

# THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 88.

## VOTES AND PROCEEDINGS

OF THE

## HOUSE OF REPRESENTATIVES.

TUESDAY, 12TH OCTOBER, 1920.

1. The House met, at three o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. 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 :—

FORSTER,

*Governor-General.*

*Message No. 36.*

Bills intituled the "*Arbitration (Public Service) Act 1920*," and the "*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.

Melbourne, 7th October, 1920.

FORSTER,

*Governor-General.*

*Message No. 37.*

A Bill intituled "*Westralian Farmers Agreement 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.

Melbourne, 11th October, 1920.

FORSTER,

*Governor-General.*

*Message No. 38.*

The following Bills intituled :—

"*Commonwealth Conciliation and Arbitration Act 1920*,"

"*Papua Act 1920*," and

"*Census and Statistics 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.

Melbourne, 11th October, 1920.

3. PAPERS.—The following Papers were presented, pursuant to Statute—

Customs Act—Proclamation (dated 15th September, 1920) revoking Proclamation (dated 10th January, 1918) prohibiting the Importation and Exportation (except under certain conditions) of Copra.

Excise Act—Regulations Amended—Statutory Rules 1920, No. 167.

Lands Acquisition Act—Land acquired under, at Tharwa, Federal Territory—For Federal Capital purposes.

Northern Territory—Public Service Ordinance 1913—Regulations.

Public Service Act—Appointment of W. Campbell, Home and Territories Department.

12th October, 1920.

4. JUDICIARY BILL (1920).—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, *and on the Amendment moved thereto by Mr. Tudor, viz.:*—That all the words after “That” be omitted, with a view to inserting the following words in place thereof:—“in consequence of the exploitation of the people of Australia by profiteering and of the urgent necessity of dealing therewith, the Bill be now withdrawn for the purpose of introducing at the earliest possible moment more comprehensive measures which will confer all necessary jurisdiction and powers of investigation on the High Court of Australia and other existing Courts for the enforcement thereof, and which for the purposes of exercising the powers contained in the Constitution will provide *inter alia* for—

- (a) requiring statistics of the cost of production of all goods manufactured in Australia and of the landed cost of all goods imported into Australia;
- (b) requiring statistics of the profits accruing to trading corporations or derived from Inter-State shipping, and of the rate of profit on the capital actually employed therein respectively;
- (c) penalties of fine and imprisonment for refusal to furnish such statistics, or for wilfully making false returns;
- (d) all purposes incidental to the above;
- (e) the extension of the Moratorium for the protection of primary producers and others requiring same”—

Debate resumed.

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

The House divided—

Ayes, 25

Mr. Atkinson	Mr. Hughes
Mr. Bell	Mr. Jackson
Sir Robert Best	Mr. Livingston
Mr. Blundell	Mr. Mackay
Mr. Donald Cameron	Mr. Maxwell
Mr. Chanter	Mr. Poynton
<b>Sir Joseph Cook</b>	<b>Mr. Prowse</b>
Mr. Corser	Mr. Rodgers
Mr. R. W. Foster	Mr. Laird Smith
Mr. Gibson	
Mr. Greene	
Mr. Gregory	<i>Tellers:</i>
Mr. Groom	Mr. Fleming
Mr. Hay	Mr. Marr

Noes, 11.

Mr. Brennan	Mr. Ryan
Mr. Gabb	Mr. Tudor
Mr. Hill	
Mr. Lazzarini	
Mr. McWilliams	<i>Tellers:</i>
Mr. Parker Moloney	Mr. Mahony
Mr. James Page	Mr. Riley

And so it was resolved in the affirmative.

Debate on original question continued.

Original 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.)

Clause 1 agreed to.

Clause 2 debated—

Mr. McWilliams moved, as an amendment, That the word “three” (line 12) be omitted with a view to the insertion of the word “four” in place thereof.

Debate ensued.

Question—That the word proposed to be omitted stand part of the clause—put and passed.

Question—That the clause be agreed to—put.

The Committee divided—

Ayes, 22.

