

1903.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 1.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

SECOND SESSION OF THE FIRST PARLIAMENT.

TUESDAY, 26TH MAY, 1903.

1. The House of Representatives met pursuant to Proclamation of His Excellency the Governor-General, bearing date the seventeenth day of April, 1903, which Proclamation was read at the Table by the Clerk, as follows:—

PROCLAMATION

Australia, to wit.

TENNYSON,
Governor-General.

By His Excellency the Right Honorable HALLAM, BARON TENNYSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor-General and Commander-in-Chief of the Commonwealth of Australia.

WHEREAS by the Commonwealth of Australia Constitution Act it was amongst other things enacted that the Governor-General might appoint such times for holding the Sessions of the Parliament as he thinks fit, and also from time to time by Proclamation or otherwise prorogue the Parliament: And whereas on the thirty-first day of March, One thousand nine hundred and three, the Parliament was further prorogued until Twelve o'clock noon on Tuesday, the twenty-sixth day of May, One thousand nine hundred and three, then to meet for the despatch of business: Now therefore I, the said HALLAM, BARON TENNYSON, do hereby further announce and proclaim that the place for the meeting of the said Parliament for the despatch of business as aforesaid shall be the buildings known as the Houses of Parliament, situated in Spring-street, in the City of Melbourne, and the Members of the Senate and the House of Representatives respectively are hereby required to give their attendance at the said time and place accordingly.

Given under my Hand and the Seal of the Commonwealth of Australia aforesaid, this seventeenth day of April, in the year of our Lord One thousand nine hundred and three, and in the third year of His Majesty's reign.

By His Excellency's Command,

EDMUND BARTON,
Prime Minister.

GOD SAVE THE KING!

2. Mr. Speaker read Prayers.
3. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR-GENERAL BY THE USHER OF THE SENATE.—The following Message was delivered by the Usher of the Senate:—
MR. SPEAKER,
His Excellency the Governor-General desires the attendance of the House of Representatives in the Chamber of the Senate forthwith.
Accordingly Mr. Speaker with the Members of the House went to attend His Excellency:—And having returned—
4. JUDICIARY BILL.—Mr. Deakin moved, That leave be given to bring in a Bill for an Act to make provision for the Exercise of the Judicial Power of the Commonwealth.
Question—put and resolved in the affirmative.
Mr. Deakin then brought up a Bill intituled "*A Bill for an Act to make provision for the Exercise of the Judicial Power of the Commonwealth,*" and moved, That it be now read a first time.
Question—put and resolved in the affirmative.—Bill read a first time.
Ordered—That the second reading be made an Order of the Day for Tuesday next.

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5. HIS EXCELLENCY THE GOVERNOR-GENERAL'S SPEECH.—Mr. Speaker reported that the House had this day attended His Excellency the Governor-General in the Senate Chamber, when His Excellency was pleased to make a Speech to both Houses of the Parliament, of which Mr. Speaker said he had, for greater accuracy, obtained a copy, which read as follows:—

GENTLEMEN OF THE SENATE AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES :

I have called you together to continue the work begun in the first Session of the Parliament of the Commonwealth. It was found impossible, by reason of the exhaustive discussion of the Federal Tariff, to deal with any but the most urgent of the proposals then brought before you, and renewed demands must now be made on your industry and patriotism before the Commonwealth machinery can be deemed complete.

Experience has emphasized the necessity for the establishment of the High Court of Judicature contemplated by the Constitution. You will be asked to give your immediate attention to a Bill dealing with this subject.

Another measure will be introduced to regulate legal procedure in this connexion so as to avoid unnecessary delay or expense in the course of litigation.

An early opportunity will be afforded you of considering the Report of the experts who were entrusted with the duty of examining the conditions of several areas within which it has been proposed that the seat of government of the Commonwealth should be placed. My Advisers expect that the information which has been collected on this subject will enable you to come to a satisfactory conclusion.

Ministers regard with satisfaction the growth of public feeling in favour of the establishment of Courts of Conciliation and Arbitration as a means of avoiding strikes and lock-outs, and of amicably settling industrial disputes. They will, therefore, ask you to consider a proposal to establish Courts for the prevention and settlement of disputes extending beyond the limits of any one State.

You will be asked to ratify an Agreement between the Admiralty and the Government of the Commonwealth which modifies the existing Agreement, and secures for the Naval Defence of Australia the protection of a powerful and continuously efficient Squadron of warships at a moderate cost.

In pursuance of Resolutions passed during last Session, a Bill will be introduced to accept British New Guinea as a territory of the Commonwealth by the completion of its transfer from the Imperial Government. Due provision will be made for the future administration of the new territory.

You will be asked to establish by Statute a uniform Defence System for Australia.

The direct representation of the Commonwealth in London by a High Commissioner is deemed necessary, and a measure for that purpose will engage your attention.

A Bill will be laid before you to establish a uniform Patent Law, enabling inventors, in future, to obtain protection throughout the Commonwealth by a single registration.

