

1910.

## THE PARLIAMENT OF THE COMMONWEALTH

No. 75.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

THURSDAY, 10TH NOVEMBER, 1910.

1. The House met, at half-past ten o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. SEAT OF GOVERNMENT (ADMINISTRATION) 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.  
Mr. Salmon moved the following amendment:—  
Omit "now", and at the end of the motion add "so soon as and not before a Referendum of the people of Australia has been taken with regard to and in favour of the proposed site".  
Debate continued.  
Question—That the word "now" proposed to be omitted—stand part of the question—put.  
The House divided—

Ayes, 32.

Mr. Batchelor	Mr. Hughes
Mr. Cann	Mr. W. H. Irvine
Mr. Catts	Mr. W. J. Johnson
Mr. Charlton	Mr. Kelly
Mr. Cook	Mr. Mahon
Mr. G. B. Edwards	Mr. O'Malley
Mr. Finlayson	Mr. Riley
Sir John Forrest	Mr. Laird Smith
Mr. Frank J. Foster	Mr. Thomas
Mr. Fowler	Mr. Thomson
Mr. Frazer	Mr. Tudor
Mr. Fuller	Mr. Webster
Mr. Glynn	Mr. West
Mr. Greene	
Mr. Groom	<i>Tellers.</i>
Mr. Hall	Mr. W. Elliot Johnson
Mr. Howe	Mr. Watkins

Noes, 17.

Mr. Anstey	Mr. Ozanne
Mr. Chanter	Mr. Roberts
Mr. Chapman	Mr. Salmon
Mr. R. W. Foster	Mr. Sampson
Mr. Hedges	Mr. Wise
Mr. Jensen	
Mr. Livingston	
Mr. W. Maloney	<i>Tellers.</i>
Mr. McDougall	Mr. Fenton
Mr. Parker Moloney	Mr. Scullin

And so it was resolved in the affirmative.

Debate on original motion continued.

Question—That the Bill be now read a second time—put and passed.—Bill read a second time.  
Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

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*(In the Committee.)*

Clause 1 agreed to.

Clause 2 read.

Mr. Mathews moved the following amendment :—

At end of clause add "provided that the Proclamation shall not be issued until 1st January, 1920".

Debate ensued.

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

The Committee divided—

Ayes, 16.

Mr. Anstey	Mr. Roberts
Mr. Chapman	Mr. Salmon
Mr. Fenton	Mr. Sampson
Mr. Higgs	Mr. Webster
Mr. Jensen	Mr. Wise
Mr. W. Maloney	
Mr. McDougall	<i>Tellers.</i>
Mr. Parker Moloney	Mr. Mathews
Mr. Ozanne	Mr. Scullin

Noes, 29.

Mr. Batchelor	Mr. W. J. Johnson
Mr. Cann	Mr. Kelly
Mr. Catts	Mr. Mahon
Mr. Charlton	Mr. O'Malley
Mr. G. B. Edwards	Mr. Riley
Mr. Finlayson	Mr. Sinclair
Sir John Forrest	Mr. Laird Smith
Mr. Fowler	Mr. Thomas
Mr. Frazer	Mr. Thomson
Mr. Fuller	Mr. Tudor
Mr. Glynn	Mr. West
Mr. Groom	
Mr. Hall	
Mr. Howe	<i>Tellers.</i>
Mr. Hughes	Mr. Frank J. Foster
Mr. W. Elliot Johnson	Mr. Watkins

And so it was negatived.

Clause agreed to.

Clause 3 agreed to.

Clause 4 debated and agreed to.

Clause 5 agreed to.

Clause 6 debated and agreed to.

Clauses 7, 8, and 9 agreed to.

Clause 10 read.

On the motion of Mr. G. B. Edwards the following amendment was made, after debate :—

Line 34, omit "establishment of a local legislature for" and insert "government of".

Clause, as amended, agreed to.

Schedule debated and agreed to.

Title agreed to.

Bill to be reported with an amendment.

The House resumed; Mr. Poynton reported accordingly.

Mr. O'Malley moved, by leave, That the Bill be now recommitted to a Committee of the whole House for the consideration of a new clause.

Question—put and passed.

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

*(In the Committee.)*

On the motion of Mr. O'Malley the following new clause was, after debate, added to the Bill :—

*Disposal of Crown Lands.*

8A. No Crown Lands in the Territory shall be sold or disposed of for any estate of freehold, except in pursuance of some contract entered into before the commencement of this Act.

*Disposal of Crown Lands.*

Bill to be reported with the new clause.

The House resumed; Mr. Poynton 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.

