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1901-08-20

House of Representatives.

Mr. Speaker

took the chair at 2.30 p.m., and read prayers.

PETITIONS

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Mr. McCOLL

presented petitions front residents of Boort and district, Wychitella and district, Merrigum, and Kyabram, praying that clauses 54 and 55 of the Post and Telegraph Bill may be retained.

Mr. CROUCH

presented similar petitions from certain residents of Chilwell (Geelong), Geelong, and Geelong and district; certain adherents of the Baptist Church, Aberdeen-street, Congregational Church and Ashby Wesleyan Church, Geelong; certain teachers of the Fenwick-street Baptist Sunday-school, Geelong; certain members and adherents of St. George's Presbyterian Church, Geelong, and Geelong Reformed Presbyterian Church; certain attendants of West Geelong Presbyterian Church; certain members of the congregation of United Methodist Church, Geelong- West.

Mr. HUME

COOK presented similar petitions from certain residents of Essendon and Newmarket, and of Essendon attending the Baptist Church; the members and congregation of the Baptist Church, Athol-street, Moonee Ponds; certain residents of Ascot Vale, and members of the St. Paul's Church of England, Ascot Vale; certain members of St. James' Church of England, Moonee Ponds West; of . the congregation of St. Thomas' Church, Essendon; of Christ Church of England, Essendon: of the Church of Christ, Ascot Vale; of, the Primitive Methodist Church, Moonee Ponds; of the Primitive Methodist Church, Essendon; of the Ascot Vale Presbyterian Church; and of the congregation of the Wesleyan Church, Essendon; certain members and adherents of the Ascot Vale Congregational Church and Maribyrnong Presbyterian Mission Church; and certain adherents of the Presbyterian Church of Preston.

Sir LANGDON

BONYTHON presented a similar petition from 5,622 residents of the State of South Australia.

Mr. PHILLIPS

presented similar petitions from certain residents at Birchip; Sheep Hills, attending the Wesleyan Church; and Warracknabeal, attending the Wesleyan Church.

Mr. A.

McLEAN presented a similar petition from certain residents of Bairnsdale arid district.

Mr. MAUGER

presented similar petitions from certain residents of Kensington; of Temperance Township, Ascot Vale; the president, vice-president, and secretary and others of the Victorian Sunday-school Union; and certain members and adherents of the Wesleyan Methodist Church at Flemington, Newport) and Williamstown.

Mr. KNOX

presented similar petitions from certain residents of Hawthorn assembled in Auburn Presbyterian Church; certain members and adherents of the Presbyterian Church, Camberwell; and certain residents of Hawthorn in attendance at Grove-road Presbyterian Church and Hawthorn Presbyterian Church.

Mr. R,

EDWARDS presented a similar petition from the president of the Council of Churches, Queensland.

Mr. MANIFOLD

presented similar petitions from certain residents of Colac and of Warrion.

Sir GEORGE

TURNER presented a similar petition from certain residents of Mount Erica,. Prahran.

Mi'. TUDOR presented a similar petition from certain worshippers in Richmond Presbyterian Church.

Sir LANGDON

BONYTHON presented a petition from 1,140 residents of the State of. South Australia, praying that the post-office may not be used for gambling purposes.

Petitions received.

QUESTION

LANDING OF AFGHANS IN MELBOURNE;

Mr POYNTON

- In connexion with the question that I asked last week with reference to the landing of a large number of Afghans in Melbourne, I wish to direct the attention of the Prime Minister to the fact that on several occasions the Government of South Australia have, by Executive act, prevented undesirable immigrants from landing in that State ; and I would ask -whether the Cabinet has come to any decision, or whether the Prime Minister is prepared to make any statement on the question 1

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Minister for External Affairs

Mr BARTON

-- The difficulty in connexion with these questions without notice is that they are so sprung upon one - if I may use the term without being in any way offensive - that the answer which might be full and complete, is necessarily rather restricted. I took action at once on the statement made by the honorable member for South Australia the other day, with a view to insuring that we should be notified by the officers of Customs of the various important ports of the- Commonwealth of the anticipated arrival of vessels containing undesirable immigrants, in order that any action which might be necessary might be- taken immediately in such cases. I cannot say that the question has not been considered by the Cabinet, because such consideration as we have had time to give the matter has been entirely in accord with what I indicated the other day, namely, that wherever it is possible do do so, without any infringement of any external obligations of the Commonwealth, steps will be taken to prevent the landing of any large bodies of undesirable immigrants pending the. passage into law . of the Immigration Restriction Bill.

PERSONAL EXPLANATION

Mr CLARKE

- With the permission of the House I desire to make a personal explanation. When I was speaking last Friday week on the second reading of the Post and Telegraph Bill, I stated that Mr. W. P. Crick, the Minister for Lands in New South Wales, had signed the petition which I had presented against clauses 54 and 55 of the Bill. I have now received a telegram from Mr. Crick to the effect that he did not sign that petition. I may say that I did not see Mr. Crick's name on the petition, but I had seen the names of the other Ministers of the Crown whom I mentioned, including Mr. Kidd and Mr. O'Sullivan, and I was told that Mr. Crick had signed it. After making that statement I inquired again whether Mr. Crick had really signed the petition, and I was told then that it was possible that he had not signed it - that it was very probable that Mr. Waddell, the Colonial. Treasurer, and not Mr. Crick, had signed. I now make this explanation in justice to Mr. Crick, so that it may not be thought that he signed the petition.

QUESTIONS

QUEENSLAND DEFENCE APPOINTMENTS

Mr WILKINSON

asked the Minister of Defence -

Whether it is true that seven sergeant instructors from the Imperial forces have been taken on to the strength of the Queensland Defence Force.

If so, by whose authority have the appointments been made.

Whether it is the intention of the Department of Defence to give preference to men drawn from the Imperial forces when making such appointments.

Minister for Defence

Sir JOHN FORREST

- The answers to the honorable member's questions are as follow : - (1). Seven instructors from the Imperial forces have lately arrived in Queensland under an agreement with the Government of that State, entered into prior to the transfer of the defences to the Commonwealth. (2). The Queensland Government. (3). It is the intention of the department to give the preference to members of the Commonwealth forces when making such appointments in future.

DAYS AND HOURS OF MEETING

Minister for External Affairs

Mr BARTON

. - I move-

That after this day, until otherwise ordered, Wednesday, Thursday, and Friday in each week during the present session be the days on which this House shall meet for the despatch of business; and that two o'clock be the hour of meeting on Wednesday and Thursday, and that ten o'clock be the hour of meeting on Friday.

That on Wednesday, Thursday, and Friday in each week during the present session Government business do, until otherwise ordered, take precedence of all other business.

I have already explained the position of matters which makes this motion necessary. I take it that the House, which evidently received the explanation I made with concurrence, will not expect any lengthy remarks from me on the subject. It is quite obvious, from what I have stated, that more time must be allowed to Ministers to enable them to carry on certain urgent duties, and I have framed this motion in such a way that the time at the disposal of the House during the week for transacting the public business, as distinguished from private business, will be equal to what it is now. That is to say, that we shall begin at two o'clock on Wednesdays and Thursdays, and I shall ask honorable members to sit a little later - a half-an-hour or an hour later - but not to any extent that will overtax them. Then we shall take Government business from ten till four o'clock on Fridays. When the urgent pressure is somewhat relaxed it will be for honorable members to consider, upon such further motion as we may put before them, whether we shall resume Tuesday's sittings, or how far we shall re-arrange the business generally. That, however, is a matter that we need not for the moment decide until we see how the business proceeds.

Mr JOSEPH COOK

- Does the Prime Minister mean the pressure inside or outside of the House?

Mr BARTON

- I mean the general pressure of business both inside and outside the House. With regard to private business, I have already explained that before the session closes we shall make every effort to give an opportunity for the discussion of notices of motion standing on the paper in the names of private members, but the appropriation of our sitting time to Government business solely will last for some few weeks.

Mr Mahon

- Does the Prime Minister propose that the private business shall be taken in its present order on the paper ?

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Mr BARTON

- I suppose so ; business will be taken subject to the standing orders, as there can be no interference with their operation.

Mr REID

- I am sure the House is desirous of taking any course which will facilitate public business, and I fancy we are all prepared to try this experiment, which will have some convenient results for members who reside in the other States, and will, I hope, meet the end in view. I understand that one of the main reasons for this proposal is that the Cabinet wish to have more time for the consideration of the Tariff.

Mr Barton

- That is one of the strongest reasons.

Mr REID

- Unfortunately, however, the proposal, so far as I can see, . will give the Ministry only a very slight advantage in point of time.

Mr Barton

- The Ministry may have to take two or three other days besides.

Mr REID

- I was going to say that the additional time which is given to the Cabinet under the motion is rather difficult to discover. The anxiety of the public is so great in -regard to the Tariff that I think we should be well supported outside in giving the Cabinet a solid week instead of one day each week for the purpose of considering that matter.

Mr Barton

- I shall not ask for an adjournment unless it becomes necessary.

Mr REID

- I was about to suggest for the consideration of the Prime Minister that one full day each week' would represent a period of five weeks in order to get the advantage of five additional days, whereas if the Government took a solid week they would in that period get the additional time they desire. At the same time, the Government are in charge of public business, and we cannot propose to carry on that business in any way other than that they suggest. I do not wish to interfere in any way or to' make a motion ; but it does occur to one that in the present state of intense anxiety, which I believe is fully justified, ' that the difficulty in reference to the Tariff should be passed as speedily as possible, there would be a general concurrence of approval throughout the Commonwealth if the Government were to take a whole week, not this week, but perhaps next week, in order to devote their undivided attention to this most pressing matter. Whatever view we may take, we must feel that this is one of the most difficult and complex matters any Cabinet could possibly undertake. I do not speak entirely from a fiscal point of view, because I think the Government, as they get nearer and nearer to the crucial point, will find that the fiscal question, or, at any rate, the protective part of it, will fade away very much under the severe stress which will fall on them in reference to the finances of the different States. I think it will be found that this problem is, perhaps, the most difficult problem which the Government will have to undertake. It is inseparably connected, of course, with the fiscal question, but in view not only of what we must all admit to be the great difficulty connected with the Tariff and finance, but the enormous and vital importance of these matters, and a happy solution of them to the whole- of the people, I fancy the House would, if the Government were to make such a proposal, acquiesce in an adjournment. This is a matter entirely for the Government I admit, but the House would, I am sure, be prepared , to give them a solid week free from the strain of attending Parliament and carrying important measures, which in itself is a very fair amount of work for any Ministry. I do not see how the Government can satisfy, the wishes of the people for a prompt revelation of the Tariff unless some heroic measure of this sort is taken. However, I merely make the suggestion for the consideration by-and-by of the Government, because I think that if they should come to consider such a course necessary they can be assured of the hearty concurrence of every member of the House.

Mr BARTON, in reply

- It is only fair I should say that the existence of rumours as to some intention of the Government to take or ask for a week or a fortnight's adjournment for these purposes, have naturally occupied the attention of the Cabinet in considering the motion I have brought forward, and I ought to tell the House that we have concluded the measure we propose will suffice for the present, and possibly altogether. If not, however, we shall 'know we have the confidence of the House in any further proposal which, at the same time, I hope to avoid.

Sir Edward Braddon

- How many weeks is this arrangement intended to last 1

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Mr BARTON

- Until the Tariff is fully considered ; but we do -not think we shall have to ask honorable members to act on this motion for more than, say, three weeks. At any rate, I am hoping that; but, as I say, if we find at the expiration of two or three weeks that we want more time in the direction suggested - that is, by means of an adjournment - it will be time then to make a proposal to the House.

Question resolved in the affirmative.

PAPER

Mr BARTON

- I lay on the table-

Minute of Governor-General on suggestion by Ministers that Rear-Admiral Beaumont be invited to advise as to naval defences of Commonwealth.

This minute was communicated by His Excellency the Governor-General to the Admiral, and resulted in Rear-Admiral Beaumont's memorandum or letter, which I laid on the table the other day.

Ordered to be printed.

POST AND TELEGRAPH BILL

In Committee

(consideration resumed from August 15th,
vide

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Clause 26 -

Any publication coming within the following description, shall for the purposes of this Act, be deemed a newspaper, that is to say, any publication known and recognised as a newspaper in the generally accepted sense of the word, which consists wholly or principally of political or other news, or of articles relating thereto, or to other current topics with or without advertisements, and printed for sale provided - That it is printed and published within the Commonwealth.

That it is published in numbers at intervals not exceeding one calendar month.

That the full title and date of publication be printed at the top of the first page, and the whole or part of the title and the date at the top of every subsequent page.

The following shall for the purposes of this Act be deemed a supplement to a newspaper, that is to say a publication consisting wholly or in part of such matter as aforesaid, or consisting wholly or in part of engravings, prints, or lithographs, illustrative of articles in such newspaper or supplement, provided that no such supplement shall consist of only one advertisement placard or circular, and that every such supplement be enclosed in every copy or issue of the paper of which it forms the supplement, and in every case be printed on a sheet or sheets of paper of similar size to, and published with such newspaper and having the title and date of publication of the newspaper printed at the top of every page, or at the top of every sheet or side on which any such matter appears :

Provided the limitation as to size shall not apply to coloured supplements or engravings, if not of inconvenient form or size.

Upon which the following amendment had been moved by Mr. Hume Cook : -

That after the word "supplement," in sub-clause (2), the following words be inserted : - " The letterpress of the same being printed within the Commonwealth from type set up within the Commonwealth, or from stereotypes or electrotypes made therefrom."

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The CHAIRMAN

- During the debate in committee on Thursday, the 15th inst., the honorable member for Macquarie, referring to a speech made during the debate by the honorable member for Bourke, asserted that the honorable member had used certain terms in his speech which the honorable member stated he had not used. The honorable member for Macquarie then declared on more than one occasion that he had obtained a complete shorthand report of the speech made by the honorable member for Bourke, and that he would read it, in order to refute his statement of denial. Upon the honorable member for Macquarie proceeding to read a document, which he again stated was a shorthand report of the speech which he had obtained, I called the honorable member to order, under standing order 268, which provides - No member shall read extracts from newspapers or other documents referring to debates in the House during the same session ; and Standing Order 267, which also deals with the same subject. I informed the honorable member that I should not rule him out of order if he referred only to notes taken by himself, but as he had stated he had obtained a shorthand report of the speech referred to, I at once asked him to assure me that the said shorthand report had not been obtained by him from persons outside the precincts of the Chamber, and not members of the committee. This assurance the honorable member declined to give me. Had he done so I should not have ruled him out of order. Upon this assurance not being given to me I concluded the document intended to be read was one coming within the definition of the standing orders referred to. I then ruled the honorable member for Macquarie would not be in order in reading the document, as he stated he intended to read it for the purpose of referring to the speech made by the honorable member for Bourke during the same session. Upon this ruling being given, the honorable member for Bland moved that my ruling be dissented from. The motion, as now submitted by the honorable member is in a slightly different form from that read .to the committee on Thursday last. I submitted the motion to the honorable member before he left Melbourne on that occasion, and it is now agreed between the honorable member and myself, that it should be placed in this form before the committee : -

That the ruling of Mr. Chairman, namely, that the honorable member for Macquarie was not in order,

under Standing Orders 268 and 267, in reading from a document which he stated to be a shorthand report of a speech he had obtained during the current debate, be dissented from.

May's Parliamentary Practice, tenth edition, page 309, in dealing with this question, says -

A member may not read any portion of a speech made in the same session from a printed book or newspaper. This rule, indeed, applies strictly to all debates whatsoever, the publication of them being a breach of privilege ; but of late years it has been relaxed, by general acquiescence, in favour of speeches delivered in former sessions. It is also [irregular to read extracts from newspapers, letters, or other documents referring to debates in the House in the same session. Indeed, until 1840, the reading of any extracts from a newspaper whether referring to debates or not, had been restrained as irregular. On the 9th March, 1840, the Speaker having called a member to order who was reading from a newspaper as part of his speech, Sir Robert Peel said it would be drawing the rule too tight if members were restrained from reading relevant extracts from newspapers ; and after a debate, the member proceeded to read from the newspaper with the acquiescence of the House. And on the 14th February, 1856, when a member was called to order for reading from a newspaper, the speaker stated that on a former occasion when he had attempted to enforce this rule he had been overruled by the House.

On the 9th March, 1857, in Committee of Supply, the Chairman made a similar statement. Honorable members will see from that that the rule had been enforced both in the House and in committee in the House of Commons.

Mr JOSEPH COOK

- Until that time.

The CHAIRMAN

- It may be that the practice of the Parliament of Victoria has been in the minds of many honorable members, and I therefore ask the attention of the committee to the clear and distinct difference between the Victorian standing orders and those laid down for the guidance of this committee. The Victorian standing order dealing with the matter is Standing Order No. 88, and reads as follows -

No member shall read from a printed newspaper or book the report of any speech made in Parliament during the same session, ,

Up to that point it is exactly similar to our own standing orders, but it goes on to say-

Unless such report refer to the debate then proceeding.

Those words have been omitted from the standing order in question, I suppose, for some sufficient reason in the minds of the committee appointed to revise the standing orders here. I have looked up some Hansard reports of debates in the House of Commons, to which I shall refer honorable members. I find, at page 1970 of Hansard, that on June 4th, 1860, Mr. Whiteside was speaking, and the part of his speech applicable to this question was as follows : -

And I would for a moment draw the attention of the House to a single sentence spoken by the noble Viscount on that occasion.

The speaker immediately rose and said -

That was a speech made in the present session of Parliament and it is irregular for the right honorable and learned gentleman to refer to it.

Mr JOSEPH COOK

- Was it a speech in the same debate 1

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The CHAIRMAN

- At page 1243 of the British Hansard there is this reference to proceedings that took place in the House of Commons in March, 1861. The question before the Commons was the Board of Admiralty, and Admiral Duncombe spoke as follows -

He could say that in the discussion of the previous night

That was evidently the same debate. his honorable friend the member for Invernesshire (Mr. H. Baillie) was rather hard upon his gallant friend Sir Baldwin Walker. Mr. Speaker informed the honorable and gallant admiral that he was out of order in referring to what was stated in the debate of the previous night. Again, at page 1750, there is this reference to proceedings in June, 1864. Mr. Hubbard was speaking, and the question before Parliament was the income tax. He said -

In his Budget speech the right honorable gentleman said - " There is another question that it is my duty to

bring under the view of the House ; it is the question of the income tax."

The Speaker immediately on that ruled -

The honorable gentleman is out of order in making any reference to a speech delivered in this House in the course of the present session.

In the debate on the Parliamentary and Municipal Elections Bill, in the House of Commons, on March 16, 1869, reported at page 1495, an honorable member said -

The leader of the Opposition, in his speech upon the address, at the beginning of this session, said, in reference to this subject - "In my opinion it would be a very unwise course."

That was the only reference made to the honorable member's speech. Older was immediately called, and Mr. Speaker ruled - The honorable gentleman cannot quote a speech made in the present session.

Another case will be found at page 1614 of the reports of the House of Commons debates in August, 1870. There Mr. Speaker said -

With respect to observations which have lately been made, . I wish to call the attention of the House to these two rules : - " No member is to allude to any debate in the same session upon a question or Bill, not being then under discussion, except by the indulgence of the House, for personal explanations. ' No member may read from a printed newspaper or book the report of any speech made in Parliament during the same session."

At page 906 of the reports of the House of Commons debates in June, 1871, it is shown that Lord Elcho, whilst speaking on the Army Regulations Bill, made the following statement : -

On the 16th February last, when the Secretary of State for War brought forward the Army Estimates, he practically introduced this Bill, and on that occasion he made these observations.

Mr. Speaker

at once interrupted, and ruled that the noble Lord was not in order in reading any report of what had taken place " during any of the debates of the present session." Lord Elcho said, in explanation, that the quotation he wished to read had immediate reference to the subject.

Mr. Speaker

replied that that did not alter the question of order involved in the case. Lord Elcho then said that as he was precluded from reading the quotation he should have to rely on his memory. The decisions that I have quoted go to show that it is still the practice in the House of Commons to forbid the reading of any document referring to debates in the House during the same session. The references apply to current as well as all other debates. The only standing order of any State of the Commonwealth that I can find which bears on the question is that of the Victorian Parliament, where provision is clearly and expressly made to exempt current debates from this rule. In the whole of the others the rules laid down are clearly in accordance with what I have referred to. The same rule applies in New South Wales as here. The standing orders relating to the point at issue are exactly the same. I now leave the question to the committee. I should not have called the honorable member for Macquarie to order had I understood that he was conforming to the usual practice under which honorable members take notes of debates and refer to them, or make any other reasonably relevant reference to a discussion. As it is laid down for my guidance in the standing orders that no extract shall be read from a newspaper, book, or any other document, and as the honorable member for Macquarie had himself declared that he was quoting from a shorthand report of a speech, I could only assume that he had not written it himself and that he had obtained it from some source other than an honorable member of the committee. He would not give me an assurance to the contrary. I therefore rule the honorable member out of order, and the decisions I have quoted satisfy me that I am right in doing so.