My Advisers feel that the distinct demand expressed by the people of Australia for the substitution of white for coloured labour in the Sugar Industry implies a readiness to share the financial burden imposed by this substitution. They therefore propose to replace the system of rebates, charged against the excise duties payable to the States concerned, by an equivalent bonus chargeable to the whole population. This step, while it will not lessen the encouragement given to the employment of white labour, will effect a more equitable distribution of the cost of the national policy.

In order to execute and maintain the provisions of the Constitution intended to assure freedom of trade between the States, a Bill will be introduced to provide for the establishment of an Inter-State Commission with the powers necessary to give effect to that essential purpose.

You will also be asked to consider short measures relating to Naturalization, Rings and Trusts, and Elections to the Senate in certain events.

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES :

Estimates of Expenditure will be submitted to you in due course, framed with a careful regard to economy, but, at the same time, maintaining the efficiency of the Public Service of the Commonwealth.

GENTLEMEN OF THE SENATE AND GENTLEMEN OF THE HOUSE OF REPRESENTATIVES :

A number of other important measures are in preparation. Among these is a Bill to provide a uniform Navigation and Shipping Law. This measure, however, is necessarily long and complicated. Consideration has been given by my Advisers to the question of taking over the State debts and to the establishment of a Banking Law for the Commonwealth. My Advisers will gladly take advantage of any opportunity which may offer of bringing these subjects before you, but they are not sanguine of being able to do so in the course of this Session.

Although legislative consent to the project has not yet been received from South Australia and Western Australia, a Commission of Railway Engineers has been appointed to inquire into the question of railway connexion between the East and the West of Australia, and their Report will shortly be complete. In instituting this important examination Ministers have felt that Members should be in possession of the fullest information possible before any steps are taken in this important work. They are, however, of opinion that the isolation of Western Australia retards the development of the federal spirit. It is admittedly desirable to remove so serious a bar to the complete political and commercial union of the Commonwealth, and my Advisers trust that it will be found that the project rests on a basis of sound finance. When the legislative authority is complete, provision for a survey of the line will be sought should the Report of the Commission justify that course.

26th May, 1903.

During the past year the Cable communications of the Commonwealth have been affected for the better by important events. The Pacific Cable, now successfully completed, cannot be expected to yield an immediate monetary profit. But the project and its accomplishment have already cheapened and facilitated intercourse with the Mother Country and Europe, as well as Canada, New Zealand, and the United States. Subject to your approval, a contract has been entered into between my Government and the Eastern Extension Telegraph Company, which, while conserving substantial reductions on the rates prevailing until recently, substitutes an arrangement terminable in a reasonable time for the virtually perpetual obligation which was originally entered into by four contracting States, and which was a burden on the Commonwealth until the conclusion of the new Agreement.

The inquiries of the Select Committee on the Bonus Bill have, since the close of last Session, been continued by a Royal Commission, and the Report, when received, will be laid before you.

The Imperial Conference held during the past year in London may be expected to be far-reaching in its results. I have already referred to the Naval Agreement, which formed one of the subjects for discussion. Other matters of grave importance to the Commonwealth were discussed, and the conclusions of the Conference will be laid before you. The urgency, however, of questions of domestic importance prevents Ministers from asking you to give immediate consideration to the question of Preferential Trade and to other subjects dealt with in the Resolutions.

My Advisers observe with gratification recent utterances of the Secretary of State for the Colonies advocating the encouragement of Trade Relations between various parts of the Empire.

The approaching termination of the existing contract for the carriage of mails between England and Australia *via* Suez will render it necessary to make new arrangements, giving effect to the provision in the Post and Telegraph Act, which forbids the making of contracts for the carriage of mails by vessels on which other than white labour is employed. The matter is under careful consideration, and tenders will shortly be invited.

Arrangements are in progress, and will shortly be concluded, for a more frequent and efficient mail service between Tasmania and the Mainland in consideration of an increased subsidy.

The passage of the Commonwealth Electoral Act has rendered necessary the division of the various States into new electorates. This work is proceeding with all possible speed, and the plan of division will be submitted to you when completed.

Notwithstanding the drought, which proved so disastrous in many parts of Australia, the federal finances are in a very satisfactory condition. The return of good seasons, which is now so widely expected, will give new impetus to the development of our resources and the expansion of our industries.

I now leave you to your deliberations, in the earnest hope that you may be prospered by Divine Guidance in your great and arduous labours.

6. ADDRESS IN REPLY TO HIS EXCELLENCY THE GOVERNOR-GENERAL'S SPEECH.—Sir Edmund Barton moved, That a Committee, consisting of Sir Langdon Bonython, Mr. Clarke, Mr. Hume Cook, and Mr. L. E. Groom, be appointed to prepare an Address in Reply to the Speech delivered by His Excellency the Governor-General to both Houses of the Parliament.

