

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 112.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

WEDNESDAY, 24TH NOVEMBER, 1920.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. PAPERS.—The following Papers were presented, pursuant to Statute—
 War Service Homes Act—Land acquired under, at—
 Armidale, New South Wales.
 Leichhardt, New South Wales.
 Mascot, New South Wales.
3. ADJOURNMENT—MOTION FOR PURPOSE OF DISCUSSION.—Mr. W. Maloney rose in his place, and said that he proposed to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, "The infringement of the Protective Policy of the Commonwealth pertaining to the Returned Soldiers and Sailors and the Manufacturers of Australia".
 Mr. Speaker thereupon called upon those Members who approved of the proposed discussion to rise in their places, and more than the necessary number of Members having risen accordingly—
 Mr. W. Maloney moved, That the House do now adjourn.
 Debate ensued.
 Question—put and negatived.
4. WAR PRECAUTIONS ACT REPEAL 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—and on the Amendment moved thereto by Mr. Tudor, viz.:—That after the word "now" the following words be inserted:—
 "withdrawn, redrafted, and immediately reintroduced so as to provide for the absolute and genuine repeal of the War Precautions Act without the inclusion of provisions which amount to the re-enactment and extension of the worst features of that Act"—
 Debate resumed.
 Mr. R. W. Foster 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 a later hour this day.
5. POSTPONEMENT OF BUSINESS.—Ordered, That the intervening Business be postponed until after the consideration of Notice of Motion No. 4, Government Business.
6. RIVER MURRAY WATERS BILL (1920).—Mr. Groom moved, pursuant to notice, That he have leave to bring in a Bill for an Act to ratify an Agreement for the Variation of the Agreement entered into between the Prime Minister of the Commonwealth and the Premiers of the States of New South Wales, Victoria, and South Australia, respecting the River Murray and Lake Victoria and other Waters, and to amend the *River Murray Waters Act 1915*.
 Question—put and passed.
 Mr. Groom brought up the Bill accordingly, 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.

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7. MESSAGE FROM THE SENATE.—SUGAR PURCHASE BILL (No. 2) (1920).—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 73.

The Senate returns to the House of Representatives the Bill for "An Act to amend the 'Sugar Purchase Act 1915-1920'," to which it has agreed without amendment.

THOS. GIVENS,
President.

The Senate,
Melbourne, 24th November, 1920.

8. WAR PRECAUTIONS ACT REPEAL 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—and on the Amendment moved thereto by Mr. Tudor, viz.:—That after the word "now" the following words be inserted:—"withdrawn, redrafted, and immediately reintroduced so as to provide for the absolute and genuine repeal of the War Precautions Act without the inclusion of provisions which amount to the re-enactment and extension of the worst features of that Act"—

Debate resumed.

Question—That the words proposed to be inserted be so inserted—put.

The House divided—

Ayes, 19.

Mr. Blakeley	Mr. McGrath
Mr. J. H. Catts	Mr. Parker Moloney
Mr. Charlton	Mr. Ryan
Mr. Considine	Mr. Tudor
Mr. Fenton	Mr. Watkins
Mr. Gabb	Mr. West
Mr. Lavelle	
Mr. Mahony	
Mr. Makin	
Mr. W. Maloney	Mr. James Page
Mr. McDonald	Mr. Riley

Tellers:

Noes, 36.

Mr. Bell	Mr. Jackson
Sir Robert Best	Mr. Jowett
Mr. Blundell	Mr. Lamond
Mr. Bowden	Mr. Lister
Mr. Donald Cameron	Mr. Livingston
Mr. Chanter	Mr. Marks
Mr. Austin Chapman	Mr. McWilliams
Sir Joseph Cook	Mr. Poynton
Mr. Robert Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. Fleming	Sir Granville Ryrie
Mr. R. W. Foster	Mr. Laird Smith
Mr. Fowler	Mr. Stewart
Mr. Francis	Mr. Wienholt
Mr. Gibson	Mr. Wise
Mr. Greene	
Mr. Groom	
Mr. Higgs	
Mr. Hill	

Tellers:

Mr. Burchell
Mr. Story

And so it was negatived.

Question—That the Bill be now read a second time—put.

The House divided—

Ayes, 36.

