

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 28 MAY 1918

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LEGISLATIVE ASSEMBLY.

TUESDAY, 23 MAY, 1918.

MEETING OF PARLIAMENT.

The House met at 12 o'clock this day, pursuant to proclamation, and shortly afterwards proceeded to the Legislative Council Chamber for the purpose of hearing the Commission summoning Parliament read.

On its return,

The CLERK read a Commission authorising the Hon. T. J. Ryan, the Hon. E. G. Theodore, the Hon. J. M. Hunter, the Hon. W. Lennon, the Hon. H. F. Hardacre, the Hon. J. Huxham, the Hon. J. A. Fihelly, the Hon. J. H. Coyne, and the Hon. W. N. Gillies to administer the oath or affirmation of allegiance to members elect.

The CLERK having read the list of members elected, as endorsed on the writs which had been returned, the members present took the oath or affirmation of allegiance and subscribed the roll.

The members absent were—The Hon. J. G. Appel (*Albert*), Mr. E. T. Bell (*Fassifera*), Mr. E. M. Land (*Balonne*), Mr. J. C. Peterson (*Normanby*), and Mr. W. J. Wellington (*Charters Towers*).

ELECTION OF SPEAKER.

The TREASURER (Hon. E. G. Theodore. *Chillagoe*): Mr. a'Court.—I rise for the purpose of proposing that Mr. William McCormack, the hon. member for Cairns, do take the chair as Speaker. (Hear, hear!) Mr. McCormack is no stranger to this position, as he has occupied it for three years past with considerable credit to himself and to the Chamber.

GOVERNMENT MEMBERS: Hear, hear!

The TREASURER: During the time that Mr. McCormack occupied that high office nothing occurred to lessen our confidence

[*Hon. W. Hamilton.*

in him for the position. (Hear, hear!) It is a position which requires high qualification on the part of the occupant—a thorough knowledge of the Standing Orders, and of the practice governing parliamentary procedure. It requires also an intuitive impartiality on all matters and towards all members, which, I think, all will agree Mr. McCormack possesses. (Hear, hear!) It requires also an equableness of temper, and self-possession in order to guide the Assembly in turbulent times. I maintain that Mr. McCormack possesses all these attributes in a remarkable degree. I think we are fortunate in having a member with his abilities, in the possession of which I think he is comparable only with the greatest of his predecessors. (Hear, hear!) I have much pleasure, therefore, in proposing that Mr. William McCormack take the chair as Speaker of this House.

GOVERNMENT MEMBERS: Hear, hear!

Mr. BERTRAM (*Marce*): I rise with pleasure to second the nomination of Mr. William McCormack so ably proposed by the Treasurer. I had the pleasure of nominating Mr. McCormack for the important position of Speaker three years ago, then an untried member. I then said that, in my opinion, Mr. McCormack had the capacity to satisfactorily fill the chair. (Hear, hear!) I predicted that, if elected, he would wield the powers and authorities vested in him in an impartial and a judicial manner, and I submit that my judgment was correct. (Hear, hear!) Mr. Larcombe, who seconded Mr. McCormack's nomination, said that Mr. McCormack had shown that he had sound judgment and promptness of decision, and had the characteristics which would make for excellence in a Speaker.

GOVERNMENT MEMBERS: Hear, hear!

Mr. BERTRAM: I think that during the three years that Mr. McCormack has occupied the position of Speaker he has amply demonstrated the possession of those qualities. (Hear, hear!) I should like to add that during Mr. McCormack's occupancy of the chair his ruling was never once challenged. That is something to his credit. (Hear, hear!) I would also add that his three years' occupancy of the chair has amplified his knowledge of the parliamentary practice, has ripened his judgment, and has otherwise made him better fitted for this important position. I claim that if the satisfactory fulfilment of the duties of Speaker justifies one in expecting a unanimous vote here to-day, there will be only one nomination—that of Mr. McCormack. I have much pleasure in seconding the nomination of Mr. McCormack as Speaker.

GOVERNMENT MEMBERS: Hear, hear!

