1943 - 44.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF **REPRESENTATIVES**

No. 22.

THURSDAY, 2ND MARCH, 1944.

- 1. The House met, at half-past two o'clock p.m., pursuant to adjournment.-Mr. Speaker (the Honorable J. S. Rosevear) took the Chair, and read Prayers.
- 2. COAL MINES PROFITS (WAR-TIME) BILL 1944.—Mr. Evatt (Attorney-General) moved, by leave, That he have leave to bring in a Bill for an Act to provide for the payment by the Owners of Controlled Coal Mines of Additional Profits which have accrued as a result of the exercise of Control by the Commonwealth Coal Commissioner.
 - Question—put and passed.
 - Mr. Evatt 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. Evatt moved, by leave, That the Bill be now read a second time. Mr. Menzies (Leader of the Opposition) 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.

- 3. ASSISTANCE TO UNIVERSITY STUDENTS-MINISTERIAL STATEMENT.-Mr. Dedman (Minister for War Organization of Industry), by leave, made a Ministerial Statement with reference to the scheme for granting assistance to university students.
- 4. ADJOURNMENT-MOTION FOR PURPOSE OF DISCUSSION .--- Mr. Hutchinson 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 Australian meat industry".
 - 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. Hutchinson moved, That the House do now adjourn.
 - Ordered-That Mr. Hutchinson be granted an extension of time.
 - Debate ensued.
 - Ordered-That Mr. McEwen be granted an extension of time.
 - Debate continued.
- The debate having been continued for two hours, it was terminated in accordance with Standing Order No. 257в.
- 5. PAPERS.-The following Papers were presented, pursuant to Statute-

Defence Act-Regulations-Statutory Rules 1944, No. 39.

Defence Act and Naval Defence Act—Regulations—Statutory Rules 1944, No. 37. National Security Act—Regulations—Statutory Rules 1944, Nos. 36, 38, 40, 41.

- 6. SUSPENSION OF STANDING ORDER NO. 70.-Mr. Scully (Minister for Commerce and Agriculture) moved, by leave, That Standing Order No. 70 (eleven o'clock rule) be suspended for this sitting. Question—put and passed.
- 7. COAL PRODUCTION (WAR-TIME) BILL 1944.—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.

Ordered-That Mr. Holt be granted an extension of time.

Debate continued.

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

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

(In the Committee.)

Clauses 1 to 7 agreed to. Clause 8 debated-

Mr. Holt moved, as an amendment, That after " persons " (page 3, line 19) the words " representative of the owners and the Federation" be inserted.

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Debate continued. Amendment negatived. Clause agreed to. Clause 9 debated— On the motion of Mr. Evatt (Attorney-General), the following amendment was made, after debate :—

Page 3, line 33, after "authorities" insert "of an administrative character".

Clause, as amended, debated and agreed to.

Clause 10 agreed to.

Clause 11-

Mr. Harrison moved, That the clause be omitted, and the following clause inserted in place thereof :---

"11.—(1.) The Commissioner may be suspended from office by the Governor-Suspension of General for misbehaviour or incapacity, but shall not be removed from office except as Commissioner. hereinafter provided.

The Minister shall cause to be laid before Parliament a full statement of the grounds of suspension within seven sitting days after such suspension if Parliament is in session, and, if not, then within seven sitting days after the commencement of the next session.

(2.) The Commissioner suspended under this section shall be restored to office unless each House of Parliament within twenty-one days from the time when such statement has been laid before it, declares by resolution that the Commissioner ought to be removed from office, and if each House of Parliament within the said time does so declare, the Commissioner shall be removed by the Governor-General accordingly.".

Debate ensued.

The Committee continuing to sit until after midnight-

FRIDAY, 3RD MARCH, 1944.

Debate continued.

Amendment negatived.

Clause agreed to.

Clause 12 agreed to.

