

1917-18-19.

# THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 172.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

FRIDAY, 24<sup>TH</sup>-OCTOBER, 1919.

1. The House met, at eleven o'clock a.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—
 

Economies Commission—Remarks by the Auditor-General and certain officers of his staff on Commission's First Progress Report in so far as the Audit Office is concerned.

Ordered to lie on the Table.

Papua—Report by Lieut.-Governor of Papua on an Article on "Three Power Rule in New Guinea," by Mr. Rinzo Gond.

Ordered to lie on the Table, and to be printed.

The following Paper was presented, pursuant to Statute—

Railways—Report, with Appendices, on Commonwealth Railways, 1918-1919.

Ordered to be printed.
3. PRIVILEGE.—Mr. Speaker said that he desired to bring before the House a matter which he thought it was his duty to mention, as it affected the privileges of Parliament. On perusing the report of the Economies Commission, he noticed that in paragraph 55 it was stated that other matters listed for investigation included "Expenditure in connexion with—Parliamentary Library; Official Record of Parliamentary Proceedings (*Hansard*); Other Parliamentary Services." As this Royal Commission had no authority from this Parliament, so far as he was aware, to interfere in any way with the various services of Parliament, it was his duty to call the attention of honorable Members to this proposed serious encroachment on the rights and privileges of Parliament by the appointment of a tribunal unauthorized by Parliament to inquire into matters over which the Legislature had absolute and sole control. He had consulted with the President of the Senate, who also held the view that there was no authority superior to Parliament, and that Parliament was absolute master of its own expenditure, its own procedure, and its own actions. Once the right of any outside authority to supersede the authority of Parliament itself was admitted, the status of Parliament, as the supreme authority of the country, was destroyed. He did not propose, unless he was so directed by the House, whose mouth-piece he was, to sanction any inquiry of the kind which was not authorized by Parliament itself. As Speaker, he was the custodian of the rights and privileges of Parliament, and until Parliament authorized him to do so, he would not recognise for a single moment the right of any outside tribunal to presume to interfere with any of the services of Parliament.
 

Mr. Watt said that he wished to make a brief observation on the remarks which Mr. Speaker had very properly addressed to the House. The Royal Commission was appointed by Governor-General's Warrant, and not at the request or by the authority of the House, as Mr. Speaker had correctly pointed out. The Crown, through its advisers, had no desire to establish improper relationships between any Royal Commission and Parliament; and he would see that the Law officers took immediate notice of Mr. Speaker's remarks in order to insure that no privileges which Parliament enjoyed were in any way infringed by the operations of the Royal Commission.

Mr. Speaker added that he wished to make it clear that there was no objection to a properly authorized inquiry into the services of Parliament. He did not want the impression to get abroad that any such objection existed. He merely wished to see that anything that was done was done in a proper way, so that the privileges of Parliament should be safeguarded. There was no authority superior to Parliament which could arrogate to itself the power to appoint any Commission or other tribunal to invade the sphere of Parliamentary jurisdiction in the conduct and direction of its own business. Parliament alone could appoint such a tribunal.

24th October, 1919.

4. TREATY OF PEACE [GERMANY] BILL.—SENATE'S AMENDMENT.—The Order of the Day having been read for the consideration in Committee of the whole House of the Amendment made by the Senate in this Bill—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

The Committee proceeded to consider the Amendment made by the Senate, which is as follows :—

## SCHEDULE OF THE AMENDMENT MADE BY THE SENATE.

Clause 2, line 14, leave out "and orders".

Mr. Watt moved, That the Amendment be agreed to.

Question—put and passed.

Resolution to be reported.

The House resumed; Mr. Chanter reported accordingly.

On the motion of Mr. Watt, the House adopted the Report.

5. INVALID AND OLD-AGE PENSIONS BILL (1919).—The Order of the Day having been read for the consideration in Committee of the whole House of His Excellency the Governor-General's Message No. 104—

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

*Resolved*, on the motion of Mr. Poynton—That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to amend Sections Twenty-four and Twenty-six of the *Invalid and Old-age Pensions Act 1908-1917*.

Resolution to be reported.

The House resumed; Mr. Chanter reported accordingly.

Mr. Poynton moved, pursuant to contingent notice, That the Standing Orders be suspended, to enable the remaining stages to be passed without delay.