Mr. MACARTNEY (*Toowoong*): I think that Mr. McCormack must feel happy at the manner in which his election to the Speakership has been proposed, because I do not suppose that any stronger words could have been used in respect of a Speaker than have been used by the proposer and seconder of this motion. The election of Speaker is, perhaps, one of the most important functions which the Assembly has to perform, and I think that the proposer of the motion has rightly stated the qualifications which a Speaker ought to have. In times gone by the appointment of Speaker has been made on the proposition of a

private member, recognising that the House itself had the right to appoint the Speaker, irrespective of party.

THE PREMIER: That has not always been so.

Mr. MACARTNEY: I think that that was a very good practice. I alluded to it three years ago, when Mr. McCormack had been first proposed, and I then expressed the hope that the best man in the House would be appointed to the position, irrespective of the party to which he belonged.

GOVERNMENT MEMBERS: So he was.

Mr. MACARTNEY: The position of Speaker is, as stated by the proposer of the motion, a very responsible one. It involves absolute impartiality and fairness in the conduct of debate. (Hear, hear!) Under our existing Standing Orders it is more important than ever it has been in the past that the Speaker should be an impartial man.

HONOURABLE MEMBERS: Hear, hear!

Mr. MACARTNEY: The Standing Orders practically deprive hon. members of this House of the opportunity of adequately questioning the decision of the Speaker.

THE TREASURER: The Standing Orders did, and you were on the Standing Orders Committee.

Mr. MACARTNEY: In the days gone by, if the Speaker gave a decision which appeared to any hon. member to be wrong, or out of order, he could move that the ruling be disagreed with *instanta*. The matter was then discussed, and very often it has been the privilege of this House—even on the motion of a member of the Opposition—that is to say, the least numerous party in the House—to reverse the decision of the Speaker. That bids for fairness and for impartiality. Unfortunately, under our Standing Orders, as they exist at the present time, if the Speaker, in a moment of heat—or under any other circumstances—gives an arbitrary decision, the only way of questioning it is on a subsequent day to give notice of motion that the ruling be disagreed to, and it so happens, in the ordinary course of things, that when important matters are before the Assembly a ruling—however harsh or wrong it has been in the opinion of hon. members—goes unquestioned. Hence, Mr. Bertram is able to say that during the last Parliament the Speaker's decision was not questioned. That just shows how much importance is to be attached to that particular statement. I am prepared to admit that Mr. McCormack has got natural gifts which qualify him to be a very excellent Speaker.

GOVERNMENT MEMBERS: Hear, hear!

Mr. MACARTNEY: He has got application, and he has got an ability which qualifies him, and I must admit that there are times when Mr. McCormack has shown that qualification, but, unfortunately, the Parliament of Queensland does not sit in this Chamber (Government laughter.)

OPPOSITION MEMBERS: Hear, hear!

GOVERNMENT MEMBERS: It sits in the Upper Chamber.

Mr. MACARTNEY: Leaving our Upper House out of it we are able to say that there is a lower chamber that sits down stairs and laws are passed there.

Mr. KIRWAN: And you sat there last night. (Government laughter.)

Mr. MACARTNEY: Where the real Upper House is is another question; perhaps you might find it in Turbot street. We find, from reading the columns of the Press, that the Parliament which sits down below has appointed Mr. McCormack to be Speaker of this House.

THE TREASURER: No, only nominated him

Mr. MACARTNEY: At the same time, this is just the one occasion during the course of Parliament when we can read a little moral lesson to the Speaker—when we can ask the Speaker to take into full consideration the rights of each side of the Chamber, and I propose to do it without irritation as far as I can possibly do it. (Hear, hear!) There were many times during the last Parliament when members on this side of the House felt very much aggrieved at the decisions of the Speaker. It is not to be wondered at, perhaps, that a man new to the chair may make mistakes, and those mistakes may be overlooked, but we cannot get away from this fact, that Mr. McCormack is a very strong party man. He is associated with and has played a very strong part with the party in power, and we could not get away from the idea that the higher ability of the Speaker prompted him sometimes to make suggestions to our friends on the other side during the conduct of business that we did not consider to be altogether fair in a Speaker. (Government dissent.)

THE PREMIER: There is no foundation for such a statement.

Mr. MACARTNEY: I am only voicing what our feelings in the last Parliament were, and I think that, by as openly as possible making clear our complaints, we may hope for the correction of them during the existing Parliament. It is only due to the House that the man who occupies the position of Speaker should be absolutely fair and impartial to both sides of the House. There are a large number of members on one side of the House, and a small number on the other side—

GOVERNMENT MEMBERS: Hear, hear!