Clause 13-

On the motion of Mr. Evatt, the following amendment was made :-

Page 4, line 37, omit "him or on his behalf", insert "or on behalf of the Commissioner".

Clause, as amended, agreed to.

Clause 14 debated and agreed to.

Clauses 15 and 16 agreed to.

Clause 17----

Mr. Evatt moved, as an amendment, That the following sub-clause be added to the clause :---

"(3.) The owner of a coal mine to whom a requirement made under paragraph (k) of the last preceding sub-section applies may require the Commissioner on behalf of the Commonwealth to make an advance to him of such moneys as are necessary to carry out the requirement, and the owner shall not be bound to comply with the requirement unless and until the advance is so made to him.".

Debate ensued.

Amendment temporarily withdrawn, by leave.

On the motion of Mr. Spender, the following amendment was made :---

Page 7, lines 7 and 8, omit " and shall have such other powers and functions with respect to coal mines and the coal-mining industry as are prescribed ".

Amendment previously moved by Mr. Evatt and temporarily withdrawn, viz. :--That the following sub-clause be added to the clause :--

"(3.) The owner of a coal mine to whom a requirement made under paragraph (k) of the last preceding sub-section applies may require the Commissioner on behalf of the Commonwealth to make an advance to him of such moneys as are necessary to carry out the requirement, and the owner shall not be bound to comply with the requirement unless and until the advance is so made to him.",

was again moved and agreed to.

Clause, as amended, agreed to.

Clause 18—

On the motion of Mr. Evatt, the following amendment was made, after debate :--

Page 7, line 12, omit " of ", insert " or ".

Clause, as amended, agreed to.

Clause 19 agreed to.

Clause 20-

Mr. Evatt moved, as an amendment, That the following words be added to the clause :---", and shall be subject to any directions of the Minister as to matters of policy.".

Debate ensued.

Question-That the words proposed to be added be so added-put.

The Committee divided (The Chairman, Mr. Riordan, in the Chair)-Amon 98

	Ayes, 28.		
Mr. Breen	Mr. Haylen		
Mr. Bryson	Mr. Holloway		
Mr. Burke	Mr. James		
Mr. Calwell	Mr. Lemmon		
Mr. Chifley	Mr. Makin		
Mr. Clark	Mr. McLeod		
Mr. Daly	Mr. Mountjoy		
Mr. Dedman	Mr. Russell		
Mr. Drakeford	Mr. Scully		
Mr. Evatt	Mr. Sheehy		
Mr. Forde	Mr. Williams		
Mr. Fraser	(11.3)		
Mr. Frost	Telle rs :		
Mr. Fuller	Mr. Conelan		
Mr. Gaha	Mr. Sheehan		
	d in the offirmative		

	Noes, 12.
Mr. Abbott	Mr. McDonald
Mr. Anthony	Mr. Ryan
Mr. Bowden	Mr. White
Mr. Fadden	<i>(</i> 1 , 1)
Mr. Harrison	Tellers:
Mr. Holt	Mr. Corser
Mr. Hutchinson	Mr. Guy

And so it was resolved in the affirmative.

Clause, as amended, agreed to.

Clause 21-

On the motion of Mr. White, the following amendment was made :---

Page 8, line 16, after " by " insert " written ".

Clause, as amended, agreed to.

Clause 22-

On the motion of Mr. Anthony, the following amendment was made, after debate :---Page 8, line 36, after "loss" insert " (including loss of profits)".

Clause, as amended, agreed to.

Clause 23-

profits arising from control determination of-

(a) the question as to whether, by reason of the control exercised in pursuance of mine. of any order made under section twenty-one of this Act, the amount of the profits derived from the operation of any controlled mine during any period while the mine is or was a controlled mine exceeds the amount of the profits derived from the operation of the mine for the period last preceding the date on which the mine became a controlled mine corresponding, as to dates, to the first-mentioned period ; and

(b) the question as to the amount of any such excess.

(2.) Any such application shall as far as practicable be made in respect of a period corresponding to the usual accounting period in respect of the mine.

