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1901-08-15

House of Representatives.

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

#### PETITIONS

Mr. CHANTER presented a petition from steam ship owners, carriers, and merchants interested in the traffic on the Murray, Darling and other rivers praying that the Inter-State Commission Bill might be amended.

Petition received and read.

Mr. MANIFOLD presented a petition from the residents of Beeac, praying that clauses 54 and 55 of the Post and Telegraph Bill might be passed into law.

Mr. F.E. McLEAN presented a similar petition from 24,000 residents of the State of New South Wales.

Mr. TUDOR presented similar petitions from the attendants of the Wesleyan Church, Clifton Hill, Melbourne, and from the Congregational Union of "Victoria.

Sir MALCOLM McEACHARN presented a similar petition from the congregation of the Collins-street Baptist Church, Melbourne.

Mr. BROWN presented a similar petition from residents of Orange, New South Wales.

Petitions received.

#### QUESTION

#### TENDERS FOR BICYCLES

Sir MALCOLM McEACHARN

asked the Minister representing the Postmaster-General, upon notice - 1. Whether the Postmaster-General will make it a condition in the tenders now being called by him for bicycles for the use of the Post-office, that such bicycles shall be manufactured in Australia?

Whether he will state in the conditions of the same tenders the approximate number of bicycles likely to be required in each State?

Whether he will state that separate tenders will be accepted for each State ?

Whether he will state for what length of time the hire will be if the Government do not purchase outright?

Whether he will state what " accessories " will be required with the bicycles?

Whether he will cause proper conditions and specifications to be drawn up in order that all manufacturers may tender on the same basis ?

Minister (without portfolio)

Sir PHILIP FYSH

- The answers to the honorable member's questions are as follow : -

Tenders have already been invited for the bicycles required by the department without such a condition, but a preference will be given as far as possible, to Australian manufacturers when tenders are considered.

The approximate number of bicycles likely to be required cannot be stated, as it will depend largely upon the terms upon which they can be obtained.

It is stated in the advertisement that separate tenders will be accepted for each State, or one for the whole of the Commonwealth.

The length of time for which the hire will be, if the Government do not purchase outright, cannot be stated.

It will depend entirely upon the durability of the bicycle accepted, and will be, at tenderer's risk.

It is left to tenderers to quote a price for the usual accessories, but these cannot be definitely stated, as in some respects, such as brakes, it will depend upon the nature of the country in which they are to be used.

It is not considered desirable to cause definite conditions and specifications to be drawn up, because they could not be framed to suit the circumstances, of tenderers throughout the Commonwealth, and it is now left to each tenderer to state unrestrictedly the conditions under which he can best supply the requirements of the department, and it is open to him to offer to sell, with or without stipulations, as to the maintenance or repairs, or to hire for any term he may think fit.

#### LEAVE OF ABSENCE

Resolved (on motion by Mr. Chapman) -

That leave of absence for one fortnight be granted to the honorable member for Richmond (Mr. Ewing) on

the ground of ill-health.

#### LEPERS

Ordered (on motion by Mr. Wilkinson) -

That there be laid before this House a return showing -

The number of leper patients who have been confined in lazarettos in each State of the Commonwealth in each of the preceding five years ended June 30.

The number of each race or nationality so confined, or, if Australian born, the race or nationality of parents.

The number of deaths registered as having been due to leprosy in each of the States during the same period.

#### POST AND TELEGRAPH BILL

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In ' Committee (consideration resumed from August 14, vide page 3758):

Clause 19 -

The Governor-General may fix the rates of postage to be paid upon postal articles and the charges for the transmission and delivery of telegrams or other communications by telegraph.

A scale of such rates and charges and of alterations of the same shall be laid before both Houses of Parliament within fourteen days after the making thereof if the Parliament be then sitting, or if not then within fourteen days after the next meeting of the Parliament, and if either of the said Houses does not, within fourteen days after such scale has been so laid before it, resolve that such rates and charges or any of them ought not to come into force then such rates and charges shall, when published in the Gazette, have the force of law.

Upon which Mr. McCay had moved by way of amendment -

That the words, " the rates of postage to be paid upon postal articles and," be omitted.

Minister for External Affairs

Mr BARTON

. - I stated to the committee last night that I would draft an amendment to meet the objection taken to that portion of the second sub-clause which refers to the allowance or disallowance of rates and charges. The objection was urged that the clause did not make it sufficiently clear that the veto of one House would be sufficient to prevent, in whole or in part, rates and charges laid upon the table under Executive authority from taking effect. A further objection was raised that from the present form of the clause it might be thought that a veto of portion of the schedule of rates would be as effective as a veto of the whole. I think I have met both objections in the amendment which I drafted last night, and with regard to which I have since had an opportunity of conferring with the parliamentary draftsman. I think it is wise to adhere to the principle of the clause, and to modify its application. I therefore propose to move -

That all the words after "the Parliament," line 10, sub-clause (2), be omitted with a view to insert in lieu thereof the words ' ' and all of such rates and charges which are not disallowed by resolution of either House of the Parliament, within 42 days after the scale is laid before it, shall at the expiration of that time and upon publication in the Gazette have the force of law."

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Mr A McLEAN

- Whilst I admit that the Prime Minister has improved the clause considerably by the proposed alteration, I regret to say that the amendment does not touch the main point which was objected to last evening. I sincerely hope that the Government will give consideration to this matter. I have been 22 years in Parliament, and this is the most serious encroachment upon the rights of the people that has ever come under my notice. We should remember that the privilege of controlling the revenue of the Commonwealth is the most important and the most precious privilege that we possess. That privilege does not belong exclusively to Parliament, but to the people who sent honorable members here. We may be here to-day and gone; to-morrow, and the right to control the revenue of the Commonwealth should remain with the people. The Government proposal is to take away from the people the right to control the revenue, and to hand it over to the Cabinet of the day. Then, unless Parliament disallows the rates proposed - which: can only be done in the form of a want of confidence motion - they become law without the representatives of the great bulk of the people having a voice in the matter. From my past knowledge of

the Attorney-General I cannot think that he concurs in the proposal to legislate on a most important question behind the back of Parliament, or,, by giving Parliament an opportunity to deal with it only in a most objectionable way,, namely, by a motion of censure upon the Government. I hope that the Government;' will give further consideration to this matter, which is certainly a most serious one. I could not under any conceivable conditions vote for their proposal, and in this respect a very large proportion of the committee, if not a great majority, will' share my feelings. I am sure that if the Government had given the matter the consideration which its importance merits they would never have made such a proposal.. During the present session some honorable! members, including myself, were placed in: a most disagreeable position by a motion almost similar to that which would have to be moved in order to prevent any schedule of rates under this Bill from becoming law. I refer to the time when a motion was submitted condemning certain appointments.. A great majority of the House approved of that motion, but some of us felt that we could not express that disapproval without creating a political crisis, which we deemed most undesirable. I, for one, voted' against my own conviction's,, because I thought I was voting for the lesser of two evils. I hope that there will be &gt; no attempt to put honorable members in that position in the future. Moreover, Parliament", could not deal with this matter in an intelligent manner in the way proposed.. Even an extension of the period prescribed.! to 42 days would not-overcome the difficulty presented. I think that the business paper is taken up upon Fridays for eight or ten weeks ahead. How could any honorable member get a motion discussed in that time 1 Such a motion would be placed at the bottom of the business paper for that day, and past experience shows that we have never been able to deal with one subject, much less with a number. Without a no-confidence motion it would be impossible for Parliament to secure an opportunity of dealing with it; and even if we did it would be dealt with in a most perfunctory manner. An important matter of this kind, affecting £300,000 or £400,000 of the revenue, should be dealt with by a Bill, when Parliament would have an opportunity of considering amendments and of hearing the reasons which induced the change. Another objection is that almost every Government of the Commonwealth will consist exclusively of city men. In Victoria, we had for years an agitation for the adoption of the penny post in the cities, but the country districts opposed it because they felt that it would mean the denial of postal facilities to them. They preferred to pay the higher rate rather than be deprived of postal facilities altogether. If the metropolitan constituencies brought pressure to bear upon the Government, the representatives of the country districts would practically be deprived of any opportunity of dealing with this matter, except in the form of a no confidence motion. As there is only one day a week devoted to the transaction of private members' business, -we know that that day will, within a very short period of the opening of Parliament, be monopolized, if not for the whole of the session, at any rate for the greater portion of it. If such regulations were laid upon the table within three or four weeks of the closing of Parliament, is Parliament to be kept in session during the time which must necessarily elapse before a motion could be brought before the House? I should like to know the reason why the Government desire to take away from Parliament the right of controlling the revenues of the Commonwealth. To tell us that this proposal does not involve taxation is an insult to our judgment. If a deficit of £300,000 or £400,000 be created in the revenue of the Postal department, do honorable members not think that an equal amount of taxation will be necessary in some other direction in order to make up the deficiency? I ask the Prime Minister in all friendliness - and I think he knows that my only desire is to help the Government, and to make this Bill as perfect as possible - to reconsider this matter. Is there any honorable member who told his constituents on the hustings that it was his intention to deprive them of any voice in the control of the revenue, or that he intended to delegate the powers which properly belong to them to some seven members of the Commonwealth Parliament?

Mr G B EDWARDS

- No one would have dared to do so.

Mr A McLEAN

- If any honorable member had done so, he would not have been here to tell the tale. This proposal is an encroachment upon the rights of the people, which should not be tolerated for a single moment. I appeal to the Attorney-General, who has always championed the rights of the people, to assist me in this matter. From his past career I feel sure that he cannot sanction such an encroachment upon public rights as is here proposed.

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Sir WILLIAM McMILLAN

- I have listened with great interest to the remarks of the honorable member for Gippsland, in which I think every honorable member will concur. I join with him in asking the Government to reconsider their position. In a matter of this kind no party interest is involved, and while the Government must retain a hold of their own business, it is still their duty to gauge the feeling of the committee, and up to the present there has not been a single honorable member who has differed from the view expressed by the last speaker. There are two points which cover the whole question, and one is to a large extent the complement of the other. In the first place - "Is this a sufficiently important matter for Parliament to discuss"? If it is, and if it involves the possible taxation of the people of the country, surely before the Government attempt to formulate a scheme they should bring the matter before Parliament, get a deliberate expression of opinion upon it, and explain the reasons which induced them to submit their proposals. But under the scheme of the Government, as embodied in this clause, there is no explanation. The whole thing is decided in camera. Neither the public press, nor the Parliament, nor any one else will know anything about the matter. The schedule will be placed as a sort of dead document upon the table of the House. Recognising the drastic process which this Bill has undergone in another place, I think there are only two or three points which require very close consideration. We do not want to lose time over it, and I think that the Prime Minister might intimate to the House that, in view of the general feeling - without any division at all - these matters will be dealt with by Act of Parliament, and not by Executive minute.

Sir JOHN QUICK

- I desire to join with those honorable members who have pressed the view that the question of rates for the carriage of letters and telegrams ought to be dealt with by Act of Parliament, and not by regulation. Regulations, as we understand them, ought to be confined to mere matters of procedure, and not to matters involving taxation, either direct or indirect. The rates for the carriage of letters, newspapers, telegrams, and cables especially, may involve very important questions of policy. For instance, it has already been mentioned that the question of the price to be imposed for the carriage of newspapers will shortly have to be decided as a federal question. I should like to know whether that very important question is to be decided by the Cabinet as an Executive act. I contend that it ought to be determined as a matter of legislation, to be thrashed out in Parliament. I cannot conceive that any Ministry would take the responsibility of dealing with so important a question merely as a matter of administration, without consulting the Legislature. There may be urgent matters which should be dealt with by Executive regulation, but questions involving the placing of burdens on the people ought to be dealt with by Act of Parliament. I therefore join with those who have already pressed on the Ministry the desirability of reconsidering this clause. It is evident that it has not been reconsidered by the Government, because the Prime Minister has not come down prepared to make any statement, although, I understand, that last night he promised to do so.

Mr. BARTON (Hunter - Minister for External Affairs). - I did not give any promise to make a statement upon this subject. I made a statement last night which I thought put forward fully the position taken up by the Government in regard to this question. I said, however, that there was other legislation which was germane to this matter, and which ought to be considered, and I promised to mention it. Provision equivalent to what we propose in this clause has been in force in New South Wales, as to postal matters, for 34 years, and as to telegraphic matters for 44 years. In Victoria we have a similar provision so far as it applies to telegraphic matters. To put it shortly, the provision in New South Wales legislation is that such postage as the Governor in Executive Council may think fit shall be levied on every letter and package respectively, provided it shall not exceed the scale of rates set forth in the schedule.

Sir William McMillan

- That makes all the difference.

Mr BARTON

- It does not. The pressure is always to reduce and not to increase rates. It is not conceivable in these circumstances that a Government would resort to raising postal and telegraphic rates. If there be any doubt about that I shall not have the least objection to making it perfectly clear that these rates shall not be by way of increase.

Mr BRUCE SMITH

- But it is a reduction that involves increased expenditure.

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Mr BARTON

- The experience of countries which have reduced their post and telegraphic rates is that, although there may be an immediate loss, that loss is generally made up in a very short time. That has been the recent experience of New Zealand. I do not say, because of that fact, that we should be justified, in the present financial position of the Commonwealth, in making an Australian penny postage apply immediately. I do not want my words to be misunderstood, simply because I have made that statement. Such a reduction could not be made at the present moment. We must see our financial way much more clearly than we do now before we can make such a change. At the same time, the whole tendency is in favour of reduction, and the result of experience is that these reductions, so long as they are not absolutely too extensive, are at no long period recouped out of extra receipts. A progressive Post-office will keep these matters in mind ; a congealed one will not. I am not so blind to the signs of the times as not to know that the tendency of officialism is rather towards the crystallization of these matters than in the direction of rapid progress, and if there is a tendency "one way or the other to be guarded against it is the tendency to stagnation. I think this provision. goes in that direction. Reverting to the postal provisions of New South Wales, I would point out that the postage is not to exceed the rates set forth in the schedule to the Act except in certain cases, where arrangements are made with the Postmaster-General of the United Kingdom, or the proper authority of any British possession, and so forth. As far as that is concerned we do not care in this case about the prohibition of any excess, because the tendency is not towards excess. The schedule to the New South Wales Act of 1867 provides that the postage rate upon letters, not exceeding <sup>1</sup>/<sub>2</sub> oz., shall be 1d. for town addresses, 2d. for country addresses, and 6d. for foreign ; upon letters and packets containing gold, not exceeding 4 ozs., 2d. for town and country addresses, 4d. for foreign and so on. This is the old schedule. Many alterations have been made since by way of reduction. I simply mention the rates for letters so that honorable members will see how the rates stood at that time, and how they have moved since. Section 6 of the New South Wales Electric Telegraph Act 1857, makes it lawful for the Governor with the advice of the Executive Council to fix the fees and dues to be received for the transmission and delivery of every message, and to make all necessary rules. It gives power to recover the fees and dues, and provides that -

All such rules shall be laid before both Houses of the Parliament of the colony within fourteen days after the making thereof, if the Parliament is then sitting, or within fourteen days after the commencement of the next session thereof if the Parliament be then not sitting.

I may say that these provisions have never once operated to prevent a reasonable reduction of rates, but of course they have been prevented from operating by way of increase. Section 98 of the Victorian Post-office Act, 1890, makes provision for the Governor in Council to fix the amount of fees, rates or dues to be demanded or received for the transmission of any telegraphic message. It gives power to make, alter, and repeal the rules, and the scale of all such fees, rates, and dues has to be published in the Government Gazette, just as we propose in this Bill. The section goes on to provide that -

A copy of every such scale of fees, rates, and dues shall be laid before Parliament, if then sitting, or if not then sitting, within one month after the commencement of the next ensuing session thereof.

The difference in this case is that instead of merely laying the rates upon the table of Parliament, for the information of honorable members, the Bill now before us provides that the veto of either House will stop the rates either altogether or protanto, according to the decision of Parliament.

Mr Glynn

- There is no power to amend the rates.

Mr BARTON

- A veto may prevent them from operating until they are amended.

Mr Glynn

- But we cannot amend them as we should be able to do, if they were in a Bill.

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Mr BARTON

- If the honorable and learned member insists upon a Bill he is subscribing to all the processes and difficulties in the way of the introduction and perfection of legislation which beset every Parliament. Section 99 of the Victorian Act provides that -

All such fees, rates, and dues shall be paid for the use of Her Majesty to such person at such place and in such manner as is directed in such rules and regulations as aforesaid ; and in case of refusal or neglect of payment of an3' such fee, rate, or due, or any part thereof on demand , to the person appointed to receive the same, such person may sue for and recover the same in any court of competent jurisdiction. I have only mentioned these provisions to show that the Government has not acted without warrant in this matter, but that they have adopted a practice which has worked very well in New South Wales and elsewhere. I am quite sure that honorable members who come from New South Wales will bear testimony to the fact that the provisions I have referred to have worked well during the last 30 years. . I have not heard of any endeavour to alter them, which seems to show that they have given satisfaction. This is not a vital provision in the Bill. There ave some matters in it which I do consider to be so. The constitutional power to deal with such matters as are dealt with in. clauses 54 and 55 I do consider vital, and if they were not carried I should abandon the Bill. Seeing that the evident sense of the House is against the Government, seeing that we have been unable to convince the committee, as I thought we should, that this is a reasonable and proper provision, it is useless to waste time over it. I intend, therefore, to submit to the amendment of the BDI in the direction indicated by the' honorable and learned member for Corinella. There is one question in my mind, however, and it is that there may be quite as much policy involved in the fixing of rates for the transmission or delivery of telegraphic communications, especially on cable lines, as there may be in regard to postal lines. This amendment is confined to postal matters. I anticipate that there will be considerable inconvenience experience'd in work of this kind if an Act of Parliament is necessary, but if it is to be experienced, the only' way of finding, out the best means of reform is to allow it to operate in reason and logic upon both the postal and telegraphic systems of communication. If the honorable and learned member carries the amendment, to which I shall offer no further opposition, I shall ask that the remaining portion of the same clause shall be subject to the same necessity for an Act of Parliament, so that we may see how it will work. I am not without the belief that the provisions will be found to be irksome. We must deal with these questions in perfect good temper with each other, however, and seeing that this is a not a vital matter, I propose to allow the amendment to go, although T believe that the honorable member for Gippsland will one day say that it would have been better to leave the clause as it - stands.