Mr. Bell	Mr. Jackson
Sir Robert Best	Mr. Jowett
Mr. Blundell	Mr. Lamond
Mr. Bowden	Mr. Lister
Mr. Donald Cameron	Mr. Livingston
Mr. Chanter	Mr. Marks
Mr. Austin Chapman	Mr. McWilliams
Sir Joseph Cook	Mr. Poynton
Mr. Robert Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. Fleming	Sir Granville Ryrie
Mr. R. W. Foster	Mr. Laird Smith
Mr. Fowler	Mr. Stewart
Mr. Francis	Mr. Wienholt
Mr. Gibson	Mr. Wise
Mr. Greene	
Mr. Groom	
Mr. Higgs	
Mr. Hill	

Tellers:

Mr. Burchell
Mr. Story

Noes, 19.

Mr. Blakeley	Mr. McGrath
Mr. J. H. Catts	Mr. Parker Moloney
Mr. Charlton	Mr. Ryan
Mr. Considine	Mr. Tudor
Mr. Fenton	Mr. Watkins
Mr. Gabb	Mr. West
Mr. Lavelle	
Mr. Mahony	
Mr. Makin	
Mr. W. Maloney	Mr. James Page
Mr. McDonald	Mr. Riley

And so it was resolved in the affirmative.—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 debated and agreed to.

Clause 2 agreed to.

Clause 3 amended, on the motion of Mr. Groom, by omitting "and" (first occurring) and by the insertion of the word and figures "and 224" after the figures "216" (line 14).

Clause, as amended, debated and agreed to.

Clauses 4 and 5 agreed to.

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Clause 6 amended, on the motion of Mr. Groom, after debate, by the omission of sub-clauses (1.) to (17.) inclusive.

Clause, as amended, agreed to.

Clause 7—

Mr. Groom moved as an amendment, That the word "person" (line 9) be omitted and the words "British subject" inserted in place thereof, and that the word "an" (line 10) be omitted and the words "a prescribed" inserted in place thereof.

Question—That the amendment be agreed to—put.

The Committee divided—

Ayes, 30.

Sir Robert Best	Mr. Jackson
Mr. Bowden	Mr. Lamond
Mr. Donald Cameron	Mr. Lister
Mr. Austin Chapman	Mr. Livingston
Sir Joseph Cook	Mr. McWilliams
Mr. Robert Cook	Mr. Poynton
Mr. Corser	Mr. Prowse
Mr. Fleming	Mr. Rodgers
Mr. R. W. Foster	Sir Granville Ryrie
Mr. Fowler	Mr. Laird Smith
Mr. Francis	Mr. Stewart
Mr. Gibson	Mr. Wise
Mr. Greene	
Mr. Groom	<i>Tellers:</i>
Mr. Higgs	Mr. Burchell
Mr. Hill	Mr. Story

Noes, 19.

Mr. Bell	Mr. W. Maloney
Mr. Blundell	Mr. McDonald
Mr. Brennan	Mr. Ryan
Mr. J. H. Catts	Mr. Tudor
Mr. Charlton	Mr. Watkins
Mr. Considine	Mr. West
Mr. Fenton	
Mr. Gabb	<i>Tellers:</i>
Mr. Lavelle	Mr. Blakeley
Mr. Mahony	Mr. Riley
Mr. Makin	

And so it was resolved in the affirmative.

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

The Committee divided—

Ayes, 30.

Sir Robert Best	Mr. Jackson
Mr. Bowden	Mr. Lamond
Mr. Donald Cameron	Mr. Lister
Mr. Austin Chapman	Mr. Livingston
Sir Joseph Cook	Mr. McWilliams
Mr. Robert Cook	Mr. Poynton
Mr. Corser	Mr. Prowse
Mr. Fleming	Mr. Rodgers
Mr. R. W. Foster	Sir Granville Ryrie
Mr. Fowler	Mr. Laird Smith
Mr. Francis	Mr. Stewart
Mr. Gibson	Mr. Wise
Mr. Greene	
Mr. Groom	<i>Tellers:</i>
Mr. Higgs	Mr. Burchell
Mr. Hill	Mr. Story

Noes, 19.

Mr. Bell	Mr. W. Maloney
Mr. Blundell	Mr. McDonald
Mr. Brennan	Mr. Ryan
Mr. J. H. Catts	Mr. Tudor
Mr. Charlton	Mr. Watkins
Mr. Considine	Mr. West
Mr. Fenton	
Mr. Gabb	<i>Tellers:</i>
Mr. Lavelle	Mr. Blakeley
Mr. Mahony	Mr. Riley
Mr. Makin	

And so it was resolved in the affirmative.