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Mr Watson

- I do not know whether you have read the suggested alteration of the motion to dissent from your ruling, Mr. Chairman, but when you gave it to me on Friday, I had no time to look at it very carefully. Having considered it. since, I must say that I think some slight alteration is necessary before it goes to the committee. I wish to say that I must withdraw the tentative approval which I gave to the suggested alteration in the hurry of Friday night, for the reason that the words " in the same session " are largely extraneous, and are calculated to cloud the issue. I do not wish to say more in reference to authorities which you have submitted, Mr. Chairman, than that every one of them goes to bear out the contention

which I put forward on Thursday evening, that the whole intention and purpose of the series of standing orders under discussion is to prevent quotations being made from speeches in debates already concluded in the same session. Every one of the authorities quoted by the Chairman refers, either directly or by inference, to debates already concluded during the same session. If there is one of these decisions that can be shown to refer clearly to a case in which an honorable member has quoted the utterances of another honorable member during the same debate -

Mr Sawers

- There is the case in which reference was made to a speech made by an honorable member on the previous night.

Mr Watson

- But the reference does not say that the speech was not made during the same debate. It may have been made on another stage of the Bill, and in quite a distinct debate.

Mr McCay

- It was on a different resolution altogether. I have looked at the case.

Mr Watson

- Then that bears out my contention. The point I wish to take generally is that apart altogether from the authorities quoted by the honorable the Chairman, which, I maintain, bear out my contention, I consider that honorable members, on reading Standing Orders 266, 267, and 268 will readily see that their whole object is to prevent a quotation being made from a previous debate. Standing Order 266 is to this effect - No member shall allude to any debate of the same session upon a question or Bill not being then under discussion, nor to any speech made in committee, except by the indulgence of the House for personal explanations.

The next standing order goes on to say -

No member shall read from a printed newspaper or book the report of any speech made in Parliament during the same session. That has to be read in conjunction with what has preceded, and they do not relate to the matter immediately under discussion or to a debate then current. If the contention be correct that an honorable member cannot refer to a remark made by another honorable member during a current debate, what chance is there of replying to the speech of an opponent? If the interpretation of the standing orders given by the Chairman is correct there is no possibility of replying to any question that may be advanced, or any statement that may be made in this committee during the present session or any other session. I myself think that the committee would be doing an unwise thing in curtailing in any way their own liberty of speech and freedom of action, which they would do if they allowed the ruling to stand in its present form unchallenged. With regard to the suggested alteration of the terms of my motion, I certainly think that the words "in the same session" would only have the effect of clouding the issue. I do not, therefore, think it wise to insert them.

Mr McDonald

- I should like to ask the Chairman to put the question before the committee, so that honorable members may understand what is taking place.

The CHAIRMAN

- The original motion was -

That the ruling of the Chairman - that the honorable member was not in order in reading from a document purporting to be a part of another honorable member's speech, taken down in shorthand during the same debate - be dissented from. "

I am perfectly prepared to submit to the committee the original motion, being desirous that the question should be discussed in a proper manner. I therefore put the motion without any alteration such as was agreed upon between the honorable member for Bland and myself.

Mr SYDNEY SMITH

- I stated, in speaking to the main question that, for the sake of greater accuracy, I thought it was only right to quote from a shorthand note which I had obtained of the speech of the honorable member for Bourke.

Mr McColl

- Who took that note?

Mr SYDNEY SMITH

- That has nothing to do with the honorable member.

Mr MCCOLL

- It is a matter that the committee ought to know.

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Mr SYDNEY SMITH

- It is not a matter for the committee to know at all. The real question at issue was whether I was entitled to quote from any speech delivered by any honorable member during the time this matter was under discussion. With all respect to you, 'Mr. Chairman, I contend that I was perfectly in order. With regard to the quotations which you were good enough to make to the committee, containing certain rulings which you say were delivered in the House of Commons, I contend - and I believe it will be seen in reference to the English debates that such is the case - that in all those instances the rulings referred to debates concluded, and not to debates on questions under discussion. To prove that, I will read what May says, on page 308 of the tenth edition -

A member while speaking to a question may not allude to debates of the same session upon any question or Bill not then under discussion.

Does not that go to show that the ruling in those cases applies to debates already concluded ? The reason for that rule I believe was in order to prevent by any subterfuge whatever there-opening of a question already debated in the same session. You have referred in the course of your decision to Standing Orders No. 267 and 268. But you did not refer to order 266, -which states -

No member shall allude to any debate of the same session upon a question or Bill not being then under discussion, nor- to any speech made in committee except by the indulgence of the House for personal explanation.

That clearly says - " Any question not being then under discussion." You also referred to the rule of the New South Wales Parliament. The honorable member for Parramatta stated that the rule did not apply to debates then in progress. If honorable members will turn to the New South Wales standing orders they will see there a rule which you did not read. It is pretty well on all fours with our own rule, and it states that -

No member shall allude to any debate of the same session upon a question or Bill not being then under discussion.

That rule is now in force in New South Wales, and I think you will find that it applies only to debates not in progress. Indeed, it would be impossible to continue any debate whatever if honorable members were not allowed to refer to the speeches of previous speakers on the matter under discussion. I think that the Chairman, in quoting from one of the decisions given in the House of Commons, stated that the Speaker said that "an honorable member Could not refer to "a word " that had been previously said. Does that not show that the decision applied to a debate already concluded ? It would be impossible to debate any subject unless honorable members were permitted to refer to speeches delivered by previous speakers. Take the case of a VOte of censure moved against the Government. Possibly it would be necessary for the benefit of the House and of the country that honorable members should specially refer to the exact "words used by honorable members who had previously spoken in order to have a fair discussion on the points at issue. Then take the case of a financial statement such as will shortly be delivered by the Treasurer. Suppose honorable members are debarred from referring to any statement or figures delivered by the Treasurer in his Budget speech. There would then be no possibility whatever of any honorable member fairly debating the question. It would be impossible for any honorable member to reply to 'any other honorable member if the ruling of the Chairman were to be sustained. I do not wish to weary honorable members by referring to decisions that have already been alluded to; but as the Chairman has taken the trouble to look up debates in the House, of Commons, I may say that if he inquires further he will find that in the House of Commons, and also in the Parliament of New South Wales, honorable members are invariably permitted to refer to any speech delivered by any other honorable member upon the question under discussion. I think it is rather misleading the committee to refer to a general rule which applies only to matters already determined, and not to questions then under consideration. The point at issue is a very plain and simple one, and I cannot understand any decision being upheld which would prevent honorable members from replying to statements made in regard to a question then under discussion. I hope that the committee will take that view for the sake of the good order and good

government of this House.

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Mr Reid

- There is no doubt that the matter which has come before you, sir, and now before the committee, is one of importance ; but I do not think it is one of very great difficulty. Through your courtesy I have had the opportunity of looking at the references which you read from six volumes of the English Mansard, and I have satisfied myself that in each case the reference which was ruled out of order was a reference to a previous debate, not to the same debate, during the current session. In the first case in 1860, Mr. Whiteside sought to quote a sentence used by Lord John Russell at an early stage of the session on a kindred matter - a matter relating to reform - and the Speaker interposed and ruled at as the reference which Mr. Whiteside was making was to a speech of the present session, it would be irregular for him to make it. It would be inconceivable that the Speaker of the House of Commons would say to a member of that House that it would be irregular to refer to a speech made in the debate in which he was speaking. It is the extraordinary confusion which has arisen that makes the matter of importance, because it is one of the vital rules of parliamentary debate that there should be the freest power of reference to the utterances of previous speakers. In Hansard, volume 161, the Speaker called Admiral Duncombe to order because he wished to refer to a discussion on the previous night in Committee of Supply. On a motion with reference to a select committee for the Admiralty, he wished to bring in a discussion which had taken place on the previous night in Committee of Supply - a totally different occasion and a totally different debate. In volume 175 the reference attempted to be made was a reference to the Budget speech introduced by an honorable member whilst the House was considering an income tax resolution, which was again another debate on a different occasion. In volume 194 the quotation shows that it was a previous occasion, because on a' question of parliamentary and municipal elections, Mr. Hardcastle sought to quote the leader of the Opposition in a speech which that gentleman delivered on the Address in Reply at the beginning of the session. Clearly it was a different and previous debate, and the quotation shows it. In volume 203 Mr. Fawcett endeavoured to use Hansard or the Times in reference to an utterance by Mr. Gladstone on an occasion a long time previous to the debate in which the matter was sought to be introduced. In the last case referred to by the Chairman, on the Army Regulation Bill, Lord Elcho desired to make allusion to a speech delivered by the Secretary of State for War on the Army Estimates three months previously, and he was called to order. In every one of these cases the Speaker only interposed when there was an attempt to refer to a previous debate of the same session, and I think we do not need to be taught that that would be irregular. Every one of these authorities is for a proposition which is not the matter we have to consider at the present time - a proposition which no one disputes. I am sure, sir, that you understand that I have the greatest sympathy with you, or any other gentleman in your position, in having to decide matters on the spur of the moment. I hope you understand that those who differ from you differ from you in the most friendly spirit, because I thoroughly appreciate the difficulty, especially the difficulty' which you have in administering a large number of standing orders which must be still new to you and strange to you, judging from my experience of them. We have both occupied seats in the same Parliament, and I can quite appreciate your difficulties in the matter. Coming to the standing orders, as they are, I think the rule on the matter is very plain. Standing Order 266 reads - No member shall allude to any debate of the same session upon a question or Bill not being then under discussion, nor to any speech made in committee, except by the indulgence of the House for personal explanations.

You evidently did not give your ruling on that standing order, because it does not refer to this matter at all, but to allusions to debates of the same session upon matters not then under discussion. Now we come to Standing Order 267 -

No member shall read from a printed newspaper or book -

That is very precise language - the report of any speech made in Parliament during the same session. On this standing order we do not need to go into the question whether that expression " during the same session " comes in any way in conflict with the question of a current debate, because clearly the honorable member for Macquarie was not quoting from a printed newspaper or book. That would be obvious to any one, and I believe it must have been equally clear that the honorable member was not quoting from a book. Therefore Standing Order 267 could not refer to the shorthand matter which the

honorable member was using, it not being in a printed newspaper or in a book. Now we come to Standing Order 268, which states that no member shall read any extracts from newspapers or other documents. I desire to point out the distinction between these two standing orders ; No. 267 refers to reading from a newspaper or book, while No. 268 evidently refers to comments in newspapers or other documents relating to a debate, and not to reports of the utterances of members in the course of the debates, such as a shorthand report. That Standing Order No. 268 was framed to prevent any honorable member from introducing newspaper articles and comments upon matters current in Parliament at the time, and in that way enabling newspapers to take part in our debates, because if an honorable member could read an article from a newspaper upon a subject that was exciting the attention of Parliament at the time, it would practically enable a newspaper to introduce its views and its influence into our debates, and the term "extract" shows clearly that Standing Order No. 268 refers not to shorthand reports but to comments in newspapers upon proceedings in the

House during the current session. No one wishes, I suppose, to restrict the rights of any honorable member of this House where the standing orders or rules of Parliament do not restrict them. This debate is not of very great importance in itself, except that we are a new Parliament, and that we cannot be too critical in matters of this sort so as to preserve the rights and liberties which honorable members have enjoyed in other Legislatures. We must start, therefore, from the position that an honorable member is free to do all those things which our rules do not prevent him from doing. Clearly there is nothing in the standing orders I have referred to which prevents any honorable member from having a shorthand reporter sitting in the gallery listening to the debates, and from getting reports and using them for the purposes of greater accuracy in criticising and dealing with the utterances of other honorable members.

Mr Piesse

- It would be necessary for the honorable member quoted to admit the accuracy of the report.

Mr Reid

- If that new rule of parliamentary discussion is to be established in this House, no one will be able to say anything about what an honorable member says he never stated. That would put an end to discussion altogether. If an honorable member, made a most important statement of national significance and gravity in the presence of the whole House, and the House proceeded to deal with such an utterance, as it would be entitled to do, it would, according to the honorable member for Tasmania, be sufficient for the honorable member who made the statement to get up and say " that is all a mistake; that is not so - I did not say that. " Then we should be shut down upon that matter.

Mr Watson

- That is the rule now.

Mr Reid

- No; only in this sense - that if an honorable member is allowed to, interrupt and give an assurance irregularly, perhaps there is another rule that comes in requiring his assurance to be accepted. Such an honorable member, however, has no right to interrupt, and therefore the House is at perfect liberty to discuss any report of his utterances before he can make any statement. Surely honorable members would feel touched by the scrupulosity of the honorable member who would employ a shorthand-writer so that he might not inadvertently misrepresent his political opponents. I think that would be a decided improvement in parliamentary methods. I do not see how any honorable member can be taken to task by the Chair if he adopts means to satisfy himself of the accuracy of his statement of the remarks which he is criticising. In this particular case I do not know how the honorable member for Macquarie stood up for his rights. I think we ought all to assist the Chair in having matters placed properly before the House, and I think it would have been almost better if the honorable member had shown that he had done what every honorable member has a right to do - that he had gone to the recognized reporters of our debates for the report of the remarks he desired to criticise. Surely no One would say that it would be irregular for an honorable member to procure from Hansard a report of the passage to which he desired to refer.

Sir William Lyne

- That is not the usage in the New South Wales Parliament.

Mr Reid

- I have referred to particular passages obtained from Hansard on several occasions.

Sir William Lyne

- I have been stopped from referring to Hansard.

Mr Reid

- I remember one occasion on which the House was actually adjourned in order that the correct words might be obtained from the Hansard staff.

Sir William Lyne

- That was done by the Speaker for his own use of the Hansard report when he had to give a decision.

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Mr Reid

- Then if the Speaker, before he gives a decision which is to guide the House, can refer to an account from the Hansard report, surely an honorable member of the House has the same right to the advantage of the Hansard report, in order that he may assure himself that he is accurately representing the statement which he desires to criticise. I am not saying for a moment that you, Mr. Chairman, had that state of affairs before you. If it had been represented to you that the honorable member for Macquarie had referred to the Hansard staff so as to insure greater accuracy in quoting the utterances of another honorable member in the same debate, I doubt if you would have ruled in the way you did. I agree with the honorable member, however, that he was perfectly within his rights in not saying where he got the shorthand report from. No one can prevent an honorable member from taking down a speech in shorthand. Would it not be utterly absurd to say that any honorable member, who being a shorthand writer, took a speech down in shorthand, could not use his own notes ? Surely then if an honorable member can use his own notes the honorable member who takes the trouble to get notes from those who can write shorthand ought not to be placed at any disadvantage, but should be allowed to quote the report - the honorable member who made the remarks being present to correct anything that might be wrong. This is not a case of quoting a man's utterances behind his back.

Sir William Lyne

- The Hansard report is published, and it is in opposition to the report quoted by the honorable member.

Mr Reid

- I do not know by what mysterious method that has been brought about. Some slip must have taken place. Perhaps it was found on referring to the notes that the information furnished to the honorable member for Macquarie was incorrect, but, if so, the honorable member is not to blame for that.

Sir George Turner

- Did not the honorable member get the information from the same source ?

Mb. Reid. - I do not want the discussion taken from the point we are considering. I say that an honorable member has a perfect right to satisfy himself, by any method he likes, as to the accuracy of a statement said to have been uttered by an honorable member to whom he intends to reply, and that it is immaterial who wrote the shorthand notes if an honorable member takes the responsibility of reading those notes to the House. It is the member and not the shorthand writer who makes the statement. Hundreds and thousands of communications are made to shorthand writers; and the man who writes is the shorthand writer, while the man, whose utterance it is, is the person who dictates to the shorthand writer. So that, taking the matter even in the way it stands, it seems to me that it would be a limitation. We are not dealing only with this particular case, because the case of a member on this side of the House to-day may be the case of a member on the other side to-morrow. That is the reason we must be careful not to allow ourselves to be led away by the fact that certain gentlemen sit in different parts of the House. It is of great importance that any right which a member possesses should not be curtailed. I have pointed out that the standing orders do not debar an honorable member from using the shorthand note of the utterances of another honorable member wherever that note may have been taken ; and when I do that I think I conclude the argument.

Mr Fisher

- . But we do not agree with the right honorable and learned member.

Mr Reid

- I am only expressing my own opinion, but I should indeed be happy if I could convince the honorable member. The standing orders are, I think, very strong evidence that the Chairman really has made an error in this case. I suppose it would not do for me to read from last week's Hansard, though I should like to get this matter settled.

Mr Watson

- I think we ought to have a ruling on that.

Mr Reid

- At page 3836 of Hansard of last week

The CHAIRMAN

- I must rule in accordance with my previous ruling. The right honorable and learned member cannot quote from Hansard.

Mr Reid

- I do not want to complicate matters, and that point may be raised at another and more convenient time. But I submit we are reaching the height of absurdity when we cannot use in the same debate a document which costs the public thousands of pounds in order to get accuracy in the reports of honorable members' speeches. That seems to me a great absurdity which we shall have to set right, but we had better set these absurdities right one by one. Without referring to Hansard at all, I see that you, sir, seem to have laid it down that the honorable member for Macquarie had read extracts referring to the debates. You cannot have ruled he read from a newspaper or a book, "because I am sure your eye was not confronted with either.

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The CHAIRMAN

- My ruling was that the honorable member was about to proceed to read from what he himself declared was a document.

Mr.Reid. - A document ? Then the chance expression which a member may use - a word in the English language - will determine the rights of Parliament. But I will pursue the hard-and-fast line you have laid down for yourself, and take it that the honorable member said that this was a " document."

Mr Barton

- No ; the honorable member said' it was a shorthand report taken during the session which the Chairman thought came within the definition of a document.

Mr Reid

- Clearly this is not a book, is it ? It is not a book, and it is not a printed newspaper. That is clear ; and, therefore, it does not come under Standing Order 267.

The CHAIRMAN

- The right honorable and learned member will pardon me. The document he has in his hand is my written ruling.

Mr Reid

- That is a document which you yourself put before us. It is a document referring to the debates of the House, and I cannot possibly read an extract from it. The honorable member for Macquarie said that what he proposed to read was a report of something a member had said. It will be seen that Standing Order268 refers to extracts from newspapers and other documents referring to debates. If an honorable member could not use a shorthand transcription of what a member said, when he took down the words himself would you rule that he could not quote from his own writing? I take notes myself at this table, and have referred to them.

The CHAIRMAN

- I told the right honorable and learned member I would not rule that out of order.

Mr Reid

- I am sure you would not rule that it would be out of order for a member to take his own notes, and even to read from them what an honorable member had. said, and I submit that if that would not be out of order, it was not out of order for the honorable member to use any shorthand notes of what an honorable member said, for the purpose only of commenting on them in the discussion on the clause.

Mr JOSEPH COOK

- It is a frequent practice for one honorable member to hand notes to another.

Mr Reid

- I submit it was not a document referring to any debate. I will not go into the other part of the question about its being a debate in the same session, because I do not think it necessary to do so. It was not a document referring to a debate. It was a piece of paper containing a transcription of what an honorable

member had said. I really think that this, being a very important matter, it is absolutely necessary to dissent from the Chairman's ruling.

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Mr McDonald

- This matter is of greater importance than a number of honorable members seem to think, and I would like to draw attention to one point. The other day the Prime Minister introduced a Bill dealing with the restriction of undesirable immigrants. If the ruling of the Chairman be upheld, we are in the position that we cannot refer to a solitary tiling the Prune Minister said on that occasion. If we like to be deceitful, and take copious notes, even of half a column or a column, from Hansard, and say we took them down in the House, we can read them ; but we are not allowed to read the accurate report given in Hansard. Honorable members will see the absurdity of the position. If it is out of order to quote from Hansard what an honorable member has said, it must be out of order to quote him at all. I do not see any other position that can be taken up on this point. In the ruling, sir, you have given, the whole of the cases you mentioned referred, as the leader of the Opposition has already stated, to a previous debate, and in nearly all the parliamentary standing orders throughout the Commonwealth, it is a previous debate that is referred to. Further, it is the present practice of the House of Commons to prevent members from referring to any previous debate. It does not follow that in all cases that debate must have been finished. A debate may not have been finished and even then it would be out of order to refer to that debate when some other question was before the Chair. It will be found that your references from May deal with previous debates in every case. To my mind it was not a matter of any moment where the honorable member obtained the report from which he read, and he was perfectly in order, whether he got it from a member of the Hansard staff or from any of the reporters in the galleries of this Chamber. As I have said, what it will lead to will be this That in the case of a speech on the Bill restricting the introduction of undesirable immigrants, any member can get Hansard and make as many notes of it as he likes, and so long as he comes here and says that he made them - and it is not for you, sir, or any one else to question him as to how he I made them - he may read those notes; but if

I happen to take up Mansard itself to quote the speech, I will be out of order. With all due respect to you, sir, I think that under the circumstances such a ruling would be absurd. Let us take another authority, Bourinot, whose work on the Canadian practice, is largely compiled on the authority of May. Bourinot's work is laid on the table in the Queensland Assembly and in other Assemblies, and I take it he will be considered as good an authority on questions of procedure as we can get. He has the following on this subject, page 362 : -

Reference to previous debate - No member in speaking can refer to anything said or done in a previous debate during the same session. The rule is necessary to economize the time of the House, nor is it regular to refer to arguments used in committee of the whole, nor to an amendment proposed in the same.

