

1909.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 95.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

SATURDAY, 4TH DECEMBER, 1909.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION.—Mr. Poynton 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 present unsatisfactory position of the Northern Territory."
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. Poynton moved, That the House do now adjourn.
Debate ensued.
Question—put and negatived.
3. DEFENCE BILL (1909)—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.
Mr. Speaker resumed the Chair; Mr. McDonald reported that the Committee had dealt with the Amendments as follows:—

SCHEDULE OF AMENDMENTS MADE BY THE SENATE TO WHICH THE COMMITTEE HAS AGREED.
No. 3.—Page 3, clause 10, line 14, leave out "section"; insert "sections".
No. 4.—Page 3, clause 10, line 15, after "fifty-nine" insert "seventy-five and one hundred and twenty-four".
No. 5.—Page 3, clause 11, line 22, before "section" insert "sub-".
No. 6.—Page 4, clause 12, lines 4, 5, and 6, leave out "in physical drill, elementary marching drill, and the use of miniature rifles. The training shall be carried out in the manner and at the times", insert "as".
No. 7.—Page 4, clause 13, at end of clause add the following new sub-section:—
"(3) All appointments in the Department of Defence (other than such appointments to the Central Staff as ought in the opinion of the Governor-General to be under the *Commonwealth Public Service Act* 1902) shall be appointments in the Naval or Military Defence Forces, and members of the Permanent Naval or Military Forces who have served not less than five years therein shall, in cases of equality of qualifications, have preference over other applicants for those appointments."
No. 8.—Page 5, after clause 16, insert the following new clause:—
"16A. (1) Section seventy-nine of the Principal Act is amended—
(a) by omitting therefrom the words "deliver up the article to any officer, or in default to pay its value to such officer," and inserting in lieu thereof the words "be imprisoned for a period not exceeding three months unless in the meantime he delivers up the article or pays its value"; and
(b) by adding thereto the following sub-sections:—
(2.) When an order has been made under this section the Court may by warrant in writing authorize any member of the Police Force of the Commonwealth or of a State or part of the Commonwealth to take possession of the article and to deliver it to an officer or as the Court thinks fit to direct.

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'(3.) Any member of the Police Force of the Commonwealth or of a State or part of the Commonwealth having any warrant under this section may in the day time enter any building, premises, or place where the article is or is supposed to be, and may break open any part of the building, premises, or place, or any chest, receptacle, or thing therein, and may seize or take possession of the article and deliver it in accordance with the warrant'".

- No. 9.—Page 5, clause 17, line 15, after "supplied" insert "and no person shall have such intoxicating or spirituous liquors in his possession".
- No. 10.—Page 5, clause 17, line 15, after "post" insert "during such time as training of persons as prescribed in paragraphs (a), (b), and (c), of section one hundred and twenty-five is proceeding in such naval or military camp, fort, or post".
- No. 11.—Page 5, clause 17, leave out section 123B.
- No. 13.—Page 6, clause 18, line 14, after "Cadets" insert "not exceeding".
- No. 15.—Page 7, clause 18, line 2, after "service" insert "or for attending such camp,".
- No. 16.—Page 8, clause 18, section 138, at end of section add the following new sub-section :—
 "(2.) Persons liable to be trained in the Junior Cadets who are certified by any prescribed medical authority to be unfit to undergo the whole or any part of the prescribed training, may be exempted from that training by any prescribed authority."
- No. 17.—Page 9, clause 18, section 143, at end of section add the following new sub-section :—
 "(3.) All persons liable to be trained under paragraphs (b), (c), and (d) of section one hundred and twenty-five of this Act who are forbidden by the doctrines of their religion to bear arms shall, so far as possible, be allotted to non-combatant duties."
- No. 18.—Page 10, clause 18, line 1, after "No" insert "applicant or".
- No. 19.—Page 10, clause 18, at end of section 150 add the following proviso :—
 "Provided that sections one hundred and forty-nine and one hundred and fifty shall not apply to officers of the Medical, Veterinary, Ordnance, and other Departmental Services."
- No. 20.—Page 10, clause 18, leave out section 151.

