

1906.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

No. 12.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE.

WEEK ENDED 5TH OCTOBER, 1906.

TUESDAY, 2ND OCTOBER, 1906.

No. 57.—*Lands Acquisition Bill*.—Clause 63.

63. (1) If any land acquired or deemed to have been acquired under this Act, or under any Act repealed by this Act, is not required for any public purpose—

(a) the Governor-General may authorize the disposal of it as he thinks fit; or

(b) where the estimated annual value of the land does not exceed Fifty pounds, the Minister may authorize the leasing of the land for such period not exceeding three years and on such terms and conditions as he thinks fit,

and the land may be disposed of accordingly.

(2) A return of all land disposed of under this section, showing the manner of its disposal, shall be laid before both Houses of the Parliament within thirty days after the disposal if the Parliament is then sitting, and if not then within thirty days after the next meeting of the Parliament.

—(*The Minister for Home Affairs.*)

Amendment proposed—That the following sub-clause be inserted in the clause after sub-clause (1) :—

(1A) But if any such land was so acquired or deemed to have been acquired from a State, the Commonwealth shall, unless such land is to be disposed of in exchange for other land, at the request of the State, take proper steps to re-convey such land to and re-vest the same in the State, on tender or payment of the amount of the compensation (if any) paid to the State in respect of the land.

—(*Mr. Joseph Cook.*)

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

The Committee divided—

Ayes, 9.

Mr. Joseph Cook,	Mr. Willis.
Mr. Glynn,	
Mr. Knox,	
Mr. Liddell,	<i>Tellers.</i>
Mr. McWilliams,	Mr. Johnson,
Mr. Skene,	Mr. Wilks.

Noes, 24.

Mr. Batchelor,	Mr. Mauger,
Mr. Chapman,	Mr. Ronald,
Mr. Culpin,	Mr. Salmon,
Mr. Deakin,	Mr. David Thomson,
Mr. Ewing,	Mr. Tudor,
Mr. Fisher,	Mr. Watkins,
Sir John Forrest,	Mr. Watson,
Mr. Frazer,	Mr. Wilkinson.
Mr. Groom,	
Mr. Harper,	
Mr. Higgins,	
Mr. Kennedy,	<i>Tellers.</i>
Sir William Lyne,	Mr. Carpenter,
Mr. Mahon,	Mr. Hume Cook.

And so it passed in the negative.
F.4175.

No. 58.—*Lands Acquisition Bill (continued)*.—Proposed New Clause.

New clause proposed to be added to the Bill to follow clause 13.—

13A. (1.) Acquisition of land by the Commonwealth shall be subject to the following conditions and restrictions:—

- (a) If the land is Crown land of a State, the Governor-General shall first notify to the State Governor that the Commonwealth seeks to acquire the land by agreement. If, after the expiration of a reasonable time for negotiations the Minister shows to the satisfaction of the Chief Justice of the High Court that the Commonwealth has failed to acquire the land by agreement with the State, and the Chief Justice so certifies, the land may be acquired by compulsory process;
- (b) If the land is Crown land of a State, no more than the right to the surface and to a depth below the surface necessary, in the opinion of the Governor-General to secure the surface and any buildings and works thereon from damage by mining operations shall be compulsorily acquired;
- (c) If the land is other than such Crown land, the Commonwealth may acquire the land to a limited depth only or without any limit as to depth;
- (d) In any case the Commonwealth will not acquire any right of the State to minerals on or in the land;
- (e) In any case the land acquired shall be open as Crown land to mining under the law of the State, but only at such depth below the surface as the Governor-General deems necessary to secure the surface and any buildings and works thereon from damage by mining operations;
- (f) The Commonwealth may grant such leases or licences of or over any part of any land acquired under this Act as the Governor-General may think fit to enable the land in and below the said land to be mined for any minerals thereon and for other purposes in connexion with such mining.

(2.) The above provisions shall apply and be deemed to have applied to land deemed to have been acquired under this Act or under Act repealed by this Act; and any conveyance or assurance of such land shall contain suitable provisions to carry the same into effect.

—(Mr. Joseph Cook.)

Question—That the clause proposed to be added be so added—put.
The Committee divided—

Ayes, 5.

Mr. Joseph Cook, *Tellers.*
Mr. Wilks, Mr. Johnson,
Mr. Willis] Mr. McWilliams.

Noes, 26.

Mr. Batchelor,	Mr. Mahon,
Mr. Chapman,	Mr. Mauger,
Mr. Culpin,	Mr. Ronald,
Mr. Deakin,	Mr. Salmon,
Mr. Ewing,	Mr. Skene,
Mr. Fisher,	Mr. David Thomson,
Sir John Forrest,	Mr. Tudor,
Mr. Frazer,	Mr. Watkins,
Mr. Glynn,	Mr. Watson,
Mr. Groom,	Mr. Wilkinson.
Mr. Harper,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Knox,	Mr. Carpenter,
Sir William Lyne,	Mr. Hume Cook.

