the whole House of His Excellency the Acting Governor-General's Message No. 62 having been read—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had agreed to a certain resolution.

Ordered—That the Report be considered at once.

And thereupon the said resolution was read, and is as follows :—

Resolved—That it is expedient that an appropriation of moneys be made for the purposes of a Bill for an Act relating to the Allowance to Members of each House of the Parliament of the Commonwealth.

And the said resolution was adopted by the House.

Ordered—That Sir William Lyne and Mr. Deakin do prepare and bring in a Bill to carry out the foregoing resolution.

24th September, 1902.

Sir William Lyne then brought up a Bill intituled "*A Bill for an Act relating to the Allowance to Members of each House of the Parliament of the Commonwealth,*" and moved that it be now read a first time.

Question—put and resolved in the affirmative.—Bill read a first time.

Sir William Lyne moved, by leave, That the Bill be now read a second time.

Question—put and 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.

Mr. Speaker resumed the Chair; Mr. Chanter reported that the Committee had gone through the Bill and agreed to the same without amendment.

On the motion of Sir William Lyne the House adopted the Report.

Sir William Lyne moved, by leave, That the Bill be now read a third time.

Question—put and resolved in the affirmative.—Bill read a third time.

5. MESSAGE FROM THE SENATE.—CONSOLIDATED REVENUE BILL (No. 2 of 1902-3).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 56.

The Senate returns to the House of Representatives the Bill for "*An Act to grant and apply out of the Consolidated Revenue Fund the sum of One million three hundred and sixty-five thousand five hundred and ninety-seven pounds to the service of the year ending the thirtieth day of June One thousand nine hundred and three,*" to which it has agreed without amendment.

R. C. BAKER,

President.

The Senate,

Melbourne, 24th September, 1902.

6. ADJOURNMENT.—Mr. Deakin moved, That the House do now adjourn.

Debate ensued.

Question—put.

The House divided—

Ayes, 14.

Noes, 6.

Sir Langdon	Mr. Poynton,
Bonython,	Mr. E. Solomon,
Mr. Chanter,	Mr. Tudor,
Mr. Deakin,	Mr. Watson.
Mr. Glynn,	
Mr. Kingston,	<i>Tellers.</i>
Sir William Lyne,	
Mr. Mahon,	Mr. Clarke,
Mr. Page,	Mr. Ewing.

Mr. G. B. Edwards,	<i>Tellers.</i>
Mr. Fuller,	
Mr. McDonald,	Mr. Joseph Cook,
Mr. Sydney Smith.	Mr. Wilks.

And it appearing, on the report by the Tellers, that a quorum of Members of the House was not present, the Speaker, thereupon, at fourteen minutes to eleven o'clock p.m., adjourned the House until to-morrow, at half-past two o'clock p.m.

MEMBERS PRESENT.—All Members were present except—The Prime Minister* (the Right Honorable Sir Edmund Barton, P.C., G.C.M.G.), the Minister of Defence* (the Right Honorable Sir John Forrest, P.C., G.C.M.G.), Mr. Bamford, the Right Honorable Sir Edward Braddon, P.C., K.C.M.G.,* Messrs. Chapman,* Winter Cooke, Cruickshank,* Fisher,* Harper,* Hartnoll, Hughes, Kennedy, Knox,* Macdonald-Paterson, McColl, F. E. McLean, Sir William McMillan, K.C.M.G., Messrs. Phillips, Skene, Bruce Smith,* and Spence.

* On leave.

C. GAVAN DUFFY,

Clerk of the House of Representatives.