(3.) The Commissioner shall cause to be served on the owner a copy of the application endorsed by the proper officer of the Court with the place and time of hearing and the owner shall be entitled to be represented before the Court on the hearing.

(4.) The Court shall, on any such application, hear and determine the questions the subject of the application and the determination of the Court shall be final and conclusive and without appeal, and shall be binding on the owner of the mine whether he was represented before the Court on the hearing of the application or not.

(5.) The Commissioner may serve on the owner of the controlled mine notice of the determination of the Court specifying the amount determined by the Court, and specifying the date and place of payment.

(6.) Any amount so specified which remains unpaid after the date so specified may be sued for and recovered in any Court of competent jurisdiction by the Commissioner suing in his official name.

(7.) In this section the expression ' the Court ' means the High Court or the Supreme Court of a State.'

> Mr. Abbott Mr. Anthony

Mr. Bowden Mr. Fadden Mr. Harrison Mr. Holt Mr. Hutchinson

Debate ensued:

Question-That the amendment be agreed to-put.

The Committee divided (The Chairman, Mr. Riordan, in the Chair)-

Ayes, 28.				
Mr.	Breen	Mr. Haylen		
Mr.	Bryson	Mr. Holloway		
Mr.	Burke	Mr. James		
Mr.	Calwell	Mr. Johnson		
Mr.	Chifley	Mr. Lemmon		
Mr.	Clark	Mr. Makin		
Mr.	Daly	Mr. McLeod		
Mr.	Dedman	Mr. Russell		
Mr.	Drakeford	Mr. Scully		
Mr.	Evatt	Mr. Sheehy		
Mr.	Forde	Mr. Williams		
Mr.	Fraser	(2) 32		
Mr.	Frost	Tellers :		
Mr.	Fuller	Mr. Conelan		
Mr.	Gaha	Mr. Sheehan		
And sc	it was reso	lved in the affirmative.		

And so it was resolved in the affirmative.

Mr. McDonald Mr. Ryan

Tellers:			
	Corser Guy		

Mr. White

Noes, 12.

Clause 24--

On the motion of Mr. Evatt, the clause was omitted, and the following clause inserted in place thereof :---

"24. It shall be the responsibility of the owner of a controlled mine to pay the be made by remuneration of all persons employed in or about the mine as officers and employees of owner of the Commissioner and the expenses incurred by the authorized controller of the mine controlled mine. with respect to the operation of the mine."

Clause 25 agreed to.

Clause 26 debated-

Clause, as amended, agreed to.

Clause 27-

On the motion of Mr. Evatt, the clause was omitted, and the following clause inserted in place thereof, after debate :---

"27.—(1.) It shall be a condition of employment by the Commissioner of any Special conditions of person in or about a controlled mine that, if, in the opinion of the Commissioner or the employment. authorized controller of the mine, that person—

- (a) wilfully disobeys or disregards any lawful direction or order made or given by any person having authority to make or give the order or direction; or
- (b) fails, without leave or other reasonable excuse, to attend for work or to perform his duties on any day and at the times on and at which he is required so to attend and to perform his duties,

then, subject to any order of the Commissioner, there shall be deducted from any pay due or to become due to that person an amount in accordance with the scale contained in the Schedule to this Act.

(2.) The Commissioner may, if he thinks the circumstances of any case make it desirable so to do, remit any such deduction in whole or in part.".

Clause 28---

Mr. Evatt moved, That the clause be omitted, and the following clause inserted in place thereof :---

"28.—(1.) For the purposes of this Act there shall be a Trust Account which Coal Mining Industry Trust Account, and shall be a Trust Account Account Account. for the purposes of section sixty-two A of the Audit Act 1901–1934.

(2.) All amounts paid to or recovered by the Commissioner by reason of any determination made under section twenty-three of this Act and all amounts of pay deducted in accordance with the last preceding section shall be paid to the credit of the Trust Account.