Mr McCAY

- I shall be con- tent to accept the further amendment suggested by the Prime Minister if that proposed by me last night is carried. I confess that I think both can be treated together, and I shall be glad to see that done. I am very pleased that the leader of the Government has recognised that the committee requires the amendment to be made. The matter involved is of too grave importance to be dealt with in any other way than that which is now mentioned by the Prime Minister, beset though it may be with difficulties which face the passage of legislation, and wisely beset it, so that every opportunity may be given to see that right legislation is passed. The helter-skelter method of passing laws is never profitable. The Prime Minister's observations seemed to be directed to the question of reductions in postal rates. There are some postal rates which are at present nil, and they cannot be reduced further unless the people are to be subsidized for sending postal articles through the post. Certain rates will have to be increased if we deal with a uniform system at an early date. From first to last I have opposed penny postage in Victoria until it can be shown that it will pay its own way. As soon as it will pay 20s. in the £11 will support it, but not a minute before, because until it does its introduction would be simply requiring those who do not post letters in large numbers to pay a portion of the postage charges incurred by those who do.

Mr REID

- I am glad that the Prime Minister has saved a great deal of time by announcing his willingness to fall in with the obvious wish of the committee. But his references to the New South Wales Act were scarcely accurate, because he spoke of many changes having been made in the schedule. The rates for town and country letter's for New South Wales, which form the bulk of the business of the Post-office, have remained at the rate which is in the schedule.

Mr Barton

- There have been a number of changes by extending penny postage to certain radii, and the oversea changes have been numerous.

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Mr REID

- That is a different thing. The New South Wales Act practically fixed the rate at two pence per half ounce for country letters, and one penny per half ounce for town letters. That was the policy of the Parliament, and that has remained in force ever since, except that the town radius has been, defined differently. According to the growth of population in different parts of the colony the town charge has been extended to these localities. I regret that the Prime Minister introduced into his statement a remark with reference to clauses 54 and 55 about which I believe there will be a very serious discussion. I, cannot understand the confusion of thought which must have led him to say that he regards those clauses as vital clauses in this machinery Bill because of the constitutional issues involved. It strikes me that some persons may raise constitutional questions as 'to the power of this Parliament to pass such clauses ; but in committee the practical point will be not whether the clauses are within our powers, but as to the policy of introducing them as a matter of machinery into a machinery Bill. , How the Prime Minister can say that he will regard the clauses as vital clauses, does seem to me rather puzzling. It satisfies me that there must be a majority in the committee in favour of them. It clears up the atmosphere most materially. I see now that the clauses will pass, and personally, I have' no objection. I may not perhaps be here when they come on, and, therefore, I should like to be allowed to say that, so far as I am at present advised, I acknowledge that there is a constitutional power in Parliament to do this, and after giving the matter very serious consideration, I have come to the conclusion that the exercise of the power in the manner embodied in the Bill is one which, upon the whole, will be in the best interests of the community.

Mr GLYNN

- I think the Prime Minister made a mistake in not striking out the whole clause.

Mr Barton

- I am going to strike out the whole clause.

Mr GLYNN

- As regards the rates of telegrams as well as postage ?

Mr Barton

- I am going to strike it out.

Mr GLYNN

- I understood the right honorable gentleman to say that he was going to accept the amendment.

Mr Barton

- I said that if the honorable member for Corinella went on with his amendment I would want to have telegrams included. Unless telegrams are included the whole clause is useless.

Mr GLYNN

- Then I understand that the whole clause is to come out.

Mr Barton

- Yes.

Amendment agreed to.

Clause negatived.

Clause 23 (Letters, &c., insufficiently prepaid).

Mr THOMSON

- I wish to ask the Minister in charge of the Bill a question as to the intention of the last paragraph - Provided that postage on loose letters, post- cards, letter-cards and packets received from masters of vessels, shall be collected on delivery at the rate chargeable to the places whence such articles are received.

It can not refer to the charge which has to be made for deficient postage, because it says it is the rate chargeable to the places whence such articles are received. It must refer to the ordinary postage on such letters, and if it does, it is necessary to say in the clause " received from masters of vessels and not fully prepaid."

Sir PHILIP Fysh

- This provision is a copy of existing legislation - and it is very well understood throughout the States - that loose letters which are posted on steamers and which are not prepaid, shall be surcharged. It gives power to deliver such letters, even though they may not bear postage stamps of the country from which they are sent. This provision has been in existence not only in New South Wales, but in every State I know of for a

considerable time. It has been the practice for a long time in Tasmania and elsewhere. Sometimes honorable members may not see the full effect of a clause, but, seeing that this provision has stood the test of time, it is well to insert it.

Clause agreed to.

Clause 25 -

It shall not be necessary to prepay the postage upon letters or packets containing only returns of births, baptisms, marriages, and deaths transmitted in compliance with the provisions of the law in that behalf by ministers of religion or other persons whose duty it is to transmit such returns to any officer appointed to receive the same, if, on the outside thereof, it is stated that they contain such returns only, and such statement is signed by the person transmitting the same, but the postage thereon, at prepaid rates, shall be paid by the said officer on delivery of such letters or packets.

Mr HUME COOK

- I wish to know whether any matters which have hitherto been transmitted free through the Post-office will be included in the clause. For example, in Victoria all the agricultural returns which are demanded by the Government Statist, ballot-papers, and votes by post have been sent without prepayment of postage, and I believe income tax schedules too. I would urge that on returns which are demanded by the Government for statistical purposes - agricultural returns, friendly society returns, or matters of that kind - prepayment of postage should not be demanded. I do not know whether it is provided for in another clause; but apparently there is an omission.

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Sir PHILIP FYSH

- The purpose of the Bill is rather to restrict the privileges which have been exercised over freely by various departments, but in restricting those privileges surely honorable members will give to Ministers the latitude which they ask for, in order that under clause 93 they may be able from time to time by regulation to fix the charge or freedom from charge as to various papers and documents which it may be represented to them should be allowed to pass free or at a lower rate. I have numerous letters on this subject from bankers and others who have been in the habit of transmitting a pass-book or other documentary evidence of account, as well as from other persons such as the honorable member has just named. It is desired by the Government that any latitude of that kind should be well considered, and acted upon according to the conditions which may present themselves when the claim is made. So far as it is practicable, there will be a diminution of the- freedom to send free telegrams and free letters. Any special representation to the Postmaster-General will be considered on its merits, as will all other matters which may be necessary in the carrying out of the Act and its efficient administration, and such regulations as will be found necessary from time to time will be promulgated by him after due consideration.

Mr PIESSE

- I wish to ask the Minister in charge of the Bill whether he has taken the power to make such regulations as he has alluded to. In glancing through clause 93 I have not been able to discover that he has taken that power. It would hardly cover an explicit provision to reduce the rate of postage, which I understand he contemplated would be in the power of the Postmaster-General. If he intends to take such a power he ought to expressly ask for it. This clause does not provide for an exemption from postage. It simply says that the sender of the parcel or packet shall not pay the postage, and that it shall be payable by the officer by whom it is received. The request which was made by the honorable member for Bourke, and some others which I think will be made presently, might be very well acceded to. Every facility should be given to those who have to send in statistical, agricultural, or other returns to do so without being obliged to pay the postage. The postage should be paid by the department to which the return is sent. The sender is asked to do something which it is not to his personal interest to do. A duty is laid upon him by law, and he ought not to be made to pay for discharging that duty.

Mr MAUGER

- I hope the Postmaster-General will give this matter consideration. The friendly societies are very closely interested in it, because they have to furnish certain official returns every quarter. As their funds available for the payment of contingent expenses are very limited, it will be a serious matter for them if they have to pay postage in every instance. I do not believe in franking letters where they ought to be paid for, but I certainly think that these returns should be forwarded to the Government free of expense to the friendly



societies.

Mr. BATCHELOR(South Australia).There are a number of returns or documents other than those mentioned which really ought to be allowed to pass through ' the post free, or certainly without the necessity of prepaying postage. Take taxation returns, for instance, which can only be sent through the post in many cases, and upon which it would be unfair to ask the taxpayers to prepay the postage. The practice hitherto has been to allow persons to send these returns without paying postage, leaving it to the department to which the return is sent to pay the Post-office for the service rendered. I quite agree that it would be wrong for the Commonwealth to do this work for the States without getting some proper return for it ; but the provisions of the clause might certainly be extended in the way I suggest without involving the Commonwealth in any loss. Perhaps the better plan would be to strike out the clause and leave the whole matter to be dealt with by regulation.

Sir PHILIP FYSH

- It will be evident to honorable members who read this clause that it is the outcome of an effort to restrict the passage of matter through the post without the payment of postage. One instance might be cited of a most extravagant arrangement. In the local courts - not the Commonwealth courts - under certain regulations of the Judges remittances of sixpence or a shilling may be sent through the post-office under franked stamp, and a letter purporting to be an acknowledgment of the receipt of the money may be sent also under franked stamp to the person who made the remittance. The purpose of the honorable member for South Australia seems to be to throw the whole responsibility on the Commonwealth of carrying on the work of the local Governments.

Mr Isaacs

- As I understand, the honorable member for South Australia desires that the Commonwealth shall get full payment for, its services, but that the State should pay and not the individual.

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Sir PHILIP FYSH

- We can readily meet the honorable member in that.

Amendment (by Mr. Batchelor) proposed -

That- all the words after "only," line 2, be omitted, with a view to inserting in lieu thereof " returns, claims, and documents required by any law to be given to any public officer of the Commonwealth or of any State."

Mr WATSON

- I would suggest to the honorable member .for South Australia, Mr. Batchelor, and to the Minister, that it might be better to put in words which would exempt from prepaid postage all returns and documents that may be prescribed. That would permit of an arrangement being arrived at between the State and the Federal Minister. The Government in one State might desire to have taxation returns or electoral returns delivered without prepaid postage, and if the matter were allowed to be fixed by regulation the Postmaster-General could meet such a case as that.

Mr KNOX

- I hope the suggestion of the honorable member for Bland will be adopted. I can quite conceive that a number of returns will have to be made in connexion with the statistical branch of the Commonwealth by municipalities and other bodies, and there should be full power given to the Postmaster-General to allow such information to pass through the post without the prepayment of postage. I hope the amendment will be modified in this direction.

Sir EDWARD BRADDON

- I wish to see this clause amended in a liberal way, so that it may provide for the many returns that have to be sent in under the laws of the States, and also for remittances of taxes in the various forms which they assume in the different States. At the present time these are carried free, and why in the name of common sense should the taxpayer now be called upon to pay postage by reason of the Commonwealth having taken over the Post and Telegraph services. Are the taxpayers to bear the charge, or is the State Government, which receives the benefit of the tax, to pay the Commonwealth so much on account of the services rendered ? I hope that the clause will be all embracing, and cover every possible return prescribed by law that is now carried free.

Mr GLYNN

- I would suggest to the honorable member for South Australia, Mr Batchelor, that he should alter his amendment so as to make it apply to all statutory returns or other documents. I would suggest that the first part of the clause should read -

It shall not be necessary to prepay the postage upon letters containing only returns or other documents transmitted in compliance with the provisions of any State or Commonwealth law in that behalf to any officer appointed to receive the same.

Mr THOMSON

- I almost think that the amendment proposed by the honorable member for South Australia goes too far, because it will compel the State to pay postage in cases where it might not desire to pay it.. That is to say, that whenever an Act passed by the State Parliament requires returns of any description from any one in the State, such returns shall be carried free - by the dictum of the Commonwealth, and not with the acquiescence of the State. I do not think we ought to go so far. What the honorable member really desires is that it shall not be necessary to prepay postage on matter on which postage is not payable under any existing State Act, or on which the Government of the State agrees to pay the postage. But if we go as far as the honorable member for South Australia does in his amendment, we shall compel the States to do what they may not wish to do, and do not do in all cases at the present time.

Mr. BATCHELOR(South Australia).The amendment which I suggest is that only returns or documents which are required to be sent in by the law of the Commonwealth or by State laws shall be exempt from the prepayment of postage.

Mr Thomson

- But the States make them prepay now in some cases, and they may not always desire that.

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Mr BATCHELOR

- I merely wish to leave the position pretty much as it is, now. I do not wish to enlarge the number, of letters upon which it is not necessary to prepay postage. I desire to leave things as they are and not to impose a duty upon individuals from which they are at present free. If the honorable member for North Sydney can suggest any better amendment I shall be pleased to accept it.

Mr. THOMSON(North Sydney).- The honorable member for South Australia, Mr. Batchelor, wishes to deal with existing returns which are required by State laws, and upon which postage is not payable. He also desires to provide that, in future,, returns required by the States, and on which they will not have the power of exempting the payment of postage, should be transmitted free - if the Government of any particular State so desires. I suggest,, therefore, that the clause should be made to read - " It shall not be necessary to prepay postage upon letters or packets containing only matter- on which postage is not payable under any existing State Act, or the postage on which the Government of a State agrees to pay." No doubt the amendment could be put in a better , form, but I think that the meaning of such a provision is perfectly

Mr. WATSON(Bland). - I think that the amendment should be made sufficiently elastic to meet possibilities of the future. In connexion with electoral claims, I can quite understand that it may be thought desirable that they should be transmitted free of postage. This clause should be sufficiently open to permit of the adoption of such a course.

Mr. PIESSE(Tasmania).I would direct attention to the fact that there will be returns required by some of the States which are not covered by the clause before the committee. I may instance statistical returns.

Mr Barton

- It is better not to enumerate items, but to make the clause general.

Mr PIESSE

- That is so, certainly.

Minister for External Affairs

Mr BARTON

. - I suggest that the clause should be made to read as follows : -

It shall not be necessary to prepay the postage upon letters or packets containing only matter transmitted in compliance with the law of the Commonwealth or of the State in that behalf by persons whose duty it is to transmit returns to any officer appointed to receive the same if on the outside thereof it is stated, &c.

Mr. THOMSON(North Sydney). - I do not think the suggestion of the Prime Minister covers all that the honorable member for South Australia, Mr. Batchelor, desires. I would point out that the State Parliaments cannot pass Acts freeing matter from postage in the future, but they may be perfectly willing to say to the Commonwealth Government, " We require certain returns, and we will pay the postage upon those returns." They may think that it would be improper to compel the individuals who forward those returns to pay postage, but unless the Postmaster-General agrees to accept payment in the way I have suggested, the senders of such documents will be required to pay the postage.

Mr. BATCHELOR(South Australia).I think that the Prime Minister might very well extend the provision to meet future cases in which it may be found necessary not to require the prepayment of postage. The States may like to be able to make an arrangement with the Postmaster-General that they, instead of the individual, shall pay the postage.

Mr BARTON

- There is a concurrent power of legislation which, I think, would enable the States to enact that, as regards the liability to postage between themselves and the sender, they would bear the liability instead of the sender.

Mr. THOMSON(North Sydney).- I would point out to the Prime Minister that even if the States could do that, which he admits is doubtful, it would not give power to the Postmaster-General of the Commonwealth to arrange with them to receive the postage on delivery.

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Mr Watson

- They would have to fine for insufficient postage.

Mr. BARTON(Hunter- Minister for External Affairs). - I think the difficulty can be got over. My suggestion is that in clause 93, providing for regulations, power shall be taken to make regulations providing for the payment by the receiver, instead of requiring prepayment by the sender, of the rate payable on any postal article. I think that will meet the whole case, and I will undertake to alter clause 93 in this way when we come to it.

Amendment, by leave, withdrawn.

Clause agreed to.

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

Mr THOMAS

- I desire to have all the words after the word " word," line 5, omitted with the view of adding and all periodicals whatever their size,' weight, contents, or arrangement of matter, or intervals of publication shall be forwarded through the post at newspaper rates."

Mr Barton

- That is a very large order. It is a matter that ought to be considered by all of us, and I think it would be

better for the honorable member to give notice of his amendment.

Mr Deakin

- The financial aspect must be considered. The proposal involves a lot of money.

Mr THOMAS

-What harm can be done by going on with it now?

Minister for External Affairs

Mr BARTON

. - I should like to have an opportunity of considering the matter, and I am not at all prepared to say whether I would support the suggested amendment or not until I see the Postmaster-General. If the honorable member will give notice of the amendment, I will undertake to recommit the clause.

Mr THOMAS

- Very well ; I will accept that, but I wish to make a certain amendment now. I understand that the honorable member for Bland desires to move a prior amendment.

Mr WATSON

- I should like to have an explanation from the Minister in charge of the Bill as to the necessity of the words " known and recognised as a newspaper in the generally accepted sense of the word." I should think it would be extremely difficult to prove in a court of law whether that provision had been complied with or not. . I should like to know the intention of the Government in having these words inserted. There must be some explanation of a definition so wide and possibly so elusive as this appears to bp. .

Mr MAUGER

- It is a matter of great importance to a number of monthly periodicals that this point should be made clear. The definition referred to by the honorable member for Bland is exceedingly vague, and might give a Postmaster-General power to veto a newspaper . on account of some personal whim or objection.

Mr PIESSE

- So far as I have been able to see, these words are not contained in the English or Queensland Postal and Telegraph Acts, and I join in the request to know why we should adopt words which are so difficult to comprehend, and the exact meaning of which may cause a great deal of trouble in the administration of the law.

Motion (by Mr. Watson) proposed -

That the words "known and recognised as a newspaper in the generally accepted sense of the words" be omitted.

Sir PHILIP FYSH

- When a newspaper has been registered as such under clause 27, that will be a safeguard in regard to the transmission of all newspapers through the Post-office hereafter, and the further definition which is given in that clause is to amplify the words "known and registered as a newspaper." I suppose that all of us know and recognise what is a news sheet or a newspaper. When it is once submitted to the Postmaster-General, and a fee of 5s. for registration has been paid, there is the licence for its being so recognised. Then the clause goes on to define what a newspaper should be. The honorable member for Bland, on a previous occasion, gave us evidence of newspapers which were not what he termed wholly or in part newspapers ; but if he will read the clause he will discover that the provision that it shall consist principally of political or other news, together with or without advertisements, governs the whole purpose. The reading of the clause is not that because there are 74 columns of advertisements and 72 columns of news matter, it is not a newspaper, but that because with such a combination of news and principal matter, political or otherwise, it becomes a newspaper.

Mr Crouch

- If that is so, these words are quite unnecessary.

