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SECTION XXXIV.

MISCELLANEOUS.

§ 1. Immigration.

(A) The Encouragement of Immigration into Australia.

1. **Introduction.**—Various measures have from time to time been adopted by the Commonwealth and State Governments, as well as by private societies and individuals, with a view to promoting the immigration of suitable classes of settlers into Australia. Since the outbreak of war, however, little is being done. The activities of the Commonwealth Government (which is vested with constitutional powers in regard to immigration under Sec. 51, xxvii., of the Constitution Act 1900) with respect to the encouragement of immigration, have hitherto practically been confined to advertising in handbooks, newspapers, and periodicals, the resources and attractions of Australia.

2. **State Immigration.**—The advertising in the United Kingdom of the resources of the individual States has been carried out by their Agents-General in London. During 1910 and the three subsequent years, a great advance was made in Australian immigration generally, the State Governments having adopted more active and direct means than had hitherto existed for making the advantages and opportunities of their respective States better known to the people of the United Kingdom, Europe, and America. At the present time, however, owing to war, no State action is being taken in the matter of immigration. In previous issues of the year book will be found in detail the various methods under which intending immigrants could obtain information and assistance (see Year Book No. 8, p. 1053).

Particulars of the net immigration to the Commonwealth are given on pages 106, 113, and of assisted immigration on page 118 hereinbefore.

3. **Commonwealth Scheme of Immigration.**—It is the function of the Commonwealth Department of External Affairs to advertise the attractions of Australia for settlers, farm workers, and tourists. The Commonwealth carries on the general advertising of Australia by means of paragraphs and illustrated articles in British, European, and American publications, while the several States advertise for the class of immigrants they specially require. Bioscope films are utilised for the illustration of lectures. Exhibitions are held throughout the chief rural districts and at the important agricultural shows in Great Britain, and handbooks for settlers and tourists, as well as folders and other publications, have been issued. Pictorial posters are also utilised. The outbreak of war, however, interrupted the vigorous campaign that had been initiated, and for the present, the matter of advertising and recruiting for immigrants is practically at a standstill.

4. **The High Commissioner for Australia and the Agents-General.**—Intending settlers or immigrants may, on application, obtain information from the High Commissioner for Australia—

THE RIGHT HON A. FISHER, P.C.,

COMMONWEALTH OFFICES,

72 VICTORIA STREET,

LONDON, S.W.

Information regarding individual States may be obtained from the officials specified below :—

AUSTRALIAN AGENTS-GENERAL.

<i>New South Wales</i>	Hon. B. R. WISE, K.C. ...	123-125 Cannon St., London, E.C.
<i>Victoria</i> ...	Sir PETER MCBRIDE ...	Melbourne Place, Strand, London
<i>Queensland</i> ...	Major Sir T. B. ROBINSON	Marble Hall, 409-10, Strand, London
<i>South Australia</i>	Hon. A. A. KIRKPATRICK ...	85 Gracechurch St., London, E.C.
<i>Western Australia</i>	Sir NEWTON J. MOORE, K.C.M.G. ...	15 Victoria St., Westminster, London
<i>Tasmania</i> ...	Hon. SIR J. MCCALL, M.D.	56 Victoria St., Westminster, London

(B) The Regulation of Immigration into Australia.

1. **Pre-Federal Restrictions.**—(i.) *Alien Races.* The several States of Australia had regarded it as desirable, long prior to Federation, to impose certain restrictions upon the admission of persons wishing to become inhabitants of those States. The influx of Chinese, for example, was limited by stringent statutes, and later, general Acts were passed in some of the States which had the effect of restricting the immigration of other—principally Asiatic—races.

(ii.) *Undesirable Immigrants.* Further restrictions were placed upon the admission of persons who were undesirable as inhabitants, either for medical or moral reasons, or who were likely to be an economic burden upon the community.

2. **Powers and Legislation of the Commonwealth.**—(i.) *Constitutional Powers.* By Chap. I., Pt. V., Sec. 51, xxvii. and xxviii. of the Commonwealth Constitution Act the Parliament of the Commonwealth is empowered to make laws with respect to immigration and emigration and the influx of criminals. (See page 26 herein.)

(ii.) *Legislation.* The powers above specified have now been exercised by the Commonwealth Government, and the laws passed in pursuance thereof supersede the State laws above referred to.

The first Act passed, dealing with this matter, was the Immigration Restriction Act 1901, which contained provisions restricting the immigration of the classes of persons previously mentioned, and also persons under contract to perform manual labour. The provisions regarding contract labour were repealed and amended by the Contract Immigrants Act 1905, and the principal Act was also amended by the Immigration Restriction Amendment Act 1905, and subsequently by the Immigration Restriction Acts of 1908 and 1910, and the Immigration Act of 1912. The immigration of alien races and undesirable persons is now regulated by the Immigration Act 1901-12. Admission of immigrants under contract to perform manual labour is, however, still controlled by the provisions of the Contract Immigrants Act 1905, and will be permitted if the contract is in writing, is made by or on behalf of some person named, who must be resident in Australia, and approved by the Minister. Such approval, which must be obtained before the immigrant lands in Australia, will not be given if the contract is made with the view of affecting an industrial dispute, or if the remuneration and other terms are not as advantageous to the contract immigrant as those current for workers of the same class at the place where the contract is to be carried out.

There is an additional provision where the proposed immigrant is not a British subject born in the United Kingdom or descendant of such a person. In such case it has to be proved that there is a difficulty in the employers obtaining in the Commonwealth a worker of at least equal skill and ability.

In case of infraction of the law it is provided that the contract is absolutely void and the immigrant and employer are both liable to penalties, and the employer is also liable to pay the immigrant until he obtains employment, or, at the option of the immigrant, to provide expenses for his return to the country whence he came.

3. Prohibited Immigrants.—(i.) *Provisions of the Acts.* Persons comprised in the following classes are prohibited from entering the Commonwealth, viz. :—(a) Any person who fails to pass the dictation test; that is to say, who fails to write out not less than fifty words of a language prescribed by regulation when dictated to him by an officer administering the Act. (b) Any person not possessed of the prescribed certificate of health. (c) Any idiot, imbecile, feeble-minded person, or epileptic. (d) Any person suffering from a serious transmissible disease or defect. (e) Any person suffering from pulmonary tuberculosis, trachoma, or with any loathsome or dangerous communicable disease, either general or local. (f) Any person suffering from any other disease or mental or physical defect, which from its nature is, in the opinion of an officer, liable to render the person concerned a charge upon the public or upon any public or charitable institution. (g) Any person suffering from any other disease, disability, or disqualification which is prescribed. (ga) Any person who has been convicted of a crime and sentenced to imprisonment for one year or more, unless five years have elapsed since the termination of the imprisonment. (gb) Any person who has been convicted of any crime involving moral turpitude, but whose sentence has been suspended or shortened conditionally on his emigration, unless five years have elapsed since the expiration of the term for which he was sentenced. (gc) Any prostitute, procurer, or person living on the prostitution of others.

Regarding (a) it may be stated that the Act of 1901 provided for the dictation of not less than fifty words of a European language. The Act of 1905 provided for the retention of this test until regulations be passed prescribing the languages to be employed. No such regulations have yet been made, and the provision of the Act of 1901 is therefore *de facto* still in force. It may be stated that in general practice the dictation test is not imposed upon persons of European race.

Regarding (b), the Amending Act of 1912 provides for the establishment of Commonwealth Medical Bureaux at places outside the Commonwealth, and the appointment of medical referees to examine intending immigrants and issue certificates of health in the prescribed form, on payment of a prescribed fee. A chief medical officer has already been appointed to take charge of the Bureaux attached to the High Commissioner's Office in London. He will arrange for the selection of suitable medical referees for appointment to act at various centres throughout the United Kingdom.

Provision is also made for the medical examination of, and the issue of certificates of health to, intending immigrants who embark at a port where there is no medical referee, or who arrive in the Commonwealth without a certificate in the prescribed form.

Pending the proper organisation in the United Kingdom of the Medical Bureaux and the appointment of medical referees, the requirement that immigrants must produce a certificate of health on arrival in Australia will not be enforced.

(ii.) *Exemptions.* To these restrictions there are the following exemptions, viz. :—(a) Any person holding an exemption certificate. (b) Members of the King's regular land and sea forces. (c) The master and crew of any public vessel of any Government. (d) The master and crew of any other vessel landing during the stay of the vessel in a Commonwealth port. The exemption of members of a crew during the vessel's stay in port is subject to the production of identification cards to an officer on demand. This provision will not be enforced in respect of white members of a crew, but there is a further provision which empowers an officer to refuse any member of a crew permission to land unless he is satisfied that such person is free from a communicable disease. Before the ship can obtain her outward clearance the crew must, at the demand of an officer administering the Act, be mustered, and if any member of the crew be missing,

and would otherwise, in the opinion of the officer, have been a prohibited immigrant, then such person is deemed to be a prohibited immigrant, and until the contrary be proved, to have entered the Commonwealth contrary to the Act. (e) Any Commissioner of, or other person accredited from, the Imperial or any other Government.

(iii.) *General Provisions.* An immigrant may be required to pass the dictation test at any time within two years after he has entered the Commonwealth. This applies particularly to coloured persons, but any immigrant found within three years of entering the Commonwealth to be suffering from a prohibitory disease or defect may be deemed to be a prohibited immigrant unless it is proved to the Minister's satisfaction that he was free from the disease or disability at the time of his arrival in Australia.

A prohibited immigrant within the meaning of (a) above may, at the discretion of an officer, be allowed to enter the Commonwealth, or to remain within it, upon depositing £100 and within thirty days either obtaining an exemption certificate or departing from the Commonwealth; in either case the deposit is returned.

The punishment for breach of the Act by a prohibited immigrant is imprisonment for six months and deportation in addition to or in substitution for such imprisonment, if so ordered.

4. Liability of Shipmasters and Others.—The master, owners, agents, and charterers of a vessel from which a prohibited immigrant enters the Commonwealth are jointly and severally liable to a penalty not exceeding £100 for each entrant. The vessel may be detained as security, but may be released upon the giving of a bond with two sureties for the payment of any penalties; the vessel may be seized and sold in default of payment of penalties. The master, owners, agents, and charterers may be required to provide a return passage for the prohibited immigrant, and to pay for his maintenance during his detention prior to deportation. Masters of vessels are authorised to prevent such a person from landing, and to obtain any necessary assistance.

Under the Immigration Restriction Act 1903, any person on board a vessel at the time of her arrival from any place outside Australia at any port in Australia who is not (a) a *bonâ fide* passenger of the vessel, or (b) a member of the crew of the vessel whose name is on the articles, is deemed to be a stowaway, unless the master gives notice that the person is on board the vessel, and does not permit him to land until an officer has had an opportunity of satisfying himself that the person is not a prohibited immigrant. The master, owners, agents, and charterers of a vessel are jointly and severally liable to a penalty of £100 for each stowaway brought into any port in Australia. The Immigration Act 1912 provides for a penalty of £200 for each stowaway in cases where the master has been convicted of a similar offence within the preceding twelve months. Power is given to search vessels for stowaways. The Immigration Restriction Act 1910 provides penalties for being concerned in bringing immigrants secretly to the Commonwealth.