Clause 8—

Debate ensued.

Mr. Lavelle moved, as an amendment, That all the words of sub-clause (3.) after the word "unlawful" (line 47 of page 6) be omitted.

Debate ensued.

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

The Committee divided—

Ayes, 33.

Mr. Bayley	Mr. Hill
Mr. Bell	Mr. Jackson
Sir Robert Best	Mr. Lamond
Mr. Blundell	Mr. Lister
Mr. Bowden	Mr. Livingston
Mr. Donald Cameron	Mr. McWilliams
Mr. Austin Chapman	Mr. Poynton
Sir Joseph Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. Fleming	Sir Granville Ryrie
Mr. R. W. Foster	Mr. Laird Smith
Mr. Fowler	Mr. Stewart
Mr. Francis	Mr. Wise
Mr. Gibson	
Mr. Greene	<i>Tellers:</i>
Mr. Groom	
Mr. Hay	Mr. Burchell
Mr. Higgs	Mr. Story

Noes, 16.

Mr. Blakeley	Mr. McDonald
Mr. Brennan	Mr. Riley
Mr. J. H. Catts	Mr. Ryan
Mr. Charlton	Mr. Watkins
Mr. Considine	Mr. West
Mr. Gabb	
Mr. Lavelle	<i>Tellers:</i>
Mr. Mahony	Mr. Fenton
Mr. W. Maloney	Mr. Makin

And so it was resolved in the affirmative.

24th November, 1920.

Question—That the clause be agreed to—put.

The Committee divided—

Ayes, 33.

Mr. Bayley	Mr. Hill
Mr. Bell	Mr. Jackson
Sir Robert Best	Mr. Lamond
Mr. Blundell	Mr. Lister
Mr. Bowden	Mr. Livingston
Mr. Donald Cameron	Mr. McWilliams
Mr. Austin Chapman	Mr. Poynton
Sir Joseph Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. Fleming	Sir Granville Ryrie
Mr. R. W. Foster	Mr. Laird Smith
Mr. Fowler	Mr. Stewart
Mr. Francis	Mr. Wise
Mr. Gibson	
Mr. Greene	
Mr. Groom	
Mr. Hay	Mr. Burchell
Mr. Higgs	Mr. Story

Tellers :

Noes, 16.

Mr. Blakeley	Mr. McDonald
Mr. Brennan	Mr. Riley
Mr. J. H. Catts	Mr. Ryan
Mr. Charlton	Mr. Watkins
Mr. Considine	Mr. West
Mr. Gabb	
Mr. Lavelle	
Mr. Mahony	Mr. Fenton
Mr. W. Maloney	Mr. Makin

Tellers:

And so it was resolved in the affirmative.

Clause agreed to.

Clause 9 agreed to.

Clause 10—

Debate ensued.

Mr. Lamond moved, as an amendment, That the word " or " (first occurring in line 35 of page 7) be omitted with a view to the insertion of the word " and " in place thereof.

Debate ensued.

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

The Committee divided—

Ayes, 30.

Mr. Atkinson	Mr. Hay
Mr. Bayley	Mr. Higgs
Mr. Bell	Mr. Jackson
Mr. Bowden	Mr. Lister
Mr. Bruce	Mr. Livingston
Mr. Donald Cameron	Mr. Mackay
Mr. Austin Chapman	Mr. McWilliams
Sir Joseph Cook	Mr. Poynton
Mr. Corser	Mr. Prowse
Mr. Fleming	Mr. Rodgers
Mr. R. W. Foster	Mr. Laird Smith
Mr. Francis	Mr. Wise
Mr. Gibson	
Mr. Greene	
Mr. Gregory	Mr. Burchell
Mr. Groom	Mr. Story

Tellers :

Noes, 20.

Mr. Blakeley	Mr. Makin
Mr. Blundell	Mr. Mathews
Mr. Brennan	Mr. Ryan
Mr. J. H. Catts	Mr. Stewart
Mr. Charlton	Mr. Tudor
Mr. Considine	Mr. Watkins
Mr. Fowler	Mr. West
Mr. Gabb	
Mr. Hill	
Mr. Lamond	Mr. Fenton
Mr. Lavelle	Mr. Riley

Tellers:

And so it was resolved in the affirmative.