Sir PHILIP FYSH

- I do not think any very definite value is attached to the words. They have been inserted, I presume, to enable the Postmaster-General or any postmaster to use his knowledge of what is a recognised newspaper. Surely it gives him a broader latitude than he otherwise would have.

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Sir JOHN QUICK

- It is advisable that we should have some definition of a newspaper, and the safest definition is that a

newspaper is a publication substantially for the purpose of conveying news to the public. Probably, the words which follow, referring to political or other news, will be sufficient, and the words which are objected to might be omitted ; but I think that some words ought to be retained for the purpose of indicating that newspapers, and not mere advertising sheets are meant. There are a large number of institutions and firms who would like a definition which would include mere -advertising sheets or publications. The committee ought to protect the revenue to the extent of not altering the definition to admit of the wholesale transmission of mere advertising sheets.

Mr CROUCH

- Even to meet the objection of the honorable and learned member for .Bendigo, the striking out of these words will carry all the weight which he proposes that the clause should carry, because the paper has to consist wholly or principally of political or other news. It cannot consist entirely of advertisements, and, therefore, I think his objection cannot be sustained. If the Minister in charge pf the Bill says that these words were inserted for a purpose, I would like to know what other purpose they have than that of limiting the definition which is contained in the words "principally political or other news."

Mr THOMSON

- I quite agree with the honorable member for Bland that it would be infinitely better that these words should come out. The generally accepted sense would vary with different persons. Some publications, for instance, monthly scientific publications, are not known to a great number of persons. The clause merely provides for the Postmaster-General, with no good reasons whatever, saying - "I do not recognise that as a newspaper j it is not a newspaper in the generally accepted sense of the word." The further provisions are the real safeguards, and I think one of them, at any rate, is amply sufficient for the purpose. The first is -

Which consists wholly or principally of political or other news, or of articles relating thereto, or to other current topics, with or without advertisements.

That describes sufficiently, I think, a newspaper ; but the strongest provision to prevent mere advertising sheets is to be found in the words " and printed for sale." The fact that they are printed for sale and not for free delivery will stop what are not newspapers. With that safeguard, and the other description which is given of a newspaper I agree with the honorable member for Bland that it is only confusing, and serves no good purpose to have the words in which he objects to. Mr. JOSEPH COOK (Parramatta).- I am inclined to think that the words "printed for sale" do not bring us very much nearer to the prohibition of trade circulars, and that is unmistakably aimed at by the clause. The definition of a, newspaper is the most troublesome thing which the post-offices of the world have ever had to deal with. No post-office has yet been able to get a definition which is satisfactory. No definition which has been framed has been able to keep out trade circulars. I do not think this clause will do it either. The only effectual way of putting them down is to allow the Postmaster-General a large discretion. Let me describe what happens in connexion with trade circulars. At first they come with little or no reading matter, and. they are refused registration. The firms put in a little more reading matter, and then they come again and try to get registered. The Postmaster-General refuses to register them as long as he possibly can, but they keep putting a little more news in, until they come within this definition of a newspaper. A trade circular need not vary its advertisements at all, according to the interpretation of the clause. All it has to do is to keep in enough reading matter to make it a newspaper in accordance with the definition. I know very many newspapers which are good readable publications, but which are advertising sheets none the less. Some firms go so far as to employ an editor to run their newspaper. The Field, for instance, is a. very good newspaper.

Mr Crouch

- Are not most newspapers run for the sake of their advertisements '!

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Mr JOSEPH COOK

- Yes ; but they are general advertising mediums, and- that is precisely what these sheets are not. They are full from cover to cover with their own advertisements, but nevertheless they contain good reading-matter. I admit that, there is no likelihood of a House of Parliament leaving it to the discretion of the Postmaster-General, and the next best thing to do is to get a clause which we hope will come near to meeting the: difficulty. The Postmaster-General should have some reference to the advertisements in

determining what is not a newspaper, because after all it is not the reading matter which determines the bonafides of a newspaper, but the advertisements. The distinction between a trade circular and an ordinary newspaper consists alone in the character of ' the advertisements. Many advertising sheets are better newspapers than some of the publications which are bond fide newspapers according to this clause. There is very little news in some up-country struggling newspapers. There is infinitely more interesting news in some advertising sheets than in some back country newspapers, but, nevertheless, they are run for advertising purposes and in the interests of a particular firm. This definition I am afraid will not get over that trouble. I do not think the use of the words "printed for sale" gets over it either, because it is very easy to put " price sixpence," or " price threepence," on newspapers, and say that they are printed for sale. That provision will be met by selling half-a-dozen copies a week, and giving away half-a-dozen thousand. If the honorable member for Bland takes out these words I am afraid that he will leave matters exactly as they are.

Mr. THOMAS(Barrier).- I shall be quite prepared to vote for the omission of the words which it is proposed to strike out, and also for the excision of the rest of the clause. I really cannot understand why anybody should object to advertisements being passed through the Post-office. It is evidently feared that unless we have some definition of the word newspaper, we may have trade circulars passed through the Post-office, but I do not see any reason why that should be objected to. I could understand a small shopkeeper in the back blocks objecting, but I do not see that we, who are here to give postal facilities to the people, should raise any difficulty about it. The big business houses which issue trade circulars broadcast throughout the States would not continue to do so unless they received replies asking them to send goods to various parts of the country, and every letter sent in response to such advertisements involves a contribution to the postal revenue, to say nothing of the money that is derived from the parcels post. If the clause is adopted in its present form, a great number of trade and technical journals might be objected to, and I do not think we should do anything that would restrict the circulation of these papers. I know of a trade journal in Sydney that is circulated right through the whole of the States. When it was started I know that the proprietors had very little capital, but what helped them on was the fact that the paper could go through the New South Wales Post-office free of postage, and eventually they were enabled to make their position secure and to do thoroughly good work. If this clause were passed the postal authorities would say that they would not allow advertisements to go through at the rate of 1/2d. for 1oz. weight, but if a lot of rubbish were introduced into the paper to make up the 2oz. it would be allowed to pass through for id. To take up a position of that sort seems to me to be absurd. I have a paper here called Australian Hardware and Machinery, which seems to me to be a very good technical paper. I should think there is fully four times as much space devoted to advertisements as to ordinary news matter - although that matter looks to be of a very good class. But I would point out that it is impossible to run a good technical paper unless the advertisements preponderate over the reading matter. If the clause were passed in its present form in order that the magazine might pass through the post, it would be necessary to lengthen the articles four times or, in other words, for every half column now written two columns would have to be inserted, and the Post-office would have to carry the extra weight. If there is any class of newspaper that we require, it is these journals of a technical character, because whether we are free traders or protectionists we should aim at extending and improving the technical training of our artisans. I know that in the country and elsewhere these journals are extremely useful and are read with great interest, and I see no reason why a man in the back-blocks, who wants his trade or technical journal, should not have it sent to him under the same conditions as newspapers, which are of far less value to him. The outcome of leaving this provision in the clause regarding advertisements would be to lower the quality of the reading matter, and certainly detract from the interest and value of the papers in the eyes of those who desire to have information imparted to them in the most succinct and readable form. I am strongly in favour of the proposed amendment, and at a later stage, when I have an opportunity, I propose to move that all periodicals, no matter what they are, shall be carried through the post as newspapers. If it is intended to carry newspapers free, these periodicals should be carried free, and if newspapers are to be charged for, the issues I have referred to should be dealt with on the same scale. The trade circulars to which so much objection has been taken, very strongly tend to increase our postal revenue, and I heard the other day of a case in which a single advertisement, which cost 1s. in one of these newspapers, elicited 72 replies, and thus resulted in a contribution of at least 6s. to the postal revenue. We are here to look after the

requirements of the general public, and to grant them' every possible facility.

General- Ballarat

Mr DEAKIN

. - The honorable member or the Barrier has quite unintentionally raised an issue which no doubt ought to be considered in connexion with this Bill, but which I venture to submit ought not to be dealt with here.

The clause we have now before us is a definition and nothing else. Its object is one and one only - namely to define what is, and therefore by negative what is not, a newspaper, so that when we come to deal with newspapers hereafter in regard to their registration in the next clause, and in a variety of other clauses, and when we come to determine the postage they are to pay, we may know what is meant by a newspaper, it is here defined. I have not a word to say now in opposition to the remarks made by the honorable member for the Barrier on the general question. There is a great deal to be said in support of his contention that, so far as technical journals are concerned, every consideration should be extended to them by this House; but it is quite unnecessary to call them by any other name or to cause confusion by extending a definition which ought, within reasonable limits, to be as strict as possible. That is why the honorable member for Parramatta, in the light of his experience as a Postmaster-General, was able to see what was desired by this clause, and that there was necessity for the words to which the honorable member for Bland has taken exception, apparently for the good old conservative reason that they are not to be found in existing Acts.

The reason for the phrase that was objected to was supplied by the honorable member for Parramatta; it is to provide an additional safeguard, so that when we see newspapers referred to in the Bill we shall know that in addition to meaning those which are printed for sale, though they may never be sold, and those which contain news as well as advertisements, they shall be publications such as are usually and generally accepted as newspapers. Thus we may clearly know that when we use the word newspapers in regard to this Bill - it may be when we are dealing with them as to rates, or in any other respect - we shall know what publications are intended to be affected. If we mean trade journals why not say so? If to mean technical journals why not say so, and thus have a proper definition? If we desire to lay it down that technical journals shall be carried at the same rate as newspapers, that is a perfectly proper thing to say and to argue. But that is not a reason why we should call a trade journal or a technical magazine a newspaper, because by so doing we should be extending the word "newspaper" until it ceases to have any connotation with the precise class of publication included under that term.. This clause merely defines what is meant by the word " newspaper."

Mr Hughes

- Does any other clause provide for the carrying of these trade journals free ?

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Mr DEAKIN

- If the honorable member wishes that point to be considered, he has every right to ask the committee to deal with the question of charges upon any particular kinds of publications, but he ought not to deal with them by altering the definition of the word " newspaper." He should move when we come to the question of the charges to be levied on any particular publication which he may desire to see encouraged, that it shall be charged postage at the same rate as newspapers. If we are going to introduce into the ordinary definition of the word " newspaper " a great variety of publications because they are valuable, there is no reason why we should not include the Encyclopaedia Britannica. Such a course would not be fulfilling the honorable member's own purpose of making the Post-office pay. If we carried the Encyclopaedia Britannica at the same rate as newspapers, the revenue would not be likely to flourish. - I would point out to the honorable member that his proposal will have the effect of carrying unknown weights at a fixed price. We know the ordinary size of newspapers, beyond which it becomes unprofitable for them to publish.

Mr Thomson

- We could limit the weight to be carried.

Mr DEAKIN

- But this is not the place in which to provide for that. This is the definition, and the question of policy raised by the honorable member for the Barrier is foreign to it. As was pointed out by the honorable member for Parramatta, the object of introducing these words is to provide an additional safeguard so that those

publications which are not newspapers shall be referred to under their own names. Then, if this House adopts any special treatment for them, it will know what it is doing. But if we enlarge the term "newspapers" to cover every class of desirable publication, the rest of the Bill will need to be altered accordingly.

Mr Thomas

- Does the honorable and learned gentleman still intend to press the provision that there must necessarily be more reading matter than advertisements in a newspaper ?

Mr DEAKIN

- Not necessarily in these exact terms but substantially. The object of the provision is to discriminate between newspapers and trade circulars.

Mr. WATSON(Bland).- I quite sympathize with the desire of the Government to discriminate between newspapers, pure and simple, and advertising sheets. But the explanation put forward by the Attorney-General has not improved the case for the retention of these words. It seems to me that they put into the hands of the Postmaster-General the power of imposing disabilities on political opponents by refusing to register as newspapers publications with which he is not in sympathy. It would not be a question of absolute fact, and, that is what we should attempt to provide for in this Bill. It would be a mere matter of opinion. In the hands of a political Postmaster-General such a power may be a very dangerous weapon. Under the circumstances, I trust that the committee will omit the words. I recognise, too, that it is difficult to discriminate between a trade circular and a newspaper proper. From a commercial stand-point; the proper thing would be to charge postage according to the weight carried. But there is a very proper desire to treat newspapers which do convey news to the people in a more liberal fashion than mere advertising sheets, which are circulated for the advancement of some particular business. In New South Wales that desire has found expression in free newspaper postage. I believe that that State has gone too far, and, that newspapers ought to contribute something towards the general revenue. By offering too liberal terms for the transmission by post of different classes of advertising matter, a heavy increase may be involved in the cost of the ordinary mail service to the people of the back country.. If it becomes a question of choice between giving the people frequent communication and carrying these advertising sheets at a low rate, I shall always vote in favour of the former. By overloading the mail service with non-payable matter, there is a danger that people in the interior maybe deprived of some of the advantages which they at present enjoy. In the meantime, I must insist upon the omission of these words.

Mr A McLEAN

- I feel, that the words " printed for sale" will exclude some publications which it is not generally desired to exclude. There is, for example, the Victorian Stock Journal., which, is a weekly publication. The news which that journal conveys to all the Victorian farmers is of vital importance to them. It gives the prices for the different kinds of stock in the different markets of the States. It is not printed for sale, but the stock agents combine to pay for its publication and distribute it free to the farmers throughout the States. I have named the Stock Journal of Victoria, but I only referred to it as a sample of the journals, which I certainly think should rank as newspapers, and be carried as such.

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Mr WILKINSON

- I think, that the words proposed to be omitted only confuse the definition. They would do well enough if we were not likely to have any more newspapers. If a newspaper is about to be issued ' for the first time, it can neither be "known" or "recognised" as such. It appears to me, then, that we have to put in words providing for any publication "of the kind" known and recognised as a newspaper. I cannot, for the life of me, see what distinction should be made between the carriage of a newspaper published by a man as an advertisement for his own business and" a newspaper which publishes advertisements- received from other people. In the first case the proprietor issues the paper, and publishes his advertisements in it in order to make his business pay ; while the proprietors of the Age and the Argus and other newspapers take advertisements from other people in order to make their businesses pay. I quite agree with the honorable member for Barrier that under this definition a good many journals will be excluded that are of very great use to certain sections of the public, although they may not be recognised as general newspapers. There are technical and educational publications, the Public Service Journal, the Electric



Telegraph Magazine, and others, which do not contain items of general interest to the general public, but are of surpassing interest to the men who subscribe to them.

Mr Deakin

- They are not excluded by this definition.

Mr WILKINSON

- I do not think it would be wise to go as far as the honorable member for the Barrier proposes. The whole case could be met by adopting the suggestion made by the honorable member for Bland. Whether they are trade, technical, or other journals, all should be treated alike.

Mr HUGHES

- The honorable member for the Barrier seems to have put forward an objection -to the present clause, which the Attorney-General apparently is not inclined to consider as it deserves. This is a definition of a newspaper for the purposes of the Bill ; a definition of a newspaper in regard to its carriage through the post, and which, under clauses 55 and 56, the Postmaster-General may refuse to carry if it contains objectionable matter for other purposes in connexion with this Bill. According to this definition, a newspaper is a. daily, weekly, or monthly publication which contains a certain proportion of news and of advertisements. Surely that is a very undesirable and inaccurate definition. A newspaper is not something which contains a certain proportion of one thing and another thing, but it is something which, at periodical intervals, gives its clientele a certain amount of news in a well-known way. There is a great difference between a trades journal and a newspaper, but they both convey information. We all know that a trade journal appeals to a section of the community for which an ordinary newspaper does absolutely nothing. To show how inaccurate and unscientific this definition is, it is only necessary to point out that if the Postmaster-General stands on the strict wording of this clause nearly every newspaper in the Commonwealth will be refused transmission through the post. If a newspaper be successful it cannot be carried through the post, because a journal is never burdened with advertisements unless it is a successful one. There is a reference in the clause to coloured supplements. Newspapers in Australia never go in for such things, although the yellow journals in New York do so.

Mr Deakin

- The Australian journals do at Christmas time.

Mr HUGHES

- The fact that the clause deals with coloured supplements proves conclusively that the honorable gentleman has a hazy idea of a trade circular supplement. If we exclude coloured supplements we will not do a very grave injustice to the newspapers of Australia. I certainly think that while it is a good thing to define what is a newspaper, it is also a good thing to define what may be carried on the same conditions as a newspaper. If weight be a consideration, and I agree that it is, let a certain weight be fixed as a maximum, and let us provide that payment shall be made for anything over that weight.

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Mr BROWN

- As the Attorney-General has pointed out, this is a definition clause, and one great difficulty is to define what is and what is not a newspaper. I am very much afraid that the words to which the honorable member for Bland takes exception do not define it very accurately. In New South Wales we have had for many years the advantage of free ' newspaper postage. Those honorable members who come from that State and decry the great advantage of the system are gentlemen who, unlike myself, do not hail from the back blocks. They obtain their newspapers in the streets. If they had to live, as I have done, where the postman only comes at irregular intervals, and where we prize our newspapers almost as much as we do the written communications that we receive, they would not cry out against free newspaper postage. It is one of those things that make life bearable in the back blocks, and I should like to see the system continued under the Commonwealth. The great difficulty in New South Wales has been that a great deal of printed matter not generally recognised as newspapers has obtained this concession, because the publishers have succeeded in complying with, the definition of what - is a newspaper. In Sydney we have a lot of big business firms who have withdrawn their advertisements from the regular newspapers and are issuing publications of their own, which they have succeeded in making of interest to the country people, and no doubt in a cheaper way than they could do under the old method. Some of these advertising mediums contain very valuable literary matter. Most of them cater for farming requirements, and produce

a farming and family magazine, which appeals very strongly to the settler in the back country. No doubt they serve a good purpose, but whether they could come within the province of a newspaper, as regards the rate of postage, is another question. Again, nearly every religious body or political body has its own organ, which for the purpose of winning adherents is circulated through the Post-office as a newspaper. I do not see how we are going to define what is and what is not a newspaper in such a way as to give general satisfaction. It is a matter which must be left largely to the discretion of the Postmaster-General, but to that suggestion the objection has been taken that Ave may get an interpretation which may be purely political. More completely than any Act of Parliament can make him, the Postmaster-General is its servant, and if Parliament is not satisfied with his administration of that department, it has the remedy in its own hands. I do not see that there is anything to be gained by retaining the words to which exception is taken, because they really mean very little.

