

1901.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

No. 6.

WEEKLY REPORT OF DIVISIONS IN COMMITTEE  
OF THE WHOLE.WEEK ENDED 26<sup>TH</sup> JULY, 1901.TUESDAY, 23<sup>RD</sup> JULY, 1901.No. 1.—*Customs Bill*—Postponed Clause 239—

239. (1) In every Customs prosecution the defendant shall be competent to give evidence.

[(2) In every Customs prosecution except for an indictable offence the defendant shall be compellable to give evidence and if called as a witness for the prosecution shall be liable to cross-examination as a witness adverse to the prosecution.]—(*Mr. Kingston.*)Amendment proposed—That the clause be amended by omitting sub-clause (2).—(*Mr. V. L. Solomon.*)

Question—That the words proposed to be omitted stand part of the clause—put.

Committee divided—

Ayes, 24.

Mr. Barton,	Sir Malcolm
Sir Langdon Bony-	McEacharn,
thon,	Mr. A. McLean,
Mr. Chapman,	Mr. Page,
Mr. Hume Cook,	Mr. Phillips,
Mr. R. Edwards,	Mr. Piesse,
Mr. Fisher,	Sir John Quick,
Mr. Philip Fysh,	Mr. Salmon,
Mr. W. H. Groom,	Sir George Turner,
Mr. Higgins,	Mr. Wilkinson.
Mr. Kingston,	<i>Tellers.</i>
Mr. Manifold,	
Mr. Mauger,	Mr. Clarke,
Mr. McDonald,	Mr. McCay.

Nocs, 16.

Mr. Bamford,	Mr. O'Malley,
Sir Edward Braddon,	Mr. Paterson,
Mr. Cameron,	Mr. Poynton,
Mr. Joseph Cook,	Mr. E. Solomon,
Mr. Winter Cooke,	Mr. Wilks.
Mr. Crouch,	<i>Tellers.</i>
Mr. G. B. Edwards,	
Mr. Fowler,	Mr. Kirwan,
Mr. Fuller,	Mr. V. L. Solomon.

And so it was resolved in the affirmative.

No. 2.—*Customs Bill*—Postponed Clause 240, *as amended*—

240. In every Customs prosecution the averment of the prosecutor or plaintiff contained in the information, declaration, or claim shall be deemed to be proved in the absence of proof to the contrary but so that—

- (a) When an intent to defraud the revenue is charged the averment shall not be deemed sufficient to prove the intent and—
- (b) In all proceedings for an indictable offence [*or for an offence directly punishable by imprisonment*] the guilt of the defendant must be established by evidence.

—(*Mr. Kingston.*)

Question—That the clause stand as amended—put.

Committee divided—

Ayes, 27.

Mr. Barton,	Mr. McDonald,
Mr. Batchelor,	Mr. A. McLean,
Sir Langdon Bony- thon,	Mr. Page,
Mr. Chapman,	Mr. Phillips,
Mr. Clarke,	Sir John Quick,
Mr. Hume Cook,	Mr. Salmou,
Mr. R. Edwards,	Mr. Skene,
Mr. Fisher,	Mr. Thomas,
Sir Philip Fysh,	Mr. Tudor,
Mr. W. H. Groom,	Sir George Turner,
Mr. Higgins,	Mr. Wilkinson.
Mr. Isaacs,	<i>Tellers.</i>
Mr. Kingston,	Mr. Mauger,
Mr. Manifold,	Mr. McCay.

Noes, 18.

Sir Edward Braddon,	Mr. O'Malley,
Mr. Cameron,	Mr. Paterson,
Mr. Joseph Cook,	Mr. Piesse,
Mr. Winter Cooke,	Mr. E. Solomon,
Mr. Crouch,	Mr. V. L. Solomon,
Mr. Fowler,	Mr. Wilks.
Mr. Fuller,	
Mr. Kirwan,	<i>Tellers.</i>
Mr. Mahon,	
Sir Malcolm McEacharn,	Mr. G. B. Edwards, Mr. Poynton.