Question—put and passed.

The said Resolution was read, and, on the motion of Mr. Poynton, was adopted by the House.

Ordered—That Mr. Poynton and Mr. Wise do prepare and bring in a Bill to carry out the foregoing Resolution.

Mr. Poynton then brought up the Bill accordingly, and moved, That it be now read a first time.

Question—put and passed.—Bill read a first time.

Mr. Poynton moved, That the Bill be now read a second time.

Debate ensued.

Question—put and passed.—Bill read a second time.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clauses 1 and 2 agreed to.

Clause 3—

Mr. Fenton moved the following amendment :—Omit the words "sixty-five" in the last line but one of the clause with a view to the insertion of the words "seventy-eight" in place thereof.

Proposed amendment ruled out of order.

Mr. Laird Smith moved the following amendment :—

Add the following new paragraph—

(e) by adding at the end thereof the following words :—"except in the case of a pensioner invalidated through blindness, in such a case the pensioner's income together with pension shall not exceed One hundred and thirty pounds (£130) per annum."

Proposed amendment ruled out of order.

Clause agreed to.

Clause 4 agreed to.

Proposed New Clause—

Mr. Burchell moved, That the following New Clause be added to the Bill :—

Section thirty-one of the *Invalid and Old-age Pensions Act 1908-1917* is amended by omitting sub-section (2.) therefrom, and inserting in its stead the following sub-section :—

"(2.) If it appears to the magistrate that the claimant, although otherwise qualified for, is unfit to be intrusted with, a pension, a pension at the rate of three shillings per week may be granted to the claimant, and payment of the pension may be suspended until the claimant has become an inmate of a benevolent asylum."

Proposed New Clause ruled out of order.

Title agreed to.

24th October, 1919.

Bill to be reported without amendment.

The House resumed ; Mr. Chanter reported accordingly.

On the motion of Mr. Poynton, the House adopted the Report, and the Bill was read a third time.

6. INDEMNITY BILL.—The Order of the Day having been read for the resumption of the debate on the question, That the Bill be now read a second time—

Debate resumed.

Mr. Fenton, 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 a later hour this day.

7. POSTPONEMENT OF BUSINESS.—Ordered, That the remaining Orders of the Day be postponed until after the consideration of Notice of Motion No. 1, Government Business.

8. ERECTION OF ORDNANCE STORES, SYDNEY—APPROVAL OF CARRYING OUT OF WORK.—Mr. Wise moved, pursuant to notice, That in accordance with the provisions of the *Commonwealth Public Works Committee Act 1913-1914*, it is expedient to carry out the following proposed work :—  
Erection of Ordnance Stores, Sydney, which said work was referred to the Public Works Committee, and the Committee has duly reported to this House the result of its inquiries thereon.  
Question—put and passed.

*Suspension of Sitting—*

At twenty-one minutes to five o'clock p.m., Mr. Speaker left the Chair.

*Resumption of Sitting—*

At ten minutes past nine o'clock p.m. Mr. Speaker resumed the Chair.

9. MESSAGE FROM THE SENATE.—SUPPLY BILL (No. 3) 1919-20.—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 121.

The Senate returns to the House of Representatives the Bill for "*An Act to grant and apply a sum out of the Consolidated Revenue Fund for the service of the year ending the thirtieth day of June One thousand nine hundred and twenty,*" to which it has agreed without requests.

THOS. GIVENS,  
President.

The Senate,  
Melbourne, 24th October, 1919.

10. MESSAGE FROM THE SENATE.—INVALID AND OLD-AGE PENSIONS BILL (1919).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 122.

The Senate returns to the House of Representatives the Bill for "*An Act to amend Sections Twenty-four and Twenty-six of the 'Invalid and Old-age Pensions Act 1908-1917,'*" to which it has agreed without amendment.

THOS. GIVENS,  
President.

The Senate,  
Melbourne, 24th October, 1919.

11. MESSAGE FROM THE SENATE.—DECEASED SOLDIERS' ESTATES BILL (1919).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 123.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'Deceased Soldiers' Estates Act 1918,'*" to which it has agreed with the amendment indicated in the annexed Schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

THOS. GIVENS,  
President.

The Senate,  
Melbourne, 24th October, 1919.

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

The Committee proceeded to consider the Amendment made by the Senate, which is as follows :—

SCHEDULE OF THE AMENDMENT MADE BY THE SENATE.