If it were necessary, and we had time to look them up, .1 daresay other authorities could be quoted to the same effect to substantiate the position taken up by members on this side of the committee. I know there is im idea prevalent amongst Ministers and amongst Members of Parliament generally, that it is not a wise thing to go back upon the ruling of the Chairman; but I point out that there are times when it is absolutely necessary to take such a course for the protection of the House and of members generally. I hope that in the event of our taking a vote upon this matter, those who happen to vote against your ruling will not be understood to act in any way disrespectful to you, as the votes that will be given* will be merely to uphold the procedure that is likely to be followed in the future in this Chamber. Under the circumstances I hope honorable members will not stultify themselves through any feeling that they may be voting against you personally in giving a vote against your ruling. I hope the motion will be carried, because it is impossible to have legitimate debate carried on in this House without reference to previous speeches, whether those references are made from Hansard or from notes of our own. Under all the circumstances, I believe your ruling is a bad one and should not be upheld by. the Chamber.

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Mr Barton

- I have listened very carefully to this debate, and honorable members know I made some reference to the question on Thursday. I do not agree with those who think that this is not a difficult point. I think it is

difficult. It is not of very great importance at the present time for two reasons. The first is that the committee itself is endeavouring to deal with the matter, and therefore this decision would be no guide to Mr. Speaker if the matter happened to arise in the House. It may be said that though in all cases we have perfect power to decide our own procedure for ourselves in committee, as was pointed out the other night, we have also power to refer questions to the Speaker, and we have that power now, although I am addressing myself to the present circumstances. My impression on Thursday night was somewhat in favour of the Chairman's ruling. I have since had an opportunity of giving further consideration to it, and the matter presents a great deal more difficulty than I perceived at that time. I intimated then that where there was grave doubt I should be found on the side of freedom of speech. I put it to you, sir, whether it is not possible for both this resolution and your ruling to be taken as never given and let the debate proceed. I am quite sure the mover of the resolution will agree to that course. My difficulty arises out of two or three considerations. First, I doubt whether this is a printed newspaper or book within the meaning of Standing Order 267, which is really the only standing order that applies to this case. I first thought that we might consider this a quotation not coming within Standing Order 267, and that we might therefore resort to the rules and usages of the House of Commons ; but two difficulties presented themselves. I have read carefully the extracts from May, and have consulted other authorities such as Bourinot, and from the form and place in which the references occur, I am driven to the opinion that so far as May troubles himself about the matter, he is referring to previous debates. Then again I am inclined to think that if we pass a standing- order which affects to cover the whole ground, such as this one does in regard to this particular matter, we may perhaps go quite wrong - even supposing a different practice with regard to something outside books and newspapers to exist in England - in referring to Standing Order No. 1. So that there is another difficulty there. There is the old rule which has been applied in all Parliaments, in some written and in some unwritten, that outside utterances are not to be used to influence current debates in the House. It is in accordance with that idea that rule 26S has been placed amongst the standing orders, and provides that -

No member shall read extracts from newspapers or other documents referring to debates in the House during the same session.

I am clear that that refers to newspapers or other documentary comment upon debate, and to such matters only. The rule which refers to reports is Standing Order 267, which provides that -

No member shall read from a printed newspaper or book the report of any speech made in Parliament during the same session.

This is to a certain extent distinct from the standing order referring to previous debates, because Standing Order 266 goes into the matter and prohibits allusion to any debates of the same session upon a question or Bill "not being then under discussion" - that is to say, previous debates. Therefore, so far as the rule against previous debates is concerned, Standing Order 266 is our guide, and so far as printed matter is concerned, Standing Order 268 is our guide, so that the Only standing order with which we are concerned is No. 267. I do not think myself that a document or piece of paper from which a quotation is made comes within that Order. I have put forward that opinion with great doubt and with the more doubt because it is not in accord with your own view, Mr. Chairman. I always endeavour, where I can, to support the ruling of the Chair. I am not sure that this matter comes within Standing Order 267, and not feeling fairly sure of that, I think I must vote on the side of liberating debate. I do not want the impression to gain ground - which seems to have been the subject of almost pleasant anticipation in one or two speeches that I have heard - that it ought to be a proper thing - for us, although we have an authorized report, to refer to statements of a debate obtained from persons who are not, like our own reporters, authorized under official supervision to give such reports. Knowing that we are all fallible, I am not going to put it past any one in this world to make an occasional slip in reports which may tend to favour the side to which he belongs himself - that may be the case even with ourselves. Therefore, it is not a good principle to say that it was ever intended by these standing orders that such a course should be followed. I think it was a *casus omissus*: it was not intended that this course should be taken, because those reports which appear in the newspapers are founded upon what the newspaper reporter has communicated to the paper, and if the reading of the newspaper itself were out of order, then, at the same time, as a matter of reason, it is very proper that the rules of this House should also make out of order that which is the foundation for what a newspaper states in its reports. We need not argue that ground in this debate. It may arise in the

future. I want to point out that this is not a matter of importance, because these are only provisional standing orders. The Standing Orders Committee are considering the whole matter, and no doubt, after this debate they will take measures to prevent and to dispel any doubts in regard to the question. Therefore, this case governs only the immediate debate. In view of this fact I think we may be prone to take a course which enables debate to go on, knowing, as we do, that we shall have a perfect Opportunity, when the standing orders are laid before us by the committee, to determine our own procedure, in accordance with the opinion of the majority, and as to what is a fair rule of Parliament. In the meantime, instead of having a division, I think it is only right that some steps should be taken by which the whole matter may be given the go-by, and the honorable member for Macquarie allowed to make the quotation referred to.

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Sir William McMillan

- If, as a matter of common sense, we cannot have debate without reply, and if we cannot reply without having either in our memory or on our notes the arguments of our opponents, how can we carry on debate under this ruling ? We might get shorthand notes from another individual, or, as I said the other night, an honorable member might be a shorthand writer himself, and take his own notes. The whole thing is a matter of common sense, and the suggestion thrown out by the Prime Minister I think is a good one. I think, Mr. Chairman, you may see that the whole of the committee is anxious that the utmost freedom of debate should take place. Therefore, I think, without going further, that if the resolution were withdrawn - and you can clearly see the desire of the committee - you might allow the present freedom of debate to continue. I cannot conceive how, in any possible circumstance, we can have debate in Parliament unless we have the utmost freedom in using notes in that debate. Supposing there is an inaccuracy in the report given to the honorable member for Macquarie, the honorable member reported is here to deny it, and consequently it is all really a matter for fairness and openness of debate.

Mr O'Malley

- It seems to me that we can settle this matter in a few seconds. The question is not what the House of Commons does, or what a House of Parliament in any other part of the world does. The point is whether we have a right to make a note of what an honorable member says, in order that we may speak accurately on the subject. I think we have a right to do so, and, therefore, I am going to vote for the motion.

Mr McCay

- I have very little to add to the debate except that the leader of the Opposition has said much better than I could say, exactly what I think in regard to this matter, namely, that Standing Order 267 is the only one that could apply, and that it does not apply because the matter in dispute does not relate to a newspaper or book. As to the propriety of an honorable member quoting from a source which he refuses to name, that is a matter for his own discretion. I raised a point of order on that the other night, but I find that May says it is a question solely of good taste. I leave it at that. I would be very glad if the course⁵ proposed by the Prime Minister could be carried out, because if we come to a division I shall feel compelled to vote with the honorable member for Bland. I believe that he is right and that the ruling of the Chairman would interfere very seriously with debate. If Hansard is to be taken as the recognised source from which we are to obtain accurate quotations, the sooner the practice of distributing proof slips to honorable members for correction or alteration is discontinued altogether, and the sooner it can be laid down, either by the Standing Orders Committee or the good sense of the House, that Hansard is as sacred and inviolate to honorable members as any other publication, the better it will be. I do not mean to suggest that honorable members would garble the reports, but as Hansard is to be regarded as the official channel, it ought to be free, not only from all impurity, but from all suspicion of impurity. If that view is to be taken the sooner we know that we must trust Hansard to report correctly, and that if corrections are to be made that they shall be made only by way of footnote, and that the text of Hansard is to be left entirely alone, the greater will be the advantage to honorable members. I trust we shall not be compelled to go to a division. I should be most reluctant to vote against the Chairman's ruling. These provisional standing orders are likely to remain in force during this session, and there will be many occasions in coming debates when serious challenges will be made as to the words and figures used by honorable members. I need not refer to the particular subject that will give rise to those differences of opinion, but they will arise. And there is this to

be added - that whatever view may be taken as to the exact wording of the standing orders, there is no doubt that the practice has arisen of allowing quotations to be made from debates in the same session, for purposes of verification. That is the practice to which all those honorable members are accustomed who have had experience in the State Legislatures. I think it will be wise to pursue it in this Parliament.

Mr Watson

- In view of the suggestion which has been made I have much pleasure in withdrawing my motion.
Motion, by leave, withdrawn.

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The CHAIRMAN

- I have listened with great attention to every remark that has been made by honorable members. My difficulty in this case was that it was perfectly clear that in one of the States the practice of allowing quotations from a current debate was a recognised one, and that the standing orders of Victoria especially made provision to that effect. But in view of the different wording of our standing orders, with which I have to deal, it appeared to me that our procedure must be otherwise. It seems to me, however, to be the desire of the committee that as the Standing Orders Committee are now revising the standing orders, as we are working only under provisional standing orders, the usage in most of the Parliaments of permitting the reading of a document or extract referring to a current debate should be followed. I should not be carrying out my duty in accordance with the wishes of honorable members if I were to be stubborn on the point. I therefore propose for the time being, and until other arrangements are made clearly defining our procedure in the matter, to allow such quotations to be made. The honorable member for Macquarie will, therefore, proceed.

Mr. SYDNEY

SMITH (Macquarie). I am glad that this matter has been settled in a very satisfactory way. I only insisted upon my right because I thought it in the interests of debate to do so. It is indeed necessary, that honorable members should be allowed to refer to questions under discussion. When interrupted on the point of order on Thursday night, I was quoting from a shorthand note purporting to be a true account of what had been said by the honorable member for Bourke. Before the honorable member had an opportunity of in any way questioning the accuracy of that report, I was ruled out of order. I had no wish to misrepresent the honorable member, and it was simply for the purpose of setting the matter at rest that I quoted as fully as I was able the exact words of the honorable member's speech. That statement has been verified to a large extent by

Hansard.

There is no doubt a slight difference, inasmuch as the words "as protectionists" do not appear in that report, but

Hansard

states -

It does not impose a duty ; all it does is to give a chance to Australian workmen in preference to those who live in America, Germany, or other countries.

Sir William McMillan

- Is not that the clap-trap of protection ?

Mr HUME COOK

- It is part of an honest effort to help Australians in their own land, and to avoid sending to other countries for any more than we are obliged to do.

The words " as protectionists " appeared in the report which I quoted, and I am assured by many honorable members who were present at the time that those words were used. At all events, according to the Hansard report, the effect is the same, because there is no doubt about it that the honorable member for Bourke has raised the fiscal issue to a very large extent in the amendment he has proposed. When an honorable member who is known to be a strong protectionist moves an amendment which on the face of it seems to be in the direction of carrying out his views, when, as it seems to me, the reason why he moved it was because he thought it would protect Australian workmen, we who are free-traders have the right to take up the challenge. I quoted from the honorable member's speech because it was only right that the committee should be placed in possession of the real facts of the case. I know that honorable members on the Opposition side did challenge the honorable member with making the statement, and

with having done it by way of a protectionist move. It is for the honorable member to say whether that was his intention or not. If the honorable member's remarks are not to be taken in this way it is open to him to make an explanation as to what his real intention was. But it will be difficult for him to explain away that his intention was not expressed by what is reported in Hansard and in the morning papers published on the day after the debate.

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Sir WILLIAM McMILLAN

- As other matters have intervened since this amendment was moved, it may be well to state the position in a few words. If honorable members look at clause 26 they will see that it is divided into two parts. The first sub-clause deals with newspapers proper, and with regard to them it says -

That it is printed and published within the Commonwealth.

That it is published in numbers at intervals not exceeding one calendar month.

That, of course, simply sets forth the natural position of every newspaper - that it must be printed within the Commonwealth. You could not have it printed within a certain time at such a great distance as Great Britain, and it completes the definition and the conditions of what is called a newspaper. In sub-clause (2) we deal with the supplement. If the supplement is to be treated exactly as the newspaper, why deal with it on entirely different terms? In the first place, there is a full description of a newspaper in sub-clause (1); and then we go on to say -

The following shall for the purposes of this Act be deemed a supplement to a newspaper.

The supplement is put on an entirely different basis from the newspaper proper. of course it is recognised that it is simply an addendum to the newspaper. It is known that these bond-fide supplements are very often printed and the lithographs made outside the Australian States. I have no doubt in my own mind that the Government, who are responsible for this Bill, never imagined that the supplement would be put on a par with the newspaper. Therefore, in introducing this amendment, honorable members practically introduce the principle of protection, which was never intended, and which alters the whole character of the supplement. I do not follow some of the arguments of one or two legal members in saying -that ' it does not matter whether this amendment is made or not. It seems to me that the supplement is dealt with in this clause separately from the conditions of the ordinary newspaper, and dealt with to allow the very condition which the amendment precludes.

Mr Reid

- Is that so t

Sir WILLIAM MCMILLAN

- That is the way I read it. There may be some subtle point of law which, if it came to be discussed in a court, might possibly put another aspect on the question, but it seems to me, reading the clause as an ordinary layman, that the intention was to admit a part of the newspaper called a supplement on different conditions from the newspaper itself.

Sir Philip Fysh

- With great restrictions.

Sir William Mcmillan

- with these restrictions, but no restriction with regard to the condition which the honorable member for Bourke wishes to put on it.

Mr Reid

- But the restriction of subclause (2) is -simply to retain the character of the newspaper - that the matter in the supplement shall be newspaper matter. sir william Mcmillan.- But the words of the amendment are - The letterpress of the same being printed within the Commonwealth.

Sir Philip Fysh

- This is copied from the New South Wales Act.

Sir WILLIAM McMILLAN

- That is a matter which we said was not relevant to this question. The New South Wales Act was passed at the instance of a certain Government, and it might have had its own purpose in introducing those words. Under any circumstances we are not bound by any statute in dealing with federal legislation, nor is it fair to say that some of those honorable members who have opposed this amendment were members of the State Parliament when that Act was passed, or continued to be members of it when that Act was in

force. It seems ' to me1 a most mischievous amendment, which is introduced for the purpose of raising unnecessary discussion. It is worse than an ordinary protective clause ; it is an absolute prohibition against any supplement to an Australian newspaper being printed, lithographed, or dealt with outside the Commonwealth.

Probably it would be a dead-letter, and I believe that even where this provision does exist it is a dead-letter as a matter of post-office management. It is sought to be introduced into a machinery Bill when we have not touched the question of protection. The question whether a supplement to a newspaper should be debarred from being made in any other part of the world is a question which might be dealt with under protectionist restrictions, but I am absolutely opposed to such a restriction, and I do not see that it follows from the previous part of. the clause that it must be dealt with here. I speak purely from a layman's point of view, and I cannot solve the subtlety which deals with the argument in any other way. Honorable members on this side, who are quite willing to ' take the rule of the majority of Parliament when the time comes, and to submit to any legislation which the majority of the people of Australia prescribe, and loyally abide by it, feel that the time has not come for that struggle, and that this committee has no right to anticipate it.

Mr HUME COOK

- I do not rise to speak again to the amendment, but to say a word or two as to the accuracy of the Hansard report. It was insinuated during the debate on the point of order that possibly Hansard had been affected in its report this week. When the point of order was raised on Thursday night, by the courtesy of the chief of the Hansard staff I obtained a copy of what had been taken down when I made my remarks, and these are the words which he supplied to me -

Sir William McMillan

- Is not that the claptrap1 of protection ?

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Mr HUME COOK

- It is part of an honest effort to help Australians in their own land, and to avoid sending to other countries for more than we are obliged to send.

The only difference between that quotation and the report in Hansard is that the last word in the latter is the word " do." It is just possible that in the hurry of making the transcript the. Hansard reporter put down the word " send " instead of the word " do." But with that single exception the report is exactly the same as the extract which was supplied to me on Thursday night. I rose to make this statement because I would not like the public to think that the Hansard officers would- submit to any alterations of a vital character by any honorable member ; nor would I like the public to imagine that any honorable member would attempt to influence Hansard to materially alter a vital statement in a speech. I presume it is the correct and proper thing to have errors in figures and matters of that sort put right, but to alter a statement of fact is beyond the province of any honorable member.

Mr PIESSE

- If the honorable member for Wentworth will consider the matter a little further I think he will see that his contention as to what should be allowed to pass through, the post as a newspaper supplement could hardly be practically provided for in the clause. If it were provided that the supplements might be entirely furnished from beyond the Commonwealth, such publications as the Illustrated London News might be inserted in a - similarly sized sheet here and circulated as a newspaper. Therefore, I contend that there must be some closer restriction than the honorable member has indicated. If the clause is examined it will be seen that a supplement is intended, except in the matter of illustrations, to be practically of the same character as a newspaper, and when we look at the Act governing this matter which was passed in Great Britain in ' 187 , it can hardly be thought that there was any intention that a supplement should be prepared outside of' Great Britain and circulated in the newspapers. Section 6 of the English Act provides -

The following shall, for the purposes of this Act, be deemed a supplement to a newspaper (that is to say), a publication consisting wholly or in great part of matter like that of a newspaper, or of advertisements, printed on a sheet or sheets, or a piece or pieces of paper, stitched, or consisting wholly or in part of engravings, prints or lithographs illustrative of articles in the newspaper ; such publication in every case being published with the newspaper, and having the title and date of publication of the newspaper printed

at the top of every page, or at the top of every sheet or side on which any such engraving, print, or lithograph appears.

It is evidently intended that the illustrations shall be illustrative of the articles in the newspaper. I understand that some honorable members have argued that we might have entirely different articles in these SUPplements ; that we might have literary articles or biographies published as supplements; and that such supplements should receive all the advantages of the cheap rates for newspapers. I do not think that is a reasonable view to take, as although the clause might be very well amended, the intention of it is fairly clear. The clause, however, does need amending in order to make it perfectly clear that the supplement shall form part of the newspaper. This is necessary not only having regard to the point we are now considering, but also in view of the next clause, which is of rather a penal character. We need to assure ourselves that there shall be no loophole of escape from the fact that a supplement forms part of a newspaper within the meaning of clause 27. As the honorable member for Wentworth has pointed Out - and I think there is some reason in his contention - there is a distinction between a newspaper and a supplement; and inasmuch as the supplement is not declared to be part of a newspaper, it might happen that when the Postmaster-General came to administer clause 27, and found that a supplement, which was not part of a newspaper, contained objectionable matter, it would not be within his power to refuse to allow that newspaper to pass through the post. It should be made clear in clause 26 that the supplement is included in the newspaper, and then there will be no objection on either side of the House to admit that the printed matter, both of the supplement and of the newspaper, should be printed within the Commonwealth. If there is any reason at all in the contention that newspapers should be printed within the Commonwealth, the argument applies with equal force to supplements. I am not prepared to have this matter decided on the fiscal issue. I thought the amendment was only carrying out logically what was intended by the former part of the clause, viz., that the supplement should be printed within the Commonwealth. I think that that is a fair conclusion to come to, especially when we consider that the supplement is not to be of a different character from the general body of the newspaper.

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Mr KNOX

- As I indicated on Thursday, I regard this matter, so far as the fiscal issue is concerned, as quite an affair of outposts and of no real importance. It is not desired that supplements should be placed in any different position from the newspapers themselves, but I should like to know whether the amendment will in any way affect the large coloured supplements which are issued with our large weekly papers. These supplements are usually prepared in other countries, where the work can be done better and more cheaply, and where they can turn out high art productions which give a great deal of pleasure to the people in the distant parts of Australia. I understand that these coloured supplements are, as works of art, absolutely free from all imposts, but I should like to have the matter made quite clear, otherwise I shall propose an amendment in that direction.

Sir PHILIP FYSH

- The few words at the end of the clause - the proviso - show that there is to be a limitation as to the size of supplements, which must not be of an inconvenient form or size, otherwise they cannot be passed through the post-office. This matter is not, however, affected by the amendment of the honorable member for Bourke.

Mr. KNOX

(Kooyong). - My idea was that the coloured supplements should be introduced without any of these restrictions.