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Mr G B EDWARDS

- I think that this discussion discloses what little basis there is for the whole thing. We ought to have proceeded with the Bill on purely business lines. If we had done that we should not have to define a newspaper at all, nor should we need the other clauses which deal with newspapers. If the Bill had treated all printed matter alike we should not have all this discussion about trade circulars and newspapers. As a mere matter of common fairness to a large number of the citizens of the Commonwealth, whatever is carried through the post : should be paid for. There is a principle underlying that. But what Ave have been talking about for nearly two "hours has not the ghost of a principle i underlying it. It used to be said at

11 Q

one time that we should carry newspapers free on account of their educational effect on the minds of the people. I defy any man to prove to me that there is more educational influence in the best conducted newspapers in this land than there is in some of the sixpenny classics now sold on the book-stalls. If Ave are going to pass matter through the Post-office on account of its educational influence, Ave should pass through it at the same rate the master works of the master minds of the world. It is said that the newspaper is a social relaxation to country people, that it is not only a means of education, but also a means of amusement to them. But there are other forms of amusement. Manuscript music and books of jokes, for instance, have just as much right to go through as a matter of principle to provide amusement for people in the country districts. Again, an honorable member said that those persons who are so far away from the centres of town life should have the newspapers brought to their door free by the Post-office, because

Ave, who live in the city, have our newspapers delivered at the door by the newsboy. On that principle Ave should take a man's bread and groceries free to his door. There is no principle underlying it at all, and if the committee can only make up its mind, as I believe a great many persons in the Commonwealth have done, that newspapers should pay postage, and that all printed matter should be charged so much per weight, Ave would make the Post-office a much more paying institution than it is, while it would make very little difference, if any, to the mass of the people. See what it comes to : I have to acknowledge - and I defy any business man here to say that his experience has been against mine - that I throw into my waste-paper basket morning after morning unopened newspapers on which there is no postage, or newspapers on which there is a postage of 1d. or 2d. - I never think of opening them.. If any one walks into the Opposition room he will find in the waste-paper baskets newspapers with and without postage stamps which have not been opened. It is a scandal that Ave should continue to carry through the Post-office these bulky mails time after time, and make a loss upon them. On the other hand, as Ave conduct the Post - office mainly for the purpose of carrying letters, Ave incur certain expenses, -which Ave can call general charges, for the carriage of letters. Consequently, we could afford to carry printed matter at a very low rate, and make no loss on it. If we put a postage of 1/2d. or 1d. on printed matter according to weight, the Post-office would make a revenue, and I do not believe that any person in the Commonwealth would be any worse off.

Question - That the words proposed to be omitted stand part of the clause - put. The committee divided -  
Ayes ... .. 31

Noes ... .. 22

Majority ... .. 9

Question so resolved in the affirmative.

Mr. BIGGINS(Northern Melbourne).The honorable member for Barrier has pointed out that the requirement that a registered newspaper shall consist "wholly or principally " of political and other news and articles would prevent newspapers like the Sydney Morning Herald, the Daily Telegraph, and the Bulletin from being registered, because sometimes they contain more lines of advertisements than of other reading matter. To meet that objection I move -

That the word "principally," line 6, be omitted, with a view to insert in lieu thereof the words "in substantial part."

Amendment agreed to.

Mr MAHON

- I would point out that a publication cannot be " known and recognised as a newspaper in the generally accepted sense of the word " until an issue has been printed and published, and therefore the Postmaster-General will not be able to register a new journal until the proprietor has printed and issued it.

To meet this difficulty, I move -

That after the word "publication" the words "of a kind " be inserted.

The CHAIRMAN

- The committee cannot go back to that part of the clause.

Attorney-General

Mr DEAKIN

. - It seems to me that there is something in the point to which the honorable member for Moreton has referred, and I am confirmed in that opinion by what has been said by the honorable member for Coolgardie. I do not know that there is any real difficulty, but, as it is desirable that the measure should be as workable as possible, I shall look at the clause again, to see. if its provisions cannot be made clearer.

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Mr SALMON

- I move -

That the words " and printed for sale " line 9, be omitted.

There are a number of newspapers, such as technical and trade journals, which comply with all the requirements of the clause, except that they are not " printed for sale," the cost of their production being defrayed by subscriptions. I think it would be unfair that they should not be allowed to pass through the post at the usual newspaper rates. I have here, for example, a copy of the Melbourne Stock and Station Journalr which, while it contains advertisements, also contains a great deal of useful information in regard to the state of the markets, and suggestions which are of value to people engaged in agricultural pursuits, or in the raising of stock. That paper is at present registered in Victoria, although copies of it are supplied gratis to people engaged in the occupations to which I refer. It is true that those who conduct the newspaper derive benefits from doing so, but so do the proprietors of all successful newspapers, and that in itself is not sufficient to debar it from recognition. It seems to me that the other safeguards in the clause are sufficient to prevent the Post-office from being flooded with advertisements of patent medicines and other things.

Mr. DEAKIN(Ballarat - Attorney-General). - I ask the honorable and learned member not to press the amendment, because, if it were carried, it would accomplish more than he desires to do. After what I have said, in reply to the remarks of the honorable member for Moreton and the honorable member for Coolgardie, it will be necessary to recommit the clause. When its reconsideration takes place, the Minister in charge of the Bill will have made inquiries from the Postmaster-General as to the effect of these proposed amendments. It seems to me that publications of the kind to which the honorable member for Laanecoorie refers - speaking from the small knowledge I have of those published in Victoria - merit consideration, and deserve encouragement ; but it is difficult to deal with a question of this kind without knowing what the attitude of the Postal departments of the various States has been in regard to them.

Mr SALMON

- After the statement of the Attorney-General, I am content to allow the matter to rest for the present, but I hope that it will not be overlooked. I withdraw the amendment.

Amendment, by leave, withdrawn.

Mr CROUCH

- Before we pass away from this subject, I would direct the attention of the Attorney-General to another class of newspapers to which I should like consideration to be given. The Traveller, for instance, is a newspaper which is printed primarily for distribution amongst commercial travellers, and is not for sale.

Mr Salmon

- One must subscribe to that publication in order to obtain copies of it.

Mr CROUCH

- I intended to refer to it as one of another class of newspapers to which I think consideration should be given. The Federal Record is a newspaper published by the Geelong Mutual Improvement Association, and sent through the post to members of the literary associations in the district. It is a journal which is used only for propagandist work, and such publications are nearly always the highest form of newspapers, because they are conducted by enthusiasts and people with ideals. Many a church journal is in the same position.

Mr G B EDWARDS

- Why not have "Sartor Resartus" registered as a newspaper, if the ideals of the writer are to be considered?

Mr. MAHON(Coolgardie).- There is another publication which ought to be taken into account. In some of the States the Agricultural department issue a gazette to the farmers which I think ought to be transmitted through the post at the ordinary newspaper rates. In reference to the difficulty which has been raised by some honorable members, I would point out that if newspapers had on the top of their sheets, "price 6d." or "price 1d." it would be overcome.

Mr KNOX

- I am perfectly aware that the officer who has to determine what is and what is not a newspaper will require some statutory guidance ; but much difficulty, I think, might be avoided if he were endowed with a certain amount of discretionary power.

Mr BROWN

- I wish to point out that the State of Victoria is not the only one in which newspapers of the kind to which reference has been made are published. In New South Wales there are three or four publications of a similar character. There are papers published by the stock interests and by the Co-operative Wool Company. We also have a very excellent publication under Government authority by the Agricultural department, a great number of copies of which are issued gratis.

Mr SYDNEY SMITH

- There are 5,000 copies distributed free every month.

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Mr BROWN

- Exactly. It is a most useful and valuable publication, as its popularity evidences, and I should like some special consideration given to it.

Mr. HIGGINS(Northern Melbourne).I wish to ask the Minister whether he intends to make special provision in the regulations with regard to monthly literary magazines or reviews ? In considering this question of newspapers, I feel strongly in accord with the general principle put forward by the honorable member for South Sydney, namely, that the whole distinction is baseless. We have no right to treat newspapers in a different way from other literary matter. I have in my mind a useful little journal, issued by the University of Melbourne - the Alma Mater - which gives the social and literary events of each month. It is quite as meritorious as a newspaper, and still, under this provision, it would have to pay 1d. for postage, whereas a newspaper would have to pay only a 1/2d. I do not instance that publication solely. Apart from the amendment which has been proposed, I think it would be well if this committee had some assurance that the Ministry is in sympathy with the view that if newspapers are to be carried at a cheap rate, so also ought reviews and magazines to be similarly carried.

Amendment, by leave, withdrawn.

Mr THOMAS

- I move-

That paragraph (a) be omitted.

I fail to see any reason why it should be necessary that newspapers to which this clause applies should

be published and printed within the Commonwealth. Why should not a paper coming from New Zealand be regarded as a newspaper equally with those which are published in the Commonwealth?

Sir PHILIP FYSH

- I would point out that provision has already been made that all foreign newspapers which are duly posted shall be delivered. But if New Zealand likes to send a large number of newspapers for distribution to some agent here we should, in the absence of the paragraph under discussion, enlarge the orders of our postal contractors very considerably. In some of the existing Postal Acts provision is made against the free carriage of stale newspapers. We merely wish to transmit under our postal arrangements newspapers which are printed within the Commonwealth. If a bale of newspapers sent from New Zealand, Fiji, or elsewhere were to enjoy the same rights as are conceded to newspapers posted within the Commonwealth, a great deal of additional work would be thrown upon the Postal department. I do not know whether the committee are seised of the fact that a very large number of our postal contracts cost much more than need be the case by reason of the facilities which are given for the transmission of parcels or newspapers. Many of our inland postal contracts, which might otherwise be undertaken on foot or upon horseback, have - because of the large mass of printed material which is to be carried - to be undertaken with carts, and in some cases a two-horse vehicle has to be employed where a one-horse vehicle would have sufficed. I hope that the committee will prevent more leakage in this respect than has hitherto taken place. We should look forward to the time when the Postal department will pay its way better, in order that increased facilities may be given for the carriage of postal matter at a lower rate. That is the purpose which is aimed at by the Postmaster-General.

Mr G B EDWARDS

- It is apparent to me that the free carriage of these publications is undertaken in the interests of their proprietors, and not for the benefit of the general body of the community. The honorable member for Tasmania mentioned that a bale of newspapers might come in from New Zealand, and said in effect that the Post-office would stagger under that sort of blow. This shows the absolute folly of allowing anything to be transmitted by post free. I am not in favour of the amendment. If it is simply in the interests of the proprietors of these publications that they shall be carried free, we ought to acknowledge it, and to say that it is only another form of that protection to which a great many honorable members upon this side of the House are opposed.

Mr. THOMAS(Barrier). -I cannot understand the argument of the honorable member for Tasmania, Sir Philip Fysh, or of the last speaker. There is no provision in this clause that newspapers shall be carried free. I have no doubt that there will be a charge made for their carriage. What I desire to get is a definition of the word "newspaper." It is an open question whether newspapers should be carried free or not. The question is what should the Post-office carry. If newspapers are to be carried free, of course there is not much in this argument, but if we are to make a charge, the omission of this sub-clause will not increase the cost of running the Post-office by an additional half-crown. We have our Postmaster-General, our Deputy Postmasters-General, and all the paraphernalia of the Post-office in existence for the carriage of mails. Apart from some of the city letter carriers, I venture to say that every postman can carry twice as much as he carries now. It would not cost any more to deliver two letters to the same address, than it does to deliver one. I do not think we shall be flooded with newspapers from other places ; but, if a bale of newspapers come across from New Zealand, and are carried at one penny each, some thousands of pounds must be added to the revenue.

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Sir Philip Fysh

- But they might be carried at the very lowest rate.

Mr Barton

- Will the honorable member consider this : that the tendency is not to make the carriage of newspapers absolutely free, but to treat them on certain special terms, because they are vehicles of information. If the honorable member takes these other papers, and puts them outside the pale of newspapers, he throws them into the ordinary category of mail material, and he will find that they will thus be charged a great deal more.

Mr THOMAS

- I want a newspaper from New Zealand to come in at the same rate as any other newspaper.

Mr Barton

- The honorable member is excluding them then from the definition of newspapers, and is imposing disabilities on them.

Mr THOMAS

- We are always talking about the cost. Take the case of the telephones. The charge for the use of the telephone in New South Wales was formerly £12 per annum. When the honorable member for Parramatta was Postmaster-General, he wished to reduce the rate to £8 per annum for a telephone in a business place, and £5 per annum for a telephone for private purposes. He was told by his officials that such a reduction would simply mean ruination. Nevertheless he insisted upon it with the result that he secured for the department a bigger revenue than it had before. We have our postal system, and our trains to carry the mails, and the more we have to carry the more revenue we will receive.

Sir Philip Fysh

- Would not the honorable member encourage the New Zealand people to avoid their own postage by doing what he proposes ?

Mr THOMAS

- I simply say that newspapers from New Zealand, or any other place, should have the same facilities in regard to carriage as have other newspapers.

Mr. WINTERCOOKE (Wannon).In Victoria, a single newspaper, provided that it does not weigh more than 10 ozs. may be sent through the post for 1/2d., although it is printed outside the State, but newspapers printed and published outside Victoria cannot be sent through the post in bulk. In the schedule to the Victorian Act, power is given for papers printed and published within Victoria to be sent through the post at per pound. I think newspapers printed outside the Commonwealth should be restricted to that extent, and that they should not be allowed to be sent in bulk.If there was a shortage in the postal revenue at the end of the year, we should have to look to our own people to make it good ; we could not look to outsiders to make up the deficit. I think we might allow a single newspaper, provided that it does not weigh more than 10ozs., to be re-posted within the Commonwealth on the lines that we have followed in Victoria. We receive newspapers from the old country, and after we have read them we re-post them to our friends. It would not be fair, however, to get papers in bulk from the old country, and re-distribute them. I object to paragraph (a) as it stands, because it prevents the re-posting of a single newspaper. Still I do not want to prevent the Commonwealth giving a certain amount of protection to newspapers printed and published here, because if our postal revenue falls short we have to look to ourselves to make it good. "

Mr. THOMAS(Barrier).- I should like to ask the Minister in charge how this clause as it stands would interfere with the bookkeeping system I Take the case of the Australasian. We cannot send that newspaper from Sydney to England at the same rate as we can send it from Melbourne to England, for the simple reason that it is published outside New South Wales. I take it that it would be the same with the Town and Country Journal. If we posted it here to an address in England it would cost us more than if we posted it in Sydney. If this be so, how, then, does this clause interfere with the bookkeeping system ? If the Australasian cannot be sent from Sydney to England now at the same rate as from Melbourne, but may be so sent after the passing of this Bill, then, if I purchase it in Melbourne, take it to Sydney and post it there, under the bookkeeping clause I am depriving the revenue of the State of Victoria of a certain sum in respect of postage.

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Sir PHILIP FYSH

- If the newspaper is posted in New South Wales, that State is credited with the revenue thus obtained. There is no special provision for the matter to which the honorable member refers. It is simply provided that the revenue collected through the Post-office of a State shall be credited to that State. If, as the honorable member says, he buys the Australasian here and posts it in Sydney, he may be taking the revenue away from. Victoria, but as the newspaper is posted in New South Wales, that State very properly gets the benefit of the postage.

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

31

AYES

16

NOES

Majority ... .. 15

AYES

NOES

Question so resolved in the affirmative.

Mr HUME COOK

- I move-

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."

The object of my amendment is to give to compositors, artists, novelette writers, and authors of one sort and another the chance of producing the supplements to newspapers. At the present time these supplements are imported in thousands, some in stereotype, some in electrotypes, some actually printed on paper in sizes only requiring to have the name of the local newspaper and the date of publication printed in order to be circulated with that newspaper. 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 in the Commonwealth. This provision is to be found in the Victorian Act, the Queensland Act, and, I believe, the New South Wales Act. I understand that the Government are willing to adopt my suggestion.

Sir PHILIP FYSH

- I am obliged to the honorable member for Bourke for having given me an early intimation of his intention to move this amendment, because it afforded me an opportunity to consult the Postmaster-General as to the propriety of its insertion. Seeing that it has been the law in two or three States for some time, and seeing that it gives a certain amount of encouragement to local writers, the Ministry consider it desirable that the amendment should be made.

Mr. G.B. EDWARDS (South Sydney). - The Government ought to have the courage of their opinion, and say that the paper on which the supplements are printed shall also be made within the Commonwealth. Let us go the whole hog and say that the whole thing shall be produced within the Commonwealth, and test the House and the country on the question. The Parliament is debasing itself in making postal matter a test of fiscal strength. Nobody anticipated that this Bill would be a ground on which we should contend about fiscal proposals. If the Minister who acceded to this request thinks that there is a principle at the back of it, he ought to boldly give way, and say that the paper on which the supplement is printed, and the ink which is used by the printer, shall be made with Australian labour.

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Mr THOMSON

- I think that the Minister ought to decide not to accept the amendment. The Opposition have made no factious interruption of Government business, but have endeavoured to assist Ministers in the passing of their measures. It is not fair to the Opposition under such circumstances to introduce a fiscal proposal into a Post and Telegraph Bill. Under these circumstances, it is not dealing properly with the committee for the Minister to accept a protective provision in a Post and Telegraph Bill where there is no occasion to have any provision of the sort. If the Government desire to deal in their Tariff proposals with this question they can, and that is the proper place to do so. . It will not facilitate the final passing of this Bill. If they think they have a majority here which can carry such fiscal proposals in a Post and Telegraph Bill, they may not be as certain of a majority somewhere else. The Government are not so ready to accept other proposals. I protest against their acceptance of an amendment which has a bearing towards their own fiscal views. If the Government choose to make use of their majority to introduce fiscal provisions into this Bill, and force their opinions down the throats of honorable members they will be responsible for the consequences.

Minister for External Affairs

Mr BARTON

. - The committee has just found the first of these sub-clauses to be a reasonable one - that the paper should be printed and published within the Commonwealth. It is a corollary to that that the supplement should also be produced within the Commonwealth unless we want an Australian dog with a French or

German tail. Surely the committee is going to be consistent. This is not a fiscal proposal. It is a proposal designed to prevent the Commonwealth from having its Post-office deluged, with matters which do not pertain to its own transactions, and which it is not bound to carry or deal with unless it gets some consideration. The portion of the clause which has been assented to is a business portion, and this is nothing more than a business consequence of it. If the honorable member for South Sydney thinks otherwise, then he must confess that he is a little bit at the heel of the hunt, because if there is anything in the objection he raised it ought to have been brought forward on sub-clause (a). It would seem to be perfectly preposterous and idle to carry sub-clause (a), and then to listen for a moment to a suggestion that, while we provide in that sub-clause that a thing to be deemed a newspaper is to be printed and published within the Commonwealth, we can take everything produced from the ends of the world, even in Asia, and say that is a proper supplement to attach to it.