Page 1, after clause 4 add the following new clause :—

"5. Nothing in this Act shall be deemed to affect the rights of the parties to any proceeding pending at the date of the passing of this Act."

Saving of certain rights.

24th October, 1919.

Mr. Wise moved, That the Amendment be agreed to.  
 Question—put and passed.  
 Resolution to be reported.

The House resumed; Mr. Chanter reported accordingly.  
 On the motion of Mr. Wise, the House adopted the Report.

12. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate :—

[*Northern Territory Acceptance Bill* (1919)]—

MR. SPEAKER,

Message No. 124.

The Senate returns to the House of Representatives the Bill for "*An Act to ratify an Agreement for the Variation of the Agreement for the Surrender and Acceptance of the Northern Territory, and to amend the 'Northern Territory Acceptance Act 1910'*," to which it has agreed without amendment.

The Senate,  
 Melbourne, 24th October, 1919.

THOS. GIVENS,  
 President.

[*Loans Securities Bill*]—

MR. SPEAKER,

Message No. 125.

The Senate returns to the House of Representatives the Bill for "*An Act to authorize the issue of Securities in relation to Loans and for other purposes in connexion therewith*," to which it has agreed without amendment.

The Senate,  
 Melbourne, 24th October, 1919.

THOS. GIVENS,  
 President.

[*Termination of the Present War (Definition) Bill*]—

MR. SPEAKER,

Message No. 126.

The Senate returns to the House of Representatives the Bill for "*An Act to make provision for determining the Date of the Termination of the Present War and for purposes connected therewith*," to which it has agreed without amendment.

The Senate,  
 Melbourne, 24th October, 1919.

THOS. GIVENS,  
 President.

[*Land, Mining, Shares and Shipping Bill*]—

MR. SPEAKER,

Message No. 127.

The Senate returns to the House of Representatives the Bill for "*An Act to continue in force for a limited time the War Precautions (Enemy Shareholders) Regulations, the War Precautions (Land Transfer) Regulations, the War Precautions (Mining) Regulations and the War Precautions (Shipping) Regulations*," to which it has agreed without amendment.

The Senate,  
 Melbourne, 24th October, 1919.

THOS. GIVENS,  
 President.

13. MESSAGE FROM THE SENATE.—WAR SERVICE HOMES BILL (1919).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 128.

The Senate returns to the House of Representatives the Bill for "*An Act to amend the 'War Service Homes Act 1918'*," to which it has agreed with the amendments indicated in the annexed Schedule, in which amendments the Senate requests the concurrence of the House of Representatives.

The Senate,  
 Melbourne, 24th October, 1919.

THOS. GIVENS,  
 President.

Ordered—That the foregoing Message be taken into consideration forthwith in Committee of the whole House.

Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

24th October, 1919.

(In the Committee.)

The Committee proceeded to consider the Amendments made by the Senate, which are as follow :—

SCHEDULE OF THE AMENDMENTS MADE BY THE SENATE.

No. 1.—Page 1, clause 2, after paragraph (a) insert the following paragraph :—

“(aa) by omitting the definition of ‘ Dwelling-house ’ and inserting in its stead the following definition :—

“ ‘ Dwelling-house ’ includes a house, or a building used or to be used, by a person who is included in paragraph (b) or (d) of the definition of ‘ Australian Soldier ’, as a hospital, sanatorium, or nursing home, and the appurtenances, necessary outbuildings, fences, and permanent provision for lighting, water supply, drainage, and sewerage of the house or building, but does not include any land ;”

No. 2.—Page 3, after clause 3, insert the following clause :—

“ 3A. Section eighteen of the Principal Act is amended by adding at the end thereof the following proviso :—

Total cost of land and dwelling-house.

