

1904.

THE PARLIAMENT OF THE COMMONWEALTH.

No. 16.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

TUESDAY, 19TH APRIL, 1904.

1. The House met pursuant to adjournment.—Mr. Speaker took the Chair, and read Prayers.
2. RIVERINA ELECTORAL DIVISION.—ORDER OF THE COURT OF DISPUTED RETURNS.—The Clerk laid upon the Table a letter which he had received from the Deputy Registrar of the High Court at Melbourne, forwarding a copy of an Order, made on 13th April instant, declaring the election held on 16th December last, for the Electoral Division of Riverina, in the State of New South Wales, to be absolutely void. The letter and Order were read by the Clerk, and are as follow:—

High Court of Australia.

Principal Registry,
Melbourne, 14th April, 1904.

SIR,]

In the matter of the Election of a Member of the House of Representatives
for the Electoral Division of Riverina, in the State of New South Wales.

In pursuance of Section 202 of the *Commonwealth Electoral Act* 1902 I herewith forward
you a Copy of the Order of the Court of Disputed Returns made herein.

I have the honour to be,

Sir,

Your obedient Servant,

J. W. O'HALLORAN,
Deputy Registrar.

The Clerk of the House of Representatives,
Parliament House, Melbourne.

In the High Court of Australia, sitting as a
Court of Disputed Returns:

In the matter of the Election of a Member of the House of Representatives
for the Electoral Division of Riverina.

Before His Honour the Chief Justice,
Wednesday, the thirteenth day of April, 1904.

[] This Petition coming on for trial at Melbourne on the tenth, eleventh, and twelfth days of March, 1904, and afterwards on the eleventh, twelfth, and thirteenth days of April, 1904, and upon reading the Petition of John Moore Chanter, filed herein, and the appearance of Robert Officer Blackwood, who was returned as a Member of the House of Representatives at the above-mentioned election, and upon hearing the evidence of Burgess Tait, taken upon his oral examination, and upon reading the affidavit of Francis Carl Mueller, sworn and filed herein, together with the Exhibit annexed thereto, and the Deputy Registrar's certificate as to the result of a Re-count, dated the twenty-first day of March, 1904, and made in pursuance of the direction given to him by Order dated the twelfth day of March, 1904, and upon hearing what was alleged by Sir John Quick, of Counsel for the said Petitioner, and by Mr. Mitchell, and afterwards by Mr. Bryant, of Counsel for the said Respondent, this Court doth declare that the said Robert Officer Blackwood was not duly elected at the said election, and the said Court doth further declare that the said election was

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absolutely void, and this Court doth further order that the Respondent do pay to the Petitioner his costs of and occasioned by the said Petition so far as the same relate to the claim by the said Petitioner that he received a majority of votes, and ought to have been returned at the said election up to and inclusive of Monday, the eleventh instant, such costs to be taxed by the Deputy Registrar of the High Court, and when so taxed to be paid by the Respondent to the Petitioner or his solicitor, Mr. B. P. B. Rymer; and this Court doth further order that the sum of Fifty pounds deposited with the Principal Registrar by the said John Moore Chanter at the time of his filing his said Petition be returned to him or to his solicitor, Mr. B. P. B. Rymer.

By the Court,

(L.S.)

J. W. O'HALLORAN,
Deputy Registrar.

3. RIVERINA ELECTORAL DIVISION.—ISSUE OF WRIT.—Mr. Speaker announced to the House that he would this day issue a Writ for a new election for the Electoral Division of Riverina, in the State of New South Wales, the Court of Disputed Returns having declared the election held on 16th December last for the said Division to be absolutely void. The dates appointed in the Writ would be as follow :—

Date of Nomination—Wednesday, 4th May.

Date of Polling—Wednesday, 18th May.

Return of Writ—On or before Saturday, 18th June.

4. ELECTION PETITION.—The Clerk laid upon the Table a copy of an Election Petition which he had received from the District Registrar of the High Court, at Hobart, under section 202 of the Commonwealth Electoral Act, viz. :—Petition of Donald Norman Cameron against the return of Sir Philip Oakley Fysh as member for the Electoral Division of Denison, in the State of Tasmania—Gazetted in the *Commonwealth Gazette* of 13th February, 1904.
5. MESSAGE FROM HIS EXCELLENCY THE GOVERNOR-GENERAL.—KALGOORLIE TO PORT AUGUSTA RAILWAY SURVEY BILL.—The following Message from His Excellency the Governor-General was presented by Sir John Forrest, and the same was read by Mr. Speaker :—

NORTHCOTE,

*Governor-General.**Message No. 2.*

In accordance with the requirements of section 56 of the Constitution of the Commonwealth of Australia, the Governor-General recommends to the House of Representatives that an appropriation of moneys be made for the purposes of a Bill for an Act to Authorize the Survey of Route for a Railway to connect Kalgoorlie, in the State of Western Australia, with Port Augusta, in the State of South Australia.

Melbourne, 19th April, 1904.

Ordered—That the consideration of the foregoing Message in Committee of the whole House be made an Order of the Day for to-morrow.

6. PAPER.—Sir John Forrest presented, by command of His Excellency the Governor-General—Conference of Commonwealth Electoral Officers of States, March, 1904—Report of. Ordered to lie on the Table.
7. ACTS INTERPRETATION BILL.—The Order of the Day having been read for the third reading of this Bill—Mr. Deakin moved, That the Bill be now read a third time. Question—put and resolved in the affirmative.—Bill read a third time.
8. COMMONWEALTH CONCILIATION AND ARBITRATION BILL.—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. Mr. Speaker resumed the Chair; Mr. Salmon reported that the Committee had made progress in the Bill, and that he was directed to ask, That the Committee may have leave to sit again. Resolved—That the House will, to-morrow, again resolve itself into the said Committee.
9. ADJOURNMENT.—Mr. Deakin moved, That the House do now adjourn. Question—put and resolved in the affirmative.

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

MEMBERS PRESENT.—All Members were present except—Mr. Cameron, Sir Philip Fysh, Mr. Kingston, Mr. McWilliams, and Mr. Watkins.

C. GAVAN DUFFY,
Clerk of the House of Representatives.