Mr Thomas

- Will the right honorable member have the paper also made within the Commonwealth?

Mr BARTON

- One thing at a time. We are providing in the Bill that certain tilings which are deemed newspapers shall be printed and published within the Commonwealth. It would be an absurdity to attach this consequence - that, whereas the paper which is the body, is to be printed and published within the Commonwealth, the supplement which is the tail can come from anywhere else. That has nothing to do with the question whether it ought to be printed on paper made within the Commonwealth. Let us leave that for a little while, and consider it in due course ; and I have no doubt that when it is considered my honorable friends will derive great satisfaction from its consideration.

Mr WILKS

- I think the honorable member for North Sydney has thrown a great deal of light on this amendment. I am astonished at the statecraft of the Prime Minister. I am astonished that he should attempt to sneak in protection under a guise of this character. If the newspaper has to be printed from type set up within the Commonwealth, why should it not be printed with ink made within the Commonwealth ? I might go a bit further and suggest that the wrapper and the mucilage which is used on the wrapper shall be made within the Commonwealth, and to go right back to the base of protection that the articles shall be written by aboriginals.

Notice taken that there was not a quorum present.

The House resumed ; quorum formed.

Mr WILKS

- Am right in assuming that the Minister in charge of the Bill has accepted the amendment of the honorable member for Bourke?

Sir Philip Fysh

- Yes.

Mr WILKS

- As has been pointed out, we have in one machinery Bill - the Customs Bill - provisions for safeguarding the morality of the people, and now it is proposed that in another machinery Bill - the Post and Telegraph Bill - we shall deal with the fiscal question.

Mr Mauger

- Is there not a similar provision in the New South Wales Act ?

Mr HUME COOK

- Yes ; in the present Act.

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Mr WILKS

- I have looked, at the latest Act - the 1893 Act - and I have not found any such provision in it, although that Act was passed when a Ministry was in power which is known in the history of New South Wales as the Ministry which sneaked in protection. If it is right to provide that these stereotypes and electrotypes shall have been made from type set up in the country, why should it not also be provided that the printer's blankets, the printing paper, the ink, and the mucilage on the wrappers shall have been made in the country? I could understand this and similar proposals if we were dealing with the Tariff now, but I object to the sneaking in of a policy to which I am opposed, under the cover of a Post and Telegraph Bill. It



might as well be proposed that no parcel should be carried by the parcels post unless it contained goods manufactured in the country, and the honorable member for Melbourne Ports might equally well move that the men employed in setting up the type and working the machinery shall receive the minimum wage. I believe that the mover of the amendment is a prominent member of the Australian Natives Association. To carry out his views to their logical conclusion he should insist that all the men employed in the newspaper offices shall be Australian natives. Another objection that I have to the proposal is this : In matters of art we cannot confine ourselves to local productions ; but, if the amendment were agreed to, the proprietors of provincial papers, who, to make their publications attractive to their readers, from time to time issue illustrated coloured supplements, would be compelled, as they could not afford to buy the plant to print them for themselves, to confine their purchases to the productions of the Australian market. I suggest to the Ministry that this matter should be allowed to stand over until the Tariff is dealt with. Victorians are always credited with having their eyes open, but in this instance they did not see that the Opposition were equally wide awake, and would understand the object of the amendment. We are not being treated fairly in this matter, however, because a number of the members of the Opposition are away, thinking that only machinery provisions were to be considered.

Mr JOSEPH COOK

- I move -

That Mr. Chairman do now leave the chair, report progress, and ask leave to sit again.

We are now discussing a very important question,, and it is disgraceful that the only Minister in the chamber should be the honorary Minister in charge of this Bill. It is about time that a protest was made against the emptiness of the Treasury benches, while important public business is under consideration. It has come to this pass that the House is counted five or six times a night, and the number of members present at different periods in the evening is published in the" newspapers. Perhaps the newspapers will take note of the fact that the leaders of the House, who are primarily responsible, are scarcely ever in their places.

Mr Kennedy

- That remark applies to both sides.

Mr JOSEPH COOK

- It is the normal state of the Treasury benches to be empty.. The Ministry have accepted an amendment which affects the fiscal policy of the continent, but they are absent from the: chamber while it is being debated.

Mr Kennedy

- The Opposition have been asking for the Tariff for a considerable time past.

Mr JOSEPH COOK

- Yes, and the Ministry tell us that we must wait until they are given an extra day for the purpose of considering its details. Does the honorable member suggest that they are dealing with it now ? It seems to me that if Ministers have not time to attend to the business before Parliament, we had better adjourn.

Mr PIESSE

- I hope that the honorable member is not serious in regard to this matter. I protest against the time of the House being taken up with motions that can lead to no good result. It is time that those honorable members who feel that they are enduring a long absence from home took a little part in this discussion. The honorable member for Parramatta has referred to the absence of Ministers from this Chamber. In this connexion I hardly think that Ministers have been fairly dealt with on many occasions. If honorable members will recollect the difficulties which beset the Government when they took office, and will bear in mind that they had to conduct an election, besides attending many ceremonies and State functions, they will see that more allowance ought to be made for them. It would have been better if this Parliament had not been summoned for six months yet. Then there would have been ample opportunity for Ministers to get their measures in a more: forward state than they could reasonably be expected to do under the circumstances. Until recently they have had no assistance in the preparation of their Bills. I trust that we shall get on with the business because this motion can only result in waste of time.

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Sir WILLIAM McMILLAN

- I hope that the honorable member for Parramatta will withdraw the motion, which is practically one of

censure of the Government. We had a debate the other night in which as strongly as we possibly could word our language, we deplored the absence of Ministers from the House. We have made our protests, but we cannot compel Ministers to attend in their places, and I think the procedure proposed would be a very unwise one at present. I ask my honorable friend to reconsider his motion, with which I have no sympathy.

Mr FULLER

- I quite agree with the motion. I think that this House is entitled to have the Ministers, who are responsible for the conduct of its business, present more regularly than they have been in the past. To-night we have only had the honorable member who is in charge of the Bill present. Every other Minister has been out of the chamber.

Mr HUME COOK

- Does the honorable and learned member say that the Minister at the table is incompetent ?

Mr FULLER

- I make no reference to him in any shape or form. But we are entitled to have the other Ministers present when the committee is discussing such an important matter as an attempt to introduce the fiscal question into a machinery Bill.

Mr. THOMAS(Barrier). - I hope that this motion will not be pressed to a division. It is very foolish and ridiculous for the honorable member for Parramatta to take up the stand which he has taken. What matters it to us whether Ministers are present or not? The Minister in charge of the Bill is present, and even he might well be allowed to go away, because we could then get the Bill altered in any way we chose. It is absurd for any one who voted against my motion to urge that this is raising the fiscal question. Whether Ministers are present or not, is optional with them. It is a question which concerns only their constituents.

Sir E BRADDON

- I hope that this motion will be withdrawn as a matter of expediency, because, while the honorable member who is in charge of the Bill is the only member of the Ministry present, we have a free-trader here. To ask his protectionist colleagues to come in and back him up is an entire mistake in tactics.

Mr. JOSEPHCOOK (Parramatta).- In. those circumstances I will withdraw the motion.

Motion, by leave, withdrawn.

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Sir PHILIP FYSH

- I think I may offer a small apology to honorable members for having accepted the-, amendment without giving any special reasons for so doing. I was not aware at the moment of the over tender susceptibilities of some honorable members in regard to what they call the fiscal question. Since - they have spoken on the subject, however, I see that from their point of view possibly they may smell a rat in it. But certainly when I accepted the amendment I did so on the ground that it will enable the Postmaster-General to reduce the amount of heavy matter in the shape of newspapers which is carried by the Postal authorities. I ask honorable members to recollect the very large weight of postal matter which is often imported from the United Kingdom, Germany, Canada, or America, by newspaper proprietors who put their headings upon it, and then circulate it as part of their supplement. As a result our newspapers have sometimes grown in bulk very seriously indeed. I have seen advertisements in the shape of almanacs imported, upon which newspaper proprietors have merely printed the words " supplement to the Mercury," or something of the kind, and which has then, cost nothing for transmission by post. Now, we are going to carry newspapers either free, or at a very low cost. I very much doubt whether Parliament will . accept any standard rates for newspapers, which will recoup to the Postmaster-General the expenditure which must be incurred in sending those newspapers into the outlying districts, where the expense of conveyance in proportion to their number is excessive. I hope, therefore, that no honorable member will repeat that I accepted the amendment on behalf of the Government with the idea of raising any fiscal issue. That was foreign to my intention and foreign to the intention of the Government.

Mr. THOMSON(North Sydney).- I am glad that the Minister has given this expla - nation. He has stated that the explanation which he has offered constitutes the one reason for his having accepted the amendment of the honorable member. If, then, I can show that he is absolutely mistaken in the reason which he gives, surely he will be induced to withdraw from his position. The honorable member said that

he was induced to accept the amendment, because it would not pay the Post-office to add extra weight to the carriage of the newspapers by foreign matter. Then the honorable member for Northern Melbourne said that having passed the provision- that newspapers should be printed within the Commonwealth we should not object to the amendment. There are reasons altogether -apart from the fiscal question for the acceptance of the proposal that newspapers should be printed within the Commonwealth before they receive the advantage of the rate of postage which we fix. One reason is that if carried below cost and a large influx of foreign papers were permitted there might be a deficit caused in the revenue. "Then, again, if there is to be a rate of postage upon newspapers below that existing in other countries, it may be argued that there is no reciprocity if we carry foreign newspapers at that rate or for nothing whilst -other countries demand payment upon our newspapers going through their territory. The same arguments do not apply in regard to these supplements. The amendment says that after the word "supplement" there should be inserted the words, " the letterpress of the same being printed within the Commonwealth from type set up within the Commonwealth, or from stereotypes or .electrotypes made therefrom." I would ask the committee whether there is any difference between the weight of printed matter impressed in the States and that impressed elsewhere ? There is no difference, and there can be no difference in the weight that the Post-office will have to carry, whether this provision is in the Bill or not.

Mr McCay

- There will probably be a difference in the number of supplements to be carried.

Mr THOMSON

- How does the honorable and learned member, know that ? Is this a Bill to restrict the distribution of supplements, or is it not ? We do not want to stop newspapers having supplements, but this is simply proposed in order that all the work may be given to local type setters. This is a most extraordinary provision. I do not know why the honorable member if he did not do it for fiscal motives, should have introduced his proposal in this form. The designing work which would give infinitely more work to the States can be done abroad, but before the newspapers send out such supplements they must take care to print something on them. What object is there in that? If the honorable member who has moved this amendment can give me any good reasons, other than fiscal ones, for the adoption of it I may be prepared to support it. If they are only fiscal reasons then what is the position of the Ministry ? Have they not asked us to treat this measure as a non-party one ? Has not that request been responded to ? Have not honorable members on both sides of the committee been seen intermixing in every division? There has been no attempt to make a party question of it, nor has there been any attempt at obstruction on the part of the Opposition. There has been as much criticism from the opposite side of the House as from this. Under these circumstances has not the Opposition responded to the very proper request made to the committee that the measure should not be treated as a party one ? When we have responded in that way why put in a provision in support of which no good argument can be brought forward except for fiscal ones % In these circumstances I think that the Ministry might well see that they are not acting in a fair manner to the Opposition. The honorable mover of the amendment has interjected that this provision is in the New South Wales Act.

Mr HUME COOK

- The honorable member for Bland is my authority for the statement.

Mr Wilks

- It is not, nor is it in the Queensland Act.

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Mr THOMSON

- The honorable member for Dalley says that it is not in the New South Wales Act. If it is in the Act, and was placed there by a protective Ministry, are the party on this side of the House to accept the amendment for that reason ? Or even if it were put there inadvertently by a free-trade Ministry, are we bound to accept it % It has been" said that honorable members should have been prepared for this. There are several honorable members of the Opposition who might have been here if they had known the possible importance of this amendment. They have been taken by surprise to this extent, that although it was known that the amendment was coming, it was never anticipated that the Ministry would accept it. It was thought that the Government would hold to their Bill, and that having the weight of the Ministry as well as of ' the Opposition against it the proposal would not have been entertained. Under these

circumstances I do think I can appeal to the Minister in charge of the Bill, with every reason, to leave this matter over. What harm can be done to those who are in favour of it on fiscal grounds? The Tariff will probably come before the House before long, and then honorable members, if they choose, can exclude every bit of lithographic and other printing work done outside the Commonwealth. I do not object to honorable members trying to force their views on the fiscal issue, but I do say that this is not the proper place to bring in a fiscal proposal. The Ministry having asked for a treatment of this measure on non-party grounds, and the Opposition having heartily responded to that request, would appeal to the Prime Minister not to force us to treat the rest of this measure on party lines, but to remove this bone of contention, satisfied that if there is any loss to their fiscal policy, it can be set right on the Tariff.

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Mr Barton

- If the Opposition deals with this question on party lines they will do so unwarrantably, and on their own motion, and they must bear the consequences.

Sir WILLIAM McMILLAN (Wentworth). - I think that the committee ought to be thoroughly ashamed of this amendment. I certainly consider the Minister in charge of the Bill must have taken a very low gauge of the intelligence of the committee when he introduced his inconsequential and irrelevant remarks in regard to the principle underlying it. We have tried on this side of the committee to deal fairly and honorably with honorable members opposite, and I do not think that we are getting any reasonable reward to-night for our magnanimity. Let us look at the question simply. The Bill recognises that a paper may have a supplement, and with certain safeguards it allows that these supplements may be sent through the post in the ordinary way. We have now introduced a question as to where the particular type for the supplement is made, and where the lithographic work may be done. When we come to deal with the Tariff, some honorable members wish to impose certain duties, but we have been told, from the Prime Minister downwards, that those duties are to be of a revenue character. Clearly in this amendment we do not propose a duty, but a prohibition. If that is not introducing the fiscal question into a Bill which has nothing to do with it, there is no sense in words. It is done for that set purpose. A spirit of mischief actuated the honorable member who proposed it. It is a spirit of mischief designed to create a controversy at this stage on the fiscal question. I would go even further, and say that this is introducing the great fiscal issue, which divides the House on party lines, when we are asking the Government to forbear at present from introducing such an element. Even if the case were only half as strong I think that, as a matter of right and honour and fair play, the Government should accede to our request. I do not believe that the great majority of honorable members behind the Government are in sympathy with this back-stairs way of introducing the fiscal question into a harmless Bill. I could scarcely believe my senses when I learned that the Government had immediately accepted the proposal made by the honorable member for Bourke. The Minister has committed himself. He confessed that he did not see the whole scope of this amendment but he was able to apply a salve to his conscience by saying that, by means of this provision, we should prevent such a large quantity of newspaper matter from being carried throughout Australia. Are we not here, however, to give facilities for postal matter to be carried through Australia? By this very Bill we allow the principle that supplements are a right thing. Very often they are of a most educational character, both with regard to knowledge they disseminate, and in relation to their aesthetic character. Yet, according to the Minister in charge of the Bill, by a side wind which, by a peculiar coincidence, pleases honorable members on his own side of the House, he wants to reduce the weight of the papers distributed throughout the country. Do we not know that, if this is a purely patriotic desire coming from a protectionist, it is a desire that the number of supplements shall not be decreased, but that they shall be manufactured within the States? Consequently, the whole thing is unreal. I warn honorable members sitting behind the Government, whom we have treated fairly, that if they vote in this party spirit to-night, they will probably, to a large extent, put an end to all that friendly political feeling which ought to exist in connexion with Bills of this kind, and which no honorable member of this Chamber has done more than I have done to try to create here. This is going beyond the amenities of public life. It is going beyond all the traditions of party warfare, and while I do not know how it will affect me individually, I shall be responsible in the future if this party is more pugnacious and aggressive than it has been. Honorable members on the other side have thrown down the gauntlet prematurely and unfairly and they must take the consequences.

Mr. PIESSE (Tasmania). - To my mind it does not matter very much whether the amendment is inserted or

not. The supplement, if it conforms to what we have agreed to, will have to be a supplement which is printed in the Commonwealth. All this heroic talk we have been having is utterly beside the mark. The honorable member for Bourke has been a little over-cautious in proposing words which to a great extent it is not necessary to put in. The clause already provides that a newspaper, to be a newspaper within the meaning of the Bill, shall be a newspaper printed and published within the Commonwealth. I suppose the honorable member for Wentworth will allow that a newspaper may have an illustration on it. If it be so, the illustration must be printed within the Commonwealth, and if the spirit and the intention of the law is carried out, the supplement will have to be set up within the Commonwealth. The precedent for these words, as to newspapers is to be found in the English Act. Section 6 of the Act, 34 and 35 Vic, chapter 79, says -

Any publication coming within the following description shall, for the purpose of this Act be deemed a newspaper, that is to say, any publication consisting wholly or in part of political or other news, or of articles relating thereto, or to other current topics, with or without advertisements, subject to these conditions : -

That it be printed and published in the United Kingdom.

If the newspaper is printed and published in the Commonwealth, the conditions which the honorable member for Bourke desires to insert in this clause will have been complied with in regard to the major part of the publication. So far as I can see, the words are not necessary. If honorable members had really considered the due proportion which this proposal bears to the measure, I think they would have saved us a great deal of unnecessary heat and a great deal of this unnecessary warning.