Mr. Groom moved, as an amendment, That the words " or of any of the King's Dominions " be inserted after the word " Kingdom " (line 9 of page 8).

Amendment agreed to.

Mr. Ryan moved, as a further amendment, That the following paragraph be added to 24D (page 8):—
" (2.) A person cannot be convicted of any of the offences defined in this or the preceding section upon the uncorroborated testimony of one witness."

Amendment agreed to.

Mr. Gabb moved, as a further amendment, That the following words be added after the word " Attorney-General " (line 39 of page 8):—" nor shall any person be deprived of the right of trial by a jury if he so desires".

Debate ensued.

Amendment, by leave, withdrawn.

Mr. Groom moved, as a further amendment, That the following sub-clause be inserted after sub-clause (1.) of 24E:—

" (1A.) If any person who is prosecuted summarily in respect of an offence against either of the last two preceding sections, elects, immediately after pleading, to be tried upon indictment, the Court or Magistrate shall not proceed to summarily convict that person but may commit him for trial."

Debate ensued.

Amendment agreed to.

Clause, as amended, debated.

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

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The Committee divided—

Ayes, 31.

Mr. Atkinson	Mr. Hill
Mr. Bayley	Mr. Jackson
Mr. Bell	Mr. Lamond
Mr. Blundell	Mr. Lister
Mr. Bowden	Mr. Livingston
Mr. Bruce	Mr. Mackay
Mr. Donald Cameron	Mr. Poynton
Sir Joseph Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. Fleming	Mr. Laird Smith
Mr. R. W. Foster	Mr. Stewart
Mr. Francis	Mr. Wise
Mr. Gibson	
Mr. Greene	
Mr. Gregory	
Mr. Groom	Mr. Burchell
Mr. Hay	Mr. Story

Tellers :

Noes, 11.

Mr. Blakeley	Mr. Tudor
Mr. Brennan	Mr. West
Mr. Considine	
Mr. Gabb	
Mr. Lavelle	
Mr. Parker Moloney	Mr. J. H. Catts
Mr. Ryan	Mr. Makin

Tellers :

And so it was resolved in the affirmative.

Clause 11—

Question—That the clause be agreed to—put.

The Committee divided—

Ayes, 31.

Mr. Atkinson	Mr. Hill
Mr. Bayley	Mr. Jackson
Mr. Bell	Mr. Lamond
Mr. Blundell	Mr. Lister
Mr. Bowden	Mr. Livingston
Mr. Bruce	Mr. Mackay
Mr. Donald Cameron	Mr. Poynton
Sir Joseph Cook	Mr. Prowse
Mr. Corser	Mr. Rodgers
Mr. Fleming	Mr. Laird Smith
Mr. R. W. Foster	Mr. Stewart
Mr. Francis	Mr. Wise
Mr. Gibson	
Mr. Greene	
Mr. Gregory	
Mr. Groom	Mr. Burchell
Mr. Hay	Mr. Story

Tellers :

Noes, 11.

Mr. Blakeley	Mr. Tudor
Mr. Brennan	Mr. West
Mr. J. H. Catts	
Mr. Considine	
Mr. Gabb	
Mr. Lavelle	Mr. Makin
Mr. Ryan	Mr. Parker Moloney

Tellers :

And so it was resolved in the affirmative.

Clause 12 debated and agreed to.

Clauses 13 and 14 agreed to.

Clause 15 amended, on the motion of Mr. Groom, after debate, by the omission of sub-clause (1.).

Clause, as amended, agreed to.

Clause 16 omitted from the Bill.

Clauses 17, 18, and 19 agreed to.

Clause 20 debated and agreed to.

New Clauses—

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

“SUGAR.

“5A. Section three of the *Commercial Activities Act 1919* is amended by ^{Price of sugar.} omitting the words ‘thirtieth day of September, One thousand nine hundred and twenty’ and inserting in their stead the words ‘thirtieth day of June, One thousand nine hundred and twenty-three’”.

“COMPANIES, FIRMS AND BUSINESSES.