Mr. MACARTNEY: And there is no reason to suppose that the Government of the country cannot carry out their proposals without receiving any adventitious aid from the Speaker. (Hear, hear!) There are times, during the course of Parliament, when the Speaker has to give a judicial decision—decide whether the question at issue has been sufficiently debated or not—but I am sorry to say that during the last Parliament that decision was given by the Speaker, and other officers of the House, on occasions when no debate had taken place at all, and when there was not even a semblance of a debate to justify the Speaker in giving a judicial decision that the matter had been sufficiently debated.

OPPOSITION MEMBERS: Hear, hear!

Mr. MACARTNEY: I say that that does not indicate the extreme impartiality which the Speaker should show to all members of the House. I myself am free to confess that I found fault with decisions of the Speaker, and I would have liked to have had an opportunity of questioning them at the time, but the Standing Orders denied me that opportunity. As I said before, the importance of a question—or the comparative unimportance of something that happened

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the previous night—prevented those decisions being questioned. I have felt aggrieved at the attitude of the Speaker on occasions in calling certain hon. gentlemen on this side of the House to order on the ground of irrelevancy, when I think that, whatever argument might have been used in support of the Speaker's decision, there was, at least, a reasonable doubt as to the irrelevancy of the matter in question. The use of one word would have connected it at once with the subject-matter under debate. I think we might have expected from the Speaker that chivalrous recognition of the smaller party in the House that is necessary to show the fairness of the Speaker. In days gone by we have heard complaints that the Speaker was too partial to the Opposition. That was when the Speaker also was a representative of the Government party of the day. I think that was a good fault to find in a Speaker, because it showed a certain amount of chivalry, and it showed a desire to certainly be on the right side. I am not going to say much more about that. Undoubtedly the hon. gentleman who is proposed to-day for the position of Speaker has got natural qualities which fit him to conduct the business of the House with impartiality. When the hon. gentleman is elected to-day, I hope he will bear in mind that what I have said is not said in any unkind spirit, but it is said merely to correct those objections which we decidedly felt on this side of the House during the last Parliament. The position of Speaker should be an absolutely impartial one, and I would like to see it given to one of the oldest members of the House, perhaps to one who is more conversant with parliamentary procedure than most other members. I refer to Mr. Hardacre, the Secretary for Public Instruction, who is one of the oldest members of the House. I do not know if he is the father of the House or Mr. Petrie, the hon. member for Toombul.

THE PREMIER: Are you suggesting an exchange?

MR. MACARTNEY: I am not going to deal in any barter or exchange, and we have no opportunity of making a successful barter or deal, if we wish to. I was just saying that Mr. Hardacre is one of the oldest members of the House, and that we might give the position to him.

THE PREMIER: I will consider any suggestion that you make.

GOVERNMENT MEMBERS: Hear, hear! and laughter.

MR. MACARTNEY: It just shows the amount of sincerity that ordinarily lies behind the remarks of the hon. gentleman. Mr. Hardacre is the oldest member of the House, and is naturally more conversant with the procedure of the House because of the large number of years he has been associated with it. Mr. Petrie, the hon. member for Toombul, is also an old member of the House and I think it would be in keeping with the recognition of the rights of Parliament if an old member were selected for the responsible position of Speaker. However, we have to accept the position as it is, and we know what is going to happen. I have endeavoured to say all I had to say in moderate language, as I do not think this is the time for party irritation. (Hear, hear! and Government laughter.) I speak with the due sense of responsibility when I make that remark. I know there are some

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hon. gentlemen opposite who have no sense of responsibility at all; but I do not associate myself with their views or their attitude on the matter at all. I speak only for myself, and I hope the remarks which I have made will not be taken in bad part by the Speaker.

