

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**THURSDAY, 11 SEPTEMBER 1879**

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House resolve into Committee of the Whole.

Mr. WALSH asked the Postmaster-General whether it was absolutely necessary to go on with the Bill, to-day? The Council laboured under the great disadvantage of not having their proceedings reported on the following morning. He had no doubt the honourable gentleman gave capital reasons why the Bill should pass its second reading. Unfortunately he (Mr. Walsh) was not able to remain in the House yesterday, and he found the disadvantage thereof. Unless there was a great necessity for proceeding with the Bill now, the consideration of the Bill in Committee might be postponed until next week, when honourable members would have the advantage of perusing the remarks made by the honourable gentleman in *Hansard*. The Council were really at a great disadvantage in that respect compared with the position of honourable members of the other Chamber, or of any Legislature in the world. In every city he knew of, outside of Brisbane, wherever there were representative institutions, there was at least one newspaper that fairly and honestly represented the proceedings and deliberations of the Legislature. But in Brisbane, most dishonestly for the public—he did not speak for themselves so much—honourable members were placed at a great disadvantage by the faithlessness of the Press towards them and towards the public, its supporters and patrons. The inconvenience that the public felt he felt. At the moment, he was at a loss to understand the question before the House. He would have gladly devoted an hour or two to the Bill in connection with the Postmaster-General's advocacy of it yesterday; but he was not able to do so. The Council could not with their present machinery produce a daily *Hansard*, and consequently they were at a great disadvantage. He assured the honourable gentleman that he had no intention of opposing the Bill; but it was a very solemn subject, and he did not feel prepared to proceed with it. The House should consider carefully how one provision led into another; and unless they had time for consideration they could not be sure they were properly treating so grave a subject. He had his own feelings on the subject of the management of orphans, and they were very strong. It was a very serious duty for the State to step in and become the parent of the children who had no parents, or who were neglected by their natural guardians. The House should not proceed in utter ignorance, the state he (Mr. Walsh) was in, as regarded the Bill; and therefore he asked the honourable gentleman to postpone it, at any rate, until they had the advantage of seeing his speech in print. He promised

#### LEGISLATIVE COUNCIL.

Thursday, 11 September, 1879.

Orphanages Bill.—Licensing Boards Bill.—Conduct of Business.

#### ORPHANAGES BILL.

On the Order of the Day being called for the consideration in Committee of the Orphanages Bill,

The POSTMASTER-GENERAL moved that the President leave the chair, and that the

him honest support, and he had no reason to think he could not give it.

Mr. SWAN said he quite agreed with the honourable gentleman in what he just said. If the Council had *Hansard* before them, now, he could read the speech made last night. Certainly, though he was present, he could not hear one word of what the Postmaster-General said in moving the second reading of the Bill, owing to the confusion going on in the House. He hoped the consideration of the Bill would be postponed until next week, when honourable members could refer to the report in *Hansard*.

The POSTMASTER-GENERAL said: Of course, if it was the desire of the House to have the measure postponed, he should be happy to comply with such desire.

Mr. WALSH: Hear, hear.

The POSTMASTER-GENERAL: He might point out that they were approaching the end of the session, and that it was a dangerous thing to put off until to-morrow what they could do to-day.

Mr. WALSH: The question was, could they?

The POSTMASTER-GENERAL said he sympathised to some extent with the feelings of honourable members with regard to the Bill before the House, and there was no doubt that what was said respecting it ought to have been reported. The public should have had some intimation of the introduction of such a measure to the House. It might, however, be remarked that the measure had been thoroughly discussed in the other House; and, as reports of the discussions had appeared in the public Press, and as scarcely any alteration had been made in the Bill in Committee of the Whole of the other House, the supposition on the part of the conductors of the public Press might have been that the public were already pretty well informed of the provisions of the Bill, and honourable members being a portion of the public, it might be assumed that they had full knowledge of the subject. However, as he before intimated, he thought the House had some reason to complain. His own remarks, in answer to the honourable Mr. Walsh's figures, produced in the debate on the Loan Bill, the other day, in regard to the payableness of the railways, were so altered, so contorted, and so entirely misrepresented in the newspapers, that he defied anyone outside the House to form the slightest idea of what he really said. At the same time, he did not say that that was intentional. He presumed the Press had to deal with more important concerns to fill up the space available in the newspaper columns, for which reason sometimes the House did not get that measure of fair play which they were entitled to. As it was evidently the

desire of the House, he would move that the consideration of the Bill be postponed until Tuesday next.