5. Agreements with other Countries.—Arrangements may be made with the Government of any country regulating the admission into Australia of the subjects or citizens of such country, such subjects not being, during the subsistence of the arrangement, required to pass the dictation test.

Persons who have resided either continuously or from time to time in the Commonwealth for a period of five years in the whole, and who are about to depart from it, being persons who, if they return, would be prohibited immigrants, may obtain a certificate of exemption entitling them to return.

Certificates of exemption are granted by the Minister of External Affairs, whose department administers the Act, and also by the Collector of Customs in each State.

6. Statistics.—The following tables shew the number of persons who desired but were not permitted to land, those who were allowed to land, and the nationality of the persons admitted.

**PERSONS ADMITTED OR REFUSED ADMISSION TO COMMONWEALTH UNDER
PROVISIONS OF IMMIGRATION RESTRICTION ACT, 1908 to 1915.**

Year.	Persons Admitted who Passed Education Test.	Persons Admitted without Passing Education Test.	Persons Refused Admission.
1908 ...	1	75,670	108
1909 ...	1	83,324	108
1910 ...	Nil	94,543	42
1911 ...	Nil	139,020	83
1912 ...	Nil	163,990	187
1913 ...	Nil	140,251	109
1914 ..	Nil	110,701	54
1915 ...	Nil	70,436	56

NATIONALITY OF PERSONS ADMITTED, 1908 to 1915.

Nationality.	1908.(a)	1909.(a)	1910.	1911.	1912.	1913.	1914.	1915.
	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.	Without Test.
EUROPEANS—								
Austrians	736	895	815	1,184	855	794	676	27
Belgians	45	35	50	84	95	63	63	105
British	64,374	71,201	81,457	124,061	146,602	123,443	93,136	60,505
Danes	227	272	269	393	371	444	478	305
Dutch	120	187	175	307	435	283	287	182
French	1,546	1,347	1,160	1,166	1,238	1,491	1,187	595
Germans	1,911	2,109	2,449	2,517	3,501	3,155	3,395	890
Greeks	296	327	380	583	736	480	772	361
Italians	902	1,078	883	1,365	1,632	1,963	1,642	645
Maltese ... ..	...	...	...	41	122	193	464	57
Poles	22	24	11	34	17	7	12	2
Portuguese	5	10	3	6	9	25	12	1
Rumanians	12	11	3	13	24	9	34	6
Russians	349	466	735	994	1,159	1,334	1,446	716
Scandinavians	825	891	1,210	1,384	1,303	1,285	1,489	1,202
Spaniards	57	56	49	128	118	116	119	206
Swiss	78	131	109	130	209	202	220	64
Turks	4	14	10	10	6	5	19	1
Other Europeans (b)	112	16	22	27	(c) 57	(d) 165	13	13
AMERICANS—								
N. Americans	687	692	746	914	1,386	1,713	1,529	1,066
S. Americans	10	14	13	17	37	14	31	5
American Indians ... ..	...	...	...	31	9	...	1	1
Negroes	4	6	14	13	47	7	23	9
West Indians	23	6	13	11	8	1	3	2
ASIATICS—								
Afghans	15	3	2	14	17	7	2	3
Arabs	13	1	1	1	18	14	19	2
Burmese ... ..	...	1	...	...	...	1	1	1
Chinese	1,771	1,729	1,817	2,009	2,250	2,286	1,975	2,287
Cingalese	10	10	14	4	17	8	9	6
Eurasians ... ..	...	6	14	7	13	2	...	...
Filipinos	27	37	66	17	13	12	4	15
Hindoos	74	130	156	188	157	187	305	144
Japanese	555	509	610	459	698	822	387	423
Javanese ... ..	...	52	4	12	6	3	20	3
Malays	230	309	304	479	326	303	291	285
Syrians	45	73	95	104	75	31	19	5
OTHER RACES—								
Maoris	48	108	62	31	32	41	21	16
Mauritians	3	3	4	9	2	7	1	...
Pacific Islanders	89	94	54	69	92	105	101	37
Papuans	430	439	622	139	196	171	189	185
St. Helena Blacks	1	1	...	...	...	...	...	...
Unspecified	14	31	141	(e) 65	(e) 102	(e) 214	(e) 104	58
Total	75,670	83,324	94,543	139,020	163,990	140,251	110,701	70,436

(a) One person was admitted, after passing the test, in each of the years 1908 and 1909. (b) Not specified. (c) Bulgarians. (d) Including 162 Bulgarians. (e) A large percentage of these immigrants was Timorese.

The following table has been prepared, shewing to what extent immigration has taken place into the several States of the Commonwealth from 1908 to 1915 :—

IMMIGRATION INTO THE SEVERAL STATES OF THE COMMONWEALTH, 1908-1915.

Year.	N.S.W.	Victoria.	Q'land.	S. Aust.	W. Aust.	Tas.	N.T.	C'wealth.
1908	48,068	12,840	4,474	2,788	5,142	2,171	187	75,670
1909	51,170	13,602	6,720	3,169	6,343	2,172	148	83,324
1910	53,029	14,942	10,353	3,988	9,881	2,168	182	94,543
1911	69,640	21,488	17,778	7,039	18,386	4,563	126	139,020
1912	86,239	34,568	11,820	10,035	16,624	4,480	224	163,990
1913	73,946	29,121	10,496	8,220	15,985	2,350	133	140,251
1914	67,221	20,727	8,594	4,820	6,954	2,249	143	110,708
1915	44,899	13,028	3,963	1,847	4,358	1,925	416	70,436

§ 2. Patents, Trade Marks, and Designs.

1. **Devolution of Jurisdiction upon the Commonwealth.**—Prior to the establishment of Federation, and for a few years thereafter, each Australian State possessed independent jurisdiction in respect of patents, copyrights, trade marks, and designs, and had, with the exception of Tasmania in regard to copyrights, enacted its own laws. Any person, therefore, who desired to obtain the grant of a patent, or the registration of any copyright, trade mark, or design had necessarily, with the exception aforesaid, to incur the trouble and expense of making separate applications. The Commonwealth Constitution Act conferred upon the Federal Parliament power to legislate respecting these matters. (See page 26 hereinbefore.) The Patents Act of 1909 applied the laws relating to patents for inventions to the Territory of Papua.

The State Acts, though in general based upon the Imperial Statutes dealing with these subjects, were not wholly governed by them. The Commonwealth Acts, both in regard to principle and practice, have the same general foundation as the Imperial Statutes, but in some respects have been modified and brought into line with the totality of Australian experience.

2. **Patents.**—The first Commonwealth Patents Act was passed in 1903, and was amended in 1906, 1909, and 1910. (See page 43 hereinbefore.) Under these Acts, which are administered by a "Commissioner of Patents," the powers and functions vested under the States Acts became vested in the Commonwealth. A single Commonwealth patent now gives throughout the Commonwealth and the Territory of Papua that protection which formerly could only be obtained by procuring a patent in each State and the said Territory. The rights of State patentees or the patentees in the Territory of Papua are in all cases reserved to them. The holder of a State patent in force may obtain, for a period not exceeding the unexpired time thereof, a Commonwealth patent for the invention comprised in the State patent; provided, however, that any State other than the State in which the patent under the States Patent Act was granted may be excepted from the patent if the Commissioner of Patents is satisfied that the invention either (a) is not novel, (b) has been made the subject of a pending application, or (c) has been published, in such State. Comparatively small fees, totalling £8, are now sufficient to obtain for an inventor protection throughout the Commonwealth and the Territory of Papua, and the only renewal fee (£5) is payable before the expiration of the seventh year of the patent, or within such extended time, not exceeding one year, and upon payment of further fees as may be allowed.

(i.) *Applications for Patents.* Any of the following persons may make application for a patent :—(a) The actual inventor. (b) His assignee, agent, attorney, or nominee. (c) The actual inventor or his nominee jointly with the assignee of a part interest in the invention. (d) The legal representative of a deceased actual inventor or of his assignee. (e) Any person resident in the Commonwealth to whom the invention has been communicated by the actual inventor, his legal representative, or assignee (if the actual inventor, his legal representative, or assignee is not resident in the Commonwealth). An application for a patent must be for one invention only, and must be made in the form prescribed, and lodged by being left at or sent by post to the Patent Office at Melbourne. It must be accompanied by either a provisional or a complete specification. The application must contain a declaration in the prescribed form setting out the facts relied on to support the application, and must be signed by the applicant before a witness.

(ii.) *Term for which Granted.* The term for the duration of every patent is limited to fourteen years from the date of application. A patent ceases if the patentee fails to pay the renewal fee within the prescribed time.

(iii.) *Opposition to Grant of Patent.* Within three months of the advertisement of the acceptance of a complete specification, or within such further time, not exceeding one month, as the Commissioner on application made within the three months allows, any person may give notice at the Patent Office of opposition to the grant on any of the following grounds :—(a) That the applicant has obtained the invention from the opponent or from a person of whom he is the legal representative or assignee or nominee. (b) That the invention has not been communicated to the applicant by the actual inventor, his legal representative or assignee (if the actual inventor, his legal representative or assignee is not resident in the Commonwealth). (c) That the invention has been patented in the Commonwealth on an application of prior date or has been patented in a State. (d) That the complete specification describes or claims an invention other than that described in the provisional specification, and that the opponent has applied for a patent for such other invention in the interval between the leaving of the provisional and complete specifications. (e) Want of novelty. (f) Prior publication.

The case is heard and decided by the Commissioner, from whose decision an appeal lies to the High Court or to the Supreme Court of the State in which the Patent Office is situated.

(iv.) *Single Patent for Cognate Inventions, etc.* The provisions of the Act relative to single patents for cognate inventions, patents of addition and revocation of patents, will be found in detail in previous issues of the Year Book. (See No. 6, p. 1163.)

(v.) *Compulsory Working and Licenses.* At any time not less than four years after the date of a patent, and not less than two years after the 13th December, 1911, any person may apply to the High Court or the Supreme Court of the State in which the Patent Office is situated for an order declaring that the patent article or process is not manufactured or carried on to an adequate extent in the Commonwealth. From and after the time when any such order may take effect, the patent is not deemed to be infringed by the manufacture or carrying on in the Commonwealth of the patented article or process, or by the vending within the Commonwealth of the patented article made within the Commonwealth. By Act No. 13 of 1916, section 87a, which provides for compulsory working, has been suspended during the continuance of the present war and for a period of six months thereafter, and in reckoning the said period of four years, the period during which section 87a is suspended shall not be taken into account. Any person interested may, after the expiration of two years from the granting of the patent, present a petition to the Commissioner alleging that the reasonable requirements of the public with respect to a patented invention have not been satisfied and praying for the grant of a compulsory license or, in the alternative, for the revocation of a patent. If the parties do not come to an arrangement between themselves, the Commissioner, on being satisfied that a *prima*

facie case has been made out, must refer the petition to the High Court or the Supreme Court of the State in which the Patent Office is situated. If the Commissioner is not satisfied that a *prima facie* case has been made out he may dismiss the petition.

(vi.) *Restoration and Surrender of Patents, and Contracts and Proceedings.* The provisions of the Act with reference to restoration and surrender of patents, contracts, etc., are given in detail in previous issues of the Year Book. (See No. 6, p. 1164.)