Question—put and resolved in the affirmative.

Ordered—That the Committee do report this day at half-past three o'clock.

7. PETITIONS.—Sir Edward Braddon presented a Petition from J. Bertram Kite and R. E. Macnaghten, styling themselves President and Honorary Secretary respectively of the Committee of the Hobart Public House Trust Association praying that the House will, at the earliest opportunity, legislate so as to provide that the principle of elimination of private profit in the liquor traffic should be exclusively adopted in the Federal Capital and territory.

Mr. A. C. Groom presented a Petition from the Victorian Chamber of Manufactures, under its common seal, praying that the House will repeal sub-section (g) of section 3 and also section 11 of the *Immigration Restriction Act 1901*.

Petitions severally received and read.

8. PAPERS.—Sir Edmund Barton presented, by command of His Excellency the Governor-General—
 British New Guinea—Annual Report on, from 1st July, 1901, to 30th June, 1902.
 Colonial Conference 1902—Conference between the Secretary of State for the Colonies and the Prime Ministers of Self-Governing Colonies, June to August, 1902—Papers relating to.
 Immigration Restriction Act 1901—Arrival of Six Hatters under Contract to perform Manual Labour within the Commonwealth—Papers relating to.

Severally ordered to lie on the Table.

Sir Edmund Barton presented, pursuant to the direction of an Act of Parliament—

Immigration Restriction Act 1901—

Return of—

- (a) Persons refused admission to the Commonwealth during the year 1902.
 (b) Persons who passed the prescribed test during the year 1902.
 (c) Persons admitted without being asked to pass the Education test during the year 1902.

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Sir William Lyne presented, pursuant to the direction of an Act of Parliament—

Public Service Act 1902—Regulations under.

Mr. Kingston, presented, pursuant to the directions of several Acts of Parliament—

Customs Act 1901—

Regulation, dated 30th October, 1902, *re* Refunds, Rebates, or Remissions of Duty (Section 163).

Regulations, dated 27th November, 1902, *re* Licence-fees, for Warehouses, where the whole or half the services of a locker are not required.

Regulation, dated 9th December, 1902, *re* Deposits of Duty (Section 162).

Regulation, dated 13th December, 1902, *re* Refunds of Duty.

Regulation, dated 15th December, 1902, *re* Working Days of the Customs.

Excise Act 1901 and Excise Tariff 1902—

New Sugar Regulation, dated 8th January, 1903.

9. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR-GENERAL.—INTER-STATE COMMISSION BILL.—
The following Message from His Excellency the Governor-General was presented by Sir William Lyne, and the same was read by Mr. Speaker :—

TENNYSON,

Governor-General.

Message No. 1.

In accordance with the requirements of section fifty-six of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of revenue be made for the purposes of a Bill to constitute the Inter-State Commission, to invest it with certain powers of adjudication and administration, and to regulate trade and commerce with other countries, and among the States.

Melbourne, 26th May, 1903.

Ordered—That the consideration of the foregoing Message in Committee of the whole House be made an Order of the Day for Tuesday next.

10. ADDRESS IN REPLY TO HIS EXCELLENCY THE GOVERNOR-GENERAL'S SPEECH.—

Mr. L. E. Groom brought up the Address in Reply to His Excellency's Speech prepared by the Committee appointed this day, and the same was read by the Clerk, as follows :—

MAY IT PLEASE YOUR EXCELLENCY—

We, the House of Representatives of The Parliament of the Commonwealth of Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech which you have been pleased to address to Parliament.

Mr. L. E. Groom moved, That the Address be agreed to by the House.

Debate ensued.

Sir Edward Braddon moved, That the debate be now adjourned.

Question—put and resolved in the affirmative.

Ordered—That the resumption of the debate be made an Order of the Day for to-morrow.

11. PAPERS.—Mr. Speaker presented—

Finance, 1901—The Treasurer's Statement of Receipts and Expenditure during the period ended 30th June, 1901, accompanied by the Report of the Auditor-General.

Finance, 1901-2—The Treasurer's Statement of Receipts and Expenditure during the year ended 30th June, 1902, accompanied by the Report of the Auditor-General.

12. ADJOURNMENT.—Sir Edmund Barton moved, That the House, at its rising, adjourn until to-morrow, at half-past two o'clock p.m.

Question—put and resolved in the affirmative.

Sir Edmund Barton moved, That the House do now adjourn.

Debate ensued.

Question—put and resolved in the affirmative

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

MEMBERS PRESENT.—All Members were present except—Mr. Bamford, Mr. Cameron, Mr. R. Edwards, Mr. Ewing, Sir Philip Fysh, Mr. Hartnoll, Mr. Hughes, Mr. Kennedy, Mr. Knox, Mr. Macdonald-Paterson, Mr. F. E. McLean, Sir William McMillan, Mr. Sawers, and Mr. Bruce Smith.

C. GAVAN DUFFY,

Clerk of the House of Representatives.