Mr. WINTER

COOKE (Wannon). Late members of the Victorian Parliament will, no doubt, recollect the history of a clause very similar to that now proposed. The honorable member for Bourke is only consistent in his action, seeing that some three or four years ago he induced the Legislative Assembly of Victoria to put an amendment of this nature in the Postal Act. Victoria, at that time, was labouring under the weight of protection, and nobody in the Assembly ventured to say anything against the proposal. The amendment was then in almost exactly the same words as on this occasion, and was proposed by the honorable member for Bourke, as he then said, in order to provide work for our own people, and to have the money spent within the colony as far as possible. When the Bill reached the Legislative Council, several

honorable members, and chiefly

Sir Frederick

Sargood, pointed out that the amendment would do a great deal of injury to country newspapers. There are some 60 or 80 country newspapers in Victoria, and a member of the House,

Mr. Wanliss,

who was interested in country journalism, said the result would be that country newspaper proprietors would not be able to issue supplements, and their readers would be debarred from a great deal of useful information printed by means of stereotypes. I refer to this because, the other night the Prime Minister asked me whether this amendment was or was not, in my opinion, the introduction of the fiscal issue. On that occasion

Sir Frederick

Sargood said that the Tariff Commission had received certain information with regard to cheaper American stereotypes, and had made recommendations, the adoption of which would have almost entirely excluded these stereotypes, but which the Minister of Customs had decided not to carry out. A great deal of pressure was brought to bear and the arguments used were very strong, with the result that the clause was struck out by the Legislative Council and the Bill was lost in 1897. The honorable member for Bourke got a later Government to introduce a clause of this kind, with a view to the protection of the people of Victoria, though he did not use the word "protection." The Bill came up again to the Council, and, though the Bill was not lost, the clause was struck out, and is now nowhere to be found in the Victorian Postal Act. That shows that this side of the House is perfectly justified in thinking that this question should be decided when the Tariff comes on for consideration, and not now. I have no wish to introduce heat into this discussion, but simply to appeal to honorable members opposite to say whether it is not fair, in the face of the history of the question in Victoria, that this amendment which is not a Government proposal, should be rejected. The first thought of the Government was the right one, namely, that this was a question to be considered hereafter. It is an important question in itself in regard to country newspapers, and I am certain that if country newspaper proprietors throughout Australasia were aware that this amendment was now before the House, we should be simply overloaded with petitions against it. For the reasons that this is the introduction of the fiscal issue to a certain extent, and that this clause was not in the Government Bill as originally drafted, I hope the Minister will see his way to ask the honorable member for Bourke to withdraw the amendment.

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Mr THOMSON

- I have already protested pretty strongly against the action of a supporter of the Government, but more particularly against the action of the Minister who asked this House to treat this as a non-party measure, and then allowed the introduction of a party question. The honorable member for Tasmania, Mr. Piesse, indicated that in his opinion, the English Act provides practically what is provided in this amendment. The English Act first of all provides for the registration of newspapers in order that they may get advantage of the lower postal rates. Then, after setting out what a newspaper shall be considered to be, the Act goes on to define what is a supplement; and nothing in that definition is said about the supplement being printed in England.

Mr Piesse

- Where would it be printed?

Mr THOMSON

- Probably, but not necessarily, it would be printed in the office of the newspaper issuing the supplement. The only reason for providing in England that a newspaper which is registerable shall be printed in Great Britain is that the newspaper may come under the lower postal rate. It may be said that this is giving preference to English newspapers over foreign newspapers; but power is reserved, on the principle of reciprocity, to treat foreign newspapers in the same way as English newspapers. The clause, as introduced by the Postmaster-General, practically maintained that position, and would have received no opposition from this side. Then we find this new provision introduced, as stated by the honorable member, for protective reasons, though I do not say that he used the word protection. I say that the definition he gave was an exact definition of protection. He introduced it for that purpose, and we want to know why it is that the Ministry have accepted it. I have said that if they can give any good non-fiscal reason for it we

should be prepared to give way. The honorable gentleman in charge of the Bill said it was because they did not wish to carry more weight, but it has already been shown that that does not apply. The Prime Minister said it was to equalize the conditions of the paper and the supplement. But, I ask, does it equalize them? If that amendment goes in, a paper can be stereotyped or electrotyped anywhere, but a supplement can be only stereotyped or electrotyped within the Commonwealth. They are not equalized, and what is the good of advancing these reasons if they do not fulfil what is stated? Two supporters of the Government have stated that there is no necessity for the amendment at all, and that the clause without it will cover what the amendment is intended to provide for. If that is so, why are the Government supporting the amendment? Is it not simply because they have adopted what is a protectionist amendment, and they wish in this measure to carry a protectionist principle which should have been reserved for the Tariff? Now, although it is objected to on the ground of unfair treatment, and we are asked to consider the matter not as a party matter, they say they will force this upon the committee by their majority, although it has been admitted to have been a protectionist movement. It would have been infinitely better if matters had been allowed to go on as they were, without the introduction of the fiscal issue or of any party question.

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Mr G B EDWARDS

- I think the Government would have acted very wisely if they had declined this amendment. We have it on the admission of the honorable member who proposed it, and of other honorable members, that it is proposed purely as a protectionist amendment. As a matter of fact though, it will not protect - it will do a great deal of harm. The Opposition stated in a spirit of patriotism that they would only view this Bill as a machinery measure, and would not oppose it from any party point of view. They said they would assist the Government to get it through, and we were getting it through very fairly indeed until this bombshell exploded in our midst. The natural effect of it is that the Opposition, being true to their principles, have acted as any Opposition would have done in similar circumstances, and have objected strenuously, and with good reason, against utilizing the Postal Bill to carry a clause which is purely of a protective character. Owing to the postal engagements we have entered into with the rest of the world, we must take from England, America, Germany, and other countries papers with admirably illustrated supplements, and deliver them here free of duty, and on the same terms as any other paper of a like character. But if this so-called protective clause is to be brought into operation, the effect will be that the proprietors of our own papers like the Australasian, the Leader, Town and Country Journal, and others equally good, will be prevented from utilizing the power which they have used in the past of adding to the attractiveness of their papers by obtaining from abroad the admirable artistic supplements they have been accustomed to issue at Christmas time. Honorable members must know that in mansion and hut throughout the Commonwealth, the supplements of papers like the Australasian adorn the walls of poor and rich alike. The effect of this amendment would be that these would not go forth in the future, while the proprietors of these papers would still be subjected to the free competition of similar papers from other parts of the world. The effect would be to check the artistic education of the people, for it really is an artistic education that has been going on for some time, particularly amongst those portions of the community that are unhappily far distant from centres of civilization. They would under this amendment be prevented from obtaining artistic illustrations of this kind. Though we should 4.. still introducing the illustrated supplements supplied with such papers as the Graphic, Black and White, and other papers from Europe, they are not the same to our own people as are the artistic illustrations issued by Our own papers. I venture to believe that when next Christmas comes¹ round we shall see the great weekly papers utilizing the history Of the past few months as the subject of beautiful pictures illustrating the birth of the nation, and there may probably be copies of what will be great historical pictures. The daily papers are more or less actuated by the bitterness of political strife, and I hold that any literary merit in the press of Australia proceeds from the great weekly papers. "We are proposing by this amendment to prevent them from issuing these beautiful supplements, the collection of which is about the best illustration we can give of the progress of the community. If I and others in these centres of civilization have thought the more celebrated of these supplements. worth retaining, honorable members will see the greater reason for preserving them for the poor people in the back blocks - the people in whose interests it has been urged over and over again, in discussing this question, that we should provide for low rates of postage upon newspapers. The adoption of this amendment is a shortsighted policy, and the Government have made a mistake from the beginning

in accepting it. It passes my comprehension that a Government professing a desire to get through the business of the country should adopt an amendment which any commonsense individual must have plainly seen from the beginning would raise political strife in this House, and prevent the progress of business. I think it has already had that effect.

The matter will not be dealt with in a few hours. Its discussion may last some days longer, if the Government proceed in the mistaken course of fathering this amendment, which is utterly foreign to the Bill with which we are dealing. They cannot expect that the Opposition - which, up to the present, have extended a very generous measure of support to such Government measures as could be viewed on non-party lines - to refrain from manifesting their disapproval, if Ministers remain supine and allow irresponsible members to bring forward amendments embodying a principle to which we are distinctly opposed. If the Government desire that we should get through our work as rapidly as is consistent with the consideration of such 'a measure as this - a fact which I very much doubt - they will induce their supporter to withdraw his amendment. It is worse than a blunder ; it is a political crime.

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Mr PAGE

- It appears to me that this amendment is aimed at the back-blockers. The Only chance the people in the back blocks have of obtaining good literature is by means of these supplements. In the interior the supplements issued with the weekly papers are carefully put on one side for perusal during our leisure hours, so that we may' get Some useful knowledge from them. The best brains of America and Europe are represented in these imported supplements, and however much we might like to see them compiled here, we have not the literary genius for the work such as can be found in England and America. I should like the honorable member who has proposed this amendment to go one further, and provide that all supplements shall be printed with Commonwealth ink and on Commonwealth paper. I would then go with him all the way. I would sink my free-trade principles and become a protectionist. If the question resolves itself into one of free-trade or protection, we shall have to deal with it on clear party lines. We shall have to divide the sheep from the goats, and I am not going to be -with the goats. Instead of carrying on the business of the House in the amicable way which 'has characterized our proceedings up to the present, we shall be thrown into party camps as the result of such an amendment. This will be a distinct disadvantage to the back-blockers Of Queensland. It means making Melbourne the head centre in Victoria, and Sydney in New South Wales, for the distribution of supplements to the west and the north. We do not want that. Give us protection all round if we are to have it at all, and then we shall know where we are. I hope the honorable member for Bourke will withdraw his amendment and let us get on with the business of the committee.

Mr THOMAS

- I somewhat regret that the fight, if it is a fight, upon this question did not take place on the amendment for the omission of the words, in paragraph (a), " Printed and published within the Commonwealth." It does seem to me that if any fiscal question ought to be raised, it should have been raised on that amendment. The Government supporters contend that if we provide for a newspaper, within the meaning of the clause, to be printed and published within the Commonwealth, we should also insist upon the supplement being printed within the Commonwealth. I shall oppose the amendment, and I think I shall be consistent in doing so, inasmuch as I moved the omission of paragraph (a). I will read an extract from the Postal Guide of America -

Foreign newspapers and other periodicals of the same general character as those admitted to the second-class in the United States - that is local newspapers, which are allowed to go through at second-class rates - may be transmitted through the mails at the same rates as if published in the United States, provided they possess the same statutory characteristics as are required in the case of domestic publications, and will be allowed all the privileges and be subject to all the restrictions provided by the regulations applying to second-class matter ; and further provided that such publications violate no copyright granted by the United States.

This is in protectionist America. I am against the amendment, and also against a good deal of what is in the clause, because it seems to me that the more restrictions we put upon the distribution of supplements, the more we shall act to the detriment of the best interests of the community. There is a provision in this clause that a supplement shall in every case be printed on a sheet or sheets of paper of

similar ' size to the newspaper in which it is issued. I should like to ask the Minister in charge of the Bill whether the words " similar size " mean that the supplement shall be of the same size as the newspaper.

Sir Philip Fysh

- Yes.

Mr THOMAS

- Well, there is a proviso to the clause that the limitation as to size shall not apply to coloured supplements. If there is one thing that we ought to have in Australia it is technical education. I think more of technical education than of fiscalism, and I have here a supplement issued with the Engineer, which is of a highly educational character. Any one who looks at it will see at once that it is of a highly instructive character. It is not the same size as the Engineer, however, and it is not a coloured supplement, so that by this clause it will not be allowed to go through the post as a supplement, although we would allow some cheap daub that privilege. There are two kinds of supplements. Those which are distributed annually as Christmas boxes form one class. I am in favour of allowing these example's of the highest class of art to go through . The better they are the better it is for the people in the back blocks. We can see the beautiful pictures in the city galleries ourselves, and we should give the people in the remote places an opportunity of seeing copies of the fine pictures that come from the old country and which are much better than those we have here. Strongly as I feel upon that point, I feel stronger with regard to those supplements which are of a useful character, and which are usually issued by technical and trade papers. With regard to the latter I am glad to learn from the attitude of the Attorney-General that I have only to point out what is necessary in order to have the clause altered. Amongst the technical papers published in Australia is the Australian Coachbuilder and Wheelwright. This journal circulates throughout the whole of the States. It is published in Melbourne. It used to be published in Sydney, but the proprietor found it cheaper to publish it in Melbourne. I do not think that the wages paid here are as high as in Sydney.

Mr Deakin

- Higher.

Mr THOMAS

- The proprietor of this paper lives in Sydney, but as I have said he has it printed in Melbourne, because it is done cheaper here.

Mr Deakin

- And yet the men are paid better.

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Mr THOMAS

- This paper issues every month a first-class supplement, which is of great service to people who read the journal that is to say those who build coaches.

Mr Deakin

- We have already promised to reconsider the case of the Stock Journal, and other papers of that character.

Mr THOMAS

- I know the editor of the CoachbuilderandWheelwright very well. He is an ardent free-trader, but at the same time he started with the idea of having everything as far as possible in connexion with his journal produced in Australia. That has been his aim and object throughout, and to-day it is his pride that he can issue such a supplement as the one I hold in my hand, and have it entirely produced in Australia. Honorable members who look at this supplement will agree with me that it is a highly creditable production. But he informs me that if he had not had the opportunity of importing some plates, either from Europe or America, when he started, he would never have been able to -carry on his paper as he has done. On one or two occasions he has had to go outside. If the amendment of the honorable member for Bourke were carried, the electrotpe for such supplements as are produced by this paper would have to be manufactured here.

Sir Langdon Bonython

- The amendment does not apply to pictures at all.

Mr Deakin

- It only applies to letterpress.

Mr THOMAS

- Then what is meant by "electrotype"?

Mr Deakin

- It means an electrotype of letterpress.

Mr THOMAS

- If it does not apply to pictures at all I do not care whether the little bit of printing is done here. It appears, then, that all the fuss we have had as about a little bit of printing? The Government can have that ; but fancy a great Federal Government fighting about a little thing like that !

Mr WILKINSON

- (Moreton). - The matter we are discussing is not one of import, but of transport ; it is merely whether the Post-office shall transport certain articles at certain rates. With regard to coloured supplements I have had samples sent to me from the old country which were certainly no better than pictures that can be printed in Australia. I regret that the honorable member for Bourke has not included lithography in his amendment so that it might apply to coloured supplements. We have only to look at some of the productions issued in Melbourne during the celebrations connected with the welcome of the Duke and Duchess of Cornwall and York to see that Australia is capable of turning out lithography equal to any that can be produced in any part of the world. If it would not be out of place I might mention publications like Links in the Chain of Empire, in connexion with which I saw the whole of the processes of production. Three different colours were used in the printing of the cover alone, and it is a production of which no country in the world need feel ashamed. So long as we can turn out work equal to that we should not be too much disposed to encourage other parts of the world, or we shall have our people seeking openings in America and Europe, as our Phil May and Henry Lawson are doing, because they cannot find employment here.

Mr Thomson

- Lithographed supplements are not protected under this amendment.

Mr WILKINSON

- I am sorry that the amendment does not go far enough to protect them. My argument applies to literary supplements as well. These supplements are not the work of one man, but consist of gleanings from a number of writers. We have men who are equally capable of making such gleanings, and of editing supplements, as people in America. In spite of the Act that has been in force in Queensland, I have seen stereotype blocks going from Melbourne to that State. Although the honorable member for Maranoa thinks that these supplements are manufactured abroad, I know that they are mostly produced in Australia. The stereotype blocks are sent from Victoria to Queensland, and I have received them myself. I have been in the printing trade for a number of years and know what I am talking about.

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Sir EDWARD BRADDON

- I hope that the honorable member for Barrier will not allow his purpose to be interfered with in the slightest degree by that red herring which has just been thrown across the track. The idea that these illustrations, prepared by whatever process they may be, are not circulated as supplements is something perfectly delightful, Arcadian in its beautiful simplicity, and in the belief that any one will be imposed upon by it. While these will undoubtedly form part of the supplement, very often the only supplement, what is involved in this amendment is that they, after being imported for issue with newspapers, will require to have imprinted upon them their title or any matter explanatory of the picture, very often merely the title. This picture, which may cost hundreds of pounds to the proprietor, cannot be issued here with the printed style and name of it done in England. That is a monstrous provision which we should fight against. I see in the strongest way the necessity of educating the people in the back blocks to the utmost possible extent by means of these superior pictures, which they can only get in this way, and which we should enable them to get as cheaply as possible.

Mr. PAGE

(Maranoa). - I move -

That the amendment be amended by the insertion after the word "printed" of the words " with ink, and on paper manufactured."

The amendment, if altered as I desire, will then read -

The letterpress of the same being printed with ink, and on paper manufactured within the Commonwealth, from type set up within the Commonwealth, or from stereotypes or electrotypes made therefrom.

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Mr REID

- It is a remarkable thing that the gifted gentlemen who compose the Ministry never thought of this provision to encourage gifted authors and artists. Was it because they put their Bill in the free-trade Senate to begin with? The Government could not have been so ill-informed as to these matters of legislation that they were not aware that these provisions were in several Australian Postal Acts. They cannot have sunk to a depth of ignorance so great that when this Bill was framed by the Cabinet this matter escaped their attention. If it did not escape their attention they must have arrived at the decision that it was not wise to raise these questions in a machinery Bill. What is the object of machinery Bills? The object is to leave out of those measures everything which awakens party differences in order to get those things about which we do not fight, passed with the least amount of friction and of difficulty. Hence it is that honorable members on this side of the Chair have for months past practically sunk their strength as a political party in endeavouring to forward all these measures, which ought to be calculated to give effect to any policy when questions of policy arise. Questions as to working the machinery of the public departments ought to be as free as possible from elements of policy, from elements of friction, and from elements of political difference, and the more such measures are confined to machinery, the more efficient the machinery will be, and the more expeditiously the measures will become law. No doubt these are the views which animated the Government when this Bill was framed, and so this matter was not brought up. Surely they must know that it is easy in a protectionist House to keep the public blind to the fact that the protectionist press of Victoria has downright free-trade for everything it may require. Whilst honorable members get up anxious for the author and artist of Australia, there is not one word said for the man who manufactures printing paper in Australia. In this State there are, and have been for years, factories for the manufacture of paper, and printing paper too, as well as for the manufacture of ink. And I want to know what mysterious influence it is that dominates the consciences of politicians in Victoria that whilst they are rabid to discover a place where a man can make a few glass bottles, and put an enormous duty on the use of glass bottles for the sake of that man and a boy, great industries like the manufacture of paper and printers' type have not one politician to stand up in the whole ranks of the protectionist army for a bit of protection that affects the newspapers of Victoria. Is it not something like a conspiracy of silence that, in a Parliament supposed to be representative of every class in the community, we find men of intellect, men of independent character, and yet protectionists, who, in the whole course of their political careers, have never been heard to say one word for the man who manufactures printing paper? How is it that my eloquent friend, the Attorney-General, from whom Niagaras of eloquence on the subject of protecting the bottle manufacturer can flow without the slightest difficulty for ages, has not a word to say for the great national duty of building up the printing paper industry which lies at the root of all intellectual development in Australia? Why not a word about printers' ink? How is it that the policy of protection is bold enough to put a high duty on red ink and not on printers' black ink? What a marvellous difference we find! The red ink which the printer uses for the account sales, and the red and blue columns, bears a heavy protectionist duty, but the black ink for the black columns is free. Why? Because the protectionist patriotic press of Victoria does not believe sufficiently in protection to buy anything on that principle. They sell their newspaper on that principle to great advantage, but when they come to buy a pennyworth they scour the markets of the world. A rich newspaper has grown up here; the gentleman conducting it has made an enormous fortune out of the pennies of the people of Victoria, and it is well known that there is not a man who scours the paper markets of the world more zealously than he does to buy the cheapest possible article.

Mr PARKER MOLONEY

- That is the man downstairs, not the man upstairs?

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Mr REID

- I refer, of course, to Mr. David Syme, a gentleman who is, I am sure, a most worthy citizen, and against whom personally I do not desire to say one word. All I do wish to say is, that we have here members of Parliament wasting the time of this Federal House hour after hour, and I ask why could not every word

that has been uttered during this fiscal fight have been said in the course of the big battle that is imminent? Are we going to allow our honorable friends on the opposite side to obtrude this matter at a time when we are all engaged in peacefully passing these machinery measures? That is the position, because we have been so engaged, and yet at this very time some honorable member, bursting for distinction discovers some infinitesimal way of raising the fiscal flag. It is contemptible that this principle should be obtruded into measures of this kind by men who have not the courage to put a duty on printing paper. They brought in a duty on stereotype plates - they had the courage to do that because it helped the big newspapers in the city. I do not say that it helped the people in the country, but quite the contrary, because it made the struggling newspaper proprietor more and more dependent upon the enterprise of the great Melbourne newspaper proprietors, and took away from the country newspapers another facility for bringing before their readers the best productions of 'the world. The honorable member for Bourke was very precise in stating what gentlemen he had in view to encourage, and protect. He said - It has become quite a common practice to import these supplements by the thousand from America, and it deprives to a large extent compositors, artists, and authors of a certain amount of remunerative work which otherwise they might obtain.'