(3.) All interest received from the investment of any moneys standing to the credit of the Trust Account shall form part of the Account.

(4.) The moneys standing to the credit of the Trust Account shall be applied for the advancement of the coal mining industry, including social welfare schemes for employees in the industry.".

Mr. Holt moved, as an amendment to the proposed clause, That after "applied" the words "firstly, in reimbursing the Commonwealth any amounts of compensation paid in pursuance of section twenty-two of this Act, and, secondly," be inserted.

Debate ensued.

Amendment to proposed clause negatived.

Original amendment agreed to.

Clause 29-

Mr. Holt moved, That the clause be omitted, and the following clause inserted in place thereof :---

"29.—(1.) The Governor-General may appoint a Central Industrial Authority Central consisting of a Chairman who shall be a Judge of the Commonwealth Court of Authority. Arbitration and Conciliation and two representatives of the owners and two representatives of the Federation nominated respectively in the manner prescribed.

(2.) At meetings of the Central Industrial Authority the opinions of the majority shall prevail and where the Members of the Authority present are equally divided in opinion the opinion of the Chairman shall prevail.

(3.) Four members of the Central Industrial Authority shall form a quorum.".

Debate ensued.

Question—That the amendment be agreed to—put.

The Committee divided (The Chairman, Mr. Riordan, in the Chair)---

Ayes, 12.		Noes, 30.
Mr. Abbott Mr. M Mr. Anthony Mr. R Mr. Bowden Mr. W Mr. Fadden	Vhite Mr. Burke Mr. Calwell Mr. Chifley Mr. Clark Mr. Clark	Mr. Holloway Mr. James Mr. Johnson Mr. Johnson Mr. Lemmon Mr. Makin Mr. McLeod Mr. Mountjoy Mr. Pollard Mr. Russell Mr. Russell Mr. Scully Mr. Sheehy Mr. Williams <i>Tellers:</i> Mr. Conelan Mr. Sheehan

And so it was negatived.

Clause agreed to.

Clause 30 debated and agreed to.

Clauses 31 and 32 agreed to.

Clause 33-

Mr. Holt moved, That the clause be omitted, and the following clause inserted in place thereof :-Establishment

"33.--(1.) The Governor-General may establish Local Industrial Authorities. (2.) A Local Industrial Authority may exercise its power under this Act within Industrial Authorities such limits as to the locality or otherwise as are specified by the Commissioner.

(3.) A Local Industrial Authority shall consist of a Chairman and a representative of the owners and a representative of the Federation nominated respectively in the manner prescribed and appointed by the Governor-General.

(4.) The term of office of a Chairman of a Local Industrial Authority shall be for a period specified in the instrument of appointment not exceeding two years from the date of appointment or for the period during which this Act continues in operation, whichever is the shorter." Amendment negatived.

On the motion of Mr. Spender, the following amendment was made, after debate :---

Page 12, line 32, after "may" insert ", on the recommendation of the Commissioner,". Clause, as amended, agreed to.

Clause 34-

On the motion of Mr. Holt, the following amendments were made :-Page 12, line 35, after "local" insert "industrial".

Page 13, line 4, after " any " insert " local ".

Page 13, line 8, omit "subject-matters", insert "industrial matters".

Clause, as amended, agreed to.

Clause 35 agreed to.

Clause 36-

On the motion of Mr. Spender, the following amendments were made, after debate :---

Page 13, line 36, omit "disputes,"

Page 13, line 39, omit "dispute,"

Page 13, line 40, after "him" insert " (which report in the case of an industrial dispute shall set out the views of all parties to the dispute)

Page 13, line 40, omit "dispute,".

Clause, as amended, agreed to.

Clause 37 agreed to.

Clause 38-

Mr. Harrison moved, as an amendment, That the word "Production" (page 14, line 18) be omitted with a view to inserting the word "Pit" in place thereof.

Debate ensued.

Amendment negatived.