Mr. HUMECOOK (Bourke). - I think the honorable member for Tasmania has hardly grasped the purport of my amendment. If he will look at the clause again, he will find that a definition has been given to a newspaper, and a definition to a supplement. The definitions vary, and it is the proposed addition to the definition of a supplement which has excited the wrath and ire of honorable members opposite. I wish to emphasize the position which has been stated by the Prime Minister and others that the effect of my amendment is to make the supplement the complement of the newspaper, and not to distinguish between them. It has also a further effect, and that effect is not sought to be made out of any spirit of mischief, as the honorable member for Wentworth has asserted, but because I have a desire to help Australian workmen and authors, and have not disguised that fact. Honorable members have claimed not to have had any notice, to have been taken by surprise, and to be astonished that the Government have accepted the proposal. My amendment has been printed for a week, and no doubt it has been circulated amongst the honorable members on the other side. How can they know or have any indication of what, amendments the Government are going to accept ? Honorable members, on their own side, have had propositions accepted ; it is just possible that some propositions from this side will be accepted. The Government do not always refuse to accept suggestions from their own supporters, although they sometimes accept them from honorable members opposite. The contention that this amendment is sneaking in protection is hardly fair. I have heard some honorable members on the other side aver with respect to the kanaka traffic and black, labour generally that it has nothing to do with the fiscal issue, and that when protectionists have claimed that it has they are entirely in error. The same kind of argument applies with equal force to this amendment. It is a matter of internal administration. It does not deal with the fiscal issue; 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.

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Sir William McMillan

- Is not that the clap-net 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.

Sir William McMillan

- We have done the same thing in New South Wales in another way

Mr HUME COOK

- I am not particularly concerned with what has been done in New South Wales or any other State. I am endeavouring to do something which, I think, will assist the workers and authors within the

Commonwealth. We have been told that we should deal with this question on the Tariff. How can we deal with a postal matter on the Tariff? This is the time to deal with it. Other States have dealt with this question in precisely the same way in similar circumstances, and, as a matter of fact, in precisely the same words. Under all these circumstances I am at a loss to understand the heat and vigour which has been put into the objections raised by the other side. I had no intention to raise the fiscal issue. I had no intention to take an unfair advantage of honorable members opposite ; but because it is raised, and because honorable members choose to take that view, I am not going to withdraw the amendment. I am going to rely on the strength of the Government to help me to carry it. Of course it is always unfair when the minority protest, and it is always right when the majority can carry the proposal. I am with the majority on this occasion, and I believe the proposal is a right one.

Mr V L SOLOMON

- The honorable member for Bourke submits that because we have passed, after a division, a provision which stipulates that a newspaper shall mean a newspaper which is printed and published within the Commonwealth, we should also pass this provision, which says not only that a supplement shall be printed in the Commonwealth, but that it shall be printed from type set up within the Commonwealth, or from stereotypes or electrotypes made therefrom. There is a very considerable difference between the two provisions. In the first place, we have passed sub-clause (a), providing that the newspaper must be printed and published within the Commonwealth to enable it to be carried by the Post-office, much against the wish of many honorable members on this side, who can see that it is liable to prevent the circulation of English newspapers on which postage has already been paid to Australia. A person will be debarred from sending such newspapers through the post.

Mr McCay

- No ; they will have to pay a higher rate of postage.

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Mr V L SOLOMON

- A person who receives a copy of the Weekly Times and desires to send it to a constituent, will be forced to pay four or five times the postage he would have to pay on the Argus or Age. If that is the way in which some honorable members think it best to disseminate knowledge or educate the people it is not my way of thinking. But the interpretation of a newspaper provides that it has to be printed and published within the Commonwealth. It does not say that it has to be printed and published from type set up within the Commonwealth or from stereotypes taken from that type. All the extract matter for any newspapers published here could be imported and would still come within the definition ; so that the amendment in regard to supplements does go a great deal further than the interpretation of a newspaper. On the one hand the bulk of any newspaper, except the mere local topics, could be printed from imported stereotypes, and would come under the definition of a newspaper. Although the honorable member for Bourke says that he has no intention to introduce the fiscal issue by a side wind, in the next breath he admits that his object is to protect the printers, authors, and writers in the Commonwealth against outside competition. He not only goes for protection in its widest form, but he goes still further and makes it absolute prohibition. In a Bill of this kind it is of the utmost importance to avoid the introduction of debatable matter, which must be dealt with when the fiscal issue is submitted. The desire of the Post-office, I take it, is to give the greatest facilities to the people of the various portions of the Commonwealth for the transmission of letters and newspapers. So long as this traffic can be conducted, if not perhaps on strictly commercial lines, at any rate so as not to involve the States in any financial difficulty or large pecuniary loss, it appears to me that the object of the Bill will be achieved. To introduce into its discussion an element of discord, such as has been introduced by the amendment, has been, I think most honorable members will admit, a very grave mistake, because honorable gentlemen are anxious to deal with these machinery Bills as speedily as is possible, with due regard to their careful consideration.

Mr Kennedy

- Honorable members opposite are fighting a shadow.

Mr V L SOLOMON

- I am afraid that it is a somewhat substantial shadow ; but, if it is a shadow, why press it to the detriment of the work of the committee ?

Mr WATSON

- I cannot understand why certain honorable members of the Opposition take such objection to the amendment, inasmuch as a similar provision has been the law of New South Wales for the last five years. The New South Wales Act, which was passed in 1893, provides that -

No newspaper shall be entitled to free transmission under section 2 of the Act 37 Vict. , No. 1, unless such newspaper and every supplement thereof has been printed in New South Wales, from type set up in New South Wales, or from stereotyped plates made therefrom.

Although the present leader of the Opposition was at the head of a free-trade Ministry for five years after that Act was passed, and carried into effect the policy of free-trade to an extent never before attempted, he did not interfere with the provision I- have read, so that apparently he did not consider that it was opposed to the principles of that policy.

Mr V L SOLOMON

- Had not the fact that newspapers are carried free in New South Wales something to do with the enforcement of the provision there ?

Mr WATSON

- What we are seeking to do in the clause is to give special postal facilities to newspapers, as distinguished from other printed matter. But, while we may be willing to give these facilities to newspapers which are printed from plates made in our own country, and therefore, presumably, contain matter of special interest to our people, it does not follow that we should give them to foreign newspapers ; so that, in the ordinary sense of the term, I do not think the amendment affects the fiscal question at all. The carrying of the amendment will not place any extra burden on the people who buy newspapers containing these supplements.

Mr Mahon

- But the supplements will not be so good.

Mr WATSON

- That appears to me to be questionable. In illustration of the statement that the reduction of the cost of production does not guarantee a reduced price to the consumer, I would point out that, although the New South Wales Parliament took off the excise duty from tobacco some months ago, the price of tobacco there has not been reduced.

Mr. MAHON(Coolgardie). - If the honorable member for Bourke moved the amendment in a spirit of mischief, he has achieved his object, because it has been productive of a very stormy and heated debate. The acceptance of the amendment shows that the Government are willing; to go out of their way - as I pointed out during the second-reading debate - to mix up in these machinery Bills attacks upon the liberty of the press and of the subject, and now we have an attack upon the fiscal policy which a large number of honorable members were sent here to defend. The pretence that the amendment has nothing to do with the fiscal question is an idle one, because, as a matter of fact, it goes further than any fiscal proposal usually goes, and actually prohibits foreign manufactures. But do not honorable members know that scarcely a newspaper supplement in Australia is imported? During my time I have read nearly every newspaper published in Australia, and I have never come across a newspaper which systematically circulated foreign supplements.

Mr HUME COOK

- Foreign 'supplements were coming into Victoria before the State adopted a provision similar to that contained in the amendment.

Mr MAHON

- Where did they come from ?

Mr HUME COOK

- From America.

Mr MAHON

- The honorable member is betrayed by his- want of knowledge. The supplements did not come from America though the stereotypes did.

Mr HUME COOK

- That is the same thing.

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Mr MAHON

- Not quite. If honorable members object to the stereotypes coming here, they should also object to the paper coming. The honorable member is not qualified to pose as an authority on the printing and publication of newspapers. Of what use is the amendment, unless it is anticipated that large numbers of foreign supplements will be imported into Australia in the future. If the Ministry are well advised, they will recede from the position they have taken up in regard to the amendment; Even if the committee accept it, is this protectionist morsel likely to be swallowed in another place? We are bound, as practical men, to consider whether another representative Chamber, whose members were elected on the widest franchise possible, will accept a pill of this kind. Honorable members all round the Chamber have hitherto helped the Government with these machinery Bills, and therefore I appeal to them to withdraw their support from the amendment. I have voted frequently with the Government on this Bill, and I hope to do so again whenever they are right. But if they are going to make this question a party one, a good many honorable members who have supported them may have to change their attitude.

Mr. THOMAS(Barrier).- I think that the Government have made a mistake in accepting the amendment, because I believe that the functions of the Post-office should be limited to the carrying of mails, letters, and parcels. That department has quite enough to do to attend to its own business. A matter of this sort should be dealt with in another Bill. I know that a similar provision has been operative in New South Wales for a considerable time, but I always objected to it. As a result of that law the Christmas supplements had to be practically manufactured in Australia. Thus, instead of getting firstclass up-to-date supplements, the people have had to be content with inferior ones. Whilst anxious that all the work which can be done in Australia should be given to the compositors who are working here, I say that the employes in the country newspaper offices will not share in that work. The whole of this class of work is done in Sydney, Melbourne, and the other large cities. In order to provide work for the men whom I desire to serve, I should like to see the amendment extended to provide that the matter shall be set up by the compositors employed in the office which is issuing the supplement. If the honorable member for Bourke will go as far as that I shall vote with him. A little further on in the clause honorable members will find that this provision does not apply to coloured illustrations. What is the matter with black ink? On the 1st July last, a gentleman started a trade journal called the Saddlery and Harness Journal. He went to the General Post-office, Sydney, and said - "I want to send a supplement through the post. This supplement specifies how to make buggy saddles. It is a pattern of buggy saddles drawn to scale." The authorities said - "It cannot go through, because it is in black ink." The man had, therefore, to pay £5 extra to send this paper through the New South Wales Post-office. On 1st August another issue was published containing a supplement giving hints upon bridle making. It was printed in black ink, but the man put the words " see letterpress " upon it, and by that simple act secured its free transmission through the post. It seems ridiculous to impose all these restrictions. We ought simply to recognise the Post-office as a carrier. I should like to see first class up-to-date supplements issued with the different journals at Christmas time. It would be a good! thing if some of these fine pictures could be hung up in the selectors' homes, because people resident in the back blocks cannot visit our art galleries as we can. If this provision be carried, we shall have only daubs of pictures transmitted throughout the country. The English papers contain magnificent supplements at Christmas time, and I would like to see them available in

Mr. G.B. EDWARDS (South Sydney). -I hope that we shall end this discussion. The proposal was quite a wrong one to introduce.It seems to me that Ministers do not care very much how long the debate continues. Honorable members, however, should endeavour to push on with the business, even if Ministers do not particularly desire to do so.

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Mr WILKINSON

- I should like to ask the honorable member for Barrier how we are to get the fine artistic supplements of which he spoke unless we encourage our own artists ? We are legislating specially for a certain' production. We propose, I presume, to make special rates for the carriage by the Postal department of a certain class of publications. It is proposed that Inter-State newspapers shall be carried at a lower rate because they disseminate news amongst the people of the Commonwealth. The honorable member for Coolgardie said that the imposition, of this restriction would result in the people getting an inferior article. I claim, however, that the press of Australia compares very favorably with that of any other part of the world. The Bulletin is always referred to as one of the best papers of its kind that :is published anywhere.



The Christmas supplements of the Australasian, the Town and Country Journal, and other newspapers compare very favorably with those produced in the old country. But I would point out that the mere setting of the type and the making of the stereos from that type is not all that is involved in the amendment. The honorable member for Coolgardie said that the supplements were not imported, but that the stereotype blocks were. I am aware of that. I know that in Queensland the law in this respect has been a dead letter. Any one engaged in the printing trade knows that we can get any amount of stereotype blocks for advertising patent medicines from America and England. We should endeavour as far as possible to provide work, not only for the compositors here, but for the authors and artists which Australia is capable of raising, and who hitherto have had to go to other parts of the world in order to obtain employment.

Sir EDWARD BRADDON

- I hope that the Ministers will adopt the very excellent advice offered by the honorable member for South Sydney. He has pointed out - justly enough - that if Ministers would adhere to their Bill the amendment would be withdrawn. I cannot but commiserate with the Minister in charge of this measure for having been got at so completely by a protectionist move on the part of the honorable member for Bourke. He seems to have dropped into the trap in the most innocent way. He pleaded that the reason he welcomed an amendment of this sort is because it would reduce the weight of the matter to be sent through the post. I hope, however, that honorable members by a majority will resist it, and allow us to deal with the fiscal question as a plain straightout issue when the oft-promised Tariff is submitted. I feel strongly that we should do everything we possibly can to secure the circulation amongst the people of the best form of illustrated literature. I believe with the honorable member for Barrier that the homes of the settlers would be made all the happier by the introduction of such literature.

Mr. HIGGINS(Northern Melbourne).After listening for three hours to an absolutely fruitless debate, is it too much to hope that it may end ? I quite admit that honorable members are justified in raising the Tariff issue whenever it appears, but surely after the speech which has been delivered by the honorable member for Tasmania, Mr. Piesse, there is not one in this Chamber who does not clearly see that the debate started under a misapprehension. As the Bill stands, the purpose of the honorable member for Bourke has been achieved. The strongest argument against the insertion of these words is that they are not wanted. What is the use of proceeding further with this discussion. I am quite sure that honorable members feel that their time is valuable. Surely they want to have the debate terminated at some reasonable time. The only unfairness I have found in the honorable member for South Sydney was this evening when he accused the Government of not having stopped the debate. If the Prime Minister had rebuked the other side for all this talk, he would have been charged with bullying the committee. It is unfair to the Government to accuse them of not aggressively trying to stop the debate. I think they have allowed the question to be discussed so as to prove conclusively the uselessness of the discussion.

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Mr O'MALLEY

- I am going to vote with the Opposition on this occasion, because there is nothing at stake. The whole question was settled on the carrying of the previous sub-clause. If we want a duty on supplements, put it in the Tariff, and honorable members will find me climbing the eternal Himalayan ladder of protection. It is not worth while to have a battle so early in the session, and cause political friction, which may set back the machinery Bills we want to get through, in order to get at the Tariff, where we can fight.

Sir WILLIAM MCMILLAN (Wentworth). - We have been told that this provision is in the law of New South Wales. It was introduced during the regime of a protectionist Government. Even if it had been introduced there by any other Government, we are not bound by any provision of that kind. Therefore, I do not think that is a relevant argument in the discussion.

Mr. BARTON(Hunter- Minister for External Affairs). - I hope that this matter will not be determined under any of the circumstances of bluster which characterized the former speech of the honorable member for Wentworth. There has been a lot of imputation of motives from the other side of the Chamber ; there has been a lot of the customary bricks thrown at the Government, which we do not mind, because they always miss us.

Mr SYDNEY SMITH

- The Government is climbing down.

Mr BARTON

- The honorable member will find that the Government is not climbing down.

Mr SYDNEY SMITH

- They have climbed down every time they have been attacked.

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Mr BARTON

- Now they are attacked the honorable member will see whether they will climb down. The whole of this discussion, so far as it has proceeded from the other side, has been, if not a careful blinking, at least a careful forgetfulness of the real issue. The real issue is whether this part of the clause should be brought into conformity with the preceeding part, which was carried by thirty-one to fifteen on a division. It has been urged by the honorable member for South Australia, Mr. V. L. Solomon, that the words "printed and published in the Commonwealth," in subclause (a), are very different from the words which the honorable member for Bourke wishes to put into this sub-clause. We will test that question. The words of the amendment are - 1

The letterpress of the some being printed within the Commonwealth from type set up within the Commonwealth or from stereotypes or from electrotypes made therefrom.

If the honorable member's objection is not to the one thing being brought into conformity with the other, then he ought not to object to these words being inserted after the word " publication."

And printed, or printed and illustrated, at the office of the newspaper which it accompanies. If that were the amendment there would be twice as much noise about it as there has been about this amendment, yet those are the very words which would bring the one thing into absolute conformity with the other. That is the test, and it establishes that the objection is to the attempt at uniformity, and not to the mere form of words. The committee has, by two to one, carried subclause (a), which it was attempted to leave out, and the question now is whether a supplement should, for good or for ill, share the fate of the newspaper - that is to say, whether there is any reason that the Opposition can advance to distinguish a supplement in such a way from the newspaper that the newspaper, unless it conforms 11b to certain conditions, shall not be a newspaper within the meaning of the Act, and yet a supplement, without any conditions whatever, is to be part of a newspaper within the meaning of the Act. That is the whole matter of reason which is involved. Let us look at the matter sensibly and fairly in the face. That does not depend on any fiscal conditions. If there was anything to be attacked on the score of fiscal conditions it was sub-clause (a) ; it was not attacked on those conditions, and it was carried by two to one. If the committee is not going back on its decision, it will absolutely adopt this amendment, or an amendment like it, to bring the two things into something like uniformity, or it will say that the main thing is under this definition not to be a newspaper, and yet that a. thing which belongs to it is, under the same definition, is to be a part of a newspaper.

Sir WILLIAMMCMILLAN (Wentworth). - I do not desire to continue the debate, but the speech of the Prime Minister has been absolutely disingenuous. He has begged the whole question. By the very terms of the Bill there is a distinct difference between a supplement and a newspaper, and it is laid down that the supplement may be very properly a part of the newspaper under certain circumstances. Do we not all know what these supplements are 1 Do we not know that at" Christmas and on other occasions these supplements are part and parcel of the educational process of these newspapers throughout Australia 1 Do we not know that these lithographs are printed outside Australia, and that, so far as the active work of the Post-office is concerned, they are always carried in the ordinary way ? Therefore, that question is absolutely disposed of, and notwithstanding what is much nearer to bluster than anything that I perpetrated, and notwithstanding the taunts we have received, as to our intelligence and other qualities, we intend to divide on the amendment, and leave the country to decide as to the fair play or otherwise which we have received from the other side.

Mr. THOMSON(North Sydney).- It is difficult to know whether the Prime Minister had really considered his words when he stated that this amendment simply brings the supplement into the same position as the newspaper under a previous portion of the clause. It does nothing of

Mr Barton

- There has been an indefensible waste of time on the other side of the House.

Mr THOMSON

- The honorable and learned member for Northern Melbourne has absolutely condemned the Ministry for

the waste of time. We naturally looked upon this amendment as anticipating the Tariff. Who would be the best judge of what was intended in that connexion ? Surely it would be the mover of the amendment, and did he not confirm our attitude when he stated that he moved it for a protective purpose? That being so, there is a breach of faith by the Ministry in stating that this was a non-party question, and allowing an admittedly party issue to be introduced, and standing to it when their own supporters say that it makes no difference at all. There is no justification for the attitude which the Ministry has taken. It is not a proper return for the manner in which they have been treated by the Opposition. We having raised the objection that the acceptance of the amendment was a breach of faith, the Ministry, knowing that this matter could be dealt with in the Tariff, should have withdrawn their support from it.