Now we find that the Attorney-General has dropped the artists at once in order to endeavour to catch a vote. Why should not the Australian writer be protected, and why should not the artist he protected,; if the Australian who sets up type is to be protected? Surely the men of brains and intellect who are endeavouring to found a literature in Australia have a sufficiently hard fight, and if this principle of protection is a good one at all, we might help the Australian authors and artists. Why is it not proposed to put a duty on first-class engravings that go through the post? The whole thing brings us back to protection in its most contemptible and hypocritical form. I shall believe that one of these Victorian protectionists is a real protectionist when he has the courage to tell the Age that there should be a duty on printing paper to encourage the printing paper manufacturers of Australia, when he has the courage to say that there ought to be a duty on black ink in Australia. It would be a perfectly safe enterprise, if the protectionists believe half they say, because they contend that by putting a duty on an article they make it cheaper. Then I say, if Mr. Syme really believed that, he would put a 100 per cent, duty on paper in order that he might get it at even £d. per 1 lb. cheaper. This sort of hypocrisy ought to be exposed, and I am indebted to the honorable member who has not the pluck to apply a little protection to these papers that are being run on. free-trade principles, for giving me this opportunity. Surely the people in the country districts might be allowed to have the benefit of some of the best art productions in the world in the form in which then homes can be reached by means of newspaper supplements. We in the cities have every facility, and can come into immediate touch with the finest art productions in the world, but the people who are settled in the country, and who are keeping the towns alive, are not able to see all the artistic triumphs that we have within our reach, and the newspaper that desires to give its subscribers the benefit of the best possible information and the best possible illustrations of things useful, perhaps, in national industries, should not be placed at any disadvantage. Surely we can leave a little free-trade to these newspapers. Since there is free-trade in ink and paper, can we not leave a little free-trade in brains and genius and invention? I think that the honorable member for Bourke has brought up this matter now in a form which will enable us to give our friends opposite an opportunity of showing the strength and courage of their convictions. If the honorable members on the other side will raise this issue in a trifling form we will give it to them in a substantial form. I think it is a great pity that this question was brought up at all, but honorable members must give us credit for being sincere in our fiscal views. I have had only one view all my life on this subject, and whenever this matter is brought up I will fight it to the death. I say it is a monstrous wrong that our useful labour in connexion with these vitally necessary Bills should be disturbed by matters of this sort. How could the honorable member expect us to ignore his challenge? If we believe in freedom in regard to the more material articles of commerce, surely it will touch members nearly to interfere with matters of intellect and the facilities for disseminating information. I admit that there is great force in what the honorable member for Kooyong has said. At first sight it does appear that a newspaper and a supplement are one, and that it is only carrying out matters to their logical conclusion to provide that both the newspaper and supplement should be printed within the Commonwealth. But when we look into the matter a little more closely we find it is not in the interests of uniformity that the honorable member moves his amendment, not in the interests of rounding off the inequalities in the wording of the

Bill, not in order to make this a more efficient department, but in order to restrict the operation of the clause and to effect a certain object. I would ask why the artists have been thrown over by the Attorney-General 1 The moment the honorable member sees a picture and an honorable member together he says, " That is not touched by the Bill." But why should not the men of intellect, who engrave and design in this great capital city of Melbourne, have a little taste of protection ? The suggestion of the Attorney-General that the paper which the honorable member for the Barrier showed him would not come- within tins clause leads us to this point. If it is not a newspaper, and it is clearly not a newspaper, and it is not a supplement, and it clearly is not a supplement, within the language of sub-clause (2) - what is it ? It cannot go free except as part of a newspaper. Who will say that a production of the old world, however useful, should not be sent throughout the Commonwealth unless it be made to conform in a number of ways to this proposal ? Then we have the honorable member in charge of the Bill, who is not satisfied with leaving things alone. If there is a man in the Ministry, or in Australia, who should desire to leave the fiscal question severely alone it is that honorable member. He is a gentleman whose free-trade speeches have been for generations, I might say, the admiration of the little island of Tasmania. From time immemorial we have been proud of the honorable member as one of our stalwart, eloquent advocates of freedom of commerce.

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Sir Philip Fysh

- The right honorable and learned member will hear me again by-and-by.

Mr. REID. - By-and-by is the proper time to deal with this question. When we happen to impinge on my honorable friend, he at once says, " by-and-by for this"; but I say it should ' be by and by for all of it. Since my honorable friend will not let it be a matter for by and by, I have to point to the sort of affectation of delight which he displayed at the wonderful discovery made by our very estimable young friend, the honorable member for Bourke. The Minister felt grateful to that honorable member for having brought this matter under his consideration before the House met. The honorable member had taken official advice about it, and-'thought it would be a good thing, and he went on to say that it was the law in two or three States, and that it was desirable to give a certain amount of encouragement to local writers. But what amount of encouragement would this amendment give to local writers ? Under this very amendment all the writing for these supplements could be done at the other end of the world, it only being necessary that the type should be set up here ; in other words, a farce is to . be gone through. Some able article, written in a celebrated scientific publication, which has been of the utmost service to enterprise, and to thousands of people in many countries, can come into this country and be circulated amongst our own people if a certain practical fraud is gone through. The article exists in type in the original publication, but it has to be written out or put before a compositor here to be set in type again.

Mr Poynton

- Who is to see that that is done?

Mr REID

- All these attempts to make business men little children under Act of Parliament, always break down by their inherent absurdity, and that is why printers' ink is not included in the amendment. An article, accompanied by an illustration, or a series of illustrations, and of immense educational value, may be published by a paper in the United States or Great Britain ; and since our newspapers go free, why should we not endeavour to make those newspapers as useful and as valuable a means as possible of conveying knowledge ? What is the principle that lies at the root of allowing our newspapers to fill the railway trains by the ton day after day ? I have always been in favour of free postage for newspapers, because I considered it is based on a wise principle. The people in our vast interior have really the ' more arduous problems of national development to solve, and are cut off from the intellectual advantages which we enjoy in the cities, and which enable young Victorians in Melbourne to become distinguished public men. What chance have the sons of the pioneers in the heart of the bush to become Attorneys-General or Prime Ministers? All our gifted youths in the great cities rise easily to positions of distinction ; but amongst the youths of Australia, who have to buckle to the great task of development, not even a useful article or a useful design shall be allowed to circulate from the rest of the world without a stop. ' These supplements must be set up again in type, but there is no restriction as to the paper, which may come from Kamschatka, China, or Japan. With true consistency there is no anxiety as to the biggest

thing about a newspaper, namely, the paper it is printed on. The useful article, or the useful design, which is surrounded by letterpress, and can be sent by enterprise all over the world free, is within the means of the poorer newspapers in the interior, and that is a great thing. But the poorer newspapers are not to enjoy that advantage, and the great newspapers on the seaboard are to be further aggrandized. I believe in our great newspapers having the free use of the Post-office ; but it is only consistent that the smaller and struggling newspapers should have every advantage too. It is contemptible that the protectionist policy cannot be kept to ordinary articles in human trade, but must be carried into a machinery Postal Bill, and that some bright design of human genius, which would advance the comfort of large classes of the community, should be put in the same category with Tattersall's Consultation, which must be stopped. The penalty is provided in the next clause. If some newspaper proprietor takes advantage of one of these useful productions and makes it a supplement to his paper in spite of the Bill, the Postmaster-General is given power to remove that newspaper from the list of those taken through the Post-office. We find that those tilings which we should all welcome as adding to the sum total of human industry and opportunity, are put on the same level with sweeps which are supposed to demoralize people. I was quite astonished on visiting various parts of Victoria to find that, although this is a thoroughly free and intelligent community, very few people in the country districts know that, while they are compelled to live and buy everything they want under protection, the great Melbourne protectionist newspaper is thoroughly free-trade about the cash-box.

Mr Mauger

- They have heard that story before.

Mr REID

- Then they have heard the truth for once.

Mr Mauger

- It must be Sydney Truth. Mr. REID.- No ; it is Victorian Tariff truth. Honorable members on the other side cannot meet a challenge fairly and squarely. I do not criticise my youthful friends, because they were simply born protectionists ; it is one of the accidents of youth. They happened to grow here, and they absorbed the prevailing influence, and are thoroughly honorable and upright in every view they take. But how is it that it never occurred to the honorable member who framed the amendment - who has discovered almost the last loop-hole for a gleam of human intelligence to get in - to think of the poor struggling people who print the newspapers ? How is it he has skipped those lines of human industry so consistently ?

Mr Crouch

- This provision is in the New South Wales Act.

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Mr REID

- That is an Act the honorable and learned member had nothing to do with. It is the Melbourne Age he is afraid of.

None of the protectionists were able to get up in the Victorian Parliament, that I am aware of, and propose a farthing duty on printers' paper.

Mr Tudor

- I was returned in spite of the Age, and of the Argus, too.

Mr REID

- Then the honorable member should be proud of his position, because he must have had a great fight. He must take care, however, if the Age becomes polite to him, because I have heard of honorable gentlemen who got here after a desperate struggle with the Age, and then entered upon quite harmonious relations with it. I think the committee will see that if Ave take up the question of stereotyped plates, we should also deal with the question of printer's ink and paper. If a newspaper which sends out as a supplement an article brought from abroad is not to be registered at the Post-office, surely other newspapers, which do not contribute to the glory of protection, should not be allowed to circulate broadcast at the public expense. I regret, however, that the matter has been brought up, and that the Minister in charge of the Bill should be the Minister who accepted the amendment, because I thought that his life-long associations would have kept him as much as possible out of the fiscal fight. A short time ago, at some festivity in the neighbourhood of Melbourne, he was understood to tell the public that he had

begun to see a few good things in protection.

Sir Philip Fysh

- The right honorable member is not quoting what I said.

Mr REID

- That is the way in which the substance of the honorable gentleman's remarks was given ; unfortunately he was not reported at length. It is surprising to find this new protectionist epidermis growing over the political skin of so remarkable a fighter in the free-trade cause.

Sir Philip Fysh

- The right honorable member has not quoted facts.

Mr REID

- May I accept the Minister's statement that he is still a free-trader ?

Sir Philip Fysh

- I am a revenue tariffist

Mr REID

- If there was one reason why some of us were sent here, it was that we might guard the political system of Australia from the fungoid growths of protection from which the fiscal policy of Victoria has been unable to escape. We may have some of them forced upon us, but we do not want to add new ones, and to discredit . the political intelligence of the country by a miserable proposal such as that of the honorable member for Bourke. The great United States - I suppose the most protective country in the world - does not descend to this contemptible level. Notwithstanding its high Tariff and rabid protection, it allows free-trade in useful information which will benefit mankind.

Attorney-General

Mr DEAKIN

. - May I recall the committee to the facts. We are dealing with a provision defining a newspaper for the purposes of a Postal Act, and determining the conditions upon which it shall be transported from place to place by means of the Post-office. The object of the clause is to decide what publications shall obtain the advantages which we propose to give to newspapers, and what requirements they shall be subject to. The honorable member for Bourke has moved an amendment which, I admit, in view of his reference to the interests of the Australian workman, is capable of the construction put upon it by some; but he evidently regarded his proposition, as the Minister regarded it, as merely complementary. He intended to bring the second sub-clause into harmony with the first. It was innocently accepted. Nothing was further from the mind of the honorable member for Bourke, or from the mind of the Minister, than the desire to raise the fiscal issue ; but it is not for me or any other honorable member to complain if a possible, and not unreasonable, construction has been put upon the proposal.

Sir Edward Braddon

- An inevitable . construction.

Mr SYDNEY SMITH

- A construction which was put upon it by the honorable member who moved it.

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Mr DEAKIN

- There I differ. It seems to me that the amendment was moved without any specially protectionist intention, and accepted in the same spirit; but it was evident that the committee was determined to consider it from another aspect. Honorable members have been within their rights in so considering it, but I ask them now to remember that we are considering a proposal for the transportation of newspapers by the Post-office, and to treat the amendment of the honorable member for Maranoa, if it be moved, as foreign and irrelevant to the subject with which we are dealing. They can rest assured that when the fiscal proposals in this regard are submitted they will be such as the Government are prepared to defend and to stand by, and we shall then be prepared to deal with the criticisms of the leader of the Opposition. We can best answer them after a consideration of the facts as then known, but it would be leading the committee too far afield to endeavour to answer them now. I have put nothing into the clause, and have taken nothing out of it, but, after a careful examination, hold to my statement that the coloured supplements and the scientific supplements referred to by the honorable member for Barrier are not touched by the amendment.

Sir William McMillan

- Would the honorable gentleman explain why this amendment was not originally embodied in the Bill? Mi1. DEAKIN. - In dealing with these machinery Bills we have had amendments submitted from all sides in committee, and where they have appeared to be useful amendments they have been freely accepted without respect to the side of the House from which they were suggested. This amendment was not adopted simply because it was moved by the honorable member for Bourke. It was accepted, as many others have been accepted from both sides, because the honorable gentleman in charge of the Bill thought it was an improvement, and exactly in the same spirit as others. There was no conspiracy, and no anticipation that the committee should be involved in a fiscal discussion. That is the last thing wished by any one who desires to see the passage of this Bill. This amendment relates to letterpress only, and could have but a very slight effect indeed. It is not a proposal that the Government would have laid any stress upon. Though it can be regarded as protectionist, it certainly need not be so regarded. I think the leader of the Opposition, if he had been leading the House, would not have considered it had that bearing, and would not have thought it a matter demanding the consideration it has received. I admit that as it may have a fiscal aspect the honorable gentleman is entitled to treat it as seriously if he pleases, but ask the committee now to deal with it on its merits. What it proposes is either worth doing or it is not, and we may consider whether it is worth while to add this to the other restrictions proposed to be placed upon the transport of newspapers from abroad. It is not a vital point, and I think we might now decide it.

Mr PAGE

- There are certain illustrated supplements which go to the back-blocks of Queensland, and there is a lot of reading matter in them. Will this affect them ?

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Mr DEAKIN

- The words of this amendment are "The letterpress of the same," that is, of such newspapers or supplements, "being printed within the Commonwealth from type set up within the Commonwealth, or from electrotypes made therefrom," that is, made from type set up within the Commonwealth. The supplements to which the honorable member alludes must have their letterpress set up within the Commonwealth, or from electrotypes cast from type set up within the Commonwealth, to avoid the restrictions of the clause.

Mr. REID

(East Sydney). - I thoroughly appreciate the courteous manner in which the Attorney-General has dealt with this matter, but I think he has omitted to see the practical bearing of it. I do not lay much stress upon the pictures which are in the nature of Christmas boxes to the subscribers of the newspapers, but the substantial matter to which I take most objection is this : As matters stand at present, there are scientific organs published in America and London, and on the continent of Europe which produce a supplement in which there are pictures of inventions with descriptive matter on the same page, round the pictures. These can be circulated now throughout the Commonwealth by having them sent in large numbers to Melbourne and Sydney, and to country newspapers, and getting them incorporated as supplements in the newspapers published here. It is these supplements containing useful information, partly letterpress, and partly pictures, that we really care most about. The existing arrangement for facilitating the distribution of such matter must under this proposal all go by the board if the amendment is accepted, because it requires that the letterpress shall be set up on the same form with the picture, and it is impossible to get these things out without the letterpress and then set up the explanation around them. These are not only Christmas boxes, but useful matter explaining to the reader the meaning of the invention which is pictured ; and if we insist that the letterpress in such cases shall be set up in Australia, these supplements will be beyond the reach of the local newspapers.

Mr V L SOLOMON

- I understood the Attorney-General to say just now that this clause had nothing to do with the coloured supplements. Many of the members of the committee have the idea that these coloured supplements will not be affected, because they are not printed supplements. They have been alluded to as Christmas presents and many of them are handsome works of art. Some of those issued for instance with Pears' Annual, such as the celebrated picture of " Bubbles," are copies of some of the finest paintings in the world ; and they have nothing whatever to do with the reading matter in the paper. It would be well to

understand whether these supplements would be debarred in the same way as printed supplements. The clause says -

The following shall, for the purposes of this Act, be deemed a supplement to a newspaper, that is to say a publication consisting wholly or in part of such matter as aforesaid.

And that refers to political or other news mentioned in the first portion of the clause - or consisting wholly or in part of engravings, prints, or lithographs, illustrative of articles in such newspaper or supplement.

In the case of nineteen out of twenty of the magnificent coloured supplements which are so highly prized by people in the back blocks, they are not illustrative of anything whatever in the newspaper or the supplement. They are absolutely presentation pictures. I should like to hear from the leader of the Opposition whether they would be affected by this clause. Engravings of the class I have alluded to would be barred by this clause. Not only do we bar printed supplements, containing in some instances scientific articles, and in others up-to-date articles on agriculture and pastoral pursuits, that are printed in the old world at such a moderate price as to come within the reach of every one, but under a previous sub-clause we prevent the circulation of newspapers as such through our Post-office. Such publications as the Engineer, the weekly issue of the London Times, or leading American newspapers posted to any address in the Commonwealth cannot be re-posted or circulated through the Commonwealth Post-office, except as postal packets or books in respect of which very much higher rates will probably be levied than for the carriage of newspapers. It seems to me that the leader of the Opposition is distinctly right in saying that in this way we are absolutely shutting out from people resident in outside districts the very best form of literature of the older countries of the world. With regard to the amendment now before the committee, I would put it to the honorable member for Maranoa that two wrongs hardly make a right, and" that it would be a mistake for him to press his amendment. In asking him to withdraw it I would also urge the honorable member for Bourke, in view of the fact that he has ventilated this subject at considerable cost, to also withdraw his amendment. If he desires to see the object aimed at in his amendment carried into effect he should induce the Government which he supports to bring in something in that direction in connexion with the Tariff proposals.

Mr.REID (East Sydney). - At first sight I did not attach the reading to the clause which I now see must be attached to it. The honorable member for South Australia, Mr. V. L. Solomon, has raised a matter to which I would ask the attention of the Attorney-General. At first sight one would think that the word "illustrative" in subclause (2) was connected only with the preceding word " lithographs." That would be clear if the words were " wholly or in part of engravings 'or' prints." There may be a supplement consisting wholly of engravings, another consisting wholly of prints, and still another consisting wholly of lithographs. As it stands, however, the words " engravings, prints, or lithographs " are connected with the following word " illustrative," and so on.

Mr Deakin

- We can easily put that right. I never yet saw a supplement which was not alluded to in the letterpress. However, we have to reconsider the wording of this clause, and we can make it plain.

Mr.REID. - If it were a mere allusion that would be all right ; but a mere allusion is not an article in a newspaper.

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Mr JOSEPH COOK

- A definition of these supplements is very simple, however much we may debate the matter here and express our opinion as to what really is the meaning. It has to be borne in mind that this amendment is taken from an Act of Parliament which has been in force for some years in New South Wales, and I believe from an enactment in Victoria. The application of this provision in New South Wales has been to absolutely shut out these supplements. It is useless for the Attorney-General to say that coloured supplements are not shut out by it. The experience of New South Wales shows that it does shut them out.

Mr Deakin

- I say it does not, and if there is any doubt about the matter we will make it quite clear.

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Mr JOSEPH COOK

- If it does not shut them out, then the departments in the States I have named have been acting illegally for many years past. They have shutout supplements by the clause which says that the illustration must

have reference to the reading matter in the supplement. The trouble is, to import a supplement containing engravings and then to attach to it printed matter on the same subject. This relates to country newspapers which aim at providing a reasonable weekly or fortnightly supplement for their readers. It is these newspapers that will feel the brunt of such an amendment. That it is protective in its incidence there can be no doubt. The honorable member for Bourke told us that his main object in introducing it was that he might protect the labour of our workmen here. How idle is it, therefore, for the Attorney-General to say that it has no protectionist significance. Nothing could be more clear and definite than the way the mover of this amendment put the matter. He said -

It does not impose a duty ; all it does is to give a chance to Australian workmen in preference to "those who live in America, Germany, or other countries.