(vii.) *International Protection of Patents.* The Patents Act contains provisions under which the international arrangements for the protection of patents contained in the Imperial Acts could be made applicable to the Commonwealth by order of the King-in-Council. Applicants for patents, subject to the country in which first application is made being a party to the arrangement, are now, if they apply in Australia within twelve months of their first foreign application, entitled to make application for patents for their inventions in priority to other applicants, and such patents have the same date as the date of the first application abroad. Corresponding arrangements have also been made by the Commonwealth with New Zealand.

(viii.) *Patent Attorneys.* Any person on passing the prescribed examination, and on paying a fee of £5, may be registered by the Commissioner as a patent attorney. A solicitor may practise as a patent attorney without passing the prescribed examination and without being registered as a patent attorney. No person may describe himself as a patent attorney, or as a patent agent, or as an agent for obtaining patents unless he is registered or entitled to practise as a patent attorney.

(ix.) *Patent Office Publications.* Complete specifications are printed shortly after they become open to public inspection by advertisement of acceptance, or under Section 121 of the Act, provided the complete specification is not accepted and advertised. Each specification is open to public inspection. A number of publications, of which a list may be found in the Australian Official Journal of Patents, is on sale at the Government Printing Office, Melbourne.

The *Australian Official Journal of Patents* is issued weekly, and contains lists of applications and proceedings, with illustrated notes of accepted complete specifications. A supplementary annual volume contains statistics, indexes to names of persons concerned, classified indexes to subject matter of applications lodged, and a numerical index to proceedings on Commonwealth applications which have been advertised during the year; there are also names and number indexes to proceedings on State applications.

(x.) *Applications Filed, Provisional Specifications Accepted, and Letters Patent Sealed.* The numbers of individual inventions in respect of which applications were filed in the States or Commonwealth during each year from 1909 to 1915 inclusive are shewn in the following table. The number of applications accompanied by provisional specifications and the number of patents sealed in respect of applications made in each year are also shewn.

**PATENTS.—APPLICATIONS FILED AND LETTERS PATENT SEALED IN THE
COMMONWEALTH, 1909 to 1915.**

Year	1909.	1910.	1911.	1912.	1913.	1914.	1915.
No. of applications	3,309	3,605	3,497	4,071	4,163	3,436	3,117
No. of applications accompanied by provisional specifications	2,165	2,294	2,290	2,273	2,626	2,232	2,133
Letters patent sealed during each year ...	1,269	1,552	2,027	1,502	1,495	2,098	1,279

(xi.) *Revenue of Patent Office.* The revenue of the Commonwealth Patent Office for each year from 1909 to the end of the year 1915 is shewn in the subjoined table:—

REVENUE OF COMMONWEALTH PATENT OFFICE, 1909 to 1915.

Particulars.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
	£	£	£	£	£	£	£
Fees collected under—							
States Patents Acts ...	1,703	1,940	768	118	50	16	19
Patents Acts 1903-10 ...	14,087	17,042	19,640	18,542	18,800	21,575	15,463
Receipts from publications	216	208	237	305	283	274	298
Petty receipts ...	33	33	48	50	49	81	6
Total ...	16,039	19,223	20,693	19,015	19,182	21,946	15,786

3. **Trade Marks.**—The remarks made concerning the unification of the patent system of the Commonwealth apply equally to trade marks. Under the Trade Marks Act 1905, which came into force on the 2nd July, 1906, the Commissioner of Patents is appointed to act also as "Registrar of Trade Marks." The Trade Marks Act of 1905 was amended by the Patents, Trade Marks, and Designs Act 1910, assented to on the 14th November, 1910, and by the Trade Marks Act 1912, and is now cited as The Trade Marks Act 1905-1912. The principal objects of the amending Act were to enlarge the scope of marks capable of registration, and repeal the provisions of the Act of 1905 relating to the "Workers Trade Mark," the provisions regarding which were held to be unconstitutional. Special provisions for the registration of a "Commonwealth Trade Mark" are contained in the Act of 1905 and are applicable to all goods included in or specified by a resolution passed by both Houses of Parliament that in their opinion the conditions as to remuneration of labour in connection with their manufacture are fair and reasonable.

(i.) *Essential Particulars of Trade Marks.*—

Section 15. "A registrable trade mark shall consist of essential particulars with or without additional matter."

Section 16. (1) "A registrable trade mark must contain or consist of at least one of the following essential particulars:—(a) The name of a company, individual, or firm represented in a special or particular manner; (b) the signature of the applicant for registration or some predecessor in his business; (c) an invented word or invented words; (d) a word or words having no direct reference to the character or quality of the goods, and not being according to its signification a geographical name or a surname; (e) any other distinctive mark, but a name, signature, or word or words, other than such as fall within the descriptions in the above paragraphs (a), (b), (c) and (d) shall not, except by order of the Registrar, Law Officer, or Court, be deemed a distinctive mark."

(2) "For the purposes of this section 'distinctive' means adapted to distinguish goods of the proprietor of the trade mark from those of other persons."

(3) "In determining whether a trade mark is so adapted, the Registrar, Law Officer, or Court may, in the case of a trade mark in actual use, take into consideration the extent to which such user has rendered such trade mark in fact distinctive for the goods with respect to which it is registered or proposed to be registered."

(ii.) *State Registrations.* State registrations cease to be in force at the expiration of fourteen years from the date of the Commonwealth Act, or at the time when, under the State Trade Marks Act, the trade mark would, if after the commencement of the Commonwealth Act no fee for the continuance of its registration were paid, first become liable to removal from the register, whichever first happens. It is also provided that no fee shall be receivable nor shall any act be done after the commencement of the Commonwealth Act for the continuance of the registration of a trade mark under a State Act.

Commonwealth registration of a State registered mark may be effected, and the fact of its registration in a State prior to the coming into force of the Commonwealth Act may entitle the registered proprietor in the State to Commonwealth registration, notwithstanding the existence of defects which might be ground for refusal of an application for the registration of a new trade mark.

(iii.) *Duration of Registration and General Provisions.* The registration of a trade mark is for a period of fourteen years, but may be renewed from time to time. International and intercolonial arrangements for the mutual protection of trade marks may be made in a manner similar to that provided for the protection of patents. In this regard Australia has become a party to the International Convention for the protection of industrial property. Registration may be opposed by any person lodging a notice of opposition at the Trade Marks Office within three months after the advertisement of the application, or such further time, not exceeding three months, as may, on application made within the first three months, be allowed.

(iv.) *Publications.* The *Australian Official Journal of Trade Marks* is issued weekly, and contains lists of applications and proceedings, with representations of marks (when accepted) sought to be registered. *Designs.* Lists of registered owners of designs and the subject matter of applications are published weekly in the official *Journal of Trade Marks*. Indexes to names of applicants and subject matter of applications are compiled and are on sale.

4. **Designs.**—The Designs Act of 1906 came into operation on the 1st January, 1907, being subsequently amended by the Patents, Designs and Trade Marks Act 1910, and the Designs Act 1912, and is now cited as the Designs Act 1906-12. Under this Act a Commonwealth Designs Office has been established and the Commissioner of Patents appointed "Registrar of Designs."

(i.) *Registration.* Any new and original design which has not been published in Australia before the lodging of an application for its registration may be registered in respect of all or any of the articles enumerated in the classification contained in the regulations, which comprise jewellery, paperhangings, carpets, floor-cloths, lace, hosiery, millinery, wearing apparel, textile fabrics, bookbinding, and articles composed wholly or chiefly of a variety of solid substances. A separate application must be made in respect of each class in which the owner of the design desires it to be registered. After an application for the registration of a design has been lodged, the design may be published and used without prejudice to the validity of the registration.

(ii.) *Duration of Copyright in Designs.* The registration takes effect as from the date of the lodging of the application, and, subject to the provisions of the Act, remains in force for a period of five years from that date. Provision is made by the amending Act of 1912 for an extension of the period of registration to fifteen years, subject to applications for extensions being made and the prescribed fees paid before the expiration of five and ten years respectively. The owner of a registered design must within two years after registration substantially use the design, or cause it to be used, in Australia, and if he fails to do so the copyright ceases. If, however, such design is used in any manufacture abroad, the above period is limited to six months.

(iii.) *General.* The Act also contains provisions regarding the remedies for infringement of designs and the rectification of the register. Arrangements for the international and intercolonial protection of copyright in designs were made by the same proclamation referred to above with regard to patents and trade marks. The owner of a registered design must cause each article to which the design is applied to be marked before delivery for sale with the prescribed mark to denote that the design is registered.

5. **Applications for Trade Marks and Designs.**—The following table gives particulars of trade mark and design applications received and registered under the Commonwealth Acts from 1909 to 1915 inclusive :—

**TRADE MARK AND DESIGN APPLICATIONS RECEIVED AND REGISTERED UNDER
COMMONWEALTH ACTS, 1909 to 1915.**

Applications.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
RECEIVED.							
Trade Marks ...	1,688	1,729	1,977	1,803	1,957	1,619	1,526
Designs ...	187	186	203	235	301	267	326
REGISTERED.							
Trade Marks ...	1,455	1,190	1,323	1,389	1,468	1,272	1,015
Designs ...	166	160	180	211	281	220	266

The following table shews the revenue of the Trade Mark and Design Office during the years 1912 to 1915 :—

REVENUE OF TRADE MARK AND DESIGN OFFICE, 1912 to 1915.

Particulars.	1912.			1913.			1914.			1915.		
	Trade Marks.	Desig's	Publi- cations	Trade Marks.	Desig's	Publi- cations	Trade Marks.	Desig's	Publi- cations	Trade Marks.	Desig's	Publi- cations
	£	£	£	£	£	£	£	£	£	£	£	£
Fees collected under State Acts ...	67	...	...	38	...	...	42	...	...	32	...	...
Fees collected under Commonwealth Acts ...	5,012	198	98	5,260	293	123	4,610	266	102	4,024	329	95
Total ...	5,079	198	98	5,298	293	123	4,652	266	102	4,056	329	95

6. Enemy Patents and Trade Marks.—On the outbreak of the European war the Commonwealth Government deemed it advisable to extend the powers of the Governor-General of the Commonwealth during the continuance of hostilities with reference to patents, trade marks, and designs, the property of alien enemies.

Acts Nos. 15 and 16 of 1914 were accordingly passed by the Commonwealth Parliament in November, 1914, giving the Governor-General power to make regulations as follows:—

- (a) for avoiding or suspending in whole or in part any patent or license the person entitled to the benefit of which is the subject of any State at war with the King;
- (b) for avoiding or suspending the registration, and all or any rights conferred by the registration, of any trade mark or design the proprietor whereof is a subject as aforesaid;
- (c) for avoiding or suspending any application made by any such person under any of the Acts referred to in this section;
- (d) for enabling the Minister to grant, in favour of persons other than such persons as aforesaid, on such terms and conditions, and either for the whole term of the patent or registration or for such less period, as the Minister thinks fit, licenses to make, use, exercise or vend patented inventions and registered designs so liable to avoidance or suspension as aforesaid; and
- (e) for extending the time within which any act or thing may or is required to be done under any of the Acts referred to in this section.

The regulations prescribed by the Governor-General for giving effect to the provisions of these Acts may be found in the official journals issued by the Commonwealth Commissioner of Patents (see *Australian Official Journal of Patents*, vol. 20, No. 47 *et seq.*).