And so it passed in the negative

WEDNESDAY, 3RD OCTOBER, 1906.

No. 59.—*Post and Telegraph Bill (1906)*.—Clause 2—

2. After section fifty-seven of the Principal Act the following section is inserted:—

57A.—(1.) If the Postmaster-General has reasonable ground to suppose that any telephone is being used by any person in connexion with or in furtherance of gaming or betting, or any illegal or immoral purpose, he may by order forthwith determine the agreement with the subscriber relating to the telephone, and thereupon the telephone shall be disconnected from the telephone exchange and all instruments wires and other property of the Postmaster-General in connexion with the telephone shall be removed from the premises of the subscriber. ^

* * * * *

—(The Postmaster-General.)

Amendment proposed—That the following words be inserted after the word “subscriber” in line 8:—“Provided that no telephone shall be removed until the subscriber has had an opportunity of bringing forward proof that the telephone has not been used for betting or for any illegal or immoral purpose.”

—(Mr. Mahon.)

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

Ayes, 8		Noes, 20.	
Mr. Frazer,	Mr. Watson.	Mr. Brown,	Mr. Isaacs,
Mr. Mahon,		Mr. Chapman,	Mr. Knox,
Mr. Ronald,	<i>Tellers.</i>	Mr. Joseph Cook,	Mr. Liddell,
Mr. Tudor,	Mr. Carpenter,	Mr. Deakin,	Mr. Dugald Thomson,
Mr. Watkins,	Mr. Culpin.	Mr. G. B. Edwards,	Mr. Wilks,
		Mr. Ewing,	Mr. Willis,
		Sir John Forrest,	Mr. Wilson.
		Mr. Glynn,	
		Mr. Groom,	<i>Tellers.</i>
		Mr. Harper,	Mr. Hume Cook,
		Mr. Higgins,	Mr. McWilliams.

And so it passed in the negative.

No. 60.—*Post and Telegraph Bill (1906) (continued)*.—Clause 2—

2. After section fifty-seven of the Principal Act the following section is inserted :—

* * * * *

(3.) In this section—

* * * * *

“Gaming” includes A promoting carrying on or taking part in any sweepstakes, totalizator, lottery, or scheme in which money or any valuable thing is paid to or distributed amongst or is to be paid to or distributed amongst subscribers or contributors on any event or contingency of or relating to any horse-race or other race, or any fight, game, sport, or exercise.

—(*The Postmaster-General.*)

Amendment proposed—That the following words be inserted after the word “includes” in the definition of “Gaming” :—“gambling on any Stock Exchange”.

—(*Mr. Mahon.*)

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

Ayes, 10.		Noes, 18.	
Mr. Brown,	Mr. Watkins.	Mr. Chapman,	Mr. Knox,
Mr. Culpin,		Mr. Joseph Cook,	Mr. Liddell,
Mr. Frazer,	<i>Tellers.</i>	Mr. Deakin,	Mr. Dugald
Mr. Mahon,		Mr. G. B. Edwards,	Thomson,
Mr. McWilliams,	Mr. Carpenter,	Mr. Ewing,	Mr. Watson,
Mr. Ronald,	Mr. Wilks.	Sir John Forrest,	Mr. Willis.
Mr. Tudor,		Mr. Glynn,	
		Mr. Groom,	<i>Tellers.</i>
		Mr. Harper,	Mr. Hume Cook,
		Mr. Higgins,	Mr. Wilson.
		Mr. Isaacs,	

And so it passed in the negative.

No. 61.—*Post and Telegraph Bill (1906) (continued)*.—Proposed New Clause—

3. The Postmaster-General may refuse to transmit any message over the telegraph lines which he has reasonable ground to suppose is in connexion with or in furtherance of gaming or betting upon the result of any horse-race or other race, or any fight, game, sport, or exercise.

—(*Mr. Frazer.*)

Question—That the proposed new clause be added to the Bill—put.
The Committee divided—

Ayes, 20.		Noes, 5.	
Mr. Brown,	Mr. Knox,	Mr. Fisher,	<i>Tellers.</i>
Mr. Chapman,	Mr. Dugald Thomson,	Mr. Glynn,	Mr. Frazer,
Mr. Joseph Cook,	Mr. Tudor,	Mr. Watson.	Mr. Mahon.
Mr. Culpin,	Mr. Watkins,		
Mr. Deakin,	Mr. Wilks,		
Mr. Ewing,	Mr. Willis,		
Sir John Forrest,	Mr. Wilson.		
Mr. Groom,			
Mr. Harper,	<i>Tellers.</i>		
Mr. Higgins,	Mr. Hume Cook,		
Mr. Isaacs,	Mr. McWilliams.		

And so it was resolved in the affirmative.