

1920.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 38.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY, 1ST JULY, 1920.

1. The House met, at three o'clock p.m., according to the terms of the Resolution of the 27th May last. —Mr. Speaker took the Chair, and read Prayers.
2. CONGRATULATIONS TO MR. SPEAKER (SIR ELLIOT JOHNSON, K.C.M.G.).—Mr. Hughes, on behalf of the Government, congratulated Mr. Speaker upon the Knighthood which His Majesty the King had conferred upon him.
Mr. Tudor and Mr. McWilliams also congratulated Mr. Speaker.
Mr. Speaker expressed his thanks for the congratulations tendered to him.
3. MINISTRY—RESIGNATION OF TREASURER (MR. WATT).—Mr. Hughes announced to the House that Mr. Watt had resigned his office as Treasurer of the Commonwealth.
4. BALLAARAT ELECTORAL DIVISION.—ORDER OF THE COURT OF DISPUTED RETURNS.—The Clerk laid upon the Table a letter which he had received from the Principal Registrar of the High Court at Melbourne, forwarding a copy of an Order, made on 2nd June last, declaring the election held on 13th December last, for the Electoral Division of Ballaarat, in the State of Victoria, to be absolutely void. The letter and Order were read by the Clerk and are as follow :—

High Court of Australia.

Principal Registry,
Melbourne, 3rd June, 1920.

SIR,

In the matter of the Election of a Member of the House of Representatives
for the Electoral Division of Ballarat, in the State of Victoria.

KEAN (petitioner) v. KERBY (respondent).

In pursuance of Section 196 of the *Commonwealth Electoral Act 1918-1919* I herewith forward you an office Copy of the Order of the Court of Disputed Returns herein, on the 2nd day of June, 1920.

I have the honour to be.

Sir,

Your obedient Servant,

J. W. O'HALLORAN,
Principal Registrar.The Clerk of the House of Representatives,
Parliament House, Melbourne.

In the High Court of Australia

Sitting as a Court of Disputed Returns.

No. 4 of 1920,

In the matter of the Election of a Member of the House of Representatives
for the Electoral Division of Ballarat, State of Victoria, and in the
matter of the Petition of John Kean.

John Kean, Petitioner

and

Edwin Thomas John Kerby, Respondent.

Before His Honour Mr. Justice Isaacs,
Wednesday, the second day of June, 1920.

This Petition coming on for trial at Melbourne, on the 12th, 13th, 14th, and 17th days of May, 1920, and afterwards at Ballarat on the 18th, 19th, and 20th days of May, 1920, and again at Melbourne, on the 21st day of May, 1920. And upon reading the Petition of John Kean filed

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herein and the appearance of Edwin Thomas John Kerby, who was returned as a Member of the House of Representatives at the above-mentioned Election and the countercharges of the said Edwin Thomas John Kerby filed herein, and the Particulars of the said Petition and of the said countercharges, and the Notices of votes claimed and objected to filed herein, and the Admissions of the said Edwin Thomas John Kerby filed herein and upon the said John Kean and the said Edwin Thomas John Kerby amending the Particulars and the Notices aforesaid by mutual consent, and with the leave of this Court. And upon hearing the evidence of the several witnesses called on behalf of the said John Kean and the said Edwin Thomas John Kerby upon their oral examination. And upon hearing what was alleged by Mr. Ryan, K.C., of Counsel for the said John Kean and by Mr. Lowe, of Counsel for the said Edwin Thomas John Kerby. This Court doth declare that the said Edwin Thomas John Kerby was not duly elected at the said Election, and that the said Election was absolutely void. And this Court doth order that the sum of Fifty pounds deposited with the Principal Registrar of this Court, by the said John Kean, at the time of his filing his said Petition, be returned to him or to his solicitor, Mr. Maurice Blackburn.

(L.S.)

By the Court,

J. W. O'HALLORAN,

Principal Registrar.

5. **BALLAARAT ELECTORAL DIVISION.—ISSUE OF WRIT.**—Mr. Speaker announced to the House that on the 8th June last he had issued a Writ for a new election for the Electoral Division of Ballaarat, in the State of Victoria, the Court of Disputed Returns having declared the election held on the 13th December last for the said Division to be absolutely void. The dates appointed in the Writ were as follow :—

Date of Nomination—23rd June, 1920.