MR. BEBBINGTON (*Drayton*): I have no intention of denying that Mr. McCormack possesses the necessary ability to fill the chair, but we know that at times things are done which should not have been done. There were times when, perhaps, Mr. McCormack thought he was most impartial, but we know that he was not impartial. (Government dissent and laughter.) There have been times also when his decisions should have been otherwise. For instance, the Speaker should not send notes to the members of the Government, prompting them to take advantage of the Opposition. (Government dissent.) It is not the best way to conduct the business of the House either to say that a matter has been sufficiently debated when it has not been discussed at all; yet that is what has happened in this House. I have seen the Premier rise in his place, and the Speaker agree with the Premier that the matter had been fully discussed, when he had absolutely no good right to do that at all. (Government laughter.) There have been occasions when the decision of the Speaker should have been otherwise. I hope, if Mr. McCormack is elected to the chair—as he will be—that he will mend his ways. (Hear, hear! and laughter.) Perhaps he thought he was impartial, but he did not weigh some things as he ought to have done. I do not think the opinion of the Premier should be taken before any private member of this House on any question raised here. I hope the Speaker will consider these matters, and that he will act with impartiality to both sides of the House in future.

MR. McCORMACK (*Cairns*), speaking from the back Government bench: I have to thank the proposer and seconder of my nomination for the Speakership for their kind expressions towards myself, and I have also to thank Mr. Macartney for his admission that I have some of the capabilities that are required for the high office which this House proposes to elect me to. I can only say that I will try to do as I have done in the past. I have always tried to be impartial, and I have tried to consider all members of the House irrespective of party.

HONOURABLE MEMBERS: Hear, hear!

MR. McCORMACK: I am not infallible. No man is infallible, and, if I have shown any semblance of partisanship, it has been quite unconscious. (Hear, hear!) I have now to submit myself to the pleasure of the House.

HONOURABLE MEMBERS: Hear, hear!

THE SPEAKER-ELECT was escorted to the chair by the Treasurer (Hon. E. G. Theodore).

THE SPEAKER, speaking from the dais, said: I have to thank hon. members for electing me to the position of Speaker, and I shall endeavour to do—as I have done in the past—carry out the duties attached to it with strict impartiality.

HONOURABLE MEMBERS: Hear, hear!

THE PREMIER (Hon. T. J. Ryan, *Barcoo*): Mr. Speaker,—In accordance with long

established custom, and in all personal sincerity, I desire to offer you my congratulations on attaining to the very high position which has been conferred upon you by this House. I am sure it must be a great satisfaction to you, after having held the position of Speaker of this House for three years, to have the confidence of the House expressed in you again. I think that is due to the manner in which you discharged your duties while you occupied the position of Speaker in the last Parliament. (Hear, hear!) There is no doubt that you were a success as Speaker. (Hear, hear!) You have shown all the qualities that make a good Speaker. You have the capacity, the courtesy, the patience, and the impartiality—(Opposition dissent)—which, I am sure, commended itself not only to members of this House, but to the country generally.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: You were placed in many difficult positions. Sometimes heat runs high in this House in discussing certain matters; the debate therefore becomes acrimonious, and I am sure that, on many occasions, trouble was avoided by the tactful and firm manner in which you handled the situation. (Hear, hear!) I feel satisfied, Mr. Speaker, that you will continue to display those qualities which have made you such a conspicuous success in the past, and I am sure you will discharge the duties appertaining to the high and responsible position you occupy with credit to yourself and also with honour to this House. I congratulate you.

HONOURABLE MEMBERS: Hear, hear!

Mr. MACARTNEY (*Toowong*): Mr. Speaker,—In rising to say a word or two of congratulation, I do not propose to prolong the debate or dissect the statements made by the Premier in offering his congratulations to you. But I do desire to congratulate you on your selection for the high and important position of Speaker, and I trust that the remarks that have been made appertaining to your appointment will be taken by you in good part, and that the result of the session will be such—that the result of the Parliament will be such—that we will be able to say we really believe that we have received, by reason of your better experience, that treatment which ought to be given to every member of the House by an impartial Speaker.

HONOURABLE MEMBERS: Hear, hear!

SPECIAL ADJOURNMENT.

The PREMIER: I desire to inform the House that His Excellency has intimated that he will receive the Speaker-elect at Government House at half-past 10 o'clock tomorrow morning. I now beg to move—That the House, at its rising, do adjourn until tomorrow at 10 o'clock a.m.

Question put and passed.

ADJOURNMENT.

The PREMIER: I beg to move—That this House do now adjourn.

Question put and passed.

The House adjourned at six minutes to 1 o'clock p.m.