

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 15 JULY 1884

Electronic reproduction of original hardcopy

LEGISLATIVE COUNCIL.

Tuesday, 15 July, 1884.

Question without Notice.—Joint Committees of both Houses.—Brisbane Valley Branch Railway.—Benevolent Asylum, Dunwich.—Pharmacy Bill.—Bills of Exchange Bill—second reading.

The PRESIDENT took the chair at 4 o'clock.

QUESTION WITHOUT NOTICE.

The HON. W. H. WALSH asked the Postmaster-General whether he could give any information respecting Mr. de Latour and the "Jessie Kelly"?

The POSTMASTER-GENERAL (Hon. C. S. Mein) said that the information he gave to the House last week was substantially correct. The vessel engaged by Mr. de Latour, after the "Jessie Kelly" was sent to Sydney, was the "Ernestine." Most of the islanders were taken back to their homes; but sixteen of them had to be taken by another vessel, and were left, he believed, at one of the islands in the Banks Group. Mr. de Latour left his papers at Noumea, to which place he returned after recovering from the illness which had overtaken him. He had written either to the Immigration Agent or to the Colonial Secretary to say that he was well again and on his way to Noumea, but since then no information of him had been received. He thought, however, that Mr. de Latour's friends need be under no apprehension as to his safety, and could rest satisfied that he was now either at Noumea or on his way to Australia.

JOINT COMMITTEES OF BOTH HOUSES.

The PRESIDENT announced that he had received the following message from the House of Assembly:—

"MR. PRESIDENT,—

"In answer to the message from the Legislative Council, of date the 9th instant, notifying the appointment of certain members of that House to serve on Joint Committees, to be appointed under the Joint Standing Orders of the two Houses, the Legislative Assembly beg to intimate to the Council that they have appointed the hon. the Speaker, Mr. Norton, and Mr. Brookes to be members of the Joint Library Committee; the hon. the Speaker, Mr. Macdonald-Paterson, and Mr. Black to be members of the Joint Committee for the Management of the Refreshment Rooms; the hon. the Speaker, Mr. Stevens, and Mr. Mellor to be members of the Joint Committee for the Management and Superintendence of the Parliamentary Buildings."

BRISBANE VALLEY BRANCH
RAILWAY.

The PRESIDENT announced that he had received a message from the Legislative Assembly, transmitting the plans, sections, and book of reference of the proposed extension, section 2, of the Brisbane Valley Branch Railway, to the Legislative Council for their approval.

BENEVOLENT ASYLUM, DUNWICH.

The HON. W. H. WALSH, in moving—

1. That a Select Committee be appointed, with power to send for persons and papers, and leave to move from place to place, and sit during any adjournment of the House, to inquire into and report upon the Management of the Benevolent Asylum, Dunwich.

2. That such Committee consist of the following members, namely:—Mr. Mein, Mr. King, Dr. O'Doherty, Mr. Thynne, and the Mover.

—said he considered the Benevolent Asylum at Dunwich a more or less neglected institution—not neglected by the officers in charge, but by the public, and probably by the Government for the time being. There were over 400 individuals on the island, possessing strong claims to the sympathy of the public, yet the institution was visited only at intervals of a fortnight; and when they considered how those people were isolated, it behoved them to see if some improvement in the management of the institution could be made in order that the inmates might receive more attention. He believed that religious instructors did not possess the right to visit the island, and that sometimes they were refused permission to do so. He was making no complaint against anyone, but merely wished to say that, if such things existed, steps should be taken which would bring about a reform, and eventuate in the institution being more watched over by the public. He had always considered it a calamity that the inmates of the asylum at Dunwich and those of the lunatic asylum were situated so far from the metropolis, and therefore at such a distance from the visiting public. If there was any deficiency in the management of the institution, or in anything connected therewith, the committee would be able to find out to what extent it existed, and how it could be remedied. It was not so much their duty to inquire into the expense, but it would be within the province of the committee, and he hoped they would do so. For years the cost had been over £4,000, and he was informed by the Auditor-General that for the year 1882-3 the cost was £6,041 0s. 9d. Not only did it appear that the place was neglected, but nobody seemed to care a button about how the money was spent. Last year, when the vote for the institution was moved in the other Chamber, all that took place was as follows:—

“The COLONIAL SECRETARY moved that £5,030 be voted for the Benevolent Asylum, Dunwich. There was an increase of £25 for the Superintendent.