Date of Polling—10th July, 1920.

Return of Writ—On or before 20th July, 1920.

6. **MESSAGES FROM THE GOVERNOR-GENERAL.—ASSENT TO BILLS.**—The following Messages from His Excellency the Governor-General were received, and the same were read by Mr. Speaker :—

R. M. FERGUSON,
Governor-General.

Message No. 20.

A Bill intituled "*Parliamentary Allowances Act 1920*," as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Act.

Federal Government House,
Melbourne, 22nd May, 1920.

R. M. FERGUSON,
Governor-General.

Message No. 21.

The following Bills intituled :—

Oil Agreement Act 1920,
Committee of Public Accounts Act 1920,
Appropriation Act 1919-20,
Supply Act (No. 1) 1920-21,
War Gratuity Act (No. 2) 1920,
War Loan Act 1920,

as finally passed by the Senate and the House of Representatives of the Commonwealth, having been presented to the Governor-General for the Royal Assent, His Excellency has, in the name and on behalf of His Majesty, assented to the said Acts.

Federal Government House,
Melbourne, 29th May, 1920.

7. **PAPERS.**—The following Papers were presented, by command of His Excellency the Governor-General—

Economies Commission Report—Comments by the Acting Public Service Commissioner, and other officers, together with comments by the Hon. W. Webster and the Hon. G. H. Wise, in connexion with the comments of officers of the Postmaster-General's Department.

Liquor Traffic in Africa—Convention relating to, together with Protocol. Signed at Saint-Germain-en-Laye, 10th September, 1919.

Peace—

Arms and Ammunition—Convention for the control of the Trade in, together with Protocol. Signed at Saint-Germain-en-Laye, 10th September, 1919.

Austro-Hungary—Declaration modifying the Agreement of 10th September, 1919, between the Allied and Associated Powers with regard to the cost of liberation of the territories of the former Austro-Hungarian Monarchy. Signed at Paris, 8th December, 1919.

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Papers—*continued*.Peace—*continued*.

Germany—

Procès-Verbal of the Deposit of Ratifications of the Treaty of Peace with Germany.
Signed at Versailles, 28th June, 1919.

Protocol signed by Germany, 10th January, 1920, at Paris.

Greece and Bulgaria—Convention between. Signed at Neuilly-sur-Seine, 27th November, 1919.

Italian Reparation Payments—Declaration modifying the Agreement of 10th September, 1919, between the Allied and Associated Powers. Signed at Paris, 8th December, 1919.

Poland—Procès-Verbal of the Deposit of Ratifications of the Treaty with Poland. Signed at Versailles, 28th June, 1919.

Roumania—Treaty between the principal Allied and Associated Powers and Roumania. Signed at Paris, 9th December, 1919.

Severally ordered to lie on the Table, and to be printed.

Income Tax Royal Commission [Imperial]—Index to the seven instalments of the Minutes of Evidence and Appendices. (Paper presented to the British Parliament.)

Ordered to lie on the Table.

The following Papers were presented, pursuant to Statute—

Customs Act—

Proclamation Prohibiting the Exportation (except under certain conditions) of Cheese (dated 19th May, 1920).

Revocations (dated 19th May, 1920) of so much of Proclamations as relates to the Exportation of—

High-speed Tool Steel.

Manufactures of Metals.

Revocation of Proclamations relating to the Exportation of Acaroid Resin and other Goods (dated 19th May, 1920).

Regulations Amended—Statutory Rules 1920, No. 97.

Defence Act—Regulations Amended—Statutory Rules 1920, Nos. 83, 88, 90, 91, 96.

Lands Acquisition Act—Land acquired under, at—

Cottesloe, Western Australia—For Postal purposes.

Lismore, Victoria—For Postal purposes.

Quairading, Western Australia—For Postal purposes.

Naval Defence Act—Regulations Amended—Statutory Rules 1920, Nos. 47, 48, 49, 51, 58, 81.