To the end of June, 1916, nineteen applications had been made under these Acts to avoid or suspend patents, of which five were granted and three refused, the others being withdrawn. Twenty-seven applications were also made to avoid or suspend trade marks, of which seven were granted, ten refused, three withdrawn, and seven are still pending. Five hundred and fifty-eight Commonwealth and eleven State registrations of trade marks, and all rights conferred by such registrations, also have been suspended in favour of the Minister of State for Trade and Customs. In addition, four patents were suspended in favour of the Engineer-in-Chief for the Commonwealth Railways and such person or persons as may be licensed by the Minister.

7. Publication of Inventions during Present State of War.—Under the War Precautions (Patents) Regulations 1916 (Statutory Rules 140), any person intending to apply for a patent outside the Commonwealth must give notice of his intention to the Commissioner of Patents, who will refer the notice to the Patents Inquiry Board. If the Board is of opinion that the invention is one which would be of assistance to the enemy, or its publication outside the Commonwealth would be detrimental to the interests of the Commonwealth, the applicant is directed not to publish or communicate his invention.

Under the same regulations every application for a patent, except applications the publication of which in the opinion of the Commissioner of Patents would obviously not be detrimental to the Commonwealth, shall also be referred to the Board. If the Board determines that an invention might be of assistance to the enemy, the applicant shall not, during the continuance of the present state of war, proceed with his application either within or beyond the Commonwealth.

Provision is also made under these regulations for the Attorney-General to give permission in writing for an application to be made abroad under the terms of the International Convention in respect of any invention the subject of an application in the Commonwealth lodged prior to the 12th January, 1916.

§ 3. Copyright.

1. Copyright Legislation.—Prior to the 1st January, 1907, the date on which the Commonwealth Copyright Act of 1905 came into operation, the subject of copyright was regulated by the laws of the separate States. In general, the State laws were under the like provisions of the Imperial Copyright law, including the law of 1842 and the earlier unrepealed or subsequent Acts, the most important of which were the Colonial Copyright Act 1847 and the International Copyright Act of 1886. They were also generally included under British international relations embracing the Berne-Paris provisions of the International Copyright Union and the reciprocal relations with the United States of America, but, with the exception that in the Austria-Hungary Treaty, New South Wales and Tasmania were not parties, because they did not exercise the right of ratification especially reserved to individual colonies.

Though the Commonwealth Copyright Act of 1905 took the place of the State Copyright Acts formerly in force, it left unaffected existing rights under the State laws, but transferred the administration thereof to the Commonwealth. Provision was also made under the law of 1905 for the registration of International and State copyrights. In order to obtain local, as distinguished from British or Imperial, protection, the Act

required that a book must have been "printed from type set up in Australia, or plates made therefrom, or from plates or negatives made in Australia in cases where type is not necessarily used," and published in Australia, after the commencement of the Act, before or simultaneously with its first publication elsewhere. The "Common Law of England" was specifically applied to unpublished literary compositions. Artistic works were not protected in Australia under either the Commonwealth Act of 1905 or Imperial law unless "made in Australia."

Copyright in the case of literary works endured for a period of forty-two years from the date of first publication, or the life of the author or the last surviving joint-author and seven years thereafter, whichever was the longer. If, however, first publication of a book took place after the death of the author the duration of copyright was limited to forty-two years. Performing right and lecturing right subsisted separately for a like period from first public performance or delivery simultaneously with first public performance or delivery elsewhere. But the lecturing right ceased when the lecture was published as a book. Copyright in artistic works subsisted for the term of forty-two years from the date of the making thereof, or for the author's life and seven years, whichever was the longer.

Provision was also made for the assignment of copyright, performing right, and lecturing right, either wholly or in part, and either generally or limited to any particular place or period, and owners of any of the rights specified could grant any interest therein by license; but such an assignment or grant would not be valid unless it was in writing, signed by the owner of the right.

The Act of 1905 prohibited the importation of all pirated books or artistic works "in which copyright is subsisting in Australia (whether under this Act or otherwise)," and provided for the forfeiture of such works, on condition of written notice of the copyright by the owner of the copyright or his agent to the Minister, directly or through the Commissioners of Customs of the United Kingdom.

Registration of any copyright, performing right, or lecturing right was required as a prerequisite for legal action, but copyright and performing right existed, and in some cases could be enforced, without registration.

2. The Copyright Act of 1912.—The Copyright Act of 1905 was repealed by the Copyright Act of 1912, which was assented to and became operative on 20th November, 1912. Subject to modifications relating to procedure and remedies, the Commonwealth law of 1912 adopted the British Copyright Act of 1911, and declared the latter law to be in force within the Commonwealth as from the 1st July, 1912. The British Act extends throughout the whole of His Majesty's dominions, but it is not to be in force in a self-governing dominion unless enacted by the legislature thereof either in full or with modifications relating exclusively to procedure and remedies necessary to adapt the Act to the circumstances of the dominion.

Under the Commonwealth Law of 1912, copyright subsists in "every original literary, dramatic, musical, and artistic work," first published within parts of His Majesty's dominions to which the British Copyright Act of 1911 extends, and in the case of an unpublished work, the author of which was "at the date of the making of the work," a British subject or a resident domiciled within the aforesaid parts of His Majesty's dominions (or under protection through international copyright provisions). The old Common Law right is abrogated by the Act of 1912, and all copyright property is now the creature of statute from the date when it takes shape, either written in words or in some other material form.

Copyright is defined to mean the sole right to produce or reproduce the work or any substantial part thereof in any material form whatsoever, or any translation thereof, to

publish, perform, or deliver the work in public, to dramatise or novelise it, and in the case of a literary, dramatic or musical work, to make any record, cinematograph film or other contrivance by means of which it may be mechanically performed or delivered, or to authorise any of such acts. Architectural works of art are included as to design, but not as to process or methods of construction.

Further details relative to the provisions of the Act of 1912 will be found in previous issues of the Year Book (see No. 8, p. 1066).

3. Applications for Copyright.—The following table gives particulars of copyright applications received and registered under the Commonwealth Acts from 1911 to 1915 inclusive:—

COPYRIGHT APPLICATIONS RECEIVED AND REGISTERED UNDER COMMONWEALTH ACTS, 1911 to 1915.

Year.	Copyrights.			
	Literary.	Artistic.	International and State.	Total.
APPLICATIONS RECEIVED.				
1911	440	466	15	921
1912	463	415	8	886
1913	505	340	...	845
1914	743	219	5	967
1915	740	237	4	981
APPLICATIONS REGISTERED.				
1911	379	412	11	802
1912	401	318	10	729
1913	429	245	...	674
1914	693	184	5	882
1915	742	222	3	967

The revenue from copyright for the years 1912, 1913, 1914 and 1915 was £145, £169, £239 and £252 respectively.

§ 4. Old-age and Invalid Pensions.

1. General.—In previous issues an account has been given of the introduction of the old-age pension system into Australasia. Then followed a detailed description of the Commonwealth Invalid and Old-age Pensions Act of 1908, which became operative on 1st July, 1909. It is not intended to repeat these sections in the present publication; enquirers into the subject are referred to previous issues (3-8) of the Official Year Book. In view, however, of the interest attaching to the working of the system, the series of statistical tables which have hitherto been published will be continued.

2. Number of Commonwealth Claims and Old-age Pensions.—During the first year of practical working of the Commonwealth Act, viz., that ended 30th June, 1910, the number of cases considered was 76,168. Of these, 39,875 were cases in which a State old-age pension was exchanged for one payable by the Commonwealth. The remaining 36,293 were new applications received during the year, of which 30,526 were granted, 3921 were rejected, and 1846 were still in course of consideration on 30th June, 1910.

Details of the several States as at 30th June, 1915, are as follows :—

COMMONWEALTH OLD-AGE PENSIONS, YEAR ENDED 30th JUNE, 1915.

	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	C'w'lth.
Claims examined during year ending 30th June, 1915 ...	4,763	3,875	1,639	1,474	587	548	12,886
Claims rejected ...	702	170	348	100	61	49	1,430
Claims granted ...	4,061	3,705	1,291	1,374	526	499	11,456
Transfers from other States ...	357	278	142	153	96	54	1,080
Existing 30th June, 1914 ...	32,165	27,150	11,758	8,396	3,909	4,402	87,780
	36,583	31,133	13,191	9,923	4,531	4,955	100,316
To be deducted—							
Deaths ...	2,845	2,206	906	682	268	325	7,232
Cancellations, and transfers to other States ...	834	562	361	223	110	102	2,192
	3,679	2,768	1,267	905	378	427	9,424
Old-age Pensions existing on 30th June, 1915 ...	32,904	28,365	11,924	9,013	4,153	4,528	90,892

3. Sexes of Old-age Pensioners.—Of the 90,892 persons in receipt of pensions at 30th June, 1915, 38,165 (or 42 per cent.) were males, and 52,727 (or 58 per cent.) were females. Details for the several States are as follows :—

SEXES OF PENSIONERS, 30th JUNE, 1915.

State.	Males.	Females.	Total.	*Masculinity.
New South Wales ...	14,569	18,335	32,904	79.46
Victoria ...	11,044	17,321	28,365	63.18
Queensland ...	5,565	6,359	11,924	87.52
South Australia ...	3,434	5,584	9,018	61.50
Western Australia ...	1,954	2,199	4,153	88.86
Tasmania ...	1,599	2,929	4,528	54.61
Total ...	38,165	52,727	90,892	72.38

* Number of males to each 100 females.

4. Ages and Conjugal Condition of Old-age Pensioners Admitted during 1914-15.
—The recorded ages of the 11,456 persons to whom pensions were granted during the year 1914-15 varied considerably, ranging from 1924 at age 60 to one at age 99. Particulars for quinquennial age-groups are as follows :—

AGES AND CONJUGAL CONDITION OF PENSIONERS ADMITTED DURING 1914-15.

Age at Admission.	Males.				Females.				Grand Total.
	Single.	Married.	Widowed	Total.	Single.	Married.	Widowed	Total.	
60-64	65	188	61	314	343	1,886	1,686	3,915	4,229
65-69	676	1,741	643	3,060	109	643	652	1,404	4,464
70-74	214	525	230	969	46	260	380	686	1,655
75-79	63	187	128	378	21	91	235	347	725
80-84	18	43	56	117	4	25	135	164	281
85-89	7	16	20	43	...	4	45	49	92
Above 90	1	...	3	4	...	1	5	6	10
Total	1,044	2,700	1,141	4,885	523	2,910	3,138	6,571	11,456

5. Commonwealth Claims for Invalid Pensions.—The situation as at 30th June, 1915, was as follows:—

COMMONWEALTH INVALID PENSIONS.—YEAR ENDED 30th JUNE, 1915.

	N.S.W.	Vic.	Q.	S.A.	W.A.	Tas.	Total C'wealth.
Claims examined during year ending 30th June, 1915	2,227	2,128	803	609	316	392	6,475
Claims rejected	507	368	165	110	62	55	1,267
Claims granted	1,720	1,760	638	499	254	337	5,208
Transfers from other States	48	47	27	18	9	6	155
Existing 30th June, 1914	6,908	4,844	2,023	1,179	766	1,145	16,865
	8,676	6,651	2,688	1,696	1,029	1,488	22,228
Deduct—							
Deaths	388	479	183	148	74	93	1,365
Cancellations and Transfers to other States	150	118	75	37	20	46	446
	538	597	258	185	94	139	1,811
Invalid Pensions existing 30th June, 1915	8,138	6,054	2,430	1,511	935	1,349	20,417

6. Sexes of Invalid Pensioners.—Of the 20,417 persons in receipt of an invalid pension on 30th June, 1915, 10,291 or 50.4 per cent. were males, and 10,126 or 49.6 per cent. were females. Details for the several States are as follows:—

SEXES OF INVALID PENSIONERS, 30th JUNE, 1915.