He made it perfectly clear that his only object was to give work to our own people in preference to those living in foreign countries. Therefore the attitude of the Government is one of the strangest it is possible to conceive when they get up and tell the committee that, if the Opposition make it a protectionist matter, they do so without warranty, and that no such thing is intended. I should like to know why the Government did not introduce this proposal in their original Bill ? Why did they leave the honorable member for Bourke to introduce it ? Why now, seeing that it has provoked so much feeling on this side of the House, do they persist in sending the matter to a division ? They could not be unaware of the fact that this provision was in the New South Wales and Victorian Acts. Yet they quietly left it out of their original Bill when they knew that the measure had perforce to go through another place where the sentiment was not so favorable to protectionist ideas as it is here. Now, when the Bill has run the gantlet of another place and comes to be dealt with here, where the sentiment is presumably more favorable to a proposal of the kind, they allow the honorable member to get up a debate which they say practically means nothing ; although when they refer to it outside in the shape of interviews with representatives of the newspapers they make it clear that they are going to stick to the amendment. I presume that if the debate occupies another five or six nights they will still stick to it. Why ? Clearly and distinctly because, as the honorable member for Bourke himself says, the amendment gives a preference to our own workmen, authors, and printers over those of foreign countries. We were told the other evening by the leader of the labour party that we should not take this matter so very seriously, seeing that a similar provision has been in operation for five years in New South Wales. It is perfectly true that a similar clause has operated there during those years but it is equally true that it was brought in by a protectionist Ministry, consisting of the present Home Secretary and others. It was introduced in the same way as the rest of their protectionist policy, without the people having been consulted, and contrary to their distinct wishes. In other words, to put it in the vernacular of the time, it was simply "sneaked" in ; and the moment the people were able to get square with those gentlemen they "sneaked" them out of office very quickly. But this protectionist provision being in the Postal Act of New South Wales, it did not come within the purview of the Colonial Treasurer, who had charge of the fiscal arrangements of the country. That is how it happens that the provision was not eliminated from the Postal Act of New South Wales. The reason is easily perceived by those honorable members who have had the responsibility of conducting affairs of government in connexion with any of the States. A Postal Bill never came before us at all during the time the fiscal policy of New South Wales was being dealt with. Had there been such an opportunity this provision would unmistakably have gone out. Indeed, a Bill was drafted, and is somewhere in the department now, providing for the elimination of this particular section, but we had other things to do at the time. We were "sneaking off" the duties that were "sneaked in" by the Ministry to which I have alluded. We were fighting against vested interests for the principle of direct taxation. That is why we had not an opportunity of eliminating the small vestige of protectionism that existed in the Postal Act. During the years this provision has existed in New South Wales the effect of it has been unmistakably to keep out supplements printed abroad, because only material made up here the State was allowed to go through the post at ordinary rates. The honorable member for Bourke says that one of his objects is to protect our own authors by keeping out of this country all foreign-made supplements, and the ability which goes into them. It appears to me that that argument distinctly hauls down our claims to literary ability in the face of the ability of the foreigner, because we say that we are unable to compete with the foreigner in the literary and scientific world. We say that we are afraid of the way in which people in other parts of the world can write stories and make up literary matter of various kinds in a presentable form for the readers of newspapers, and, that because these people can send their

productions here and compete with us, therefore we must shut them out. I always believe in Australia. It has been our proud boast, and it is yet in our moments of exhilaration, that young Australia is equal to any country in the world in point of ability, in point of all those things which go to make up manhood in its truest and best sense. Yet we are told by the honorable member for Bourke that our writers and story-tellers need protection from the writers of Europe, and that unless we put on a prohibitive impost our artists will have to haul down their flag, and betake themselves to "fresh woods and pastures new." It is because I do not believe in anything of the kind that I shall not support a proposal of this description. I believe our writers are as good as those elsewhere; and I hold that if we keep open competition amongst writers we shall get better material than if we confine the work to a select circle within the Commonwealth. When you push protection to the point of differentiation between the quality of the brain power of the people here and the people in other parts of the world, you push it perilously near the point of absurdity. I can understand that in handicrafts experience counts for something, but when it comes to pitting our brain, literary skill, and faculty against those of people in other parts of the world, we have no need, because of any special considerations relating to money or value, to haul down the flag, and say that we cannot compete with other nations. We are told that goods can be produced more cheaply _ in other parts of the world than here, and that we want protection against the pauper labour of Europe in the manufacture of goods. In respect to the literary faculty, the wages which are paid in the great centres of the world are at least as high as the wages paid in any part of Australia. And therefore, this rule, which may have some meaning in it from the protectionist's stand-point as applied to handicrafts can have no meaning as applied to literary ability in the world. To say, therefore, that because this provision is embodied in various State Acts it should find a place in a federal measure is no argument, because we are framing an Act which we believe will give our local post-offices all the control they need, and, at the same time, enable those who live away from the centres of literature and scientific attraction, and who have to depend on what is sent to them to get into touch with the best literary thought and skill of the world. That is what is aimed at in the Bill as introduced, and it is precisely what is struck at by the amendment of the honorable member for Bourke. By his amendment to that amendment, the honorable member for Maranoa is only pursuing a logical course. If we tax the type which comes from other countries, why not tax paper and ink? We can make ink here. When I went down, with a party of honorable members, the other day to Sands and McDougall's, they were making ink of every possible description. Why should they not have a Tariff as well as all the other hundred and one handicrafts of Victoria? Why should not the printer's ink and the paper of the paper-mills be protected? The manufacturers of these articles complain that they need protection, that they find it difficult to compete with the older manufacturers of the world. That argument, which is advanced in favour of the protection of every other kind of industry, can be equally logically advanced in favour of the protection of ink and paper. The honorable member for Maranoa, professedly a free-trader though he be, is therefore acting logically and consistently. It is very foolish on the part of the Government to attempt to introduce this principle, because it can only block the Bill. Whatever we may do, the Bill has yet to pass the other Chamber, and if we put in an amendment like this we can rely upon it that the other Chamber will put it out more promptly than we put it in. The Government, if they know anything at all, know that they are wasting time over this amendment, because they are aware that it cannot possibly find its way on to the statute-book. The Government proposed to-day to get through their work with greater despatch by asking the House to sit fewer hours than usual, which is an unheard of thing in the history of parliamentary government. Having embarked on an anomalous course of that kind, we can easily imagine them wasting a couple of nights over an amendment which they know right well has not a ghost of a chance of getting through. I protest against the inclusion of this matter in a Postal Bill. There will be ample time to consider the matter later on, and in a place that will be more appropriate. It is out of place here, and therefore it is only wasting time to discuss it as we are doing.

Mr. PAGE

(Maranoa). - In support of my amendment to the amendment I wish to submit a few facts which I got during the tea hour. In Victoria there are 4 ink factories employing 15 hands, and 1 paper-mill employing 98 hands. The raw material for paper is to be had in any quantity in the bush for the mere trouble of gathering it. That is another strong reason why I ask Victorians to vote for my amendment. Coloured ink is subject to a duty of 6d. per lb., black printing ink is admitted free, writing ink is subject to a duty of 10 per

cent.

ad valorem,

and printing paper is free. The Victorians have converted me to protection, and I advocate protection in this instance because I believe that it will be beneficial to the Commonwealth. If we are going to give authors and artists protection, we should also extend the same advantages to the men engaged in making paper and ink. I shall test the feeling of the committee regarding the amendment I have proposed in order that we may know where we are, because at the present moment our position is not at all clear. If we can give the workers a little protection, I shall be found voting as a solid protectionist, and I want to see whether those honorable members who claim to be protectionists are protectionists in name only, or whether they are willing to give substantial benefits to the workers.

Mr CONROY

- I am not at all sure whether I am not doing what the Ministry desire in speaking to this measure, because it is perfectly clear that they wish to delay business. If there had been any disposition on their part to push on with the business of the Commonwealth, they would never have introduced a clause of this kind into the Bill, because they must have known the effect it would have. Now we are asked to amend the clause in a most important respect after it has passed the Senate ; and it appears to me almost as if this were a device on the part of the Ministry to block the Tariff, so that honorable members may be forced to declare that no time will be left to deal with it this session. If that is not the real motive of the Ministry's action, it may be - especially seeing that there are so many lawyers in the Ministry - that they desire to pass confused legislation so that there may be plenty of work for the lawyers. The Ministry ought to send out their Bills in as simple a form as possible, so that the public generally may understand them. If, however, clauses dealing with all sorts of things are distributed throughout the various Bills, the public will have to seek legal advice in order to interpret them.

Mr Sawers

- I rise to a point of order. I submit that the honorable and learned member must speak to the question before the committee.

The CHAIRMAN

- The honorable and learned member is certainly not in order - he must speak to the amendment before the committee.

Mr CONROY

- I am only explaining what appears to me to be the reason for the introduction of the clause.

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The CHAIRMAN

- The honorable and learned member will not be in order in alluding to the motives of the Ministry.

Mr CONROY

- I certainly think that we ought to be at liberty to show the spirit which has apparently actuated the Ministry in drawing up these clauses, and I think, moreover, that it is most important that honorable members should be able to analyze the position. However, without speaking of the motives which may have actuated the Ministry, I would point out what the effect of the clause will be. The result of putting a clause like this into a machinery Bill will be to encourage litigation, because the general public will not be able to properly gauge the effect of the legislation passed upon any given subject. Moreover it will have the effect of preventing people in the country from getting any literature at all, and perhaps from the protectionist point of view that will be an advantage, because we know that where the people can neither read nor write protection flourishes most. Naturally we can quite understand a device and desire of this kind on the part of Ministers who are trying to block the people of the country from getting knowledge in any way whatever. They are showing their absolute ignorance of all the principles of good government. Every Bill ought to deal only with matters which are cognate to it. What has a fiscal question to do with the Post and Telegraph Bill 1 It was only after some statement had been made by the honorable member for Bourke that the Ministry approved of the amendment, and now that others are proposing farther amendments, which will give what, strange to say, has been neglected in Victoria - namely, protection to the men engaged in making ink and paper - we have an announcement by the Attorney-General that the Government do not intend to support those amendments. If the Ministry intend to support the manufacturing classes only, why do they not boldly say so, or propose that the men engaged in

manufacturing ink and paper shall receive a wage of not less than a certain amount per day? Let us have a Factories Act, because, if the protectionist manufacturer is going to be able to levy taxes on other people, we should take care that the money is distributed amongst the workmen. When we start on a business like this we ought to carry it out fully. An absolute protectionist might carry out a policy on those lines, and a freetrader might advocate what, for want of a better term, we may call the nationalistic theory as against the individualist theory and be prepared to say that all above a certain rate of profit should be distributed to the workman. The world is not so selfish that it can be said that socialism is dead in this respect, and the only question is whether what can be done by private effort should not be carried out in that way, and the State should only deal with those matters that cannot be carried out by individuals. But until the State is prepared to take over an industry in which a manufacturer is already engaged, we should leave things as they are, and not create a fresh army of civil servants, to direct the various operations. Ministers are talking one way and acting another. I do not suppose they know anything about printing processes, yet they propose to say how a printing business shall be carried on. Let us apply this policy to the Ministers themselves, and distribute their salaries for them, on the ground that we can better regulate and control their affairs than they can themselves.

The CHAIRMAN

- I am quite prepared to give the honorable member a fair amount of latitude, but I think he is exceeding bounds.

Sir Malcolm McEacharn

- It is nothing but stone-walling.

Mr SYDNEY SMITH

- I submit that the honorable member for Melbourne is out of order in saying that an honorable member is stone-walling.

Sir Malcolm McEacharn

- It is perfectly true.

Mr SYDNEY SMITH

- The interjection by the honorable member for Melbourne is disorderly, and should not be tolerated. The honorable member for Werriwa is speaking on a question of great importance from our point of view - a question which raises the whole fiscal issue.

The CHAIRMAN

- I understood the honorable member for Macquarie, when he rose, to call my attention to the fact that the honorable member for Melbourne had used a term that is not parliamentary.

Sir Malcolm

McEacharn. - The honorable member for Macquarie had risen prior to my interjecting.

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Mr SYDNEY SMITH

- The honorable member is not correct in making that statement. He made an unseemly interruption when the honorable member for Werriwa was discussing a question so important that the leader of the Opposition thought it his duty to take an hour in replying to some of the arguments advanced from the Government side.

The CHAIRMAN

- On the point of order, I presume every honorable member knows that the term "stone-walling" is not parliamentary.

Sir Malcolm McEacharn

- I have no desire whatever to waste the time of the House. It was in consequence of the waste of time on the other side that I interjected the word "stone-walling."

Mr SYDNEY SMITH

- The honorable member has no right to make a charge against honorable members. We have a perfect right to give our views so long as we are allowed to do so by the Chairman.

Sir Malcolm McEacharn

- I withdraw the word "stone-walling"; but I was not before aware that in this Chamber a man cannot speak what he thinks.

Mr. CONROY

(Werriwa). - I am surprised that the honorable member for Melbourne knows so little of the rules of Parliament as to be unaware that we cannot always say here exactly what we think. However, he has not heard any harsh words from any of us. I object to the acceptance of the amendment by the Ministry, because their action has introduced the element of party feeling which should be absent during the consideration of a machinery Bill, and the substance of the amendment should form no part of such a Bill. There will be enough fighting when the Tariff comes on to satisfy the most exacting member on the other side, and although monopoly always dies hard, and honorable gentlemen opposite will be ready to fight to the last for it, we on this side of the Chamber, who have in view the welfare of the people rather than the continuance of the monopoly of protectionist manufacturers will fight still more strongly and keenly. When protection is given to any industry, the public should know exactly how much that industry will levy upon the natural productions of the country ; but the amendment gives a monopoly to certain printers and others. I would point out, too, that the embodiment of such an amendment as this in a machinery Bill is a distinct encouragement to lawyers, and only what might be expected from a Cabinet composed chiefly of lawyers. They are distributing among half-a-dozen Bills clauses which should be collected in one Bill.

Mr. G.

B. EDWARDS (South Sydney). - Many honorable members, and especially those who belong to neither the protectionist nor the. opposition side of the House, consider this discussion a waste of time ; but the amendment involves a principle which we on this side could not allow to be settled quietly by mere force of numbers. It introduces the policy of protection into a machinery Bill, which we have endeavoured to help the Government to pass, and with the consideration of which we were proceeding rapidly before it was introduced. If amendments of this kind were to be allowed, they could be introduced into one machinery Bill after another, until, without imposing a Tariff at all, we could have the most perfect system of protection. It would, for instance, be easy to insert in the Distillation Bill a clause providing that spirit shall be distilled only from grain and other substances produced within the Commonwealth. In the same way one could introduce similar provisions into the Customs Bill, and thus we could get the most ideal and perfect protection - the absolute prohibition of importation. We, on this side, however, oppose, as a matter of principle, the introduction of such amendments in machinery Bills. If the Government do not induce their supporter to withdraw the amendment, it is they who must be accused of wasting time, because it is inevitable that the provision will be eliminated from the Bill before it receives the sanction of the Crown. There is another place to which we are not allowed to refer, but which is generally known as "elsewhere," and in the State from which I have come I have heard conservative gentlemen say - " Thank God that we have an Upper House." Seeing that the mere force of numbers is likely to defeat us on this occasion, I say - " Thank God that we have an elsewhere."

Mr Watson

- Is it in order to threaten the committee ?

The CHAIRMAN

- No; it is extremely disorderly. There can be no allusion under the standing orders to the proceedings of the Senate.

Mr Conroy

- Can we make no allusion to that body at all?

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The CHAIRMAN

- If the honorable member will read the standing order he will see that no allusion can be made to a debate in the Senate. What I understood the honorable member for South Sydney to mean was that it was immaterial what the committee did in regard to the amendment, because it would never be passed by the Senate.

Mr G B EDWARDS

- So long as I shall have the honour of holding a seat in the House I hope I shall never be wanting in respect to the Chair, and the moment you draw attention to an irregular practice on my part I am willing to forego it. If there was any great principle at stake in this matter, I should be inclined to take the extreme course of moving disagreement with your ruling. What I was saying has been said in this House several times before, and by Ministers themselves, in referring to what would probably be the action taken elsewhere in regard to some of the messages on the finance measures we considered. I apologize for

having been in error myself in this respect, because I think it is bad in principle to make such references, and I shall endeavour not to offend in the same way again. Apart from any consideration of that kind, I contend that the whole fault of wasting time, if time has been wasted on this amendment, is due to the Government for allowing this thing to be brought in in a place where it ought not to have been brought in. If they had been sincere in their professed desire to see the business of the Commonwealth proceeded with expeditiously, they would have resisted the importunities of their supporters to introduce irrelevant amendments.

Mr McDonald

- I ask your ruling, sir, as to whether the amendment, and the amendment upon it, are in order, and whether they are within the scope of the Bill.

The CHAIRMAN

- The amendment is quite in order.

Mr A McLEAN

- I desire to explain that I shall not be able to vote upon this question, having paired with the leader of the Opposition. It was my intention to vote against the amendment if I had been in a position to vote.

Mr. CONROY

(Werriwa). - I desire to move as a further amendment upon that amendment the addition of the words - "Provided that the employe's therein receive the minimum rate of wages."

I am sure of the support of all protectionists for this amendment.

Mr Watson

- On a point of order, Mr. Chairman, can you accept now a proposed addition to an amendment on an amendment.

The CHAIRMAN

- It is certainly not in order. The amendment, and the amendment upon it are in order, but no further amendment upon them is in order at the present juncture.

Mr Conroy

- I dissent from your ruling, Mr. Chairman.

The CHAIRMAN

- Will the honorable member put his dissent in writing?

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Mr Conroy

- In deference to the wishes of some honorable members on this side of the committee, I withdraw my amendment.

Question - That the words proposed to be inserted in the amendment be so inserted - put. The committee divided : -

Ayes 9

Noes 47

Majority 38

Question so resolved in the negative.

Amendment of the amendment negatived.

Amendment (by Mr. McDonald) proposed -

That the following words be added to the amendment - "provided that where such supplement or supplements are printed, the trades union rate of wages current in the district shall be paid to all employes engaged in the production of such supplement or supplements."

Mr Crouch

- I would point out that rule 1.30 says that every amendment must be relevant.

Mr Deakin

-The amendment of which the honorable member for Kennedy has given notice will, I think it will be perceived, require to be moved after the amendment before the Chair has been dealt with. It is not proposed by the honorable member to amend the amendment but to add a further amendment on the clause. I submit, therefore, that the discussion is a little premature, and that the amendment before the Chair requires to be put in - the first instance.

Mr Conroy

- I submit that the honorable member for Kennedy is in order in submitting his amendment.

Mr McDonald

- I do not think I am.

Mr Conroy

- I do not know if the honorable member can withdraw an amendment which is in the possession of the committee. I dissent from the Attorney-General's view that the amendment is out of order. Standing Order 130 does not interfere with the amendment at all.

Mr McDonald

- I was in doubt when I submitted my amendment. I was under the impression that the amendment before the Chair would have to be carried, and that then I could move a further amendment to the clause. If the amendment is not carried my amendment is useless, but if it is carried it becomes part of the original clause, and then I can move an amendment to the clause.

Mr V L SOLOMON

- An important point of order has been raised by the honorable member for Werriwa.

Mr Barton

- The amendment has not been put from the Chair.

Mr V L SOLOMON

-I take leave to differ from the Prime Minister. The amendment has been moved by the honorable member for Kennedy.

The CHAIRMAN

- I assure the honorable member that the amendment of the honorable member for Kennedy had not been stated from the Chair when he intimated that he did not intend to press it.

Mr Conroy

- I object to the withdrawal of the amendment.

The CHAIRMAN

- It is impossible to withdraw anything which is not in existence. The amendment of the honorable member for Kennedy is not in existence because it has not been stated from the Chair.

Mr V L SOLOMON

- Is it your ruling, sir, that although an amendment has been proposed it is not in the possession of the committee until it is stated from the Chair ?

Mr PIESSE

- I move-

That the amendment be amended by omitting all the words after the word "Commonwealth," line 2.

The words I propose to omit are the following : - from type set up within the Commonwealth, or from stereotypes or electrotypes made therefrom.

As the committee have decided that a newspaper which is to receive the benefit of this clause shall be printed within the Commonwealth, I do not see how honorable members can object to saying that the letterpress of the supplements shall also be printed within the Commonwealth. If my amendment is carried, the amendment of the honorable member for Bourke will read as follows : -

The letterpress of the same being printed within the Commonwealth.

Mr Conroy

- I rise to dissent from the ruling laid down by the Chairman with regard to the amendment of the honorable member for Kennedy. I hold that after an amendment has been proposed it becomes the property of the committee, and it is the duty of the Chairman to put it.

Mr Barton

- It is the very A, B, C of parliamentary usage that so soon as any fresh business has intervened a point of order cannot be raised on a motion that has gone before.

The CHAIRMAN

- Have I again to assure the honorable member for Werriwa that I had not stated the amendment of the honorable member for Kennedy from the Chair ? The honorable member himself intimated a desire that it should be withheld. It is a well known parliamentary practice, and the usage I believe of the Parliaments of Australia in every State, that a motion or an amendment is not in possession of the committee, or of the House, until it has been stated from the Chair.

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Mr HUME COOK

- I understand that the honorable member for Tasmania, Mr. Piesse, has suggested a limitation of the words of my amendment. I have looked at the words hurriedly, and I think that for the most part, what he suggests will carry out what I had intended. All the difference I see, is that he proposes to strike out the words "stereotypes or electrotypes." I do not know, whether, if we strike out those words I would get so well what I want. Under these circumstances I would ask him not to press his suggestion, because I prefer to stick to the wording of the provision in the State Acts.