And so it was resolved in the affirmative.

No. 3.—*Customs Bill*—New Clause proposed to be added to the Bill—

213A. No proceeding for anything done for the protection of the revenue in relation to any Tariff or Tariff alteration proposed in Parliament shall except as mentioned in the next section be commenced before the close of the session in which such Tariff or Tariff alteration is proposed.—(*Mr. Kingston.*)

Question—That the proposed new clause be added to the Bill—put.

Committee divided—

Ayes, 30.

Mr. Bamford,	Sir Malcolm
Mr. Barton,	McEacharn,
Mr. Batchelor,	Mr. A. McLean,
Mr. Chapman,	Mr. O'Malley,
Mr. Clarke,	Mr. Page,
Mr. Hume Cook,	Mr. Phillips,
Mr. Winter Cooke,	Mr. Piesse,
Mr. R. Edwards,	Mr. Poynton,
Mr. Fisher,	Sir John Quick,
Sir Philip Fysh,	Mr. Skene,
Mr. A. C. Groom,	Sir George Turner,
Mr. W. H. Groom,	Mr. Wilkinson.
Mr. Harper,	
Mr. Higgins,	<i>Tellers.</i>
Mr. Isaacs,	
Mr. Kingston,	Mr. Crouch,
Mr. Manifold,	Mr. McCay.

Noes, 11.

Sir Edward Braddon,	Mr. Thomas,
Mr. Cameron,	Mr. Wilks.
Mr. Joseph Cook,	
Mr. G. B. Edwards,	<i>Tellers.</i>
Mr. Fuller,	
Mr. Mahon,	Mr. Kirwan,
Mr. E. Solomon,	Mr. V. L. Solomon.

And so it was resolved in the affirmative.

THURSDAY, 25TH JULY, 1901.

No. 4.—*Customs Bill*—On recomittal—Clause 137—

137. All medicinal or toilet preparations not completely manufactured but imported for completing the manufacture thereof or for the manufacture of any other article by the addition of any ingredient or by mixing such preparations or by putting up or labelling the same alone or with other articles or compounds under any proprietary or trade name shall be irrespective of cost valued for duty and duty shall be paid thereon at the ordinary market value in the country whence imported of the completed preparation when put up and labelled under such proprietary or trade name less the actual cost of labour and material used or expended in Australia in completing the manufacture thereof or of putting up or labelling the same.—(*Mr. Kingston.*)

Question—That the clause stand as printed—put.

Committee divided—

Ayes, 31.

Mr. Barton,	Mr. McDonald,
Sir Langdon Bonython,	Sir Malcolm McEacharn,
Mr. Chapman,	Mr. A. McLean,
Mr. Clarke,	Mr. Page,
Mr. Hume Cook,	Mr. Phillips,
Mr. Winter Cooke,	Mr. Sawers,
Mr. Crouch,	Mr. Skene,
Mr. R. Edwards,	Mr. Thomas,
Sir Philip Fysh,	Mr. Tudor,
Mr. A. C. Groom,	Sir George Turner,
Mr. W. H. Groom,	Mr. Watson,
Mr. Harper,	Mr. Wilkinson.
Mr. Higgins,	
Mr. Isaacs,	
Mr. Kingston,	<i>Tellers.</i>
Mr. Mauger,	Mr. Manifold,
Mr. McCay,	Mr. Salmon.

Noes, 15.

Mr. Joseph Cook,	Mr. Thomson,
Mr. G. B. Edwards,	Mr. Wilks,
Mr. Fowler,	Mr. Willis.
Mr. Kirwan,	
Mr. Mahon,	
Mr. Piesse,	<i>Tellers.</i>
Mr. Poynton,	Mr. Fuller,
Mr. Reid,	Mr. O'Malley.
Mr. Sydney Smith,	
Mr. E. Solomon,	

And so it was resolved in the affirmative.