Sir Robert Best	Mr. Mackay
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Maxwell
<b>Sir Joseph Cook</b>	Mr. Poynton
Mr. Corser	Mr. Rodgers
Mr. Fleming	Mr. Laird Smith
Mr. Greene	Mr. West
Mr. Groom	Mr. Wise
Mr. Hay	
Mr. Hughes	<i>Tellers:</i>
Mr. Jackson	Mr. Atkinson
Mr. Livingston	Mr. Marr

Noes, 18.

Mr. Bell	Mr. McWilliams
Mr. Blundell	Mr. Parker Moloney
Mr. Cunningham	Mr. James Page
Mr. R. W. Foster	Mr. Prowse
Mr. Gabb	Mr. Ryan
Mr. Gibson	Mr. Tudor
Mr. Gregory	
Mr. Hill	<i>Tellers:</i>
Mr. Lazzarini	Mr. Brennan
Mr. Mahony	Mr. Riley

And so it was resolved in the affirmative.

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Clause 3 debated—

Mr. Groom moved, as an amendment, That the following words be added at the end of the clause:—

“, and that Act shall continue in force as if that sub-section had not been enacted.”

Debate ensued.

Amendment agreed to.

Question—That the clause, as amended, be agreed to—put.

The Committee divided—

Ayes, 27.

Mr. Atkinson	Mr. Jackson
Mr. Bell	Mr. Livingston
Mr. Blundell	Mr. Mackay
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Maxwell
Sir Joseph Cook	Mr. Poynton
Mr. Robert Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. R. W. Foster	Mr. Laird Smith
Mr. Francis	Mr. Wise
Mr. Gibson	
Mr. Greene	
Mr. Gregory	<i>Tellers:</i>
Mr. Groom	Mr. Fleming
Mr. Hay	Mr. Marr

Noes, 12.

Mr. Brennan	Mr. Ryan
Mr. Cunningham	Mr. Tudor
Mr. Gabb	Mr. West
Mr. Hill	
Mr. Lazzarini	<i>Tellers:</i>
Mr. McWilliams	Mr. Mahony
Mr. Parker Moloney	Mr. Riley

And so it was resolved in the affirmative.

*New clauses—*

On the motion of Mr. Groom, the following new clauses were added to the Bill:—

4. After section thirty-three of the Principal Act the following section is inserted:—

“33A. The High Court may by order direct that an award in an arbitration Awards may be made Rules of Court. in respect of any matter over which the High Court has original jurisdiction, or in respect of which original jurisdiction may be conferred upon the High Court, shall be a Rule of the High Court.”

5. Section sixty-eight of the Principal Act is amended—

(a) by inserting in sub-section (1.) thereof, after the word “shall” the Jurisdiction of State Courts in criminal cases. words “, subject to this section,”; and

(b) by adding at the end thereof the following sub-section:—

“(4.) The several Courts of a State exercising the jurisdiction conferred upon them by this section shall, upon application being made in that behalf, have power to order, upon such terms as they think fit, that any information laid before them in respect of an offence against the laws of the Commonwealth shall be amended so as to remove any defect either in form or substance contained in that information.”

Title agreed to.

Bill to be reported with amendments.

The House resumed; Mr. Chanter reported accordingly.

Mr. Groom 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.

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

5. HIGH COURT PROCEDURE BILL (1920).—The Order of the Day having been read for the second reading—Mr. Groom 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.)

Clause 1 agreed to.

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.

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6. ADJOURNMENT.—Sir Joseph Cook moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-eight minutes past ten o'clock p.m., adjourned until to-morrow at half-past two o'clock p.m.

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MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Bamford, Mr. Blakeley, Mr. Bowden\*, Mr. Burchell, Mr. J. H. Catts, Mr. Austin Chapman, Mr. Charlton, Mr. Higgs, Mr. Lamond, Mr. Lavelle, Mr. McGrath, Mr. Nicholls, Mr. Earle Page, Mr. Stewart, Mr. Story, Mr. Watkins, Mr. Watt, and Mr. Wienholt.

\* On leave.

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