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Mr MAHON

- I wish to address a few words seriously to the committee, for I cannot help taking a great deal of the debate as not being very serious. I desire to speak as one who has dealt with these supplements for some years, and who knows what he is talking about. The danger of adopting the amendment, or any modification of it, is that there is no practical printer in Australasia who would not be able to set it aside at any time he chose. Although the definition of a newspaper, is a publication which is printed and published within the Commonwealth, there is nothing to prevent the owner of a newspaper from importing stereotypes from America or elsewhere, - and printing the newspaper from such stereotypes within the Commonwealth. Yet, if he did that in regard to the supplements he would be guilty of an offence against the Act. I want to show honorable members that the amendment or the modification of it suggested by the honorable member for Tasmania, if passed must absolutely remain a dead-letter. Supposing that the proprietor of a newspaper was issuing an eight-page newspaper, he might import the stereos for the fourth and fifth pages, and on the other portion, nominally a supplement, publish local matter set up in his own office - so that it is absolutely useless for this Parliament to attempt to interfere. Supposing that the honorable member for Bourke is successful with his amendment, the number of compositors to be benefited would be absolutely infinitesimal, or the quantity of employment which the printing of these supplements would give by linotype is scarcely appreciable. In fact, the money represented by the time we have spent in debating this question would keep the whole of the compositors likely to be employed under the amendment in employment for nearly three years. If the honorable member is not persevering with his amendment merely for the glory and advertisement which it will give him, I would appeal to him, even at this late hour, to withdraw it. It will do him no good, it will not do his party any good ; it will not do the men for whom he is nominally advocating the amendment any good. Taking a broad view of the matter, I would appeal to him or to the Government to put an end to this wrangle ; because this Parliament will not enhance its reputation by a repetition of the scenes we have witnessed here to-night and last Thursday. In the interests of this, the first national Parliament, we should do our best to give tone to the debate, and not let it descend to the scenes we have witnessed here during the last few hours.

Question - That the words proposed to be omitted stand part of the amendment - put. The committee divided -

Ayes 32

Noes 25

Majority 7

Question so resolved in the affirmative.

Amendment, on amendment, negatived.

Question - " That the words proposed to be inserted be so inserted " - put. The committee divided.

31

AYES

25

NOES

Majority 6

AYES

NOES

Question so resolved in the affirmative.

Amendment (Mr. Cook's) agreed to.

Mr McDONALD

- I move that after the word " therefrom" in the clause as amended, the following words be inserted, "Provided that where such supplement or supplements are printed the trades union rate of wages current in the district shall be paid to all employes engaged in the production of such supplement or supplement's."

I move the amendment because I think it would do a great deal of good ; and, seeing that in the Post and Telegraph Bill we have been allowed to deal with matters which ought to be dealt with in a Factories Bill, I think I might take the same advantage of that circumstance as other members have done. Most of the supplements are printed in sweating dens, or what are called "rat shops " throughout Victoria, as is also the case in New South Wales and Queensland. I am informed on credible authority that the compositors engaged in this work are paid 2s. 6d. per 100 supplements; and the honorable member for Melbourne Ports has informed us that printers are actually working for 7s. 6d. a week in Victoria.

Mr Mauger

- I did not say that.

Mr McDONALD

- The honorable member said that printers were working for 7s. 6d. a week and their " tucker."

Mr Mauger

- I will tell the honorable member presently what I said.

Mr McDONALD

- In any case the honorable member was very emphatic as to these men being practically sweated. After the considerable time which has been taken up in discussing this clause, I hope the honorable member for Melbourne Ports will take further action, and agitate to get those unfortunate people brought under the wages board so that they may have better conditions and wages. Had the amendment of the honorable member for Bourke not been introduced, much discussion would have been saved, and a great deal of the time occupied must be attributed to a very large extent to the Government, seeing that it has been difficult to know who has been in charge of the Bill. No fewer than three of the Ministers have been running this measure, and it is natural to conclude that they will come into conflict sooner or later,

Mr Ronald

- The Opposition complained of only one Minister being present.

Mr McDONALD

- Under the. circumstances, I would advise the Government to leave one Minister in charge.

Mr SYDNEY SMITH

- Which Minister would the honorable member suggest 1

Mr McDONALD

- Naturally, the freetrade. Minister, because I think he is more reasonable than the other two. In the face of the statements which have been made about these supplements being printed in sweating dens, I urge the committee to accept my amendment as in the interests of those who have to set up and print them.

Mr Crouch

- Is the amendment in order in face of Standing Order 130, which provides -

Every amendment must be relevant to the question to which it is proposed to be made.

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Mr SYDNEY SMITH

- I submit that the amendment is relevant. Protection has been afforded to certain people, and the honorable member for Kennedy is endeavouring to protect the workers.

Mr Barton

- Does the honorable member for Macquarie want to support the honorable member for Kennedy in protecting the workers?

Mr SYDNEY SMITH

- I have always been a friend to the workers, and that is more than the Prime Minister has been.

Mr JOSEPH COOK

- This amendment cannot be out of order if the amendments previously before the committee were in order. We have already declared that a supplement shall only be a supplement when it is set up in the State, and it is now only proposed to go a little further and say by whom it shall be set up.

Mr McDonald

- When the amendment of the honorable member for Maranoa was submitted I asked whether it was in order, seeing that it was analogous to an amendment which I desired to propose. The amendment of the honorable member for Maranoa was ruled to be in order, and it is on that ruling that I submit the present amendment.

Mr Ronald

- The amendment of the honorable member for Kennedy would come under sub-clause (a) just as reasonably as after the amendment which has just been carried, and, therefore, is not in order now.

The CHAIRMAN

- In addition to Standing Order- 130, quoted by the honorable member for Corio, there is an unwritten rule or usage of Parliament that an amendment on any question of principle must be within the scope of the Bill. I think this amendment is not within the scope of the Bill, which is a Bill to deal with questions relating to the Post and Telegraph service of the Commonwealth. Standing Order 170 says that -

Any amendment may be made to any part of the Bill, provided that the same be relevant to the subject-matter of the Bill, or pursuant to any instruction, and be otherwise in conformity with the rules and orders of the House.

In my opinion, the amendment which has been moved is not relevant to the subjectmatter of the Bill, nor is it pursuant to any instruction, and I therefore rule it out of order.

Mr McDonald

- When I objected to the amendment proposed by the honorable member for Maranoa, which certainly was out of order if this is, you, sir, ruled that it was in order ; and, therefore, as a protest against your former ruling, I very reluctantly move-

That the Chairman's ruling be dissented from,

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Mr Barton

- I think I have already given evidence this afternoon that I do not wish any ruling of the Chair to become a party issue, and therefore I have more confidence in saying that I think that the ruling which has just been given is one which should be adopted by the committee, because a little consideration will show that it is a fair and a right one. There may be some question as to whether an amendment which has recently been disposed of was out of order ; it was certainly on the border line, and perhaps you, Mr. Chairman, allowed a good deal of latitude in permitting it to be debated ; but there can be no question about this amendment. We are considering a Bill relating to the postal and telegraphic service, and, while it is quite relevant to the subjectmatter of such a measure to limit the quantity of printed matter which is to be allowed to pass through the post as a newspaper, and to define the character of a supplement, an amendment providing for the rate of wages to be paid to those engaged in the production of a newspaper cannot be within the scope of the Bill. I am certainly on the side of allowing any amendment that is fairly and reasonably relevant to be discussed, but, if business is to be done, there must be some rule, dictated by reason, imposing limits as to relevancy. While we may discuss and consider whether we shall send through our Post-office at certain rates newspapers which are not published within the wide field over which we have jurisdiction, a little consideration will show that the matter dealt with by the amendment which has just been ruled out of order is quite outside the duties of the Postmaster-General. The Postmaster-General can tell quite easily whether a supplement has been printed in the Commonwealth or not, because in all cases in which the local Acts require an imprint, he can tell whether, the necessary declaration has been made which brings that paper within the law. The declaration may be wrong, but if the person who has put the imprint on that paper has declared a lie, he can be prosecuted. But we cannot apply these tests to questions of this kind. The Postmaster-General cannot make inquiries at all the printing offices within the Commonwealth to ascertain whether a certain rate of wages has been paid in the production of these supplements. That would not only be an interminable inquiry, but it reaches the limit of the impossible. It is only necessary to look at the matter to see that the amendment would impose a duty upon the Postmaster-General and his officers, which would not only be impossible, but which would also render it practically impossible to carry on the business of the Post and Telegraph department.

Mr Watson

- I do not think the argument of the Prime Minister is as forcible against this amendment as against that of the honorable member for Bourke. While the right honorable gentleman pointed out the great amount of

trouble that would be involved in the Postmaster-General finding out what wages would be paid, he seemed to forget that in the amendment which has been carried we have decided, not only that the letterpress of the supplement shall be printed within the Commonwealth, which would be implied by the name of a Commonwealth printer being on the imprint, but we have also decided that it must be from type set up within the Commonwealth, or from stereotypes, or electrotypes made from type set up within the Commonwealth. Does not that involve an inquiry by the Postmaster-General into the detailed management of the office from which a supplement emanates to find out whether it has been set up within the Commonwealth, or printed from stereotypes or electrotypes made from type set up within the Commonwealth? In each of these matters we have this involved complicated work put upon the shoulders of the Postmaster-General. I was myself rather doubtful as to the admissibility of any of these amendments, including that of the honorable member for Bourke, for which I voted, but you, sir, having ruled that that amendment was in order, I fail to see that this is not in order.

Mr Deakin

- That amendment was not debated on the ground of order.

Mr Watson

- The honorable member for Kennedy asked whether either the amendment of the honorable member for Bourke or the amendment of the honorable member for Maranoa was in order. It is only a question of degree as between this amendment and that of the honorable member for Bourke. It was ruled, further, that the amendment of the honorable member for Maranoa, with regard to the ink and paper being manufactured within the Commonwealth, was also in order, and, surely, it is no great extension of the interference, so far as the Postmaster-General is concerned, to ask that some inquiry should be made as to rates of wages and hours of labour? The whole basis of the objection to allowing supplements to come into the Commonwealth, and go through the post on the same terms as those printed within the Commonwealth, is that those from outside are put together by aliens, who, we think, should not compete with our own people. If it is a proper thing to say that we will not allow our own people to have competing against them the Chinaman working at 6d. a day, it is just as proper, so far as the matter of order is concerned, for us to say that we have a right to put in some provision which will prevent our own people from having to compete against the sweated labour of their fellow subjects of the Commonwealth. It is there, again, merely a question of degree. I do not know that we have in our standing orders anything which limits any amendment to the scope of the Bill. I remember that in the Parliament of New South Wales, on several occasions, the interpretation of the scope of the Bill was given effect to in a very rigid manner indeed, but here, I do not think we are bound by more than the title of the Bill, so far as relevant amendments are concerned. On that score this amendment is strictly within the meaning and intention of the Bill, if the amendment carried by the honorable member for Bourke is within it.

The CHAIRMAN

- There seems to be some misapprehension. I was not asked for a ruling in reference to the amendment of the honorable member for Bourke. The point upon which I was asked to rule was, as to the relevance of the amendment proposed by the honorable member for Maranoa.

Mr McDonald

- I asked your ruling as to the relevance of both amendments.

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The CHAIRMAN

- Then I misunderstood the honorable member. That should show honorable members that in future it will be to their interests to be more orderly and allow the Chair to hear what really does take place. I clearly understood, and the clerks at the table also understood, that the honorable member asked my ruling with reference to the relevancy of the amendment proposed by the honorable member for Maranoa. That was the point on which I gave my ruling. I did not give any ruling upon the amendment moved by the honorable member for Bourke.

Mr McDonald

- I wish to make a personal explanation. I not only asked your ruling, Mr. Chairman, on the amendment of the honorable member for Maranoa, but also on the amendment proposed by the honorable member for Bourke. I told the honorable member himself the other evening that I intended to ask you whether his amendment was within the scope of the Bill. I asked that question distinctly, but I admit that owing to the

noise you may have misunderstood me. The clause is now before the committee. We have inserted certain words in it, but we have not carried the clause, and I now ask whether the amendment moved by the honorable member for Bourke is within the scope of the Bill.

The CHAIRMAN

- I shall be prepared to give a ruling on that question if it is submitted to me at the proper time. At the present moment there is a motion before the committee that my ruling be dissented from. When that has been disposed of I shall be prepared to answer the honorable member's point.

Mr. Watkins. - I submit that the position is not affected, Mr. Chairman, by the fact that you were not appealed to on the question of whether the amendment moved by the honorable member for Bourke was in order. As you have declared that the amendment on the amendment is in order, then the first amendment must have been in order according to your judgment. By the amendment proposed by the honorable member for Bourke we attach certain conditions to the printing of certain supplements, and the honorable member for Kennedy now simply proposes to attach further conditions. It must be clear, therefore, that his amendment is absolutely in order according to the previous ruling given by you.

Sir Edward Braddon

- It cannot be complained of me that I have wasted much time in the course of this debate or that I have risen to a point of order on any single occasion. I think now, however, that we are at a stage when it is desirable that we should know exactly where we are. I quite agree with the Prime Minister that this Bill, relating as it does to postal and telegraphic services, should be confined as far as possible to the matters connected with those services. But we have admitted into it, with the approval of the Ministry, a provision which the Prime Minister himself seems to admit goes beyond the proper scope of the Bill. I am not arguing now whether it does or does not. We have gone the length of saying that these supplements shall be printed from type set up within the Commonwealth, and so forth. Therefore, in my opinion, it is perfectly relevant to, and only a continuation of, that provision to say how that printing shall be paid for. I shall support the amendment.

Mr JOSEPH COOK

- Either this amendment is in order or the amendment moved by the honorable member for Bourke was entirely out of order. We are brought to a pretty fine pass if having said - as we do if this clause is agreed to - that in order to constitute a newspaper as such, within the meaning of the Bill, the type used for it shall be set up within the Commonwealth, we cannot say what a man shall earn while engaged in that occupation. The Prime Minister said, if I understood him aright, that the amendment was introduced as a matter of convenience for the purpose of limiting the carriage of newspapers under the Postal Bill. That, however, was not the contention of the honorable member who moved the original amendment. He told us that he was putting it forward in order to protect our own workmen. I certainly think the amendment providing for the rate of wage to be paid to the men setting up the type for the newspapers or supplements is in order. The first amendment was, as the Prime Minister expressed it, on the border line of the rules of order, but as he unmistakably waived that point himself, and enthusiastically backed up the mover of the amendment-

Mr Barton

- I was not referring to the amendment moved by the honorable member for Bourke. It was the amendment moved by the honorable member for Maranoa which I described as being on the border line.

Mr JOSEPH COOK

- The amendment moved by the honorable member for Kennedy is only a slight variation of that moved by the honorable member for Bourke, and clearly, if the latter was in order, the former must also be in order.

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Mr Brown

- I have been strongly under the impression that this is not the proper time to discuss proposals such as these, and that fact accounts for the way in which I have cast my vote. If it was competent for us to deal with the question raised by the honorable member for Bourke under this Bill, then I fail to see how the amendment moved by the honorable member for Kennedy is out of order. Both the original amendment, providing that the type should be set within the Commonwealth, and the further amendment, that the ink and paper used in these supplements should be manufactured in the Commonwealth, were allowed. Now we are asked to say that the labour engaged in the production of these supplements shall not be

sweated. In the votes we have recorded we have gone to the extent of saying that certain privileges shall be conferred upon those connected with the production. of supplements : but when it comes to a question of the conditions of the labour of those engaged in producing these supplements we are told by the Chairman that the proposal is outside the scope of the measure. I agree with previous speakers that it is only a matter of degree. In one case we are asked to give certain privileges to the producers of supplements, and in the other case we are asked to give labour certain privileges. If it be competent for us to insert in this Bill conditions favorable to the producers of supplements, it is equally competent for us to see that those engaged in the manual labour of producing them shall receive some benefit also. I consider that it is the duty of honorable members to stand by the Chair whenever possible, but I regret that on this occasion I cannot see my way to do so.

Mr Fisher

- I am hardly in accord with my honorable friend, the member for Kennedy, upon this point of order. It is a matter of extreme regret that the Ministry have countenanced the introduction into this measure of proposals that are really outside its scope, or at least that are exceedingly near the border line. I am of opinion that one or two matters have already gone into the clause that are not really within its scope. In any case I do not think it advisable - whatever our political views may be regarding the amendment of the honorable member for Kennedy - regarding it abstractly, as a question of order, to dissent from your ruling. Even though we may have disagreed with your ruling previously, that is not a good reason for supposing that you will continue to give bad rulings. If the previous rulings were bad, and this ruling is a good one, let us, while dissenting from the previous rulings, uphold this one. I therefore hope that the honorable member for Kennedy will not press his motion that your ruling be disagreed with.

Mr Deakin

- I think that on consideration the honorable member for Kennedy, who is an attentive student of the forms of procedure of the House, will admit that the ruling the Chairman has given - the necessity for which in some respects I regret - is absolutely essential. Although, as the honorable member for Bland has pointed out, there is in the latter portion of the amendment moved by the honorable member for Bourke, with reference to electrotyping, a difficult question to be determined by any Postmaster-General who may be charged with its administration, yet he has had to admit that the step proposed to be now taken is one that still further complicates the task of the Minister. The previous amendment only involves questions as to the place of printing and the place of publication, which are comparatively easily determinable, as the Post-office has the paper in its own hands and can judge it from what appears upon its face. -But this amendment casts upon the Postmaster-General the responsibility of entering into those sweating dens which the honorable member for Kennedy has described, where - ever they exist throughout the Commonwealth, in order to determine if the rate of wages paid therein is such as it is declared by this amendment shall be paid. The honorable member for Kennedy himself cannot help yielding to the feeling of amusement which we are bound to entertain with respect to such a task. In regard to the place of printing and publishing, the Postmaster-General has the imprint to guide him.

Mr Conroy

- There is no imprint on a supplement.

Mr Deakin

- There is in Victoria. Briefly, the point I put to the honorable member for Kennedy is this : Even if his amendment is carried, it is one to which it is absolutely impossible to give effect.

Mr Fisher

- That is not a question of order but of policy.

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Mr Deakin

- Quite so ; but in determining what is or is not within the scope of the Bill, it is clear that there are some powers that are within its scope, some that are clearly without it, and some that are on the border-line. We have had some proposals that are on the border-line ; but the proposal of the honorable member for Kennedy is so absolutely beyond it that I ask him to accept the ruling of the Chair. As his honorable colleague, the member for Wide Bay, has put it, even if we have gone beyond the scope of the Bill in some amendments that have been made, we have done so unawares. Let us not err with our eyes open.

Mr Tudor

- I trust that the honorable member for Kennedy will not withdraw his motion that the ruling of the Chairman be disagreed with. In my opinion the amendment is relevant. I believe that the Chairman was quite right in deciding that the amendment of the honorable member for Bourke was in order. It will not be so difficult to decide whether or not union rates of wages are paid as to decide whether a supplement was set up within the Commonwealth ; because we shall have additional inspectors in the shape of the members of the various Trades Unions, who will see that the work is done under fair conditions. Under the amendment proposed by the honorable member for Maranoa there would have been great difficulty in finding out whether the ink with which a supplement was printed or the paper on which it was printed was made within the Commonwealth ; but it will be easy to prove whether a trades union rate of wages is paid. I shall vote against the ruling of the Chairman on the amendment.

Mr McDonald

- I agree that there is a great deal of force in what the Attorney-General has said regarding the position I have taken up. I may say frankly that I believe the amendment I have moved is not in order. I am not ashamed to admit it. I have given a good deal of study to the standing orders, and as long as I am in this Chamber I shall never be associated with any party action in connexion with the conduct of business. I have always made it a rule to avoid party issues in dealing with matters of procedure regarding the conduct of business in Parliament. I would never have moved the amendment had it not been for your previous ruling. When I withdraw this motion I shall ask your ruling as to whether the clause as amended at the instance of the honorable member for Bourke is in order, and if you rule that it is I shall move that your ruling be disagreed from.

Motion, by leave, withdrawn.

Mr McDonald

- I now ask your ruling, sir, as to whether the amendment which has just been carried at the instance of the honorable member for Bourke is within the scope of the Bill.

Mr McCay

- I do not know the standing order under which that question can be put to the Chair. At the present moment the only rule I see on the subject is No. 170, which says -

Any amendment may be made to any part of the Bill provided the same be relevant to the subject-matter of the Bill.

The question now is not the question of an amendment, but the question of a clause as amended, and if the clause is not within the scope of the Bill the obvious method is to amend the title. I submit, sir, that there is no provision which enables that question to be addressed to you by the honorable member.

The CHAIRMAN

- The only authority I am prepared to give at the moment is the usage of Parliament that a point of order can be taken at any time.

Mr McCay

- It must be within the standing orders, though.

The CHAIRMAN

- On the question submitted by the honorable member for Kennedy, I have compared the relevancy of the amendment inserted at the instance of the honorable member for Bourke with what the committee had already passed. I find the definition of a newspaper clearly described there, though altered in some respects by the committee, and then applied to the definition of a supplement. I can see nothing irrelevant in it, and in conformity with Standing Order 170 I rule that the clause as amended is in order.