Clause agreed to.

Clause 39

On the motion of Mr. Harrison, the following amendment was made :---

Page 14, omit sub-clause (2.).

Clause, as amended, agreed to.

Clause 40-

Mr. Holt moved, as an amendment, That before "An" (page 15, line 1) the following words be inserted :--- " There shall be an appeal to the Court in manner prescribed from any award, order or determination of the Central Industrial Authority and from any decision of a Local Industrial Authority save as aforesaid '

Debate ensued.

Amendment negatived.

Clause agreed to.

Clauses 41 and 42 agreed to.

Clause 43 debated and agreed to.

Clause 44 agreed to.

Clause 45-

On the motion of Mr. Menzies (Leader of the Opposition), the following amendments were made :--Page 15, line 32, omit "actual". Page 15, lines 41 and 42, omit "in such manner as is prescribed", insert "by an action by the

owner against the Commonwealth in any Court of competent jurisdiction

Page 15, omit sub-clause (2.).

Clause, as amended, agreed to.

Clauses 46 to 49 agreed to.

Clause 50-

On the motion of Mr. Evatt, the following amendment was made :-

Page 17, at the end of sub-clause (1.) add "so far as possible in co-operation with the manager of the coal mine and with the person appointed or elected by the persons employed in the coal mines in the State or district in which the coal mine is situated to inspect coal mines on their behalf."

On the motion of Mr. Harrison, the following further amendment was made :-Page 17, at the end of sub-clause (2.) add " and as to the relation of that question to the relevant provisions of any Act of the State in which the coal mine is situated relating to safety and health in coal mines."

On the motion of Mr. Evatt, the following further amendments were made :---

Page 17, at the end of sub-clause (3.) add the following proviso :-

" Provided that no such order shall derogate from any provisions of the law of any State prescribing requirements to be observed for securing the safety or health of persons engaged in or about coal mines."

Page 17, line 23, after "mine" insert " and any such other person ".

Clause, as amended, agreed to.

Clauses 51 to 59 agreed to.

Clause 60-

- On the motion of Mr. Evatt, the following amendment was made :---
- Page 20, omit sub-clause (2.).
- Clause, as amended, agreed to.

Clause 61

On the motion of Mr. Evatt, the following amendment was made :---

Page 20, omit paragraph (f).

Clause, as amended, agreed to.

Clause 62-

On the motion of Mr. Ryan, the following amendment was made :-Page 20, line 41, after "in " insert "the present ".

On the motion of Mr. Evatt, the following further amendment was made :---

Page 20, at the end of the clause add the following sub-clause :--

"(2.) Notwithstanding the provisions of the last preceding sub-section, this Act shall continue in operation for the purposes of the enforcement of any right to compensation arising under this Act and the making of any application, and the determination of any question, under section twentythree of this Act :

Provided that no such right to compensation shall be enforceable unless the claim for the compensation is made within twelve months after this Act ceases to be in operation for purposes other than those specified in this sub-section.

Clause, as amended, debated and agreed to.

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

The House resumed ; Mr. Riordan reported accordingly. Resolved—That the House will, at a later hour this day, again resolve itself into the said Committee.

8. MESSAGES FROM THE GOVERNOR-GENERAL.-COAL PRODUCTION (WAR-TIME) BILL 1944.-The following Messages from His Excellency the Governor-General were presented, and were read by Mr. Speaker :--

GOWRIE, Governor-General.

Message No. 10.

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 for an Act to secure increased Production of Coal, and to provide for Distribution of Coal, in the interests of the Defence of the Commonwealth and the effectual Prosecution of the present War, and for other purposes.

Canberra, 29th February, 1944.

GOWRIE,

Governor-General,

Message No. 11.

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 amendments to be moved by the Prime Minister in a Bill for an Act to secure increased Production of Coal, and to provide for Distribution of Coal, in the interests of the Defence of the Commonwealth and the effectual Prosecution of the present War, and for other purposes.