State.	Males.	Females.	Total.	*Masculinity.
New South Wales	4,158	3,980	8,138	104.47
Victoria	2,985	3,069	6,054	97.26
Queensland	1,313	1,117	2,430	117.55
South Australia	675	836	1,511	80.74
Western Australia	528	407	935	129.73
Tasmania	632	717	1,349	88.14
Commonwealth	10,291	10,126	20,417	101.63

* Number of males per 100 females.

7. Ages and Conjugal Condition of Invalid Pensioners Admitted during 1914-15.—

The recorded ages of the 5208 persons who received invalid pensions in the period under review varied from 16 to 93. The following table gives particulars for those up to age 20 and in decennial age-groups after age 20:—

AGE AND CONJUGAL CONDITION OF INVALID PENSIONERS ADMITTED IN 1914-15.

Age at Admission.	Males.				Females.				Grand Total.
	Single.	Married.	Widowed	Total.	Single.	Married.	Widowed	Total.	
16-19	165	...	...	165	160	...	...	160	325
20-29	208	41	1	250	271	20	8	299	549
30-39	149	156	5	310	183	48	38	269	579
40-49	199	295	25	519	144	117	119	380	899
50-59	253	565	104	922	158	396	496	1,050	1,972
60-69	177	337	132	646	24	55	42	121	767
70-79	18	26	11	55	7	26	19	52	107
80 and over ...	1	2	1	4	...	...	6	6	10
Total	1,170	1,422	279	2,871	947	662	728	2,337	5,208

8. Cost of Administration.—Under the State régime the cost of administration differed considerably in the several States, and for 1908-9 represented in New South Wales 4.17 per cent. of the amount actually paid in pensions. In Victoria for the same year the corresponding percentage was 0.70. During the year 1914-15 the total cost to the Commonwealth of administering the Old-age and Invalid Pensions Department was £48,407, or about 1.8 per cent. of the amount actually paid in pensions. Details concerning the cost of administration for 1914-15 are as follows:—

	£
Salaries	15,394
Temporary assistance	1,377
Services of magistrates, registrars, clerks of courts, and police ...	4,039
Commission to Postmaster-General's Dept., at 12s. 6d. per £100 paid	16,633
Postage and telegrams	1,926
Other expenses	9,088
Total	£48,407

The actual sum disbursed in Old-age and Invalid Pensions in the financial year 1914-15, apart from the cost of administration, was approximately £2,704,309.

9. Liability Undertaken in Granting Old-age Pensions.—As an indication of the extent of the responsibility which an old-age pension scheme involves, it may be mentioned that in connection with the evidence tendered to the Commonwealth Commission on Old-age Pensions a computation was made of the total liability in respect of accrued pensions which the Commonwealth would have incurred if, at 31st March, 1901, the date of the Census, 39 per cent. of the persons aged sixty-five and upwards were entitled to pensions of ten shillings per week. The present value at that date of the liability so computed was £10,415,820. (See Minutes of Evidence of Royal Commission on Old-age Pensions, p. 80.)

The following table gives detailed statistical information concerning the working of the Act since 1st July, 1909:—

INVALID AND OLD-AGE PENSIONS SUMMARY.

Financial Year ended 30th June.	Number of Pensioners.			Amount Paid in Pensions.	Amount Paid to Asylums for Maintenance of Pensioners.	Total Payment to Pensioners and Asylums.	Cost of Administration.	Cost of Administration per £100 paid to Pensioners and Asylums.	Average Fortnightly Pension on last day of Financial Year.
	Old-Age.	Invalid.	Total.						
				£	£	£	£	£ s. d.	s. d.
1910	65,492	...	65,492	1,497,330	155	1,497,485	37,146	2 9 7 %	19 1
1911	75,502	7,451	82,953	1,868,648	2,592	1,871,240	39,244	2 1 11 %	19 1
1912	79,071	10,763	89,834	2,148,034	7,447	2,155,481	41,794	1 18 9 %	19 0
1913	82,943	13,739	96,682	2,289,048	13,287	2,302,335	44,523	1 18 8 %	19 6
1914	87,780	16,865	104,645	2,577,965	14,236	2,592,201	47,015	1 16 3 %	19 5
1915	90,892	20,417	111,309	2,704,309	27,630	2,731,939	48,407	1 15 5 %	19 5

§ 5. Maternity Allowance.

The Federal Parliament, during the session of 1912, passed an Act (assented to on 10th October, 1912) providing under certain circumstances for the payment of maternity allowances. The scope and main provisions of the Act will be gathered from the following sections and sub-sections, given in full:—

4. "Subject to this Act, there shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, a maternity allowance of Five pounds to every woman who, after the commencement of this Act, gives birth to a child, either in Australia or on board a ship proceeding from one port in the Commonwealth or a Territory of the Commonwealth to another port in the Commonwealth or a Territory of the Commonwealth."
5. (1) "A maternity allowance shall be payable in respect of each occasion on which a birth occurs, and the child is born alive, or is a viable child, but only one allowance shall be payable in cases where more than one child is born at one birth."
6. (1) "The maternity allowance shall be payable only to women who are inhabitants of the Commonwealth or who intend to settle therein."
- (2) "Women who are Asiatics or are aboriginal natives of Australia, Papua, or the islands of the Pacific, shall not be paid a maternity allowance."

The following table gives a statistical summary of the most important points in connection with the working of the Maternity Allowance Act since 10th October, 1912, when the first payments were made:—

COMMONWEALTH MATERNITY ALLOWANCE.—SUMMARY.

Year ended 30th June.	Claims Paid.	Claims Rejected.	Amount Paid.	Cost of Administration.	Cost per £100 of allowance paid.		
					£	s.	d.
1913 (a)	82,475	619	412,375	6,547	1	11	9
1914	134,998	709	674,990	10,281	1	10	6
1915	138,855	640	694,275	12,900	1	17	2

(a) From 10th October, 1912.

§ 6. Local Option.

1. **General.**—The principles of local option as to the sale of fermented and spirituous liquors have been applied in all the States of the Commonwealth. The last State to adopt these principles was Western Australia, where provision was made for a system of local option by the Licensing Act 1911. Since the outbreak of war in 1914, various enactments have been made in several of the States relative to the control of the liquor traffic. While not in any way pertaining to the scheme of local option, these measures are referred to in this section, as possibly, if not probably, affecting future public opinion in regard to this matter.

2. **New South Wales.**—(i.) *Local Option.* The Act in force relating to local option in this State is the Liquor Act 1912, which consolidates the laws relating to publicans, brewers and other persons engaged in the brewing, manufacture or sale of liquor. The local option vote is taken in every electorate on the day fixed for the poll therein at each general election. The option with regard to licenses extends to public-houses, wineshops, and clubs, and the persons entitled to vote are those entered on the Parliamentary electoral rolls. The first local option vote under the Liquor (Amendment) Act of 1905 was taken at the general election in 1907, and the second at the election in 1910, while the vote in 1913 was taken under the Liquor Act 1912. In 1907, when the first local option vote was taken, there were 3023 hotels in existence; of this number 293 were ordered to be closed at varying dates. At the election of 1910 there were 2869 hotels, and of these, 28 were ordered to be closed. At the 1913 election there were 2719 hotels, of which 23 will be closed in accordance with the local option vote. The number of wine licenses at the time of the vote of 1907 was 633, of which 46 were abolished. In 1910, 5 out of 565 were closed, and in 1913, 7 out of 514 were ordered to be closed. The resolutions to be submitted, and the effects of such resolutions, if carried, are given *in extenso* in previous issues of this book. The following statement shews the number of electorates in which each of the resolutions was carried:—

NEW SOUTH WALES.—EFFECTS OF LOCAL OPTION VOTES, 1907, 1910, and 1913.

Particulars	General Election, 1907.		General Election, 1910.		General Election, 1913.	
	Elector-ates.	Votes.	Elector-ates.	Votes.	Elector-ates.	Votes.
<i>Results in favour of—</i>						
(a) Continuance ...	25	209,384	76	324,973	74	380,707
(b) Reduction ...	65	75,706	14	38,856	15	44,453
(c) No license ...	Nil	178,580	Nil	212,889	Nil	245,202

(ii.) *Liquor Referendum Act 1916.* On 17th February, 1916, a proclamation was issued, in terms of the War Precautions Act, by the Minister for Defence, ordering that licensed premises be closed at 6 p.m. in the County of Cumberland, and within a radius of five miles from any military camp; a week later the closing hour was varied from 6 to 8 p.m. Subsequently the Liquor Referendum Act 1916 was passed in the State Parliament to decide by referendum the hour of closing for premises licensed under the Liquor Act 1912. At the referendum the electors were enabled to record votes in order of preference for each hour from 6 to 11 p.m. inclusively. The count of the first preference votes resulted in a large majority for 6 o'clock, and from 21st July, 1916, all licensed premises and registered clubs in New South Wales must be closed at that hour. This determination will prevail during the currency of the war and for a period not exceeding six months thereafter.

3. **Victoria.**—The Acts dealing with the subject of local option as to the sale of fermented and spirituous liquors, and with the compulsory closing of hotels in this State, is the Licensing Act 1915, No. 2683. Other Acts, now repealed, which dealt with the subject, are the Licensing Acts 1876, 1885, 1888, 1890, 1906, and 1907.

Part XIII. of the Act of 1915 relates to the subject of local option; this part, however, does not come into force until the 1st January, 1917. In the meantime, in order to reduce the number of victuallers' licenses in Victoria, a Licenses Reduction Board has been constituted.

(i.) *The Licenses Reduction Board.* Although the operations of this Board are not conducted in accordance with the principles of local option, the duties of the Board are, until the 31st December, 1916, after which date a system of local option comes into force under the Act of 1906, to reduce the number of licenses in excess of the statutory number, and to award compensation according to the scheme provided for by that Act. The Board consists of three members at a salary of £800 per annum each, who may not engage in any business or employment other than the duties of their office as members of the Board. The Board was first appointed on the 21st May, 1907. A Compensation Fund has also been established under the Act, and is raised by means of a compensation fee at the rate of 3 per cent. on the value of liquor purchased by every licensed victualler. The owner of the premises is chargeable with two-thirds, and the tenant with one-third of the compensation fee. The total amount paid into the Compensation Fund was £60,138 for 1914, £63,625 for 1915, and £60,396 for 1916. When any reduction of licensed premises has been made, the remaining hotels, which will be benefited, are to bear a *pro rata* assessment to make up the amount of license fees lost. The amount so lost up to the end of the year 1915 was £15,430, of which sum £3864 was remitted, and £11,566 apportioned among 1792 hotels in proportion to the benefit which, in the opinion of the Board, they will derive from the closing. By an amendment to the Act in 1912, the Board has been given discretion in certain circumstances to allot less than the amount lost. The maximum compensation, which is payable out of the Compensation Fund referred to above, is to be based on the results of the three years preceding the 31st December, 1906, in the case of owners, and of the three years preceding the 31st December, 1905, in the case of licensees. Up to the 31st December, 1915, 911 hotels had been closed by the Board, 230 of this number having surrendered their licenses. In all cases compensation, where claimed, was awarded, the total paid amounting to £456,708, or an average of £501 each. 243 of these hotels were situated in the metropolitan district, while the remaining 668 were in country districts. In three owners' cases and 191 licensees' cases no claims for compensation were made. The following table shews particulars of the operations of the Board up to the 31st December, 1915:—

VICTORIA.—OPERATIONS OF LICENSES REDUCTION BOARD, 31st DECEMBER, 1915.