Northern Territory—

Ordinance of 1919—

No. 13—Supreme Court (No. 2).

Ordinances of 1920—

No. 2—Birds Protection.

No. 4—Dog.

No. 5—Pastoral Leases.

Papua—Ordinance of 1919—No. 11—Native Taxes.

Post and Telegraph Act—Regulations Amended—Statutory Rules 1920, Nos. 29, 30, 31, 37, 38, 63, 70, 71, 74, 75, 86, 87.

Public Service Act—

Appointments, Promotions, &c.—

R. A. Harrison, Department of the Treasury.

F. L. Jones, Prime Minister's Department.

F. Tooth, Department of Trade and Customs.

Regulations Amended—Statutory Rules 1920, Nos. 84, 98.

Railways Act—By-laws Nos. 14, 15.

War Gratuity Act—Regulations Amended—Statutory Rules 1920, No. 85.

War Precautions Act—Regulations amended—Statutory Rules 1920, No. 94.

War-time Profits Tax Assessment Act—Regulations Amended—Statutory Rules 1920, No. 76.

War Service Homes Act—Land acquired under, at—

Alexandria, New South Wales.

Goulburn, New South Wales.

Ipswich, Queensland.

Moonah, Tasmania.

Normanhurst, New South Wales.

Wireless Telegraphy Act—Regulations Amended—Statutory Rules 1920, No. 68.

8. PRINTING OF PAPERS.—Mr Hughes moved, That the following Papers, previously laid on the Table of the House, be printed :—

Treaty of Peace between Allied and Associated Powers and Bulgaria, together with Protocol, signed 27th November, 1919.

Index to Treaty of Peace between Allied and Associated Powers and Germany, signed 28th June, 1919.

Convention revising the General Act of Berlin, 26th February, 1885, and the General Act and Declaration of Brussels, 2nd July, 1890, signed 10th September, 1919.

Question—put and passed.

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9. LEAVE OF ABSENCE TO MEMBER (MR. MAXWELL).—Mr. Hughes moved, by leave, That leave of absence for one month be given to the honorable Member for Fawkner (Mr. Maxwell), on the ground of ill health.

Question—put and passed.

10. PUBLIC ACCOUNTS COMMITTEE—APPOINTMENT OF MR. CHARLTON AS MEMBER.—Mr. Hughes moved, by leave, That in accordance with the provisions of the *Committee of Public Accounts Act 1920* the honorable Member for Hunter (Mr. Charlton) be appointed an additional member of the Joint Committee of Public Accounts.

Question—put and passed.

11. PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS.—Mr. Gregory, Chairman of the Parliamentary Standing Committee on Public Works, brought up the following Report from the Committee—

Report, together with Minutes of Evidence and Plans, relating to the proposed Erection of Mobilization and Vehicle Stores at Seymour, Victoria.

Ordered—That the Paper be printed.

12. DESTITUTE ALLOWANCE.—Mr. W. Maloney moved, pursuant to notice—

- (1) That this House is of opinion that the Invalid and Old-age Pensions Act should be amended in order to provide for a destitute allowance to be made to all inhabitants who are destitute, so that any person making a statutory declaration (to a postmaster, Customs officer, or other appointed Commonwealth official, a schoolmaster, a union secretary, a magistrate, or other appointed individual) that he or she is insufficiently fed, clothed, or sheltered, shall be paid as soon as possible the sum of 15s. per week, and for each child 7s. 6d. per week, until relieved.

- (2) That the passing of the foregoing resolution be an instruction to the Government of the Commonwealth to bring in the necessary amending Act.

Debate ensued.

Mr. Prowse addressing the House and not having concluded his speech, the House ordered that he have leave to continue his speech when the debate is resumed.

Ordered—That the debate be now adjourned, and that the resumption of the debate be made an Order of the Day for Thursday next.

13. POSTPONEMENT OF NOTICES OF MOTION.—Ordered—That Notice of Motion No. 2 be postponed until Thursday next; No. 3 until Thursday, 5th August; No. 4 until Thursday next, and No. 5 until Thursday, 29th instant.