“Question put and passed.”

Could it be believed that the representatives of the people did not require one word to assure them that the institution was properly managed? The previous session the vote was passed as follows:—

“The PREMIER moved that there be granted for the service of the year 1882-3, a sum not exceeding £5,005 for the Benevolent Asylum, Dunwich. The estimate was the same as last year, with the exception of an increase of £50 to the warden and £500 contingencies.

“Question put and passed.”

That was all that appeared in *Hansard* as having occurred in the other Chamber with respect to the asylum. Hon. gentlemen would hardly credit that no report from an institution which cost so much ever reached the hands of the Government, or was ever laid before Parliament.

Why no Government had ever taken the trouble to call on the superintendent to furnish a report, passed his comprehension. The people got no information respecting the institution except that people went there and died; and it was because of the facts he had stated that he did himself the satisfaction of asking the House to grant him a committee.

The POSTMASTER-GENERAL said he did not intend to offer any opposition to the motion, but he scarcely thought the hon. gentleman had made out a case for an inquiry of the character indicated. The hon. gentleman seemed to think that such institutions should be open to the inquisitive gaze of everyone who chose to pry into them; but he was opposed to that idea, and considered that the unfortunate persons who were compelled to be dependent on the public for their support when advanced in years ought to be protected from inquisitive people. Of course they should have proper protection and care, since the State had undertaken the duty of looking after them; and the hon. gentleman was right in stating that no annual report was sent from the institution. There was, however, as the hon. gentleman had stated, good supervision, for the asylum was in the hands of a skilful man who gave satisfaction to the Government and to the public. Periodical visits were made both by the Government officials and by a large number of the public, and he had not heard one complaint in regard to the manner in which the inmates were treated or in regard to the management of the institution. He had at times visited the island himself and had not heard a single complaint. The superintendent was a humane man, who took every care of the persons entrusted to his charge. If the island were completely isolated from communication he could understand some portion of the hon. gentleman's complaint; but there was telegraphic communication; the place was visited fortnightly; and, if medical treatment were urgently required it could be got by sending a telegram. The chief objection of the hon. gentleman seems to be that the Legislative Assembly had not done its duty in regard to the institution, and it appeared that he was desirous to bring up a report pointing out to the Legislative Assembly how they failed in their duties. But he did not think that Chamber should appoint a committee for such a purpose. He hoped the Government would see their way to have an inspector for all the charitable institutions. A measure recently introduced in another place would provide for such an officer in connection with lunatic asylums, and either he or some other gentleman of capacity might be required to examine and report upon all the charitable institutions in the colony. Then the public would have a guarantee that the money which was liberally voted was properly spent, and that the people in the asylums received proper consideration and treatment.

The HON. W. GRAHAM said he coincided with a good deal of what the Postmaster-General said, but not with all. He agreed with the latter part of his speech, but did not think they were at all inquisitorial as to the action taken by the Legislative Assembly, because, according to the Hon. Mr. Walsh, that Chamber had taken no action. He was astonished to hear that no report was furnished to the Government or to Parliament, and that the asylum was inspected only once a fortnight. At the same time he believed that if there was any urgent necessity for medical assistance it would be got by telegraphing. He had never heard that the inmates were badly treated, but that they were if anything a little too well treated, and that there was consequently an inducement for people to go to Dunwich and stay there. No

doubt a good many people went there who might very well be put to work. They ought, however, to be kind in their treatment of those persons who had worn themselves out in the service of the country. Allusion had been made to the lunatic asylum. That institution showed what it was possible to get by being inquisitive. He remembered the time when it was a disgrace, but, though it was not perfect even now, it was far better than it was ten years ago. He should support the motion, for an inquiry could do no harm, and might do much good.

The HON. J. F. McDOUGALL said he considered the Hon. Mr. Walsh had made out a very good case in favour of an inquiry being instituted. It was true that no complaints had been received, but abuses might exist all the same. Looking at the question from a financial point of view, and considering that there was an annual expenditure of £5,000 or £6,000 on the institution, and that no report was furnished, he thought it highly desirable that an inquiry should be held.