Canberra, 29th February, 1944.

Ordered-That the foregoing Messages be taken into consideration, in Committee of the whole House, forthwith.

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

(In the Committee.)

Mr. Evatt (Attorney-General) moved the following motions ;---

- (1) That it is expedient that an appropriation of revenue be made for the purposes of a Bill for an Act to secure increased Production of Coal, and to provide for Distribution of Coal, in the interests of the Defence of the Commonwealth and the effectual Prosecution of the present War, and for other purposes.
- (2) That it is expedient that an appropriation of revenue be made for the purposes of amendments to be moved by the Prime Minister in a Bill for an Act to secure increased Production of Coal, and to provide for Distribution of Coal, in the interests of the Defence of the Commonwealth and the effectual Prosecution of the present War, and for other purposes. Question-That the motions be agreed to-put and passed.

Resolutions to be reported.

The House resumed ; Mr. Riordan reported accordingly.

- The said Resolutions were read, and, on the motion of Mr. Evatt, by leave, were adopted by the House.
- 9. COAL PRODUCTION (WAR-TIME) BILL 1944.-The Order of the Day having been read for the further consideration of this Bill 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.)

Schedule-

On the motion of Mr. Evatt (Attorney-General), the following amendments were made :-Page 21, omit "LOSS OR REDUCTION OF", insert "DEDUCTIONS FROM". Page 21, omit "TO", insert "OF". Page 21, omit "TO", insert "OF".

Schedule, as amended, agreed to.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Riordan reported accordingly.

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

10. COAL MINES PROFITS (WAR-TIME) BILL 1944 .- 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.

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.)

Bill, by leave, taken as a whole, and agreed to. Bill to be reported without amendment.

The House resumed ; Mr. Riordan reported accordingly. On the motion of Mr. Evatt (Attorney-General), the House adopted the Report, and, by leave, the Bill was read a third time.

Suspension of Sitting .- At nineteen minutes past seven o'clock a.m., Mr. Speaker left the Chair. Resumption of Sitting .-- At two o'clock p.m., Mr. Speaker resumed the Chair.

- 11. SUSPENSION OF STANDING ORDERS .- Mr. Curtin (Prime Minister) moved, by leave, That so much of the Standing Orders be suspended as would prevent the notice of motion for the next sitting for leave to bring in a Bill for an Act to amend the *Income Tax Assessment Act* 1936-1943, being considered forthwith at this sitting. Question-put and passed.
- 12. INCOME TAX ASSESSMENT BILL 1944.-Mr. Chifley (Treasurer) moved, pursuant to notice, That he have leave to bring in a Bill for an Act to amend the Income Tax Assessment Act 1936-1943. Question—put and passed. Mr. Chifley 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. Chifley moved, by leave, That the Bill be now read a second time. Mr. Menzies (Leader of the Opposition) 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 the next sitting.

- 13. POSTPONEMENT OF ORDERS OF THE DAY.—Ordered—That Orders of the Day Nos. 2 to 4 be postponed until after Order of the Day No. 5, Government Business.
- 14. UNEMPLOYMENT AND SIGKNESS BENEFITS BILL 1944.—The Order of the Day having been read for the second reading—Mr. Holloway (Minister representing the Minister for Social Services) moved, That the Bill be now read a second time. Mr. Menzies (Leader of the Opposition) 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 the next sitting.

 ADJOURNMENT.—Mr. Curtin (Prime Minister) moved, That the House do now adjourn. Debate ensued. Question—put and passed.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except Mr. Adermann, Mr. Barnard, Mr. Beasley, Mr. Blain*, Mr. Chambers, Mr. Hadley, Sir Earle Page, Mr. Smith, and Sir Frederick Stewart.

• On leave.

F. C. GREEN, Clerk of the House of Representatives.

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And then the House, at sixteen minutes to four o'clock p.m., adjourned until Tuesday next at three o'clock p.m.