14. BROKEN HILL MINING INDUSTRY—ROYAL COMMISSION.—The Order of the Day having been read for the resumption of the debate on the following motion of Mr. Considine:—

- (1) That a Royal Commission be appointed to investigate and report upon the conditions in connexion with the mining industry at Broken Hill, and more particularly with regard to (a) cost of production of output; (b) wages of employees; (c) hours and other conditions of labour; (d) health of those engaged in the industry, and the causes of the undermining thereof; (e) selling prices and conditions of or in connexion with the sale of metals and other output; (f) profits arising from the industry and its method of distribution.

- (2) That such Royal Commission shall have power to summon witnesses and examine them on oath, and to order the production of such papers as the Commission may consider necessary for the purposes of the investigation, and shall have all such other powers as the Royal Commission may consider necessary for effectively performing their functions—

Debate resumed.

Question—put.

The House divided—

Ayes, 15.		Noes, 34.	
Mr. Charlton	Mr. W. Maloney	Mr. Bamford	Mr. Jackson
Mr. Considine	Mr. Mathews	Mr. Bayley	Mr. Jowett
Mr. Cunningham	Mr. Parker Moloney	Mr. Blundell	Mr. Lamond
Mr. Fenton	Mr. Tudor	Mr. Bowden	Mr. Lister
Mr. Gabb		Mr. Donald Cameron	Mr. Livingston
Mr. Lavelle		Mr. Chanter	Mr. Mackay
Mr. Lazzarini	<i>Tellers:</i>	Sir Joseph Cook	Mr. Marks
Mr. Mahony	Mr. Riley	Mr. Robert Cook	Mr. Marr
Mr. Makin	Mr. Watkins	Mr. Corser	Mr. Poynton
		Mr. R. W. Foster	Mr. Prowse
		Mr. Francis	Mr. Rodgers
		Mr. Gibson	Mr. Laird Smith
		Mr. Greene	Mr. Stewart
		Mr. Gregory	Mr. Wise
		Mr. Groom	
		Mr. Hay	<i>Tellers:</i>
		Mr. Hill	Mr. Burchell
		Mr. Hughes	Mr. Story

And so it was negatived.

The time allotted for General Business having expired, Government Business was called on.

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15. INSTITUTE OF SCIENCE AND INDUSTRY BILL.—Mr. Greene, pursuant to leave given on the 28th April last, brought up a Bill intituled "*A Bill for an Act relating to the Commonwealth Institute of Science and Industry*," and moved, That it be now read a first time.
Question—put and passed.—Bill read a first time.
Ordered—That the second reading be made an Order of the Day for to-morrow.
16. NAVIGATION BILL (1920).—The Order of the Day having been read for the second reading—
Mr. Greene moved, That the Bill be now read a second time.
Mr. Tudor moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and passed.
Ordered—That the resumption of the debate be made an Order of the Day for to-morrow.
17. PASSPORTS BILL.—The Order of the Day having been read for the second reading—Mr. Poynton moved, That the Bill be now read a second time.
Mr. Tudor moved, That the debate be now adjourned.
Question—That the debate be now adjourned—put and passed.
Ordered—That the resumption of the debate be made an Order of the Day for to-morrow.
18. WAYS AND MEANS [THE TARIFF].—The House, according to Order, resolved itself into the Committee of Ways and Means.

*(In the Committee.)*General debate resumed on the first Item of the Customs Tariff (*see page 36 ante*).

Progress to be reported, and leave asked to sit again.

The House resumed; Mr. Chanter reported accordingly.

Resolved—That the House will, to-morrow, again resolve itself into the said Committee.

19. ADJOURNMENT.—Sir Joseph Cook moved, That the House do now adjourn.
Question—put and passed.

And then the House, at half-past ten o'clock p.m., adjourned until to-morrow, at eleven o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Anstey, Mr. Blakeley, Mr. Austin Chapman, Mr. Fleming, Mr. Mahon, Mr. Maxwell*, Mr. McDonald, Mr. Nicholls, Mr. Earle Page, Mr. James Page, Mr. Ryan, Mr. Watt, and Mr. West.

* On leave.

WALTER A. GALE,
Clerk of the House of Representatives.