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Elections (1) Possibility of New South Wales Troops voting in the field (2) Possibility of Federal intervention with regard to a controversy on conscription

1916. 89/357

COMMONWEALTH OF AUSTRALIA.

GOVERNOR-GENERAL'S OFFICE.

FILE OF PAPERS.*Elections*

SUBJECT: *New South Wales Troops*
voting in the Field - Possibility
of
① Possibility of Federal intervention with
regard to a controversy on conscription

26/7/16

57471



NEW SOUTH WALES.



Government House,
Sydney.

15th July, 1916

SIR,

I have the honour to transmit for Your Excellency's information, copy of despatch which I have addressed to the Secretary of State for the Colonies, as detailed below.

I have the honour to be,

Sir,

Your Excellency's most obedient Servant,

Governor.

His Excellency,

The Governor-General and Commander-in-Chief
of the Commonwealth of Australia.

No.	Date.	Subject.
71	5th July	N.S.W. Troops voting in the Field.

New South Wales.

No/ 71.

5th July 1916.

Sir,

I have the honour to transmit herewith copy of
a Ministerial minute on the subject of

- (1) the possibility of New South Wales troops abroad in the field voting at elections, and
- (2) the possibility of the intervention of the Federal Government with regard to a controversy on Conscription.

This minute from Ministers contains a memorandum setting out the views of the Federal Minister of Defence on these matters.

2. I beg to enclose for your information a copy of my reply to Ministers on the subject.

3. I am sending a copy of this despatch to the Governor-General.

I have the honour to be,

Sir,

Your most obedient, humble servant,

G. STRICKLAND

Governor.

The Right Honourable

A. Bonar Law, P.C., M.P.,

Colonial Office,

London.

MINUTE FOR HIS EXCELLENCY THE GOVERNOR.

The Premier begs leave to forward herewith for the information of His Excellency the Governor copy of a memorandum submitted by the Honourable J. D. Fitzgerald, M.L.C., Vice-President of the Executive Council, embodying the result of his interview with the Acting Prime Minister of the Commonwealth (Senator the Honourable G. F. Pearce) relative to the following matters, namely:-

1. the possibility of the troops abroad voting in the field at the New South Wales elections
2. the possibility of the intervention of the Federal Government with regard to the conscription controversy in the following ways -
 - (a) by approaching the New South Wales Executive,
 - (b) by approaching the New South Wales Universal Service League.

(Signed) H. C. HOYLE.

for the Premier.

PREMIER'S OFFICE,

SYDNEY, 1st July, 1916.

Memorandum from Mr. Fitzgerald to his Colleagues.

At the request of the Premier, I interviewed Senator Pearce, in Melbourne, on Thursday, 15th June, and laid before him the following matters:-

- (1) the possibility of the troops abroad voting in the field at the New South Wales elections,
- (2) the possibility of the intervention of the Executive intervention of the Federal Government with regard to the Conscription controversy in the following ways -
 - (a) by approaching the New South Wales Executive
 - (b) by approaching the New South Wales Universal Service League.

With regard to the voting of troops in the field in the New South Wales elections, Senator Pearce gave me a flat non possumus. He said the matter had been deeply considered by his Cabinet at the time Mr. Black approached him.

Two reasons seemed to influence the Acting Prime Minister,

- (1) the difficulty of drafting a measure to make provision for voting in the field,
- (2) the difficulty of supervising the voting.

He said the voting would be supervised by the Company Officers and he, if he were a company officer, would under the circumstances of service in the field, flatly refuse to take a vote. I then suggested that if the State of New South Wales thought it necessary to repair the injustice of depriving our soldiers of their civil rights, the vote might be taken through the Imperial Authorities. He said that could not be done as the forces were Federal. To this I replied that the forces were Imperial while in the field, that we were a sovereign state and that I thought the Commonwealth agencies should help and not hinder our voters to exercise their rights. To this he replied finally that it was absolutely impossible and as he had informed me that the matter had been discussed by his Cabinet and turned down, I assumed from that and his general demeanour that they would offer resistance as a Government ~~that~~ to our endeavouring to give our citizens in the field a vote.

One further phase where our views diverged I might discuss. The Acting Prime Minister said it would be improper to take the minds of the soldiers off the war while in the field; that their whole attention should be directed to the fighting; and that any interference with that direction of the mind would be resented by the officers.

To this I replied that it was well known that in the interest of the troops, relaxation was systematically encouraged, that the troops played football, cricket and other sports behind the lines, that wood-chopping contests, in which Australians and New Zealanders had joined, were conducted, and that concerts and entertainments were deliberately encouraged for the purpose of keeping up the morals of the troops even though it might divert the attention of the men and officers from the supreme task in hand.

I argued, therefore, that in a disciplined army there would be no hardship for the officers to go through the simple operation of taking a vote and certainly no harm would be done to the prosecution of the war by our soldiers diverting their attention for

few moments from the war in order to perform a supremely important civic function. This argument, which I thought might conclude the matter, did not affect the Acting Prime Minister's attitude.

As to the Conscription controversy - I found Senator Pearce very friendly and he assisted me to arrive at some method of intervention in this present crisis.