Mr THOMSON

- Is it to be said that Parliament could not impose a prohibitive duty upon supplements not printed in Australia? The amendment is a protectionist move ; but, if I were a protectionist, I should be ashamed of stopping short where it does. All the protection secured to the Australian workman is in regard to the setting up of a few letters on a supplement. There is no prohibition of the importation of expensive lithographic work which employs so much labour.

Mr O'Malley

- That will be done by the Tariff.

Mr THOMSON

- Why should this not be done by the Tariff too ? The manufacture of printer's ink and paper would give a great deal of work to local men if carried out in Australia, but there is no prohibition of the importation of those articles. We know why they have been carefully omitted from the protected list in Victoria.

Mr Kennedy

- A provision similar to that contained in the amendment exists in the New South Wales Act.

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Mr THOMSON

- Yes. That Act was introduced by a protectionist Ministry for protectionist reasons, but we have been asked to treat this Bill as though it were not a party measure. It has been stated that the free-trade Ministry which held office in New South Wales after the passing of the Act did not repeal that provision, but that was because it had many other important matters to deal with, just as the present protectionist Ministry there finds itself unable to reverse the free-trade policy of its predecessor. I have not dealt with Government measures in a party spirit, but have tried to improve them, and have supported where I could, and spoken as briefly as possible; but the only consideration this side gets is that the fiscal question is allowed to be raised in a machinery Bill, which we have been honestly and fairly treating as a non-party measure, by an amendment which the Prime Minister should have requested his supporter to withdraw.

Mr. KNOX(Kooyong). - I am disposed to believe that undue importance has been attached to the amendment by honorable members of the Opposition. If I thought that the fiscal question was involved, I should know what to do, but it seems to me that it is not involved, and that the clause simply defines the newspapers to which certain postal facilities shall be given.

Mr FOWLER

- I am inclined to agree with the honorable and learned member for Northern Melbourne, and the honorable and learned member for Tasmania, Mr. Piesse, that the amendment is an inconsequential one, but I cannot agree with those who condemn the members of the Opposition for opposing it. It would have been more logical for the Government, if they believe that the amendment is inconsequential, to use their influence to obtain its withdrawal. If honorable members on this side feel that the game of battle has been thrown down by the moving of the amendment, they are justified in accepting it. The Government have given no just and sufficient reason for the amendment, and I intend to vote against it.

Mr WINTER COOKE

- The views of honorable members opposite seem to vary very much. The Minister in charge of the Bill has told us that he accepted the amendment in order to carry out the intention that the postal service should be conducted on commercial lines, but the mover of the amendment said that he moved it in order to encourage the Australian worker, by which he appears to mean the artisan who sets the type, and not the man who has the brains to compose the literary matter which is printed. Then the honorable and

learned members for Northern Melbourne and Tasmania say that there is nothing in the amendment. But, as it has come from a member who sits directly behind the Ministry, the Government apparently do not like to reject it. The Opposition have been twitted with having raised the fiscal question, but we were told by the mover of the amendment that his intention was to raise the fiscal issue.

Mr Barton

- Does the honorable member honestly think that the fiscal issue is involved in it ?

Mr WINTER COOKE

- Undoubtedly, if its object is ' to protect the Australian worker. The proper time to attempt to do that is upon the introduction of the Tariff. Surely, if the amendment is inconsequential, the Ministry might yield to the feeling of honorable members on this side of the chamber, and ask that it be withdrawn.

Mr FISHER

- It has been stated that the provisions of the amendment have been taken from a Queensland statute. But J may tell the committee that the provision in the Queensland Act is practically inoperative, the Government being more liberal in its administration than the Parliament was in its legislation. It pleases a few persons to place provisions of this kind in Bills, and when the people begin to suffer they do not know why they are suffering.

Mr Harper

- How can they suffer if the provision is not acted upon ?

Mr FISHER

- While unscrupulous people do not comply with the provisions of the Act, honest people do, and they are thus placed at a disadvantage. If what the Prime Minister spoke of were carried out, and every newspaper were compelled to print its supplement in its own office, there would be something in this suggestion ; but, as the amendment stands, its only effect will be to compel the ' smaller newspapers to obtain their supplements from printing firms in the large cities of Australia. If they can get better supplements from elsewhere, why should they not do so 1 Why should not Australian writers and printers be prepared to enter into competition with writers and printers of other places 1

Mr Crouch

- The committee have already dealt with that portion of the clause.

Mr FISHER

- Then why do the Ministry stand behind the amendment 1 If I were convinced that it would do any good I would vote for it; but I am sure that it will do no good, and I am unwilling to deceive the printers by making it appear that we are finding work for them.

Mr Mauger

- The Victorian printers found that the provision in the Victorian Act did a great deal of good for them.

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Mr FISHER

- It is a very grave mistake to think that the rest of the Australian States federated simply for the advantage of Melbourne. I shall oppose the amendment, because it will limit the choice of the proprietors of country newspapers in regard to supplements, without being of any advantage to the printers of Australia.

Mr. SYDNEYSMITH (Macquarie).The honorable member for Bourke has stated that in moving the amendment he did not raise the fiscal question. But what he said was -

This is intended to help the Australian workman. It is part of an honest effort of the protectionists to help the Australians in their own land.

I have an exact copy of the speech of the honorable member, as taken down by a shorthand writer.

The CHAIRMAN

- Can the honorable member assure me that he is not about to read from a report of a debate during the present session 1

Mr SYDNEY SMITH

- I am replying - and I think I have a perfect right to reply - to what the honorable member for Bourke has stated during the present debate. I think that it is only fair that this matter should be placed before honorable members in a straightforward way. I heard the honorable member for Kooyong say that the reason he intended to vote for the amendment was that he did not think the fiscal issue had been raised

by the honorable member for Bourke. The honorable member for Bourke said-

The CHAIRMAN

- If the honorable member proceeds to do what he intends to do he will be out of order. The standing orders provide that -

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

The honorable member has assured me that he has obtained a copy of a shorthand report of a debate during the present session, and the standing order to which I have alluded is specially directed against quotations from such a document. The honorable member will be perfectly in order in replying to anything that may have been stated by the honorable member for Bourke, but he will be no more in order in reading a shorthand report of what the honorable member said than he would be in taking a copy of Hansard and quoting from it.

Sir William McMillan

- Do you mean to say, Mr. Chanter, that if, in listening to the debate this evening, I, being a shorthand writer myself, took down exactly what an honorable member had said in order to assist my memory, as a matter of pure debate I could not exactly quote the words of the honorable member instead of trusting to my memory ? With all respect to you, Mr. Chanter, I think you have been led into a mistake through not differentiating between a debate which is current for the moment and previous debates in the same session. After all, accuracy is everything, and I think you might reconsider the decision you have given, because it does not seem to me to be in accordance with the ordinary rules of debate.

Mr SYDNEY SMITH

- I only wish to be accurate. I contend that misstatements have been made, and that it would be very unfair to mislead honorable members, and induce them to give a vote under a misapprehension.

The CHAIRMAN

- I do not desire to prolong discussion, but I may point out that the House is responsible for its own standing orders, and that I am compelled in the performance of my duty as Chairman to see that the standing orders are complied with. The two standing orders dealing with this subject are Nos. 267 and 268. Standing Order 267 provides -

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

Standing Order No. 268 says -

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

Standing Order No. 267 clearly provides that a report of any speech during the current session shall not be read, and I take it that the honorable member for Macquarie having assured me that he intends to read a report of such a speech that has been taken down in shorthand, his proposed action comes clearly within the scope of this standing order. The honorable member for Macquarie would be quite in order in referring to anything that the honorable member for Bourke may have said during his speech, and he can reply to him in any way possible within the limits of the standing orders ; but when he proceeds to read directly from a report of the honorable member's speech he is out of order.

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Mr Watson

- I will move that your ruling be dissented from, Mr. Chanter, and for this reason : that I do not think the phraseology of the standing order bears the interpretation you have put on it ; of course it is a matter of opinion. Standing Order 267 says that -

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

I do not think that that applies to a shorthand note taken by an honorable member himself - that is neither a book nor a newspaper. If the standing order did so apply it would be absurd and against all usages, and the House would be stultifying itself by assenting to any such proposition until all means are exhausted of coming to some contrary decision. The practice of taking a note either in longhand or shorthand of remarks during a debate to which it is desired to reply, is one which, I am sure, every honorable member in the State Parliaments and in this Parliament has frequently followed, and I am sure

that you will not take umbrage at something like an authoritative ruling being obtained upon this point by referring it to the Speaker.

Mr Harper

- Would it not save time and get over the difficulty if the honorable member for Macquarie, instead of announcing somewhat ostentatiously that he was going to read from a shorthand report, were to simply say that he intended to comment . on the remarks of the honorable member for Bourke 1

Mr V L SOLOMON

- I did not quite catch whether it is your intention, sir, to appeal to Mr. Speaker. I wish to ask if such a course is necessary under Standing Order 228, which says -

If any objection is taken to a ruling or decision of the Chairman of Committees, such objection shall be stated at once in writing, and may forthwith be decided by the committee, and the proceedings shall then be resumed where they were interrupted.

Mr Barton

- If we are to go by the literal meaning of these standing orders, the reference which has been made to Standing Order 228 seems to have some point in it. I refer to this because, as leader of the House, I feel myself bound not to take any party side upon a matter of this kind. That standing order means that the committee decides when the Chairman of Committees decides. It seems clear, therefore, that the matter must be settled in the committee, and by the committee itself. Standing Order 227 seems to confirm that view, because it says -

The same rules for regulating the conduct of business shall be observed in committee as in the House itself, the Chairman of Committees being invested with the same authority as the Speaker for the preservation of order.

There is a difference made, however, in the case of disorder in committee, because that can only be censured by the House on receiving a report. So that there appears to be a great deal in what my honorable friend says, namely, that the motion must be stated in writing, and can only be decided by the committee upon the same rules as regulate the conduct of business in the House itself, the Chairman of Committees being invested with the same authority as Mr. Speaker.

Sir Edward Braddon

- Surely the Prime Minister does not suggest, that the Chairman of Committees is the committee 1 The matter in dispute has to be decided by the committee, and not by the Chairman.

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Mr Barton

- Tn the House of "Commons - the mother of Parliaments - the actual decision is never given by the Speaker. There is no such thing there as a " ruling " in the sense of a decision by way of law. Whatever the Speaker says in the House of Commons is merely an expression of his opinion. He is the mouthpiece or spokesman of the House of Commons, and the House always has the reserve power of taking its own course, whatever the Speaker does. That power is secured to the committee by Standing Orders 227 and 228. I should be the last to say that there is not the reserve power in this committee to dissent from the decision of the Chairman of Committees. I say that when we give the Chairman the same powers as are given to the Speaker, and no more, we give him the power to be the mouth-piece of the committee, and to be subject to the decision of the 'committee in all his utterances. I hope that the right honorable member for Tasmania, Sir Edward Braddon, will consider my remarks as divested of any colouring derived from the debate which we have just gone through. I merely feel it incumbent upon me to state my opinion. Any one who has studied the proceedings of the House of Commons- knows absolutely that the Speaker is only the mouth-piece of the House, and that the House can always decide for itself, notwithstanding what is called the " decision " of the Speaker. That is so clear that it justifies from day to day the statement that Speaker Lenthall made to Charles I., when he said that he had neither eyes to see nor ears to hear save as the House should direct. I am pleading for the right of the House, in the one case, and. for the right of the committee in the other. Where the standing orders give the same right to the committee as to the House, the committee can decide without the intervention of the Speaker. I say no more than that. This 'deliberative assembly has the right to control its own officers in case of its dissenting from their decision.

Sir Edward Braddon

- The Prime Minister is entirely of the opinion which I hold. The decision of this matter- is in the hands of a majority of the committee. Speaking on the point of order which has been raised, I would suggest that Standing Order 266 does not touch it in any way whatever. I speak from eighteen ^years' parliamentary experience, and I have over and over again in conformity with rule and order done what the honorable member for Macquarie proposes to do. That is to say, I have read from a written report, or a written memo., what has been said by somebody in the course of debate. If we are to have anything like accuracy of debate, by all means if it be possible, let every honorable member who wishes to quote another get his ipssimaverba taken down in shorthand. But the standing order upon which the Chairman relies relates to the reading from a book or paper of something touching a debate which has previously occurred, and which- is not now occurring. I hope that this committee will not suffer such a stifling of debate, and will not sacrifice its freedom of speech in such a way as would be the case if this ruling were upheld.

Sir William McMillan

- I take it the proceeding is that an honorable member is not allowed to quote anything from a previous debate in the same session, because that matter has been settled. An honorable member cannot bring up a question which Parliament has decided, just as in many Parliaments he cannot introduce the same BUI twice in the same session. But here is a question upon a debate which is pending. The point involved here is whether an honorable member is entitled to get, in any way he chooses, the exact words of a speaker, so as to be able to rebut his argument.

Mr Watson

- When I proposed to move a resolution that your ruling, sir, should be dissented from, I was under the impression you had ruled that an honorable member was not in order in reading front a document purporting to be the shorthand notes of a speech delivered by an honorable member during the same debate. I understand from you now that your ruling was that he cannot quote from a speech which has been made during the same session. My impression was that you ruled that an honorable member could not quote from a speech which had been made during the same debate. That is the statement with which I disagree. I should like you to state the exact position, as it is possible that I may be under a misapprehension.

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Mr Barton

- We must avoid in deciding a matter of this kind which may affect the future, anything which is coloured by the immediate subject of discussion. Upon their face these standing orders appear to provide that no extract can be read from a debate in the same session, even if it were from the same debate. We are told that no honorable member shall read from a printed newspaper or book the report of any speech made in Parliament during the same session. That applies no doubt only to printed newspapers or books which were-the foundation of the original rules of- the House of Commons. Those rules were founded upon the old theory that strangers were supposed to take no part in the debates of the House, and therefore were not to report them. Then we are told in Standing Order 268, that-

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

That is based upon the same rule. Standing Order 270 says -

No member shall allude to any debate of the current session in the Senate, or to any measure pending therein.

So far as these standing orders go, they seem to state the matter on the bare principle prevailing in the House of Commons, which is no doubt apart from referring to any previous debate in the same session. Apart from that matter, they seem to deal with the question of reading from printed newspapers, books, or extracts, except Standing Order 270, which prevents allusion to any debate of the current session. I take it that the last named standing order refers to previous debates. The question therefore rests on Standing Orders 267 and 268, which do not necessarily refer to the same thing. On page 308 of May's Practice occurs a passage which I have not the least doubt has guided the chairman in the opinion which he has expressed. It begins -

It is a wholesome restraint upon members to prevent them from reviving a debate already concluded, for otherwise a debate might be interminable, and there would be little use in preventing the same question

or Bill from being offered twice in the same session if, without being offered, its merits might be discussed again and again.

Instances are given of that -

The Speaker Said - "That rule applied in all cases ; but where a member had a personal complaint to make it was usual to grant him the indulgence of making it. "

There are other cases of Indulgence. But the principle, however, is affirmed that it is a wholesome restraint upon members to prevent them reviving a debate already concluded, and that rule applies to a reference to previous debates.

Mr Thomson

- Standing Order 266 governs the point.

Mr BARTON

- It says-

No member shall allude to any debate in 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.

It is absolutely positive, and nobody can contest it for a moment, that any honorable member may make any reference he pleases to "a debate in which others have been engaged, otherwise it would be impossible to answer arguments between ourselves. That, I admit, does not cover the whole ground. The real point is that we are all entitled to canvass the arguments of each other as freely as possible, otherwise this would be no House of Parliament. The question is whether the rule of the House of Commons, which prevents the reading from extracts or newspapers - which rule is founded upon what is, no doubt, a principle now growing obsolete, that is the objection that strangers should not take notes - applies to the reading of an extract from Hansard. There is a great deal more in this case if honorable members will bear with me. Was this a proof of Hansard report t

Mr SYDNEY SMITH

- No; a shorthand note.

Mr BARTON

- If it were a proof of Hansard, there would, perhaps, be even a greater difficulty, because the question would then be whether we, having constituted Hansard our authority to report our speeches, are not able at all times to refer to them, subject to any rule of debate here. But this is a case of referring to a shorthand note, and the question now is whether it comes within that other rule which is not the subject of standing orders, and which is defined in this way in May, at page 309-

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.

That is, without restriction.

Indeed, until 1840, the reading of any extracts from a newspaper, whether referring to debates or not, had been restrained as irregular.

I do not think that this is an easy matter to decide. With every desire, sir, to uphold the constitutional authority and the ruling of the Chair, I think it is a matter on which you may well hear debate from honorable members before giving your final opinion. While this ruling appears to be strictly within the letter of the standing orders so far as the reading of newspaper reports and extracts is concerned - because that rule of the House of Commons really applies to the current debate, as well as to former debates, on the objection to reading from extracts from newspapers generally which prevails there - still, we must remember that in these Australian Parliaments we have gone a great deal further than that; - that some of these rules are to some extent obsolete, and unless you find yourself bound by the form of these standing orders to bring this case within that rule of the House of Commons, to which I have alluded, I am quite sure that you will do all you can to liberate debate- in this particular, and not to prevent the reading of any extract of this kind.

The CHAIRMAN

- There seems to be a little difference of opinion between the honorable member for Bland and myself as



to how my ruling should be stated to the committee in a written form. I wish to again state my ruling so that every honorable member may be thoroughly seised of it. The honorable member for Macquarie assured me twice that it was not from notes of his own he was going to quote, but that he had obtained a shorthand report, which I naturally presumed would, if not already in print, form portion of a newspaper to be circulated.

Mr SYDNEY SMITH

- I did not say so.

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The CHAIRMAN

- I informed the honorable member that there would be no objection to his referring to anything which may have been taken down in the form of an allusion to the speech, but the standing orders prevented the reading of any portion of a debate of the same session. naturally inferred that it was a debate of the present session he was quoting from, and that he was attempting, I do not say improperly, to break Standing Order 267, the honorable member having assured me twice that it was not the ordinary notes taken by honorable members to enable them to reply to each other during the course of the debate, but that he had gone outside the Chamber--

Mr SYDNEY SMITH

- I never said a word about that.