Mr. O'Malley moved, That the Reports be now adopted.

Debate ensued.

Question—put and passed.

On the motion of Mr. O'Malley the Bill was read a third time.

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3. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 2 to 5 inclusive be postponed until after Order of the Day No. 6.
4. EMIGRATION BILL.—The Order of the Day having been read for the second reading—Mr. Batchelor 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 read.

On the motion of Mr. Batchelor the following amendments were made, after debate :—

Lines 7 and 8, omit “in whom the aboriginal native blood preponderates”, and insert “having one aboriginal parent”.

Line 9, omit “sixteen”, and insert “eighteen”.

Clause, as amended, agreed to.

Clause 3 read.

Mr. Fowler moved the following amendment :—

Lines 4 to 8, omit paragraphs (a) and (b), and insert in place thereof :—

“(a) any child not in charge of a parent ;

(b) any child whose parents are or were of any European race in charge of a parent, namely, its mother, who has formed a connexion by marriage or otherwise with a man who is not of any European race ;”

Debate ensued.

Amendment to omit paragraph (a) and insert new paragraph (a), by leave, withdrawn.

Debate continued on amendment to omit paragraph (b) and insert new paragraph (b).

Question—That paragraph (b) proposed to be omitted stand part of the clause—put.

The Committee divided—

Ayes, 21.

Noes, 7.

Mr. Batchelor	Mr. Hughes
Mr. Cann	Mr. W. Maloney
Mr. Catts	Mr. Ozanne
Mr. Charlton	Mr. Riley
Mr. Fenton	Mr. Laird Smith
Mr. Finlayson	Mr. Tudor
Sir John Forrest	Mr. West
Mr. Frank J. Foster	
Mr. Frazer	
Mr. Glynn	Mr. Scullin
Mr. Groom	Mr. Watkins
Mr. Hall	

Mr. Cook	<i>Tellers.</i>
Mr. R. W. Foster	Mr. Fowler
Mr. Palmer	Mr. Wise
Mr. Salmon	
Mr. Sinclair	

*Tellers.*

And so it was resolved in the affirmative.

Mr. Fowler moved the following amendment :—Insert new sub-clause :—

“(5) No permit shall be given under paragraphs (a) and (b) of sub-section (1) of this section unless the Minister or authorised officer is satisfied that the child will not be subject to conditions liable to be detrimental to its welfare, or will not be committed to an alien life.”

Debate ensued.

And the proposed new sub-clause, having been amended by the omission of the words at the end thereof, viz. :—“or will not be committed to an alien life,” was agreed to.

Mr. Fowler moved the following further amendment :—Insert new sub-clause :—

“(6) No permit shall be given under paragraph (c) of this section unless the interests and the due return to his district of the aboriginal native for whom the permit is granted are secured by bond or otherwise.”

Debate ensued.

Amendment negatived.

Clause, as amended, agreed to.

Clauses 4 to 9 agreed to.

Clause 10 debated and agreed to.

Clauses 11 to 15 agreed to.

On the motion of Mr. Batchelor, the following new clause was added to the Bill :—

5A. (1.) Every contract with a child or aboriginal native, by the terms of which the child or aboriginal native is required to depart from Australia, shall be in writing ; and unless—

(a) a copy of the contract is forthwith filed with the Minister, and, if he so requires, is verified on oath, and

(b) the Minister in writing approves of the contract, the contract shall be absolutely void.

Certain contract with child or aboriginal native to be filed.

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- (2.) Every person who enters into any such contract with a child or aboriginal native, and does not forthwith file a copy of the contract with the Minister, and, if the Minister so requires, verify it on oath, shall be guilty of an offence.

Penalty : Twenty pounds.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Poynton 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.

On the motion of Mr. Batchelor, the House adopted the Report, and the Bill was read a third time.

5. MESSAGE FROM THE SENATE.—NORTHERN TERRITORY (ADMINISTRATION) BILL.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

*Message No. 35.*

The Senate has passed a Bill for "*An Act to provide for the Provisional Government of the Northern Territory*," and transmits the same to the House of Representatives for its concurrence.

H. TURLEY,  
President.

The Senate,

Melbourne, 9th November, 1910.

6. NORTHERN TERRITORY (ADMINISTRATION) BILL.—Mr. Batchelor 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.

7. ADJOURNMENT.—Mr. Hughes moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at a quarter to 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. Atkinson, Mr. Beard, Mr. Brown, Mr. Carr, Mr. Fisher, Mr. Hans Irvine, Mr. Page, and Sir John Quick.

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