After a friendly conversation, he agreed to despatch two letters to Sydney by that afternoon's (Thursday) post - one addressed to Mr. Doyle and one to Professor MacCallum. The purport of both letters was the same. As he promised me copies I will be able, I hope, to give the full text of the letter to my colleagues this afternoon (Friday). Speaking from memory, the purport of both letters was this -

(1) The Commonwealth has already all the troops that are required for the 50,000 specially drafted, and also the reinforcements.

(2) No further troops are required at present.

(3) Transport is not available for the purpose of conveying our present troops to the scene of war.

(4) We are not in any sense hampered by lack of equipment.

In both letters a request is made to withhold action until the return of the Prime Minister, the Hon. W.M. Hughes, with the fullest knowledge of the situation obtained through conference with the British Government and with the leading authorities, military and civil, of the allied nations.

(sgd) J.D. Fitzgerald.

Sydney, 16th June, 1916.

Copy.

MINUTE TO THE HONOURABLE THE PREMIER.

The Governor acknowledges the receipt of a Ministerial on behalf of the Premier, dated 1st July, having reference to a discussion with the Federal Authorities in regard to

- (1) the possibility of the New South Wales Troops voting while in the field in Europe, and
- (2) the possibility of the intervention of the Federal Government with regard to the conscription controversy in the following ways -
 - (a) by approaching the New South Wales Executive,
 - (b) by approaching the New South Wales Universal Service League.

2. The Governor will transmit a copy of the above minute to the Imperial Authorities.

3. Sir Gerald Strickland ventures to express the hope that Ministers will frankly accept as final the views of the Acting Prime Minister of the Commonwealth as regards the troops voting when in the field, and ventures to add that there are obvious difficulties in enforcing the criminal law insofar as it safeguards the purity of elections if that is questioned on account of acts committed outside the King's Dominions.

(Signed) G. STRICKLAND
Governor.

5th July 1916.



COMMONWEALTH OF AUSTRALIA

Please address reply to
The Official Secretary
to the
Governor-General.

Tel. No. Cent. 3064.

GOVERNOR-GENERAL'S OFFICE

Melbourne,
26th July, 1916.

The Secretary,
Prime Minister's Department.



The Governor-General desires that the ac-
-companying despatch may be laid before the Acting Prime
Minister for his perusal and return.

J. S. Howard
Official Secretary to
H.E. the Governor-General.

The Official Secretary to
H.E. the Governor General.

Noted and returned.

J. S. Howard
Acting Secretary,
Prime Minister's Department.
28-7-16

A.



COMMONWEALTH OF AUSTRALIA.

PRIME MINISTER

Melbourne, 2nd August, 1916.

Sir,

With reference to the despatch addressed by His Excellency the Governor of New South Wales to the Secretary of State for the Colonies on the 5th July, No.71, covering copy of a Ministerial minute relative to -

- (1) The possibility of New South Wales troops abroad in the field voting at elections, and
- (2) the possibility of the intervention of the Federal Government with regard to a controversy on conscription.

I have the honor to inform Your Excellency that the memorandum by the Honorable J.D. Fitzgerald, M.L.C., Vice-President of the Executive Council of the State of New South Wales, very inadequately indicates the views I communicated to him on the ^{first} subject~~s~~ to which he refers.

Moreover, the views which I put forward on that occasion were expressed in the following way:-

- (1) I informed Mr. Fitzgerald that the Government had considered this question in connection with the proposed taking of a referendum of the electors of the Commonwealth under the Constitution in respect of the increased powers proposed to be sought by the Commonwealth, and had come to the conclusion that it was impracticable to make the necessary arrangements for the electors of the Commonwealth who were in the firing line at Gallipoli to take part in such referendum.
- (2) I informed Mr. Fitzgerald that Cabinet had not considered the question of State electors who were at the front taking part in State elections, and that the views I expressed to him, which were certainly opposed to such proposal, were my own individual views, and not the views of the Cabinet, which has not been consulted on that particular question.

Governor-General
His Excellency
The Right Honorable
Sir R. Munro Ferguson, P.C., G.C.M.G.,
&c. &c. &c.

/I

I shall be glad if Your Excellency will kindly advise the Secretary of State for the Colonies accordingly.

I have the honor to be,

Sir,

Your Excellency's most obedient servant,

G. F. Pearce

Acting Prime Minister.



COMMONWEALTH OF AUSTRALIA.

Prime Minister,
2nd August, 1916.

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With reference to the despatch addressed by His Excellency the Governor of New South Wales to the Secretary of State for the Colonies on the 5th July, No. 71, covering copy of a Ministerial minute relative to -

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Governor-General
His Excellency
The Right Honourable
Sir R. Munro Ferguson, P.C., G.C.M.G.,
&c., &c., &c..

(2).

I shall be glad if Your Excellency will kindly advise the Secretary of State for the Colonies accordingly.

I have the honour to be,

Sir,

Your Excellency's most obedient Servant,

(Sgd.) G. F. Pearce,
Acting Prime Minister.

89-357-2

MELBOURNE,
8th August, 1916.

No. 311.

Sir,

Referring to a despatch No. 71 dated 5th July last, on the subject of New South Wales Troops voting in the Field, addressed to the Colonial Office by His Excellency the Governor of New South Wales, I have the honour to transmit herewith, copy of a letter which has been forwarded to me by the Acting Prime Minister on this subject, for your information.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

Governor-General.

The Right Honourable

The Secretary of State

for the Colonies.

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