The CHAIRMAN

- But I had to infer from the statement made by the honorable member that he had obtained a shorthand report of the speech of the honorable member for Bourke, and that he had gone outside the precincts of the Chamber to obtain it.

Mr SYDNEY SMITH

-I did not say anything of the kind.

The CHAIRMAN

- I then looked up May at pages 309 and 310, and was fortified in my interpretation of these rules. I need not refer to May at any very great length, but it says -

A member may not read any portion of a speech made in the same session from a printed book or paper. The question I had to consider was whether a shorthand note obtained, as I inferred, from those who were preparing a report for the newspapers would not come within the meaning of the standing order.

May goes on to say -

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.

That is the authority of May, but I have also the authority of Standing Orders 267-8, and in both cases the word debate is not used, the words used being " in the House during the same session." This is a debate of the present session, and I intimated to the honorable member that while he would be perfectly at liberty to refer or to reply in any way to the honorable member for Bourke, he would by reading an extract from a document during the same session, in my opinion, be breaking the standing orders.

Mr SYDNEY SMITH

- I did not wish to interfere with you, sir, in making your statement, but at the same time I do not wish any statement of mine to be misrepresented to honorable members. For the sake of greater accuracy I read a true and correct account of what the honorable member for Bourke stated. I may have used the word " report," but a report is really a statement of what took place. I pointed out that if we are to be debarred from making any reference to the speeches made by honorable members on the question then before the committee, it would place us in a very awkward position. Honorable members, I take it, are only anxious to know the truth of this matter.

Mr Crouch

- That is what we want to know. Where did the honorable member get the report from ? ,

Mr SYDNEY SMITH

- It is a true and accurate account of what took place.

Mr McCay

-\*- I rise to order. Is the honorable member entitled to quote or refer to anything, whether it is in order or not, without being prepared to give his authority if called upon to do so ? I always understood that honorable members were not allowed to read anything unless they were prepared to give their authority. I have seen honorable members frequently desist from reading documents because they were not prepared to give the name of the writer or author.

Mr SYDNEY SMITH

- This is not a document.

The CHAIRMAN

- No doubt difficulties arise in consequence of honorable members having been accustomed to different standing orders. Our provisional standing orders do not compel any honorable member to give the authority for any statement he may make.

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Mr SYDNEY SMITH

- I took it that I was perfectly in order in doing what I did by reason of the standing orders themselves. I took these rules to apply to a past debate and not to the current debate. Because they distinctly say that - No member shall allude to any debate of the 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.

It is clear that every honorable member should be allowed to quote accurately from any report of a speech made during the debate in which he is speaking. There is a very important principle underlying this matter. It might happen, during a discussion affecting the position of a Ministry, that an honorable member might wish, for the sake of accuracy, to quote the exact words used by the Prime Minister in the debate.

Mr Thomson

- It is done in the House of Commons.

Mr SYDNEY SMITH

- I believe so, and I have done it frequently in the New South Wales Legislature. If the ruling of the Chairman is not dissented from, the privileges of honorable members will be seriously interfered with, and a practice will be established which will have a tendency to create disorder.

Mr Watson

- As I understand that you, sir, have ruled that the honorable member for Macquarie is not in order in reading from a document purporting to be a report of part of another honorable member's speech during this debate, I feel that, in order to have the point of order authoritatively decided, I must move that the committee dissent from your ruling. To rule that honorable members are precluded from quoting from reports of a speech taken down in shorthand or in longhand by themselves or a friend is as an innovation to most of us, and the enforcement of that ruling would lead to very inconvenient results. The rule that - No member shall read extracts from newspapers or other documents referring to debates in the House during the same session does not apply to the case under discussion. According to the view put forward in May, documents are instruments brought from outside with a view to influencing the House, and the House of Commons has very properly decided that no such documents shall be used under the circumstances which have been detailed. I do not think, however, that that rule has ever been used to prevent a member from reading the notes of a speech delivered during the same debate. It has not been so applied in the New South Wales Legislature, nor do I think that our standing orders are capable of an interpretation which makes them applicable in the case which we are now considering. No doubt you, Mr. Chairman, have given your ruling with the intention of giving a right interpretation, of our rules, but I think that if it were accepted it would prove a hindrance to us later on, when more serious matters were under discussion.

Mr Mauger

- These are only temporary standing orders. 11 s

Mr Watson

- Yes; but the strong probability is that they will govern our procedure during the whole of the session. I move -

That the ruling of the Chair - that an 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.

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Mr Barton

- Honorable members know that I have been, very anxious to make progress to-night, but a discussion, has taken place which has prevented us from doing so - and I say that without casting any blame on members of either party. This important point having arisen, I think it is worthy of the utmost attention, and I am about to propose that we now report progress, although I do not wish honorable members to infer that I am taking that course because I am satisfied with the progress which we have made. I have endeavoured to take a non-party attitude with regard to this point of order, which, in my opinion, hinges upon two of our standing orders. In my opinion, Standing Order 26S refers to extracts from newspapers or other documents commenting on debates, and, therefore, I think we must look for guidance to Standing Orders 266 and 267. The first of these refers, I think, to previous debates, because it says that - No member shall allude to any debate of the same session upon a question or Bill not being then under discussion.

The next standing order possibly refers to the reading of the reports of speeches delivered in the debate then proceeding. But it is clear that what the honorable member for Macquarie was reading from was not "a printed newspaper or book," and therefore the question arises, does it come within the standing order? I would suggest to the Chairman of Committees whether he can go behind the limitation of the standing order to "printed newspapers and books," and rule that, according to the unwritten law of Parliament, by which, we are bound in matters not specifically provided for in our standing orders, the same mischief arises - I do not use the word in a controversial sense - by reading from a document which for purposes of reference occupies the same position as "printed newspapers and books." A quotation was about to be made from some shorthand note, we do not know whether it was that of a newspaper reporter or of one of our own Hansard reporters - that is perhaps another difficulty, and I mention all these grounds for the reason that I think we owe it to ourselves to suspend these proceedings now, and report progress, to give you, sir, an opportunity of considering the matter, and giving a decision, as I am sure you will, in perfect fairness to the committee, and without any desire in the least degree to take away from the privilege of freedom of speech. I say that where it is a question of freedom of speech in this House, I shall be found on the side of freedom. There is nothing in the course I suggest now that can work against that in the least degree, and my only desire is to have a considered decision upon an important point. I therefore move -

That the Chairman leave the chair, report progress, and ask leave to sit again.

Mr SYDNEY SMITH

- I find that Standing Order 228 says -

If any objection is taken to the ruling or decision of the Chairman of Committees, such objection shall be stated at once in writing, and may forthwith be decided by the committee, and the proceedings shall then be resumed where they were interrupted.

Mr Barton

- It is not bound to be.

Mr SYDNEY SMITH

- I really think we might settle the question now.

Mr Barton

- If my honorable friend agrees with me, and I think he does, in wishing to see the decisions of this House uniform, consistent, and fair, he will give an opportunity to the Chairman to consider this very difficult question.

Sir John Quick

- If this question is to be decided, it is only fair to the Chairman that the motion dissenting from the ruling of the Chair should state properly the grounds of the decision given. I call attention to the fact that the motion which has been submitted by the honorable member for Bland does not state really the gist of the Chairman's decision. As I understood it, the gist of the decision was that an extract or a report was read, purporting to be a shorthand record, which had not been made within the walls of this chamber, but which had emanated from an outside source. '

Mr SYDNEY SMITH

- I never made any statement to the committee as to where I got this report from. I never stated that I got it from outside.

Sir John Quick

- I am not stating that the honorable member did. The Chairman's ruling was with respect to a report which emanated from an outside source, and he did not rule that an honorable member could not, read a note of his own or a note taken by another honorable member. The honorable member commenced his speech by a flourish, of a report, and it was quite open to the inference of the Chairman, as well as the inference of every other honorable member present, that the honorable member had procured that report from an outside source. I think it was quite competent for the Chairman to rule that an honorable member has 'no right to go outside the Chamber for records or reports, and then come down and use them authoritatively. "What I am submitting is. that when this motion dissenting from your ruling is put from the Chair,, care should be taken that the ruling is properly expressed.

Mr Thomson

- I am really astonished! that the honorable member for Bendigo,, who should be a constitutional authority,, should put forward such an extreme idea in this committee as that the Chairman is to\* rule on inference or assumption. I have always heard the Chairman and the Speaker take the very opposite course, and say that,, although so and so might be the case, it was. not within their knowledge, and they had no right to take cognisance of it. That is. the proper course to pursue. If we are to. have our standing orders so wrested that, we may go beyond the question at issue,-and beyond what is within the knowledge of the Chairman or of the committee, and take inferences or assumptions to any degree that, a Chairman or Speaker likes, then all. freedom of debate in this Chamber is gone. Whilst I say that, and say also that outstanding orders are an exact reproduction of what May states, and do not provide in anyway for stopping an honorable member quoting from such a report as was quoted from in this instance, I still quite agree with the Prime Minister that it would be well to leave the matter over. I am sure we are all quite willing to give the Chairman every opportunity for consideration. We are sure of this also, that he has. not decided from any other motive but the best, and, if he has made an error, he has made it in all innocence, and we can give him an opportunity to consider the» matter further.

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Mr F E McLEAN

- I rise for the purpose of supporting the proposal of the Prime Minister, because from the state the committee has got into in the process of an involved argument, I think we cannot arrive at anything like a reasonable or fair decision to-night. In the interest of the honorable member who has moved the dissent from your ruling, sir, and in your own interest, I support the proposal of the Prime Minister that the committee should report progress.

The CHAIRMAN

- I will put the question, because I feel it is due to the committee as well as to the honorable member and myself, that there should be a little more time given for consideration, in order that the matter may be fairly dealt with on the resumption of the committee on Tuesday.

Mr Hughes

- Before you put the motion that the committee report progress, sir, I will ask you whether it is competent for you to put it. I understand that the usual practice in discussing dissent from a ruling of the Chairman is to refer the matter to the Speaker, and it may be competent for progress to be reported for that purpose. ' Now you, sir, are clothed with the same authority as the Speaker, and you have a motion dissenting from your ruling. You propose now, on the suggestion of the Prime Minister, to take another motion, which is really an amendment, if it is anything at all, to report progress. If the committee like to allow the Chairman's ruling to stand without interference, that will only follow out the Prime Minister's statement that the House of Commons in the last analysis has the right to overrule the decisions of both the Chairman of Committees and the Speaker, though in practice the House does not exercise that power. We have the power to dissent from the ruling of the Chairman, and the honorable member for Bland has moved that one of the Chairman's rulings be dissented from. Now we are asked to report progress. I am only putting it whether it is in order for the Chairman to report progress when there is a distinct motion before the Chair that the Chairman's ruling be dissented from.

The CHAIRMAN

- There is no doubt in my mind on the subject at all. Standing Order 238 makes provision that a Minister can at any time propose a motion that progress be reported. I do not think there is any honorable member, no matter on which side of the House he sits, but will say that in a question of this kind there should be full opportunity for consideration. It is a question of the interpretation of the provisional standing orders. I wish, not only for my own sake, but for the sake of good order in the future, that a little more time should be given for the consideration of the matter. Before putting the motion I wish to repeat - as a misapprehension evidently exists in the mind of the honorable member for Macquarie - that had the statement been made at the time that has now been made by the honorable member I should have ruled differently. I did not for one moment attempt to take up the position that any honorable member was precluded from taking notes either in shorthand or in any other manner, and quoting from those notes during a debate upon any question.

Mr SYDNEY SMITH

- I did not say I took the notes down.

The CHAIRMAN

- What the honorable member did say was that he had obtained a full shorthand report of the speech of the honorable member for Bourke and intended to read it. It was under the provisional standing orders that I gave the decision. If the honorable member for Macquarie will assure me that he made that report himself and took it down himself-

Mr McDonald

- What right has the Chairman to ask that question ?

The CHAIRMAN

- Order ! What I desire is to give a proper decision upon the question before the committee ; and I say that I have a right, under the standing orders, to be satisfied that the manner in which my ruling is put to the committee is the correct one. Had not the honorable member for Macquarie given me the impression that he had obtained the report from outside - had he given me the impression that the report was his own - I should have ruled differently. The honorable member, however, distinctly led me to believe that the document which he was quoting was a shorthand document which he had obtained from outside, and such a document would, under the provisional standing orders, be a document that he was not entitled to quote.

Mr JOSEPH COOK

- I do not object to the motion for reporting progress, but I should like to know, if we move the Chairman out of the chair, when the matter will come on again.

Mr Barton

- On Tuesday next.

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Mr McDonald

- We now have four different questions before the Chamber.

There is the original clause, the amendment, the motion of the honorable member for Bland, and now the motion that you report progress. I have always understood that there could not be before the Chamber at one time more than the main question, an amendment, and a motion for reporting progress. I believe the present procedure is not correct, and I should like to have your ruling as to whether what is now proposed can be done.

Sir William McMillan

- I think the honorable member for Kennedy misapprehends the position. When we report progress we simply stop the general proceedings of the committee. Such a motion can be moved at any time. It will be better in the interest of public business to report progress at this stage, and will also enable the Chairman to arrive at a fair decision upon the matter.

Progress reported.

ADJOURNMENT

Government Business

Mr BARTON

- In moving-

That the House do now adjourn.

I wish to say that the Post and Telegraph Bill will be proceeded with again on Tuesday. In regard to the other matter as to which discussion has already arisen in the House - the apportionment of public time- I wish to indicate that I intend to ask the House to take the following course. In the Senate, the sitting days are Wednesday, Thursday, and Friday. I intend to ask this House to sit on Wednesday, Thursday, and Friday, and to forego private business on Tuesday for a few weeks. I shall ask the House to sit at two o'clock on Wednesday and Thursday instead of half -past' two ; and shall also ask them to give me a little more time at night, though I' do not intend to lengthen the sittings to any serious extent. On Fridays I shall ask the House to sit at ten o'clock in the morning, and I suppose the House will not of its own volition be desirous of sitting' later than four o'clock in the afternoon. We shall, however, see about that. This arrangement will enable the two Houses to sit cote'rminously and will result in Ministers being in attendance in both Houses, whilst- it will give honorable members one other day to themselves, and at the same time secure precisely the same time for

Government business that we now have. We shall sit next Tuesday, but not on the following Tuesday, if my present' intention is carried out.

Mr Mahon

- Is the Prime Minister going to make any arrangement with those honorable members who have private business on the paper 1

Mr BARTON

- I have answered that question already by saying the other day that we would ask honorable members to give up the time at present devoted to private business, and, even if we have to sit full time on Government nights to do so, we shall afterwards make provision for private members' business.

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Mr WATSON

- I desire to bring under the notice of the Government the present telephone service at Parliament House. The telephones are all, or nearly' all, connected with the local exchange, with the result that honorable members desiring to become connected with the central exchange have to wait for long periods until the telephone attendant at the House, who is also the telegraph operator, is disengaged. This sometimes involves a delay of half-an-hour or even an hour. I brought' this matter under the notice of the Postmaster-General two months ago and pointed out the inconvenience resulting to honorable members who desired to communicate with the public departments in Melbourne. After the lapse of two months I to-day received a letter from the secretary of the Post-office saying that, after having bent their immense energies to the subject for that period, the departmental officers had discovered that the exchange at Parliament House is connected with the central exchange. They say further that any suggestions I may have to make with a view to improving the service will receive consideration, but as I made several suggestions two months ago with the result I have already indicated, I do not feel disposed to take up the time of the postal officials with any more suggestions. The letter which I have received reads as follows : - With reference to your interview with the Postmaster-General on the 20th June, I have the honour by direction to inform you that the telephone service at Parliament House is at present connected with the central, exchange, and it is not apparent how the service can be improved, but the Postmaster-General will be glad to receive an3' suggestions which you may wish to make in regard thereto.

I trust that the Prime Minister will look into the matter and see that our convenience is served in a better way than at present.

Mr JOSEPH COOK

- I desire to call the attention of the Minister representing the Postmaster-General to the impossibility of getting anything done to the. post-offices in need of repair in various parts of the country. We are told in New South Wales that the Postal department authorities have no funds with which to carry out ordinary works of maintenance and repairs ; but the Treasurer here tells mo that there are funds, ashe has given the central Federal department £9,000 for that very purpose. Notwithstanding this, I have received a letter stating that the department will be pleased to carry out the very urgent repairs required at a post-office in my constituency when there are funds for the purpose. I think that Ministers might strain a point with a view to insuring that the ordinary every-day requirements in connexion with the post-offices shall be met.

Mr BARTON

- The matters that have been referred to will receive attention. With regard to the telephone service at the Houses of Parliament, I have a good deal of sympathy with the complaints that have been made. It is not for me to say in what condition these matters were before this Government came into office, but I cannot help thinking that a good deal is needed to bring things up to date. I need say no more than that, because I do not want to be unjust to officials. I promised some information last night, which I forgot to give in moving the adjournment of the House. It is this: That on the 2nd August last I caused the following memorandum to be sent by the Secretary for Defence to the military commandant of Western Australia. I am directed to inform you that in consequence of representations having been made to the Right. Honorable the Prime Minister that there were returned discharged soldiers of the contingents wishing to return to South Africa for service, Mr. Barton telegraphed an inquiry to the naval transport officer as to whether any opportunity would be afforded them to return by transports, and has received the following reply : - "Discharged soldiers anxious to return to South Africa for purpose of joining some corps can be granted indulgence passages by transport Britannic if recommended by military authority as fit for service, and on condition they pay for their messing, while embarked, at the rate of 1s. 6d. per diem. They should embark at Sydney, but ship will also call at Albany. Cannot inform you exact date they should embark Sydney till later, but probably in about a fortnight. Have communicated with Premier, Brisbane, re Queenslanders."

Mr. Barton would have no objection to military authorities certifying as to the fitness for service of any applicants for passages under the conditions of the telegram, provided there is no cost or expenditure incurred by the Commonwealth Government, and that no recruiting is done under the authority of the Commonwealth. I am to point out that this memorandum only deals with the case of soldiers discharged from the contingents who are not members of the Commonwealth forces. In the case of any members of the Commonwealth forces wishing to return to South Africa it will be necessary for them to obtain leave, or their discharge from the forces.

Question resolved in the affirmative.

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23:13:00

House adjourned at 11.13 p.m.