Particulars.	Licenses in December, 1906.			Hotels Deprived of Licenses	Compensation Awarded.		Hotels Surrendered.	Compensation Awarded.	
	Number in Existence.	Statutory Number.	Number in Excess.		Owner.	Licensee.		Owner.	Licensee.
Metropolitan & Suburban	1,020	877	401	231	£ 174,304	£ 33,093	12	£ 5,973	£ 1,149
Country ...	2,428	1,622	967	450	164,744	25,302	218	47,172	4,971
Total ...	3,448	2,499	1,368	681	339,048	58,395	230	53,145	6,120

* In some districts the number of hotels was below the statutory number; in these districts the total number of hotels less than the statutory number was 418.

No reduction of any licensed premises is allowed in any licensing district in which the number of licensed premises is below the statutory number, but new licenses may, until 1917, be granted in such districts provided that a majority of the electors vote in favour of the increase, and that at least one-third of the number of electors on the roll record their votes. The statutory number varies yearly with the change of the population. The number of hotels below the statutory number in the districts referred to for the year 1915 was 1025.

Where a deprivation sitting is held before 30th June the Acts specify that a deprived license expiring on or before the 31st December following shall not be renewed. Where the sitting takes place after 30th June the license may be renewed for a period making in all six months from the first day of such sitting. To avoid difficulties on this score the Board holds its deprivation sittings in the first half of the year and its compensation and re-allotment sittings in the second half. Surrenders take effect on the date fixed by the Board at the time of acceptance.

In addition to those scheduled above, the Board, up to the 7th August, 1916, had deprived 110 hotels of their licenses, of which 13 were surrendered, making a grand total of 1021.

In previous issues reference has been made to the methods of procedure to be followed on the coming into force of the system of local option on 1st January, 1917.

(ii.) *Early Closing of Hotels.* Consequent on the war, an Act (No. 2584) was passed, and came into operation on 6th July, 1915, restricting the hours for the sale of intoxicating liquors, the restriction being limited to the duration of the war. Sale is permitted only between the hours of 9 a.m. and 9.30 p.m. By a subsequent Act (No. 2776), tenants of licensed premises were given the right to apply to the Licenses Reduction Board to adjust the rents of their premises. About 360 applications have been received and dealt with by the Board under this provision.

4. **Queensland.**—The local option clauses of "The Liquor Acts of 1912-1914" provide for the following:—

- (i.) The conditions under which new licenses may be granted until the completion of the business of the Licensing Court in April, 1916.
- (ii.) The continuance of the local option clauses of "The Licensing Act of 1885" until the 31st December, 1916.
- (iii.) The institution of a new scheme, under which electors from and after the year 1917 will have the opportunity of voting every three years on the question of reduction of licenses.

(i.) *New Licenses.* With regard to the granting of "new licenses" from the 1st April, 1913, and until the completion of the business of the Licensing Court in April, 1916, it is provided that no new licensed victualler's or wine seller's or provisional licenses shall be granted, unless at a local option vote of the electors of the local option area in which the premises or proposed premises are situated, a resolution "that new licenses shall be granted in this local option area" has been carried.

If the resolution is carried, the Court may, but need not, grant applications; but if the resolution is not carried, the Court shall not grant any application during the said years in the said local option areas.

The Acts of 1912 and 1914 provided that a local option vote following on an application for a license might be taken in any of the years 1913, 1914, 1915, and 1916 in a local option area, but having been taken once should not be taken again during those years in the same local option area. During 1913 a vote was taken in 10 districts on the resolution "that new licenses be granted." In five of these, the resolution was carried, the other five districts declaring against any increase in the number of licenses. In 1914, 16 districts voted on the same resolution, in 11 of which it was carried, while in 1915, 16 districts also voted, the resolution being carried in 10 cases.

(ii.) *Continuance of Present System until 1917.* With the exception of the third resolution, viz., "that no new licenses be granted," the local option provisions of "The Licensing Act of 1885" remain in full force and effect until the 31st December, 1916, with certain modifications and additions. These will be found fully described in previous issues of the Year Book (see No. 6, p. 1177).

(iii.) *General Local Option.* The first vote may be taken in the year 1917, either on the same day as the election of senators takes place, or if no senate election is held in 1917 before the 30th September, then on a day to be appointed by the Governor-in-Council, and the vote will be by ballot.

The vote will be taken on the request of one-tenth of the number of electors in an area, which is defined in the request, and such area may be:—(a) an electoral district, (b) an electoral division of an electoral district, or, (c) a group of two or more divisions of an electoral district, provided that the whole of such local option area is wholly comprised within one and the same electoral district.

There must be a separate request for each resolution on which a vote is required to be taken.

The resolutions on which a vote may be taken are:—(a) reduction by one-fourth of the existing number, (b) further reduction by one-fourth of the existing number, (c) further reduction by one-fourth of the existing number, (d) prohibition, and (e) new licenses.

In previous issues of the Year Book (see No. 6, p. 1178) will be found fuller reference to the effect of the carrying of any of these resolutions.

5. South Australia.—In this State the subject of local option is now regulated by Part V. of the Licensing Act 1908.

Under this Act, each electoral district for the House of Assembly is constituted a local option district, and each electoral district may be divided into local option districts by proclamation of the Governor. A quorum consisting of 500 electors, or one-tenth of the total number of electors, whichever be the smaller number, in any district may petition the Governor for a local option poll. The persons entitled to vote at the poll are those whose names appear on the electoral roll and who reside in the local option district.

The resolutions to be submitted under the Act, together with the effects such resolutions would have, are set out in detail in previous issues of the Year Book (see No. 6, p. 1179).

(i.) *Local Option Polls.* On the 2nd April, 1910, local option polls were taken under the Act of 1908 in twenty-four districts; the electors in the remaining nine local option districts did not petition for polls. A resolution that the number of licenses be reduced, was carried in only one district, Wallaroo; in the remaining 23 districts a resolution that the number of licenses be not increased or reduced, was carried. At the General Election of the House of Assembly held on the 10th February, 1912, no local option polls were held in any local option district. On the 27th March, 1915 (the same day as the Parliamentary elections), a local option poll was taken in the Flinders Southern (Port Lincoln) local option district, when the resolution "that the number of licenses be not increased or reduced" was carried. No other petitions were received during the year from any of the other local option districts.

(ii.) *Early Closing of Hotels.* On the 27th March, 1915, a referendum was held as to the hour for the closing of bar-rooms in licensed premises. Out of a total of 178,362 votes cast, 100,418 were cast in favour of closing bar-rooms at 6 p.m., those in favour of closing at 11 p.m. being 61,362. Electors had the choice of voting for hours other than the two mentioned, but the votes so cast were comparatively few.

6. **Western Australia.**—The law relating to local option in Western Australia is contained in Part V. (sections 75 to 86) of the Licensing Act 1911, which was assented to on 16th February, 1911, and came into force on the 7th April following. Prior to the passing of this Act there was no provision for any system of local option in Western Australia.

The resolutions to be submitted under the above-mentioned Act and the effect such resolutions would have, are given in detail in previous issues of the Year Book (see No. 6, p. 1180).

The first vote under the Act of 1911 was taken on 26th April, 1911, the main question being confined (as prescribed by the Act when the vote is taken prior to 1920) to a resolution "that the number of licenses be increased," the only other questions submitted being those of State control of new publicans' general licenses and State management throughout all licensing districts.

The following table shows the result of this local option poll:—

**WESTERN AUSTRALIA.—RETURN SHEWING THE RESULT OF LOCAL OPTION
POLL OF 26th APRIL, 1911.**

Result of Local Option Poll.		Do you vote that all new Publicans' General Licenses be held by the State.		Are you in favor of State Management throughout all Licensing Districts.	
Votes given in favor of the number of Licenses in the various districts being increased.	Votes given in favor of the number of Licenses in the various districts <i>not</i> being increased.				
		Yes.	No.	Yes.	No.
4,554	17,623	27,007	14,387	26,631	14,944

Under the 1911 Act a second poll was due on 26th April, 1914, but an amending Act was passed in December, 1913, continuing the present conditions until April, 1915. Subsequently, by an amending Act of 1915, the present conditions were further continued until 1918.

(i.) *Regulation of Liquor Traffic during the War.* In 1914, upon the outbreak of war, a special Act was passed in Western Australia empowering the Government by Proclamation to restrict or prohibit the sale or supply of liquor within any licensing district, or any portion of a licensing district, and rendered it an offence for any person, licensed or unlicensed, to offer for sale or supply liquor contrary to such Proclamation, with a penalty of £200, or imprisonment for twelve months.

Provision was also made to limit and fix the hours during which licensed premises in any district, or portion thereof, might be open for the sale of liquor. The Act also contained the necessary powers to enforce the provisions thereof, including power to search without warrant and seize any liquor where there was reason to believe that such liquor existed in a prohibited area.

The Act was passed solely as an emergency measure, and so far there has been no necessity to issue any Proclamation thereunder.

In 1915, a further Act was passed *regulating the sale of liquors*. That Act divided the State into four districts—Metropolitan, Goldfields, Agricultural, and North-West, the latter being exempt from the provisions of the Act.

The main feature, as regards the Metropolitan and Agricultural districts, was to reduce the period during which licensed premises could be open for the sale of liquor to the hours between 9 a.m. and 9 p.m., the previous period being between the hours of 6 a.m. and 11 p.m.

As regards the Goldfields district, the Act provided that upon receipt of a requisition signed by not less than 2000 electors in the district, a referendum should be held.

In submitting the referendum, each elector had one vote, and the voting paper set out the hours of 6 o'clock, 7 o'clock, 8 o'clock, 9 o'clock, 10 o'clock, and 11 o'clock p.m. as alternative hours of closing. Each elector was to indicate his vote by marking an "X" opposite the hour which he desired to have fixed as the hour of closing. If the majority of votes were cast in favour of any particular hour, that hour was to be certified as being the result of the vote and proclaimed as the hour of closing. If there was no majority, then the votes cast for the earliest hour were to be transferred to the next later hour, and so on until a majority was thus obtained, when such majority would have the same effect as if the votes were originally given in favour of the hour to which they had been transferred, and such hour would be proclaimed the hour of closing.

A petition signed by the necessary number of electors was duly received, and a referendum was taken on the 24th May, 1916, the result of the poll being that the majority of all votes cast was in favour of the hour of 11 o'clock p.m. being fixed as the hour of closing.

The hour of 11 o'clock p.m. was the same as the hour originally fixed in the Licensing Act, and the result of the referendum therefore left the hour of closing the same, in so far as the goldfields district was concerned, as existed prior thereto.

