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Judges Chambers
Hobart
Tasmania
30 July 1907

My dear Dr. Irvine,

Since I posted my previous letter to you yesterday, it has occurred to me that if you do not secure the rejection of the Bill to amend the Federal Judiciary Act, it would be very desirable that you should endeavour to get an amendment made in it which will permit the Supreme Court of a State to continue the hearing of any case in which the only question that shall arise in regard to the legislative power of the States under the Constitution shall be the power of a State to impose a stamp duty on any document produced as evidence in the case. Sincerely,
Mention as an illustration of such a question the example of the stamp duties now imposed by some of the States on Bills of Lading relating to merchandise imported from one State to another. According to the American authorities such Bills of Lading are instruments of inter-state commerce and are not taxable by a State. As far as I know, the question has not yet been raised in any court in Australia, but it may be raised at any time in the future, and it would be manifestly ridiculous that a purely mercantile case should be interrupted and transferred to the High Court on the question of the admissibility in evidence of a document not stamped in accordance with the law of a State.
In addition to the above, it is hereby declared that this Act shall be in force from the date of its commencement.

The President shall have the power to make such rules and regulations as may be necessary to carry out the provisions of this Act.

With this amendment, the provisions of the Act shall take effect immediately.

Very sincerely yours,

[Signature]

[Date]