The HON. W. H. WALSH, in reply, said that though the Hon. Mr. Walsh had made out a very good case in favour of an inquiry being instituted, it was true that no complaints had been received, but abuses might exist all the same. Looking at the question from a financial point of view, and considering that there was an annual expenditure of £5,000 or £6,000 on the institution, and that no report was furnished, he thought it highly desirable that an inquiry should be held.

The HON. W. H. WALSH, in reply, said that though the Hon. Mr. Walsh had made out a very good case in favour of an inquiry being instituted, it was true that no complaints had been received, but abuses might exist all the same. Looking at the question from a financial point of view, and considering that there was an annual expenditure of £5,000 or £6,000 on the institution, and that no report was furnished, he thought it highly desirable that an inquiry should be held.

Question put and passed.

PHARMACY BILL.

The HON. A. J. THYNNE presented a Bill to establish a Board of Pharmacy in Queensland, and to make better provision for the Registering of Pharmaceutical Chemists, and for other purposes.

The Bill was read a first time, and the second reading made an Order of the Day for Tuesday next.

BILLS OF EXCHANGE BILL—SECOND READING.

The POSTMASTER-GENERAL said that hon. members who were present last session would recollect that a similar Bill received careful consideration then, and was transmitted to the Legislative Assembly. Unfortunately, however, owing to the shortness of the session, although the Bill passed the second reading in the Assembly, it did not become law; hence the necessity for bringing it before hon. members for consideration during the present session. The Bill was substantially a transcript, in all essential points, of a statute of the English Parliament which was passed in the year 1882. That statute was originally drafted by the Associated Chamber of Commerce and the Institute of Bankers in London, supported by the Society of Notaries. It was introduced into Parliament by a prominent merchant, and read a second time, but proceeded no further in that session. In the year 1882, it was reintroduced, referred to a select committee of eminent bankers, merchants, and lawyers, presided over by the Solicitor-General; and he need not say that it received most careful consideration, and was speedily passed through the House of Commons. When it reached the House of Lords it was referred to a select committee, composed of the most eminent law lords and other distinguished peers, and finally became law in that year. It had been

before the Queensland Parliament on two, if not three, different occasions. The Bill was substantially, as he said before, a transcript of the Imperial Act. There were very few alterations, and they were rendered necessary by the usage existing among mercantile people in the colony. The most important alteration was a novelty introduced into the measure for the first time now. He referred to the provision with regard to the crossing of cheques. The practice had grown up in the colony of crossing cheques specially to individuals or to banks, a practice which did not prevail in the old country. It was found convenient in the colony, and some little trouble had been expended in endeavouring to provide for such crossing being a material part of a cheque. The Act at home had been described by one of the most distinguished reviews as the first actual piece of common law codification in the country; and it was to be hoped that it would be the first of a large number of codifications with regard to mercantile law. It embodied the statute and common law of Great Britain on the subject, which could be found extending over a large number of statutes and over three thousand reported cases in books; and hon. members must come to the conclusion that it would be a great convenience for those persons for whose benefit it was intended—namely, the mercantile community. He had caused to be circulated amongst hon. members the Bill, showing in erased type and black letter the alterations it now contained. In the 27th clause, he had re-introduced an addition that was struck out when the Bill was before under consideration. He had done that in order that the matter might be again discussed, and that they should not vary from the decision arrived at by the English Parliament. He had struck out, at the end of the Bill, a clause which was inserted to the effect that the stamping of names on bank-notes should be an offence. Such an offence would be a novelty in law which it was undesirable to introduce, because it was a common practice through the whole of the land; and if provisions of the clause were enforced it would work very hardly. He considered it his duty to refer pointedly to these alterations; and he now moved that the Bill be read a second time.

The HON. A. C. GREGORY said the Bill was sufficiently debated last session, and, with the exception of what might be done in committee, it was not necessary to take up time in discussing the measure. He concurred generally with the Bill, and considered it would be a useful measure.

Question put and passed, and committal of the Bill made an Order of the Day for to-morrow.

The House adjourned at a quarter to 5 o'clock.