7. Tasmania.—In this State the subject of local option is dealt with in Part VI. (sections 72 to 84) of the Licensing Act 1902, as subsequently amended by section 8 of the Licensing Act 1908, which later Act, however, does not come into full operation until the first of January, 1917. Other Acts which formerly dealt with the subject, but are now repealed, are the Licensing Acts 1889-1890, the Inn Keepers Relief Act 1894, and the Licensing Act Amendment Act 1898. Under the Act of 1902, opposition to the grant of a license may be made (i.) by any resident ratepayer, (ii.) by petition of rate-payers resident in the neighbourhood, or (iii.) by local option poll.

The conditions under which applications may be made to the Licensing Bench, opposing the granting of licenses, are set out in detail in previous issues of the Year Book. (See No. 6, p. 1181.)

(i.) *Local Option Poll.* Any number of ratepayers not less than seven, resident in the neighbourhood of the house in respect of which a provisional certificate or an hotel license has been applied for, may require, by petition lodged with the Clerk of Petty Sessions, that a poll of the ratepayers resident in the neighbourhood be taken upon the question whether such provisional certificate be granted or not. If a majority of the votes taken be against the granting of the certificate the Licensing Bench must refuse to grant it.

Particulars as to operations under Part VI. of the Act are not available.

(ii.) *Early Closing of Licensed Premises.* A referendum on the question of the closing time for the sale and supply of liquor on licensed premises (6 Geo. V., No. 63) was taken on the 25th March, 1916, when 42,713 votes were cast in favour of closing at six o'clock p.m., against 26,153 votes in favour of ten o'clock, and 3951 votes for other hours. The majority in favour of closing at six o'clock over all other hours was 12,609, and a Bill is to be presented to Parliament in the present session to give effect to the wishes of the electors.

§ 7. Preferential Voting.

In previous issues of the Year Book, a description in detail has been given of the systems of preferential voting now in force in the States of Victoria, Queensland, Western Australia and Tasmania. It is not intended to repeat the description in the present issue.

§ 8. Valuation of Commonwealth Production.

The want of uniformity in methods of compilation and presentation of Australian statistics renders it an extremely difficult task to make anything like a satisfactory valuation of the various elements of production. At present there is so little accurate

statistical knowledge regarding such industries as forestry, fisheries, poultry, and bee-farming, that any valuation of the production therefrom can only be regarded as the roughest approximation. As a matter of fact, complete information as to value of production in all States is available in regard to the mining industry alone, and even in this case adjustments have to be made before the returns are strictly comparable. Careful estimates have been made in connection with the value of production from the agricultural and pastoral industries, which, it is believed, in the main give fairly accurate results. In the case of manufactories, prior to 1909, five of the States collected statistics of the value of production, while for the sixth State, Tasmania, an estimate has been prepared which it is believed gives a fair approximation. The returns given in the following table are fuller and more approximate than those which have been given previously, and the returns collected in 1909 and subsequent years, however, may be taken as substantially correct. The table hereunder shews the approximate value of the production from all industries during the years 1908 to 1914 :—

ESTIMATED VALUE OF PRODUCTION FROM INDUSTRIES, 1908 to 1914.

Year.	Agriculture.	Pastoral	Dairy, Poultry, & Bee-farming.	Forestry and Fisheries.	Mining.	Manufacturing.*	Total.
	£1000.	£1000.	£1000.	£1000.	£1000.	£1000.	£1000.
1908	37,150	47,259	15,045	4,286	24,580	36,637	164,957
1909	41,056	50,864	15,064	4,462	23,039	39,713	174,198
1910	39,752	56,993	17,387	4,789	23,215	45,598	187,734
1911	38,774	50,725	19,107	5,723	23,480	50,767	188,581
1912	45,754	51,615	20,280	6,432	25,629	57,022	206,732
1913	46,162	57,866	20,341	6,338	25,808	61,586	218,101
1914	36,052	60,265	21,562	6,419	22,265	62,922	209,485

* These amounts differ from those given in Section XIII., Manufacturing Industries, owing to certain products which are there included having been included in Dairy Farming and Forestry in this table.

The total production from all industries during 1914 was £209,485,000, equal to an average of £42 11s. 8d. per inhabitant.

In Year Books Nos. 1 to 5 will be found the value of production in each State at decennial intervals since 1871, and for the year 1909. Details for individual States are not available for subsequent years owing to discontinuance by the Customs Department of the collection of statistics of interstate trade.

§ 9. Norfolk Island.

1. **Area, Location, etc.**—Norfolk Island, discovered by Captain Cook in 1774, is situated in latitude 29° 3' 45" south, longitude 167° 58' 6" east. Its total area is 8528 acres, the island being about 5 miles long and 3 miles wide. From Sydney it is distant 930 miles, and from New Zealand 400 miles. The coast line is 20 miles, and its form that of an irregular ellipse. Except on the south-west, inaccessible cliffs rise from the water's edge. The climate is equable, and the average annual rainfall 43 inches.

2. **Settlement.**—The first colonisation, in 1788, was by Lieutenant King, who in H.M.S. *Sirius* established a small penal station as a branch settlement of that at Port Jackson. The settlement was abandoned in 1806, and thence for 20 years its chief use was as a whaling station and place of call for British warships.

From 1826 to 1855 it was again made a penal station. In 1844 it was annexed to Van Diemen's Land (Tasmania).

The descendants of the *Bounty* mutineers having become too numerous to subsist on Pitcairn Island were removed thence to Norfolk Island in 1856. The new community numbered 193, 94 males and 99 females, and were the descendants of British sailors and Tahitian women.

In 1856 the island was severed from Tasmania, and created a distinct and separate settlement under the jurisdiction of New South Wales. In 1897 it was made a dependency under the Governor of that Colony, and was administered by the Chief Secretary's Department through a resident Chief Magistrate, in whom was vested the executive government of the settlement, and the penal supervision of its affairs. In 1913, however, a Bill was passed by the Federal Parliament providing for the taking over of the Island as a territory of the Commonwealth. The Act came into force on 1st July, 1914, and the Island is now administered by the Department of External Affairs, through an Administrator and Chief Magistrate.

3. Population and Live Stock.—The population on 31st December, 1915, was 436 males, 393 females, total 829. Of these, 98 males and 10 females were Melanesians being trained at the mission station. The latest returns of live stock shew that there are in the island 1637 cattle, 713 horses, 817 sheep, and 116 pigs.

4. Production, Trade, etc.—In 1914-15 the imports were valued at £12,119, of which £10,679 was imported from New South Wales, £554 from New Zealand, and £886 from England. The exports were valued at £4001, the chief items being fruit, £810; seeds, £438; lemon juice, £1795; and hides, £256. Nearly all the export trade was with the Commonwealth, only small amounts going to New Zealand and the South Sea Islands. There is little other production. A monthly steam service is maintained with Sydney; other communication is irregular. The "all red" cable from Great Britain *via* Vancouver, Fanning Island and Fiji, bifurcates at Norfolk Island, one line connecting with New Zealand, the other with Brisbane.

5. Social Condition.—Education is free and compulsory, and there is a public school under the N.S.W. Department of Public Instruction, and with standards corresponding to the State public schools. The number of scholars enrolled is 164 (82 boys and 82 girls). A mission station has for many years been in existence for the education and general training of Melanesians, mostly from the Santa Cruz and Solomon Islands.

The magistrate's court has criminal jurisdiction in all crimes except capital offences, civil jurisdiction in all matters, and authority to grant probate and letters of administration.

§ 10. Lord Howe Island.

1. Area, Location, etc.—Between Norfolk Island and the Australian coast is Lord Howe Island in latitude 31° 30' south; longitude 159° 5' east. It was discovered in 1788. The total area is 3220 acres, the island being seven miles in length and from one-half to one and three-quarter miles in width. It is distant 436 miles from Sydney. The flora is varied and the vegetation luxuriant, with shady forests, principally of palms and banyans. The highest point is Mount Gower, 2840 feet. The climate is mild and the rainfall abundant.

2. Settlement.—The first settlement was by a small Maori party in 1853; afterwards a colony was settled from Sydney. Constitutionally, it is a dependency of New South Wales, and is supervised by a visiting magistrate.

3. Population.—The population at the Census of 3rd April, 1911, was 56 males, 49 females, total 105.

4. Production, Trade, etc.—The principal product is the seed of the native or *Kentia* palms. A monthly steamship service is maintained with Sydney. The lands belong to the Crown. The occupants pay no rent, and are tenants on sufferance.

§ 11. Interstate Conferences.

Reference to the various Interstate Conferences, held in 1914 and 1915, will be found on page 1081 Official Year Book, No. 8. Considerations of space preclude their insertion in the present issue.

§ 12. Interstate Commission.

In accordance with the provisions of the Commonwealth Constitution Act (sections 101 to 104, see page 33) an Act providing for the appointment of the commission was assented to on the 24th December, 1912. The personnel of the commission was, however, not decided until the 11th August, 1913, when Messrs. A. B. Piddington, K.C., (Chief Commissioner), Hon. George Swinburne, and N. Lockyer, I.S.O., were appointed. On the 8th September, 1913, a request was received from the Executive Government of the Commonwealth that the commission should investigate and report as soon as practicable upon the following matters :—

- (a) Any industries now in urgent need of tariff assistance ;
- (b) Anomalies in the existing tariff Acts which are either technical in character .or are due to or arise from the incidence of the taxation ;
- (c) The lessening, where consistent with the general policy of the tariff Acts, of the cost of the ordinary necessities of life, without injury to the workers engaged in any useful industry.

In accordance with the Government's suggestions, investigations were made by the Commissioners, and a Tariff Investigation Report was presented by them on the 22nd April, 1915. The matters dealt with in the report comprise :—Progress of manufacturing industries ; comparison of the value of output of manufacturing industries with the value of imports ; conflicting interests of the different industries ; profits to manufacturers ; salaries and wages ; local prejudice against the use of Australian goods ; complaints of lessening efficiency of workers ; the future of Australian manufacturing industries in the relation to employment ; large scale industry ; duties on raw materials ; interstate freights ; prohibiting duties ; export duties ; mode of stating the *ad valorem* rates of duty chargeable.

The Commission has now completed its tariff investigation, having issued in all 70 reports, dealing with the following matters :—Ale and beer ; apparel, viz., corsets ; apparel, viz., women's and men's garments, piece goods and curtains, etc. ; apparel, viz., socks and stockings ; boots and shoes ; brasswork ; brushware, brushmakers' drafts, and brush-makers' woodware ; butter, margarine, and edible oils ; cement (Portland) ; copper (refined, bounty) ; cordage ; corks and cork manufactures ; cotton growing ; electroplated ware ; electrotypes, stereotypes and matrices, and machinery connected therewith ; enamelledware and hollowware ; fruits (dried) ; fruits (fresh) ; furniture ; gas meters ; glass, glass bottles, glassware, and stained glass windows ; glucose ; grain and pulse ; hats and caps ; hides and skins ; inks (printing), and printers' roller composition ; inks—stains and dressings for leather ; inks (writing), and ink powders ; nails (horseshoe) ; nails (wire) and barbed wire ; machinery and implements (agricultural), also incubators and irrigation apparatus ; machinery (electrical), and electric and gas appliances, telephones, etc. ; machinery—engines and boilers, and machines generally ; machinery (weighing and testing) ; manures, native sulphur and pyrites ; marble and granite ; matches and vestas ; oil (olive) ; oil (shale) ; paints and colours, varnishes and paint oils ; pianos ; pickles, sauces and spices ; rubber goods ; slate slabs, roofing slates, and roofing and other tiles ; soap and soapmaking materials ; spirits (manufacturing) ; spirits (potable) ; stoves (fuel and gas), and register grates, etc. ; timber ; tin ores and unrefined tin—export duty ; tobacco, cigars, and cigarettes ; type, printers' metal ; vehicles and parts (including motor vehicles) ; vessels, ships, dredges, etc. ; wattle bark ; wool tops, woollen yarns, and machinery for the manufacture of tops and textiles generally ; works of art, modelled

statues, and coloured printed pictures; iron and steel; paper, paper boards, and manufactures of paper; motor cycles and cycle parts; leather; leatherware, etc.; locks and lock furniture.