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Mr Barton

- Before a motion of dissent from the ruling is moved, I wish to say that it will be necessary to recommit this clause in respect to other phraseology. That will throw the whole clause open to consideration, and I shall consider in the meantime whether anything is necessary to make it more certain that this amendment is within the scope of the Bill, and if I think it is, I shall be prepared with an amendment ; but in any case it will be open to the honorable member for Kennedy at that stage to move any motion he chooses on this subject. I think it is better to leave it to that opportunity than to go on wasting time over this clause in the interminable way in which we are doing. I am not singling out any one in that respect, but there is no doubt that, as a committee, we have wasted a good deal of time over the clause. It would

be a far better plan for the preservation of reasonable proceedings if the course I suggest were taken, I undertaking, by recommitment for other matters, to throw the whole clause open for the consideration of the committee.

Mr McDonald

- Under the circumstances which the Prime Minister has mentioned, sir, at a later stage I shall divide the committee on your ruling if it be to the effect that this clause as amended is within the scope of the Bill. I accept the right honorable gentleman's assurance that he will recommit the whole clause. There seems to be a doubt as to whether I could move that your ruling be disagreed with at a later stage. But I maintain that at that stage I can submit a motion to that effect just as easily as I could do at this stage. I do not want the committee to think that any honorable members, sitting on this side or the other, have wasted time in discussing points of order. It is a very good thing to discuss questions of procedure, especially when they are not moved for obstructive purposes, and so far there has been no waste of time.

The CHAIRMAN

- I may inform the honorable member that he will not be able to take exception to my present ruling at a later stage, but he will have to ask for a new ruling altogether.

Mr McDonald

- I quite understand the position, and I will ask your ruling on the clause when it is recommitted.

The CHAIRMAN

- I might remind the honorable member that the question which he submitted for my ruling was whether the clause as now amended could be agreed to. That point has not been decided yet, and there may be further amendments which may greatly affect my ruling in the matter.

Mr KNOX

- In view of the undertaking of the Prime Minister that the clause shall be reconsidered, I would ask that the promise made to me personally by the Attorney-General with reference to the insertion of a few important words relating to illustrated supplements shall also be considered.

Mr Barton

- I will see that a note is taken of the honorable member's request.

Amendment (by Mr. Mahon) agreed to -

That after the word " every," line 29, the word * posted" be inserted.

Clause, as amended, agreed to.

Clause 27 -

The proprietor printer or publisher of any newspaper may at such time and in such form and with such particulars as may be prescribed upon payment of a fee of five shillings register it at the General Post-office of any State and the Deputy Postmaster-General of such State may from time to time revise the register and remove therefrom any publication a posted copy of which contains seditious blasphemous indecent or obscene matter or which by reason of the proportion of advertisements to other matter therein or for any other reason is not within the description aforesaid and any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.

No publication which after the expiration of one month from the commencement of this Act is tendered for transmission at any post-office in the Commonwealth shall be sent by post as a newspaper unless the provisions of this section have been complied with.

Any Deputy Postmaster-General may refuse to transmit or deliver any publication containing seditious blasphemous indecent or obscene matter.

Mr MAHON

- I would like to know what meaning is to be attached to the words, " with such particulars as may be prescribed "? I am aware that these words are in some of the State enactments, but it may be possible under regulations to require that details - for instance, of the ownership of a newspaper shall be disclosed. I would like to ascertain from the Minister in charge of the Bill exactly what particulars are likely to be prescribed, so that we may know what we are doing when passing the clause.

Sir PHILIP FYSH

- It will not be practicable to anticipate what conditions will be prescribed. They may to some extent be prescribed at present under certain regulations in the various States, but the regulations found to be necessary from time to time can only be published as occasion arises, and I am not in the position to

anticipate them.

Mr THOMAS

- It seems to me that the words "which by reason of the proportion of advertisements to other matter " in the clause are no longer necessary in view of the amendments made in clause 26, and I would like to have an assurance from the Minister that they will not defeat the intention that is expressed in clause 26 as it now stands.

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Sir Philip Fysh

- This clause will be made to read so as to follow the intention of the committee as expressed in clause 26.

Mr. MAHON

(Coolgardie).- I would like to draw the attention of the Minister representing the Postmaster-General to subclause (3), which gives any Deputy Postmaster-General power to refuse to transmit or deliver any publication containing seditious, blasphemous, indecent, or obscene matter. We shall have six Deputy Postmasters-General within the Commonwealth, and as we contemplate uniform legislation and practice, we ought to have a central authority to decide as to what is seditious, blasphemous, indecent, or obscene. It is rather unfair that a lenient Deputy Postmaster-General in one State should be allowed to pass a publication containing matter that possibly a similar officer of a severer turn of mind in another State would suppress. In order to get over that objection, I beg to move -

That the following words be added to subclause (3) : - "Provided that no publication shall be deemed to contain seditious, blasphemous, indecent, or obscene matter unless such matter shall be adjudged by a justice of the High Court, or, until the establishment of such court, by a Judge of a Supreme Court, to whom the Postmaster-General or Deputy Postmaster-General may apply by summons or petition, in a summary manner, and whose decision shall be final.

Sir Philip Fysh

- The amendment would defeat the whole object of the clause.

Mr Watson

- It had better be defeated, than allowed to go in the present shape.

Mr MAHON

- By sub-clause (5) it is proposed to throw on every newspaper proprietor who offends the Postmaster-General the onus of proving that he has not committed an offence. The universal, or almost universal, principle of British law is that on the man who makes the charge the onus of proof shall rest ; but sub-clause (5) to some extent reverses this very healthy and ancient principle. All I propose to do is to bring this clause into conformity with the general principles of British law, as understood in every British community. The honorable member in charge of the Bill cannot find a provision of this kind in the English Act, nor in the Act of New1 South Wales.

Sir Philip Fysh

- Yes, I can ; in section 2 of the New South Wales Act of 1900.

Mr MAHON

- I am informed that that provision is in the Indecent Publications Act of New South Wales.

Mr Watson

- And I think the matter is left to the court, and not to the Post-office people. (

Mr MAHON

- So far as I can make out, there is no such provision in the Victorian Act.

Mr Barton

- Yes; in the Consolidated Criminal Act Of 1900.

Mr MAHON

- Then let us put this provision in a Commonwealth Criminal Act. I admit that a similar clause may be found in the Queensland Act, but I do not think the Commonwealth ought to go to Queensland for its legislation.

Sir Philip Fysh

- We have put a similar clause in the Customs Bill.

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Mr MAHON

- I objected to that clause also. There is the broad objection to the clause that if a man has published sedition, blasphemy, or anything indecent or obscene, the courts of the country are there to try him for the offence. The great objection taken to the Bill throughout is that the Government have gone out of their way to import into it, unnecessarily, interference with the liberty of the subject and the freedom of the press. Why not take these cases to the proper courts, where we have skilled Judges placed above the temptation to act wrongly, and juries sworn to try the issues according to the law of the land? Why should we elevate a politician into the position which we have given to our Judges, whose salaries, according to Act of Parliament, cannot be attacked by the Legislature? By this clause we are in an indirect fashion taking away a portion of the functions which the Judges were appointed to perform, and casting an unfair and unwarranted imputation on those high dignitaries and the courts, which are our own creation. I do not know that anything appears in the way of literature in Australia which justifies a clause of this kind. No doubt very strong articles appear from time to time, but if these articles transgress the law, the remedy is at the hand of the Crown law authorities. The present Postmaster-General may be a very worthy man: but how can the Ministry guarantee that those who succeed him will be as pure, upright, and disinterested? If the Postmaster-General objects to anything which appears in a newspaper, why not let him take the newspaper proprietor before the Judge in Chambers in the way proposed in the amendment? Why throw the onus of proof on a man who may be innocent? If the Postmaster-General suppresses a paper and delays the issue, five or six days may elapse before the unfortunate proprietor can get the Postmaster-General before a Judge of the Supreme Court. Let me, without mentioning names, take the case of a weekly newspaper which has a large circulation all over Australia. That action on the part of the Postmaster-General would altogether prevent the newspaper from circulating in Western Australia, Queensland, and the remoter parts of South Australia. The issue may thus be practically destroyed, and the proprietor suffer a loss amounting to £2,000 or £3,000. The loss is much more than the price of the copies of the papers which otherwise might have been sold, because during the time that the paper ceases to circulate the contracts which have been made with the advertisers cease to operate. The clause provides, however, that even if the proprietor succeeds in showing that the matter which has been objected to is matter which he had a right to publish, and that the Postmaster-General was not justified in stopping the transport of copies through the post, he can get no damages, so that even if he wins he loses. As I am not a lawyer I do not know if he could obtain compensation under the common law or some other statute, but I think that where we destroy a man's property wrongfully we should give him reasonable compensation. I have carefully perused the debates of another place, and the speech of the Minister representing the Postmaster-General, but nowhere have I read a word in defence or explanation of this provision.

Mr. THOMAS

(Barrier).- As it is now more than half-past ten, and many of the representatives of New South Wales and South Australia were travelling all last night, and I think we might report progress now. We have arrived at an extremely important clause, and it would be a pity for the Prime Minister to speak upon it when there was not a full attendance present.

Minister for External Affairs

Mr BARTON

. - The Government are constantly subjected to the charge of allowing delay in the conduct of public business, and this charge is most frequently made by those who have fruitlessly occupied a great part of this sitting.

Mr Thomas

- The right honorable gentleman does not refer to me?.

Mr BARTON

- No; I shall not say to whom I refer. I shall ask the committee to support the clause as it stands.

Mr Conroy

- Is the clause within the order of leave? I take the point that in a Bill for the regulation of the postal and telegraph services of the Commonwealth we have no right to make provision for determining what is or is not blasphemous, obscene, or seditious literature. We have nothing to do with what may or may not be moral now.

The CHAIRMAN

- I rule that the clause is within the scope of the Bill. I overheard a remark by the honorable member for Dalley that it was a moral that the honorable member would be ruled out of order. Did the honorable member intend that as a reflection upon the Chair ?

Mr Wilks

- Certainly not, sir, nor do I see how it can be so regarded. It was not an interjection, but only a side remark.

Mr BARTON

-If the amendment is carried it will defeat the purpose of the clause, which is to prevent blasphemous, seditious, and obscene literature from going through the post. If the transport of such matter by the postal authorities cannot be stopped until application has been made by petition in a summary manner to a justice of the High Court, or, before the appointment of the High Court, to a Judge of the Supreme Court, any foul, or obscene publication, which should not be allowed even to find its way down our gutters, will be allowed to pass through the post until a decision of the Court has been obtained.

Mr Reid

- Does that follow? Supposing the Postmaster-General is taking such a course as that suggested, can he not refuse to transmit the paper pending a decision 1

Mr BARTON

- No, for the reason that it is not to be , deemed to contain the objectionable matter, and therefore, would not come within the authority which the clause confers upon the Postmaster-General.

Mr Reid

- The amendment could be altered to put it upon that footing.

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Mr BARTON

- That would make a difference, but in the meantime I am dealing with the amendment as it stands. That is the first objection. As the . matter stands, it would be impossible, pending an application to the High Court, to stop the postage throughout the Commonwealth of such a publication as is described, and that, of course, would never do. There may be some further amendment upon that, and for that amendment we will wait. It is in a prior portion of the clause that I should have expected the objection to have been raised, because I think it is capable of some amendment myself. That is in the first sub-clause, which empowers the Deputy Postmaster-General to revise the register and remove from it any publication a posted copy of which contains seditious, blasphemous, indecent, or obscene matter. The honorable member would have more cause to complain' of that than of the stoppage of an issue going through the post. In this first sub-clause there is an uncontrolled power to remove a publication from the register, and that may prevent the republication of the paper altogether. Before such a power is vested in the Deputy Postmaster-General, I think there should be larger conditions, some other power, or some further appeal. There might, perhaps, be more force in the attack if it had been made on that first sub-clause, and that is why I am going to report progress presently to further consider that matter. If the Deputy Postmaster-General has uncontrolled power to remove a paper from the register and keep it off, he practically prevents any circulation of that newspaper through the Post-office, and to a large extent, therefore, any circulation of it at all. We might well consider whether we should not impose some limitation on that power, but that does not lead me to think that with reference to a particular issue of a newspaper, the power to prevent the transmission of it through the post should be interfered with by this committee, simply because there are laws against these publications which can be appealed to. The fact that a person brings himself within the criminal law in a matter of this kind does not give any warrant to us to hold our hands in the meantime, and allow him to flood the land with indecent, seditious, or blasphemous matter, until a court has pronounced upon his conduct.

Mr Isaacs

- More than that, we would be assisting him in disseminating it.

Mr BARTON

- As my honorable and learned friend reminds me, we should recollect that if we do not give this power, it will mean, that the Post-office must send this matter from end to end of the Commonwealth. I am sure the committee will agree with me in saying that it is too large a power to give to any person whose conduct

becomes questionable in the conduct of his paper.' "We have never had any trouble in the administration of affairs of this kind, because the power given has always been exercised with great reserve, and under a sense of responsibility. If we dismiss from our minds any idea of controlling these matters until there can be obtained a verdict of a jury or some other tribunal, and, in the meantime, all this soiling stuff is to go through the post, then we surrender our Post-office to those who have no warrant in decency or in order, or for the educational purposes for which newspapers are supposed to be published, for making use of the Post-office for such a purpose. A man is not prejudiced if an issue of his newspaper is stopped. If he is prosecuted afterwards he is really assisted in his defence by the fact of an official taking any step to prevent his newspaper going through the post : for this reason, that while juries, I admit, generally do justice, they look with greater caution upon a case in which any official has interfered at all.

Mr Mahon

- Surely the right honorable gentleman would not punish a man twice for the same offence - stop his paper and then prosecute him 1

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Mr BARTON

- This would not be punishing any man twice ; this provision is not for the punishment of the individual, it is for the protection of the nation. Is it to be supposed that because a man happens to have a printing press he is to be enabled to send matter through the post by means of that press which, if it were known to the Postmaster-General, he could never carry in a letter, and is to have powers which, if we were awake and alive, we would never think of bestowing upon an individual? It would be like saying that the multiplication of an error is a safeguard against the continuance of it, and we cannot be asked to support a proposition of that kind. I must ask the committee to stand with me in this matter, because the honour of the country, and not merely the position of the Government, is involved in saying that we shall not support amendments of this kind. Now, let me look at the law on the subject and the extracts which have been made from the statutes. It is beside the purpose to say that these Acts have certain titles. They contain provisions which are applicable to this matter. The Indecent Offences Act of 1900 in New South Wales provides -

Any person who posts, or causes to be posted for transmission by post, any picture, or printed or written matter, which is of an indecent or obscene nature, shall be liable to a penalty not exceeding £20, or, in the discretion of the court, to imprisonment for a term not exceeding six months, with or without hard labour."

The third section provides-

When any postmaster has reason to believe that any newspaper, packet, or parcel posted as foresaid contains any picture or printed matter which is of an indecent or obscene nature, he may cause the newspaper, packet, or parcel to be forwarded to the Postmaster-General ; and the Postmaster-General may cause the newspaper, packet, or parcel to be opened, and if it is found to contain any such picture or printed matter may cause such newspaper, packet, or parcel, and the contents thereof, to be destroyed, or may otherwise dispose of the same.

Under the Crimes Act of 1900 in Victoria, sec. 4, it is provided -

Every person who . . . sends by post . . . any newspaper containing any picture or advertisement, or any printed or written matter . . . of an indecent or obscene nature, shall be liable on conviction thereof, for a first offence, to a penalty not exceeding £20, or to imprisonment for any term not exceeding three months ; and for a second, and every subsequent offence, to a penalty of not less than £20 or more than £100, and to imprisonment for any term not exceeding twelve months.

Section 5 of the same Act provides that every person who sends through the post any indecent or obscene picture or printed or written matter in the nature of an advertisement is liable on conviction, for a first offence, to a penalty of £10, or imprisonment for one month, and for a subsequent offence to a penalty of not less than £10 or more than £50, and to imprisonment for any term not exceeding six months. Then section 7 provides -

If at any post-office there is received for transmission through the post any newspaper, packet, or parcel containing any picture or advertisement, or any printed or written matter in the nature of an advertisement, which ... is of an indecent or obscene nature, the Postmaster-General may refuse to transmit or deliver the same through the post, and may cause any such newspaper, packet, or parcel to be destroyed.

It will thus be seen that a provision of this kind is in existence both in Victoria and New South Wales, although the honorable member for Coolgardie expressed some doubt on the point.

Mr Mahon

- But in the Crimes Act.

Mr BARTON

- It does not matter what Act the provision is in : it is the law. Then there are sections 8 and 9 in the Victorian Act, which give further effect to these provisions. I need not go beyond this. I have quoted some of the sections, and the honorable member is at liberty to see the whole of them. I have quoted sections which refer both to the Post-office and the punishment of the offence itself. In section 5 of the Queensland: Indecent Advertisements Act 1892, which has thus been in force for nine years, it is provided that -

The Postmaster-General may refuse to deliver any newspaper containing any picture or printed matter of an indecent or obscene nature which is transmitted through the Post-office.

In the South Australian Indecent Advertisements Act of 1897, the same thing is provided with regard to indecent advertisements, and those alone. There is power for the Postmaster-General to cause any newspaper, packet, or parcel containing indecent advertisements to be destroyed.

Sir Edward Braddon

- Sedition is not provided for there.

Mr BARTON

- Neither sedition nor blasphemy. The provision only applies to indecent or obscene matter.

Mr Reid

- In addition to the punishment, which the right honorable gentleman has referred to, is there any provision that the newspaper may be removed from the register 1

Mr BARTON

-No ; as I have said, that matter requires reconsideration. That is the provision to which, I think, the committee might better turn its attention rather than to this one, because I think that removal from the register, with its ulterior consequences, practically stopping publication, is much more serious than the stoppage of one issue, containing blasphemous or obscene matter. That is a fault which the editor may correct in his next issue, when he may go on publishing his newspaper, while, by the removal of a newspaper from the register its publication is stopped.

Mr Watson

- The amendment is intended to refer to that.

Mr BARTON

- That is a matter which may be dealt with separately, but this amendment ought not to apply to the other portion of the clause, and restrict the power of the Post-office to stop the passage of these matters. As to sedition and blasphemy, there is no reason why the provision should not apply to those cases, because they are crimes of common law, and there is power to order imprisonment for any term up to, I think, two years.

Mr Watson

- Is every postmaster fit to interpret what is sedition ?

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Mr BARTON

- I do not know that he is, but it is more than probable that one or more issues of a seditious or blasphemous newspaper may go through the post before the postmaster exercises his power. He is more likely, when .he sees that there is the attendant consequence of an appeal to the courts, to consult the Postmaster-General if he' be accessible, pr else to consult with i the legal advisers of the Post-office of the j State where he is stationed. What is i plainly and openly seditious, blasphemous, J or obscene is pretty evident, however, to j any ordinary common-sense man. !

Mr Crouch

- Sedition or blasphemy is not.

Sir Edward Braddon

- I could mention an instance in which it was doubtful.

Mr BARTON

- Of course, none of us go through life without hearing of some such instances, but an ordinary common-sense man knows pretty well what sedition is. ; I am not so urgent on the question of ! blasphemy as I am in the other respects, and I for the reason, that in a country like ours, ' which has no State-aid to religion, and in : which tolerance is the aim. and motive, I : hope, of every man, a great deal that used to ; be called blasphemy in olden times, must, ' in these days be credited to the honest conviction of the utterer. I do not for one ! moment admit that a blasphemous publica-' tion should go through the Post-office, j and I am not- quite sure that more care i should not be taken to hedge round this j provision. But as to what is seditious, indecent, or obscene, in my opinion, no honorable member, and no man who is not a fool, will tell me that he does not know what these are. These matters are against the law. Sedition is against the law, although it is not provided for in the Acts I have mentioned. The obscene and the indecent are provided for in all these laws. The question for us is whether we are going to allow publications of this kind to go through the post ; and if we adopt an amendment of this kind it must result in their going through the post without restriction, for a time at any rate. The question is - should the provision be disallowed on the ground that it is an injury or a hardship to stop them ? If a man chooses to indulge in this sort of publication we may assume that he does it for the purpose of increasing the circulation of his newspaper and for his own profit, and therefore he does it at his own risk. If there is that sense of public order in this community which would impel it to take proper steps to prevent the Post-office being converted from a pure channel into a sewer for purposes of this kind, if there is that feeling in the community, I am sure that the community will approve of the action we propose to take in this connexion. We shall reflect upon this matter before to-morrow afternoon, because I am going to ask to report progress now. We shall not only have the assent of the community in regard to this matter, but I hope that as regards this amendment or anything like it, to be strongly supported by the committee, without any regard to section or party.

Progress reported.

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22:58:00

House adjourned at 10.58 p.m.