‘ Provided that where a dwelling-house is sold to two or more persons jointly under sub-section (1A.) of the next succeeding section the total cost to the Commissioner may exceed Seven hundred pounds but shall not exceed the sum of the amounts which the Commissioner could have expended if a house had been sold to each person separately.’ ”

No. 3.—Page 3, clause 4, before paragraph (a) insert the following paragraph :—

“(aa) by inserting after sub-section (1.) the following sub-section :—

‘ (1A.) Notwithstanding anything contained in the last preceding sub-section, where a person is included in paragraph (b) or (d) of the definition of ‘ Australian Soldier ’ in section four of this Act, and is not the owner of a dwelling house within Australia or elsewhere, the Commissioner may sell to her either alone, or jointly with other persons similarly eligible under this sub-section, a dwelling-house acquired or erected in pursuance of the last preceding part, together with the land on which it is erected :

Provided that, in this sub-section, the word ‘ dwelling-house ’ means a building to be used by the purchaser as a hospital, sanatorium or home.’ ”

No. 4.—Page 3, after clause 4, insert the following clauses :—

“ 4A. Section 20 of the Principal Act is amended by adding at the end thereof the following sub-section :—

Advances to acquire land &c.

‘ (2.) Notwithstanding anything contained in the last preceding sub-section the Commissioner may, upon application in writing, make an advance to a person who is included in paragraph (b) or (d) of the definition of ‘ Australian Soldier ’ in section four of this Act, on the prescribed security, for the purposes specified in the last preceding sub-section :

Provided that for the purposes of this sub-section any reference in the last preceding sub-section to a dwelling-house shall be deemed to be a reference to a building used or to be used as a hospital, sanatorium or nursing home.’ ”

“ 4B. Section twenty-one of the Principal Act is amended by adding at the end of sub-section (1.) the following proviso :—

Maximum advance.

‘ Provided that where an advance is made under sub-section (2.) of the last preceding section to two or more persons jointly the amount of the advance may exceed Seven hundred pounds but shall not exceed the sum of the amounts which could have been advanced if the advances had been made separately.’ ”

Mr. Greene moved, That the Amendments be agreed to.

Debate ensued.

Question—put and passed.

Resolution to be reported.

The House resumed ; Mr. Chanter reported accordingly.

On the motion of Mr. Greene, the House adopted the Report.

14. MESSAGES FROM THE SENATE.—Mr. Speaker announced the receipt of the following Messages from the Senate :—

[Electoral (War-time) Bill (1919)]—

MR. SPEAKER,

Message No. 129.

The Senate returns to the House of Representatives the Bill for “ An Act relating to the method of voting by Members of the Forces at Elections and Referendums, and for other purposes,” to which it has agreed without amendment.

The Senate,  
Melbourne, 24th October, 1919.

THOS GIVENS,  
President.

24th October, 1919.

*[Legal Proceedings Control Bill]*—

MR. SPEAKER,

Message No. 130.

The Senate returns to the House of Representatives the Bill for "*An Act relating to certain Legal Proceedings*," to which it has agreed without amendment.

THOS. GIVENS,  
President.

The Senate,  
Melbourne, 24th October, 1919.

15. PAPERS.—The following Papers were presented, by command of His Excellency the Governor-General—  
Economies Commission—Remarks by certain officers of the Auditor-General's staff on Commission's First Progress Report in so far as the Audit Office is concerned (in continuation of Paper already presented, see p. 587).  
Ordered to lie on the Table, and to be printed.  
Central Wool Committee—Statistical Bulletin No. 1—Wool Season 1917-18—Supplement.  
Ordered to lie on the Table.
16. PRINTING OF PAPER.—Sir Joseph Cook moved, That the following Paper presented earlier during the sitting be printed (see p. 587), viz. :—  
Economies Commission—Remarks by the Auditor-General and certain officers of his staff on Commission's First Progress Report in so far as the Audit Office is concerned.  
Question—put and passed.
17. ADJOURNMENT.—Sir Joseph Cook moved, That the House do now adjourn.  
Debate ensued.  
Question—put and passed.

And then the House, at thirty-nine minutes past nine o'clock p.m., adjourned until Wednesday next at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—  
Mr. Bamford, Mr. Bayley, Mr. Blakeley, Mr. Chapman, Mr. Charlton, Mr. Considine, Mr. Corboy, Mr. Falkiner, Mr. R. W. Foster, Mr. Fowler, Mr. Gregory, Mr. Groom, Mr. Hughes, Mr. Lister, Mr. Mackay, Mr. Mahony, Mr. W. Maloney, Mr. Maxwell, Mr. McDonald, Mr. Nicholls, Mr. Orchard, Mr. Page, Mr. Riley, Major-General Sir Granville Ryrie<sup>(a)</sup>, Mr. Bruce Smith, Mr. Wallace, and Mr. Watkins.