Question put and passed.

#### LICENSING BOARDS BILL.

The House resolved into Committee of the Whole for the consideration of the Licensing Boards Bill, and were engaged some hours in a minute consideration of its details; for the amendment of some of which the Bill was subsequently recommended.

#### Clause 2—Certificate of Licensing Board.

Mr. WALSH moved an amendment in the first paragraph of the clause, to the effect that the Governor in Council might, from time to time, "by proclamation in the *Gazette*," appoint not less than three nor more than five fit and proper persons, "being Justices of the Peace," to be the licensing board for any district. Justices were now as plentiful as blackberries, and he thought it was rather too great a range to go outside of them for such duties as were to be performed under the Bill.

The POSTMASTER-GENERAL suggested that there might be inconvenience under circumstances of urgency in the Government being required to issue an extraordinary *Gazette*.

Mr. SWAN agreed with the mover of the amendment, and thought that fit and proper persons should, in the first instance, be chosen for justices.

Amendments agreed to.

In the first sub-section of the clause, the POSTMASTER-GENERAL moved an addition at the end, which was agreed to, as follows:—

The Police Magistrate of the district (if any) shall be one member of the Board and shall be chairman thereof and in his absence the Board shall elect a chairman for the day from amongst the members present at any meeting.

On the motion of the POSTMASTER-GENERAL, the word "division" was introduced, to follow municipality and shire, in the 2nd sub-section of the clause, so as to be in harmony with the Divisional Boards Bill now before Parliament, and,

On the motion of Mr. PETTIGREW, after prolonged deliberation,

The POSTMASTER-GENERAL framed the following proviso to the sub-section, which was agreed to:—

Provided that if such Mayor President or chairman be so disqualified the council of such municipality or shire may nominate in his stead some other member of the council to be a member of such Board for the remainder of the then current municipal year.

Mr. GREGORY raised the question regarding the eligibility of the owner of a licensed house to sit on a board for a district other

than that in which his licensed house was situated; but eventually allowed it to drop.

On the motion of Mr. PETTIGREW, the 3rd sub-section was amended so as to include among the persons thereby disqualified to be members of a licensing board, "the agent of any such person."

The clause, as amended, was agreed to.

Mr. WALSH moved the following new clause, to stand 3rd of the Bill:—

All such appointments shall be annual and hold good from the first day of March in each year to the last day of February in the next ensuing year unless determined by resignation removal or death. In either case upon notification thereof the Governor may as aforesaid appoint any other qualified person or persons and the annual appointments or re-appointments shall be duly notified in the *Gazette* not later than the tenth day of March in each year.

Agreed to.

Clause 7—Quorum of Board.

Several suggestions for the amendment of this clause were made and discussed, and it was finally agreed to as follows:—

No certificate authorising a license to issue for any premises within any such district shall be granted unless a majority of the members of the Board shall be present and shall concur in the granting thereof.

Mr. TURNER moved the following new clause, to stand 8th of the Bill:—

No person whose application shall have been refused by the Board shall be eligible to renew his application during the six months following the date of such refusal.

Agreed to.

Clause 9—Application for provisional certificate.

Mr. WALSH regarded the form of provisional certificate in the clause as the greatest curiosity in its way that was ever written out of Ireland.

Dr. O'DOHERTY: Ha, ha!

Mr. WALSH: The Licensing Board were called upon to certify that a house and premises,

now in process of erection or about to be erected are a fit and proper place for the sale of fermented and spirituous liquors.

He should imagine that it was a teetotaller who drafted that, who had not had the benefit of the inspiring dram. The whole thing was ridiculous.

The POSTMASTER-GENERAL remarked that the provision was originated by Mr. McLean, but that it was altered considerably in Committee of the Whole, and perhaps that gentleman would not acknowledge the paternity of it.

The form of certificate was verbally amended to meet the objections raised and to ensure that, when a license was issued,

it should be upon proof being given that the house and premises had been erected and completed.

The clause, as amended, was agreed to.

On the resumption of the House, the Bill was reported with amendments, and the report was adopted.

#### CONDUCT OF BUSINESS.

The Loan Bill and the Toowoomba Chapel Lands Sale Bill were read a third time and passed, and returned to the Legislative Assembly.

A message from the Legislative Assembly, transmitting the Mineral Oils Bill, as amended by the House, was received and ordered to be taken into consideration. The remaining business on the paper was postponed.

The House adjourned at 6:15 p.m.