“5B.—(1.) In this section unless the contrary intention appears—‘the War ^{Continuance of} Precautions (Companies, Firms and Businesses) Regulations’ means the Regulations ^{(Companies, firms and businesses, Regulations.} comprised in Statutory Rules 1916, No. 49, as amended by Statutory Rules 1917, Nos. 35, 289, and 328, by Statutory Rules 1919, No. 96, and by Statutory Rules 1920, No. 2.

“(2.) Subject to this section, the War Precautions (Companies, Firms and Businesses) Regulations shall continue in force until the thirty-first day of December, One thousand nine hundred and twenty-one.

“(3.) During the continuance of the War Precautions (Companies, Firms and Businesses) Regulations, the Governor-General may make regulations, not inconsistent with this section, prescribing all matters which are necessary or convenient to be prescribed for carrying out or giving effect to this section, and in particular for repealing, altering or adding to any of those regulations.

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“(4.) Any person who contravenes, or fails to comply with, any provision of the War Precautions (Companies, Firms and Businesses) Regulations, or of any regulation made in pursuance of this section, shall be guilty of an offence against this section.

Penalty: One hundred pounds, or imprisonment for six months, or both.

“(5.) An offence against this section shall not be prosecuted without the written consent of the Attorney-General or a person authorized in writing by the Attorney-General.

“(6.) For the purpose of the trial of a person for an offence against this section, the offence shall be deemed to have been committed either at the place in which it actually was committed or at any place in which the person is.

“(7.) The expiration of any of the War Precautions (Companies, Firms and Businesses) Regulations, or of any regulation made in pursuance of this section, shall not—

(a) affect any right, privilege, obligation, or liability acquired, accrued or incurred under any such regulation; or

(b) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any such regulation; or

(c) affect any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the regulation had not expired.”

“14A. Sections twelve, thirteen and fourteen of this Act shall continue in operation for a period of two years from the commencement of this Act, and no longer.” Operation of sections 12, 13, and 14.

Schedule agreed to.

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.

Mr. Groom moved, That the Bill be now read a third time.

Question—put.

The House divided—

Ayes, 31.

Mr. Atkinson	Mr. Hill
Mr. Bayley	Mr. Jackson
Mr. Bell	Mr. Lamond
Mr. Blundell	Mr. Lister
Mr. Bowden	Mr. Livingston
Mr. Bruce	Mr. McWilliams
Mr. Donald Cameron	Mr. Poynton
Mr. Chanter	Mr. Prowse
Sir Joseph Cook	Mr. Rodgers
Mr. Corser	Sir Granville Ryrie
Mr. Fleming	Mr. Laird Smith
Mr. R. W. Foster	Mr. Wise
Mr. Francis	
Mr. Greene	
Mr. Gregory	<i>Tellers:</i>
Mr. Groom	Mr. Burchell
Mr. Hay	Mr. Story

Noes, 8.

Mr. Blakeley	Mr. West
Mr. Gabb	
Mr. Makin	<i>Tellers:</i>
Mr. Ryan	Mr. J. H. Catts
Mr. Tudor	Mr. Lavelle

And so it was resolved in the affirmative.—Bill read a third time.

9. MESSAGE FROM THE SENATE.—INVALID AND OLD-AGE PENSIONS BILL (1920)—Mr. Speaker announced the receipt of the following Message from the Senate:—

MR. SPEAKER,

Message No. 74:

The Senate returns to the House of Representatives the Bill for “An Act to amend section twenty-four of the ‘Invalid and Old-age Pensions Act 1908-1919’ by increasing the limit of pension and income together in the case of blind pensioners,” to which it has agreed without amendment.

THOS. GIVENS,
President.

The Senate,
Melbourne, 24th November, 1920.

24th November, 1920.

10. MESSAGE FROM THE SENATE.—IMMIGRATION BILL (1920).—Mr. Speaker announced the receipt of the following Message from the Senate :—

MR. SPEAKER,

Message No. 75.

The Senate has agreed to the amendments made by the House of Representatives in the Bill for "*An Act to amend the 'Immigration Act 1901-1912'*."

The Senate,
Melbourne, 24th November, 1920.

THOS. GIVENS,
President.

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

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

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except :—Mr. Anstey, Mr. Bamford, Mr. Hughes, Mr. Lazzarini, Mr. Marr, Mr. Maxwell, Mr. Nicholls, Mr. Earle Page, and Mr. Watt.

WALTER A. GALE,
Clerk of the House of Representatives