

1920.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

No. 105.

VOTES AND PROCEEDINGS

OF THE

HOUSE OF REPRESENTATIVES.

THURSDAY, 11TH 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. PRIVILEGE—CASE OF MR. MAHON, M.P., AND EXPULSION.—Mr. Hughes moved, pursuant to notice, That, in the opinion of this House, the honorable Member for Kalgoorlie, the Honorable Hugh Mahon, having, by seditious and disloyal utterances at a public meeting on Sunday last, been guilty of conduct unfitting him to remain a Member of this House and inconsistent with the oath of allegiance which he has taken as a Member of this House, be expelled this House.

Mr. Tudor moved, as an amendment, That after the word "That" the following be inserted:—

"this House, whilst being opposed to all sedition and disloyalty and the subversion of constitutional means for the redress of grievances, is of opinion that the allegations made against the honorable Member for Kalgoorlie, the Honorable Hugh Mahon, should not be dealt with by this House for the following reasons:—

- (a) The allegations made against the honorable Member do not concern his conduct in Parliament or the discipline of Parliament.
- (b) That Parliament is not a proper tribunal to try a charge of sedition arising from the exercise of civilian rights of free speech at a public assembly of citizens.
- (c) That the judicature is especially established and equipped and has ample power under the law to bring any person to public trial for the offence of sedition alleged against the honorable Member.
- (d) That every citizen so charged is entitled to a public trial by a jury of his peers, where he would have the right to exclude by challenge biassed persons from the jury panel, and that this fundamental principle of British justice should not be departed from in this case."

Debate ensued.

• *Point of Order—Speaker's Ruling.*—A Point of Order having been raised by Mr. Charlton that, as two hours had elapsed since the time fixed for the meeting of the House, the Orders of the Day should, under Standing Order No. 119, have been called on; Mr. Speaker ruled that Standing Order No. 119 did not apply to Motions of Privilege which were governed by Standing Orders Nos. 111 and 284 and took precedence over all other matters.

Debate continued.

The House continuing to sit until after twelve o'clock midnight—

FRIDAY, 12TH NOVEMBER, 1920.

Debate continued.

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

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11th and 12th November, 1920.

The House divided—

Ayes, 17.

Mr. Anstey	Mr. Riley
Mr. Brennan	Mr. Ryan
Mr. Charlton	Mr. Tudor
Mr. Considine	Mr. Watkins
Mr. Cunningham	Mr. West
Mr. Fenton	
Mr. Gabb	<i>Tellers:</i>
Mr. Lavelle	
Mr. Makin	Mr. J. H. Catts
Mr. McGrath	Mr. Mahony

Noes, 34.

Mr. Bayley	Mr. Lamond
Mr. Bell	Mr. Lister
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Chanter	Mr. Maxwell
Sir Joseph Cook	Mr. Earle Page
Mr. Robert Cook	Mr. Poynton
Mr. Fleming	Mr. Prowse
Mr. R. W. Foster	Mr. Rodgers
Mr. Fowler	Sir Granville Ryrie
Mr. Francis	Mr. Laird Smith
Mr. Gibson	Mr. Watt
Mr. Greene	Mr. Wienholt
Mr. Groom	Mr. Wise
Mr. Hay	<i>Tellers:</i>
Mr. Hill	
Mr. Hughes	Mr. Burchell
Mr. Jowett	Mr. Story

And so it was negatived.

Debate on main question continued.

Mr. Anstey proposing to move another amendment—

Sir Joseph Cook moved, That the question be now put.

Question—That the question be now put—put.

The House divided—

Ayes, 34.

Mr. Bayley	Mr. Lamond
Mr. Bell	Mr. Lister
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Chanter	Mr. Maxwell
Sir Joseph Cook	Mr. Earle Page
Mr. Robert Cook	Mr. Poynton
Mr. Fleming	Mr. Prowse
Mr. R. W. Foster	Mr. Rodgers
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Mr. Gibson	Mr. Watt
Mr. Greene	Mr. Wienholt
Mr. Groom	Mr. Wise
Mr. Hay	<i>Tellers:</i>
Mr. Hill	
Mr. Hughes	Mr. Burchell
Mr. Jowett	Mr. Story

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Mr. Brennan	Mr. Ryan
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Mr. Considine	Mr. Watkins
Mr. Cunningham	Mr. West
Mr. Fenton	
Mr. Gabb	<i>Tellers:</i>
Mr. Lavelle	
Mr. Mahony	Mr. J. H. Catts
Mr. Makin	Mr. Riley

And so it was resolved in the affirmative.

And the question being accordingly put—That, in the opinion of this House, the honorable Member for Kalgoorlie, the Honorable Hugh Mahon, having, by seditious and disloyal utterances at a public meeting on Sunday last, been guilty of conduct unfitting him to remain a Member of this House and inconsistent with the oath of allegiance which he has taken as a Member of this House, be expelled this House—

The House divided—

Ayes, 34.