\* On leave.

(a) Absent with Australian Imperial Force.

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

1917-18-19.

## MESSAGES FROM HIS EXCELLENCY THE GOVERNOR-GENERAL.

### ASSENT TO BILLS.

The following Messages from His Excellency the Governor-General were received after the adjournment of the House on the 24th October, 1919 :—

R. M. FERGUSON,

*Governor-General.*

*Message No. 106.*

The following Bills intituled :—

*Nauru Island Agreement Act 1919,*  
*Income Tax Act 1919,*  
*Land Tax Act 1919,*  
*Entertainments Tax Act 1919,*  
*Appropriation (Works and Buildings) Act 1919-20,*  
*Loan Act 1919,*  
*Referendum (Constitution Alteration) Act 1919,*  
*Matrimonial Causes (Expeditionary Forces) Act 1919,*  
*Sugar Industry Commission Act 1919,*  
*Customs Tariff Validation Act 1919,*  
*Excise Tariff Validation Act 1919,*  
*Tasmanian Loan Redemption Act 1919,*  
*Treaty of Peace Act 1919,*  
*Supply Act (No. 3) 1919-20,*  
*Invalid and Old-age Pensions Act 1919,*  
*Deceased Soldiers' Estates Act 1919,*  
*Northern Territory Acceptance Act 1919,*  
*Loans Securities Act 1919,*  
*Termination of the present War (Definition) Act 1919,*  
*Land, Mining, Shares and Shipping Act 1919,*  
*War Service Homes Act 1919,*  
*Commonwealth Electoral (War-time) Act 1919,*  
*Legal Proceedings Control Act 1919,*  
*Commonwealth Electoral Act 1919,*

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.

Government House,

Melbourne, 28th October, 1919.

### RESERVATION OF BILL.

R. M. FERGUSON,

*Governor-General.*

*Message No. 107.*

A Bill intituled :—

*Navigation Act 1919,*

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 reserved the said Bill for the signification of His Majesty's pleasure.

Government House,

Melbourne, 28th October, 1919.

## ASSENT TO RESERVED BILL.

R. M. FERGUSON,  
Governor-General.

Message No. 108.

The Governor-General informs the House of Representatives that the proposed law intituled "*Navigation Act 1919*," which was reserved for the signification of His Majesty's pleasure, has been laid before His Majesty in Council, and that His Majesty has, by an Order in Council dated the 25th day of November, One thousand nine hundred and nineteen, declared His assent to the said proposed law.

The Governor-General has caused the King's approval to be proclaimed in the *Commonwealth of Australia Gazette*, No. 139, dated 20th December, 1919, a copy of which proclamation is attached hereto.

Government House,  
Melbourne, 7th January, 1920.

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COMMONWEALTH OF AUSTRALIA GAZETTE.

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No. 139.]

SATURDAY, 20TH DECEMBER.

[1919.

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PROCLAMATION

Australia to wit.  
R. M. FERGUSON,  
Governor-General.

By His Excellency the Governor-  
General of the Commonwealth  
of Australia.

**W**HEREAS a proposed law entitled "An Act to amend Sections One, Two, Six, and Seven of the *Navigation Act 1912*" was during the last session of Parliament passed by both Houses of the Parliament of the Commonwealth:

And whereas upon the said proposed law being on the twenty-seventh day of October, 1919, presented to me for the Royal Assent, I declared that I reserved the said proposed law for the signification of His Majesty's pleasure:

And whereas the signification of His Majesty's pleasure has been communicated to me:

Now therefore I, Sir Ronald Craufurd Munro Ferguson, the Governor-General aforesaid, do hereby proclaim and make

known that the said proposed law has been laid before His Majesty in Council, and that by an Order in Council made at the Court at Buckingham Palace, and bearing date the twenty-fifth day of November, One thousand nine hundred and nineteen, His Majesty has been pleased to confirm, approve, and declare his assent to the proposed law.

Given under my Hand and the Seal of the Commonwealth,  
at Melbourne, this twentieth day of December, in the  
(L.S.) year of our Lord One thousand nine hundred and  
nineteen, and in the tenth year of His Majesty's reign.

By His Excellency's Command,

W. MASSY GREENE,  
Minister of State for Trade and Customs.

GOD SAVE THE KING!