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE, TO WHICH THE COMMITTEE HAS AGREED, WITH AMENDMENTS.

- No. 1.—Page 2, after clause 4 insert the following new clause :—
 "4A. Provided that the limitation in the preceding section in respect to service in the ranks shall not apply, except as far as may be found possible, until the expiration of two years from the commencement of the training prescribed in section one hundred and twenty-five, paragraph (c);
 "Provided also that the limitation in the preceding section shall not at any time apply to the appointment of officers in the Senior Cadets."
- Amendment agreed to with the following modifications :—
 Insert in clause 4 as provisos to section 11A, instead of inserting as a new clause.
 Omit the number "4A".
 Omit the words "the preceding section" wherever occurring, and insert the words "this section" in place thereof.
- No. 2.—Page 2, clause 7, at end of clause add the following words :—
 "Section thirty-six of the Principal Act is also amended by adding the following provisos thereto :—
 'Provided that the regulations may prescribe that any member of the Defence Force may, at his option, on the expiration of his original enlistment or subsequent re-engagement, re-engage to serve for a further period without any fresh oath of enlistment, subject nevertheless to the veto of the Minister or other authority mentioned in the regulations and to such other conditions as are specified in the regulations, and such member who so re-engages shall sign before his commanding officer an agreement to re-engage in accordance with the said regulations to be indorsed upon or attached to the original oath of enlistment, and such member shall, during the period of such re-engagement, continue to be bound by his original oath of enlistment.
 'Provided also that, except in time of war, any member who has re-engaged after the completion of his original period of enlistment may claim his discharge under section forty and shall not be required to pay the sum therein prescribed.'"
- Amendment agreed to with the following consequential amendment in the clause :—In the first line of the clause, before "Act" insert "Principal".
- No. 12.—Page 5, after clause 17 insert the following new clause :—
 "17A. After section one hundred and twenty-three of the Principal Act the following section is inserted :—
 '123D. All married men in the permanent forces who have served for three years shall be entitled to be placed on the Married Establishment.'"
- Amendment agreed to with the following amendment :—After "twenty-three" insert "B".

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No. 14.—Page 7, clause 18, line 1, after "him" insert "or from attending any camp of instruction appointed to be held by the Head-Quarters of the Commonwealth or any Military District".

Amendment agreed to with the following consequential amendment in the clause:—Section 134, sub-section (2), at the end of the sub-section add "or for attending the camp".

On the motion of Mr. Joseph Cook, the House adopted the Report.

4. **POSTPONEMENT OF ORDERS OF THE DAY.**—Ordered, That the consideration of Orders of the Day, Government Business, Nos. 2 and 3 be postponed until after the consideration of Order of the Day No. 4.

5. **PATENTS BILL (1909).**—The Order of the Day having been read for the second reading of this Bill—
Mr. Glynn moved, 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. Johnson reported that the Committee had gone through the Bill, and had agreed to the same with amendments.

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

Question—put and resolved in the affirmative.

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

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

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

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

Debate ensued.

Question—put and resolved in the affirmative.

And then the House, at twenty minutes to six o'clock p.m., adjourned until Monday next, at eleven o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Tilley Brown, Mr. Carr, Mr. Catts, Mr. Chanter, Mr. Chapman, Sir Thomas Ewing, Mr. Frank J. Foster, Sir Philip Fysh, Mr. Hughes, Mr. Hutchison, Mr. Hans Irvine, Mr. W. H. Irvine, Mr. Livingston, Sir William Lyne, Mr. Page, Mr. Palmer, Sir George Reid, Mr. Sinclair, Mr. Bruce Smith, Mr. Dugald Thomson, Mr. Watkins, Mr. Willis, Mr. Wilson, and Mr. Wise.

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