Miscellaneous Group I. (comprising arrowroot, biscuits (dog), coffee, fish (preserved), foods (infants' and invalids'), game and eggs, lemon syrup crystals, nuts (edible), onions and potatoes, polish (metal), salt, seed (canary), seeds of green manure plants, tamarinds, yeast).

Miscellaneous Group II. (comprising badges, etc., calico, etc., carpets, cottons, feathers, felt (roofing, etc.), felt (saddlers'), flowers (artificial), hessians, etc., parasols, quilts (down), saddlebags and divan covers, sails, etc., shirt studs, woven small-ware).

Miscellaneous Group III. (comprising steam cookers, gold leaf, gold sheet, etc., lead wool, incandescent mantles, malleable iron castings, metal plate goods, metal printing, oil drums, picks (miners'), snap-hooks, etc., spirit gas stoves, wire (brass pinion), wire netting, woven wire, electrolytic zinc, manufactures of metal).

Miscellaneous Group IV. (comprising bitumen, chalk, filters, flints for tube mills, glue, etc., grindstones, plaster of paris, whale oil).

Miscellaneous Group V. (comprising alkalis, calcium carbide, disinfectants, glycerine, opium for medicinal purposes, rabbit poison tablets, sodium peroxide, etc., sulphur candles).

Miscellaneous Group VI. (comprising cinematographs, fishing rods, field glasses, etc., golf clubs, photo. films, etc., sapphires, spectacle cases, teeth (artificial), turquoise, watches, wooden plant pots, etc., wooden rims, woodware (printers').

Miscellaneous Group VII. (comprising asbestos, concertinas, earth (infusorial), etc., explosives, knives, mica, saws, smoking pipes (clay), also tailors' chalk, tricycles, etc., undertakers' requisites, welding compounds).

The Commission has now entered upon an investigation with a view to the development of trade in the South Pacific.

§ 13. The Commonwealth Advisory Council of Science and Industry.

1. **General.**—In January, 1916, a conference convened by the Right Honourable the Prime Minister of Australia, consisting of Ministers of State Agriculture Departments and representatives of the Universities, Associated Chambers of Manufactures and of Commerce, of the mining and other industries, and of Scientific Government Departments, met in Melbourne to discuss the development of the primary and secondary industries of the Commonwealth, and especially the application of science to industry. A committee of the conference was appointed to formulate proposals to the Government and a report was presented recommending the establishment, by Act of Parliament, of a Commonwealth Institute of Science and Industry, the proposed functions of which are as follows:—

(a) To consider and initiate scientific researches in connection with, or for the promotion of, primary or secondary industries in the Commonwealth.

(b) The collection of industrial scientific information and the formation of a Bureau for its dissemination amongst those engaged in industry.

(c) The establishment of National Laboratories.

(d) The general control and administration of such laboratories when established.

(e) To promote the immediate utilisation of existising institutions, whether Federal or State, for the purposes of industrial scientific research.

(f) To make recommendations from time to time for the establishment or development of special institutions or departments of existing institutions for the scientific study of problems affecting particular industries and trades.

(g) The establishment and award of industrial research studentships and fellowships, to include either travelling fellowships or fellowships attached to particular institutions.

(h) To draw attention to any new industries which might be profitably established in the Commonwealth.

(i) To keep in close touch with, and seek the aid of all Commonwealth and State Government departments, learned and professional societies and private enterprises concerned with, or interested in, scientific industrial research.

(j) The co-ordination and direction of scientific investigation, and of research and experimental work, with a view to the prevention of undesirable overlapping of effort.

(k) To advise the several authorities as to the steps which should be taken for increasing the supply of workers competent to undertake scientific research.

(l) To recommend grants by the Commonwealth Government in aid of pure scientific research in existing institutions.

(m) To seek, from time to time, the co-operation of the educational authorities and scientific societies in the States, with a view to advancing the teaching of science in schools, technical colleges, and universities, where its teaching is determined upon by those authorities.

As regards the constitution of the proposed Institute, the committee made the following recommendations, viz.:—

(i.) That an Advisory Council, consisting of nine members representing science and the principal primary and secondary industries, be appointed who shall advise and co-operate with the directors in framing the policy and in the administration of the Institute.

(ii.) That the members be appointed by the Governor-General in Council.

(iii.) That for the purposes of controlling and administering the Institute and of collecting information, and determining on the researches to be undertaken and directing their elucidation, three highly qualified salaried directors, of whom one shall be chairman of the directors, shall be appointed by the Governor-General in Council. The directors shall seek the advice and co-operation of the council and shall be *ex-officio* members thereof.

(iv.) That of the three directors one should be an expert business and financial man with ability in organisation; the other two should be chosen mainly on account of scientific attainments and wide experience.

(v.) The tenure of the directors shall be fixed by the Act.

(vi.) That the scientific staff should be appointed by the Governor-General in Council on the recommendation of the directors.

2. Immediate Arrangements.—Realising that the adoption of the recommendations, if approved, for the establishment of the Institute would necessarily involve delay, but being impressed with the urgent need for work of the character proposed, the committee recommended that until the Institute is established an Advisory Council be appointed particularly to carry out the objects expressed in sections (a) and (b) of paragraph above. The committee also recommended (a) that the Federal and State Munitions Committees, the heads of Government scientific departments, and bodies representative of Commonwealth manufacture, commerce, agriculture, mining and engineering, the Universities and Technical Colleges, and private enterprises be invited to suggest branches of industrial scientific research in which investigation would be of immediate practical use; and (b) that, when appointed, the Council should immediately take steps to initiate research work into the most pressing matters needing investigation, and should seek the co-operation of existing institutions, and utilise the available resources of staff and equipment. For the consideration of the Advisory Council, the following problems, among others, were suggested as being pressing:—

- (a) The sheep fly pest.
- (b) Improved methods of extracting zinc from Australian ores, including the commercial manufacture of electrolytic zinc.
- (c) The utilisation of brown coal with recovery of by-products.
- (d) The introduction of a mechanical cotton picker.
- (e) The eradication of the prickly pear.
- (f) The production of aluminium and ferro-alloys.
- (g) The recovery of potash, manufacture of alkali, and condensation of sulphurous acid gas at present being wasted.
- (h) The cultivation of useful indigenous grasses and salt bushes; and
- (i) The manufacture of fine chemicals, drugs and explosives.

3. **Appointment of Advisory Council.**—The establishment of the proposed Commonwealth Institute of Science and Industry has, for the present, been postponed, but the "immediate recommendations" of the committee for the appointment of an Advisory Council have been adopted by the Commonwealth Government. The Council appointed by the Governor-General consists of 34 members representing the scientific and industrial interests of each State, and including the six State Ministers for Agriculture, who are *ex-officio* members. The Prime Minister or, in his absence, the Vice-President of the Federal Executive Council, is the chairman.

The general control and direction of the work of the Council is in the hands of an Executive Committee of 13 members. In addition, a committee has been established in each State consisting of the State representatives on the Advisory Council, together with associate members appointed on the nomination of the respective State Governments. The chairman of each State committee is *ex-officio* a member of the Central Executive Committee. A grant of £5000 has been made by the Commonwealth Government to cover the cost of the scientific work of the Council and incidental expenses in connection therewith.

4. **Nature of Work Performed.**—Two reports have been issued by the Executive Committee, dated 21st June and 1st August, 1916, respectively. The work done by the committee may be classified under two main heads, viz.:—(i.) The collection of general information; and (ii.) the initiation of investigations.

(i.) *The Collection of General Information.* In order to enable the Council to perform the duties committed to it, and to facilitate the work of the permanent Institute, when established, a number of enquiries have been made by the Executive committee. These include:—

- (a) A census of scientific *personnel* and equipment available for research in universities, higher technical schools, and Government technical departments in Australia.
- (b) A census of industries and their problems.
- (c) Enquiries from universities and higher technical schools regarding provisions for training investigators.
- (d) Enquiries from Public Service Commissioners regarding the possibilities of training and prospects for encouragement of technical officers in Government departments; and
- (e) A census of research work in progress in universities, higher technical schools and Government technical departments.

In addition, initial steps have been taken by the appointment of a "science abstractor" towards the establishment of a Bureau of Information for the collection of industrial scientific information and its dissemination.

(ii.) *The Initiation of Investigations.* The problems suggested for the consideration of the Advisory Council as being specially pressing (see paragraph 2 hereinbefore), have all received attention and, in addition, expert information has been obtained regarding a number of other matters. In some cases no definite course of action has been adopted,

but in others provision has been made for systematic research by special committees of two or more experts, who receive grants from the fund at the disposal of the Executive for the payment of assistants and other working expenses.

Researches have been initiated into the production of chrome and tungsten ferro-alloys, which are important in connection with the production of high speed tool steels. A special committee has been appointed to investigate the question of the manufacture in Australia of chemicals now imported. Another special committee is enquiring into the production of potash salts. There are large deposits of alunite in Australia, a mineral which has commercial value as a source of potassium sulphate and of alumina. Since the German supplies of potash salts have been cut off, alunite has acquired a greatly enhanced value, but its treatment in Australia has not been attempted. The possible commercial utilisation of posidonia fibre, of which there are immense deposits in Spencer's Gulf, is being investigated,^o while another special committee is enquiring into the mode of occurrence of gold in quartz, with a view to cheapening deep prospecting. One of the most important problems affecting the pastoral industry in Australia is the tick pest in cattle. A special committee has been appointed to review the whole position, and to suggest measures (including legislation) to deal with the mischief. Similar action has been taken in regard to the nodule disease in cattle, which has so seriously injured the export trade in meat. A grant has been made to complete investigations into the cultivation of yeasts. The results already obtained afford hope that it will be possible to so shorten the period of the maturing of dough as to contribute materially to the solution of the day-baking difficulty. A committee has been appointed to deal with the problem of the standardisation of apparatus used for educational purposes. Other matters to which the Executive Committee has taken similar action, or to which they have given attention, include the production of aluminium, the cultivation of cotton and the problem of a mechanical cotton picker, the prickly pear pest, the brown coal of Victoria, wheat selection and breeding, indigenous grasses and saltbushes, the standard for alcoholometry, and forestry and timber industries. The Executive is also in touch with other problems which it has not yet had time to discuss in detail, but with which it hopes to deal at an early date.