Mr. Bayley	Mr. Lamond
Mr. Bell	Mr. Lister
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Chanter	Mr. Maxwell
Sir Joseph Cook	Mr. Earle Page
Mr. Robert Cook	Mr. Poynton
Mr. Fleming	Mr. Prowse
Mr. R. W. Foster	Mr. Rodgers
Mr. Fowler	Sir Granville Ryrie
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Mr. Gibson	Mr. Watt
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Mr. Cunningham	Mr. West
Mr. Fenton	
Mr. Gabb	<i>Tellers:</i>
Mr. Lavelle	
Mr. Mahony	Mr. J. H. Catts
Mr. Makin	Mr. Riley

And so it was resolved in the affirmative.

Mr. Hughes then moved, That accordingly the seat of the Honorable Hugh Mahon, the honorable Member for Kalgoorlie, be declared vacant by his expulsion from this House.

Debate ensued.

Sir Joseph Cook moved, That the question be now put.

Question—That the question be now put—put.

The House divided—

Ayes, 34.

Mr. Bayley	Mr. Lamond
Mr. Bell	Mr. Lister
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Chanter	Mr. Maxwell
Sir Joseph Cook	Mr. Earle Page
Mr. Robert Cook	Mr. Poynton
Mr. Fleming	Mr. Prowse
Mr. R. W. Foster	Mr. Rodgers
Mr. Fowler	Sir Granville Ryrie
Mr. Francis	Mr. Laird Smith
Mr. Gibson	Mr. Watt
Mr. Greene	Mr. Wienholt
Mr. Groom	Mr. Wise
Mr. Hay	
Mr. Hill	<i>Tellers:</i>
Mr. Hughes	Mr. Burchell
Mr. Jowett	Mr. Story

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Mr. Brennan	Mr. Ryan
Mr. Charlton	Mr. Tudor
Mr. Considine	Mr. Watkins
Mr. Cunningham	Mr. West
Mr. Fenton	
Mr. Gabb	
Mr. Lavelle	<i>Tellers:</i>
Mr. Makin	Mr. J. H. Catts
Mr. McGrath	Mr. Mahony

And so it was resolved in the affirmative.

And the question being accordingly put—That accordingly the seat of the Honorable Hugh Mahon, the honorable Member for Kalgoorlie, be declared vacant by his expulsion from this House—

The House divided—

Ayes, 34.

Mr. Bayley	Mr. Lamond
Mr. Bell	Mr. Lister
Mr. Bruce	Mr. Marks
Mr. Donald Cameron	Mr. Marr
Mr. Chanter	Mr. Maxwell
Sir Joseph Cook	Mr. Earle Page
Mr. Robert Cook	Mr. Poynton
Mr. Fleming	Mr. Prowse
Mr. R. W. Foster	Mr. Rodgers
Mr. Fowler	Sir Granville Ryrie
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Mr. Considine	Mr. West
Mr. Cunningham	
Mr. Fenton	
Mr. Gabb	<i>Tellers:</i>
Mr. Lavelle	Mr. Mahony
Mr. Makin	Mr. Riley

And so it was resolved in the affirmative.

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

Customs Act Proclamation (dated 3rd November, 1920) revoking Proclamation (dated 17th October, 1917) which prohibited the Exportation of Pig Iron, Machinery, and Manufactures of Metals.

Customs Act and Defence Act—Proclamation (dated 21st October, 1920) revoking Proclamations (dated 6th and 10th August, 1914, and 12th November, 1914 (two)) which prohibited the Exportation of certain goods.

Public Service Act—

Appointment of D. M. Dow, Prime Minister's Department.

Regulations Amended—Statutory Rules 1920, No. 209.

War Precautions Act—Regulations Amended—Statutory Rules 1920, No. 216.

4. ALTERATION OF DAY OF NEXT MEETING.—Mr. Hughes moved, That the House, at its rising, adjourn until Tuesday next.

Debate ensued.

Sir Joseph Cook moved, That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the House, at its rising, adjourn until Tuesday next—was accordingly put and passed.

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5. ADJOURNMENT.—Mr. Hughes moved, That the House do now adjourn.

Debate ensued.

Question—put and passed.

And then the House, at twenty-two minutes past five o'clock in the morning, adjourned until Tuesday next at three o'clock p.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Atkinson, Mr. Bamford, Mr. Blundell, Mr. Bowden*, Mr. Austin Chapman, Mr. Corser, Mr. Gregory, Mr. Higgs, Mr. Jackson, Mr. Livingston, Mr. Mackay, Mr. Mahon, Mr. W. Maloney, Mr. Mathews, Mr. McWilliams, Mr. Parker Moloney, and Mr. Stewart.

* On leave.

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