

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**FRIDAY, 9 JANUARY 1920**

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FRIDAY, 9 JANUARY, 1920.

The House met at half-past 3 o'clock p.m., the chair being taken by the CLERK (Mr. C. A. Bernays).

#### RESIGNATION OF SPEAKER.

The CLERK: I have to inform the House that I have received the following letter:—

“Brisbane,  
“9th January, 1920.

“The Clerk of the Legislative Assembly,  
“Queensland.

“Dear Sir,—

“I beg to tender my resignation of the office of Speaker of the Legislative Assembly of Queensland.

“I am, Yours faithfully,  
“WM. LENNON.”

#### ELECTION OF SPEAKER.

Mr. KIRWAN (*Brisbane*): I have very much pleasure in proposing for the position of Speaker Mr. William Bertram. (Hear, hear!) Members of this House are well aware of the qualifications of Mr. Bertram for this position. He has held the position of Chairman of Committees in this Chamber for a number of years, and I am quite sure that he has impressed every member of this House with his desire to be absolutely impartial and fair.

HONOURABLE MEMBERS: Hear, hear!

Mr. KIRWAN: The position of Speaker is one requiring qualifications which, I venture to suggest, are to be found in Mr. Bertram, and I am perfectly satisfied that if this House in its wisdom elects him to that honourable position it will have no reason to regret it. (Hear, hear!) Without any further remarks, therefore, I have very much pleasure in proposing Mr. William Bertram.

Mr. F. A. COOPER (*Bremer*): I have very much pleasure in seconding the nomination made by the hon. member for Brisbane. With him I believe that the position of Speaker calls for the exercise of great judgment, calls for the exercise of tact, calls for the qualification of reliability, because the Speaker of this House is the representative of the people. He is the first commoner of the land, and it is necessary that the first commoner of the land should be a man well trusted by this House, who are the elect of the people of this State. I second his nomination because I believe it will be found that he is a gentleman who has the confidence of this Chamber sufficiently to fill the high office of Speaker, a high and honourable office of great antiquity, one requiring great judgment, great firmness. All the holders of the office in the past have been gentlemen holding those qualifications, even in the times when the conflicts were between the people and the Crown. Those conflicts are past, but we still require, in the office of Speaker, a man whose judgment is sound, whose integrity is above suspicion and in whom the commons, or the common people at any rate, have that supreme confidence that is necessary. I have, therefore, very much pleasure in seconding the nomination of Mr. William Bertram as Speaker of this

*Mr. F. A. Cooper.]*

House, and I trust that hon. members will support it, because I believe he is the most fitted man to fill the high office.

GOVERNMENT MEMBERS: Hear, hear!

Mr. CORSER (*Burnett*): I have the honour to nominate Mr. Andrew Lang Petrie, member for Toombul, for the office of Speaker. All the qualifications necessary in a Speaker, as outlined by members on the other side, are contained in the person of the hon. member for Toombul, and together with those qualifications Mr. Petrie holds the qualification that he is a very old and respected member of this Chamber. Having been twenty-six years in it he should, at any rate, have a better idea than most of us of the conduct of the affairs of the House, some greater idea of how to guide its business. If Mr. Petrie is honoured by the confidence of a majority of the members of this House, I feel sure there will not be the necessity for such actions as are anticipated by the remarks of the gentlemen who nominated Mr. Bertram for this position. Whilst I have nothing to say against their nominee, I must add that Mr. Petrie's qualifications, his ability, his tact, his generosity, his fair-mindedness, and the high esteem in which every member of this House holds him, are such that they excel even the qualifications of the gentleman nominated by the members opposite.

Mr. HODGE (*Nanango*): I have very much pleasure in seconding the nomination of Mr. Petrie, the hon. member for Toombul, for the position of Speaker. I feel that this should be a non-party appointment. There is no doubt that the qualities that have been attributed to Mr. Bertram by the mover and seconder of his nomination are possessed by Mr. Petrie. I am not against Mr. Bertram. I am quite in accord with the remarks that have fallen from the mover and seconder of his nomination, but I think that in a case like this the appointment should come from the whole of the House and should be decided on non-party lines. Under these conditions, I have very much pleasure in seconding the nomination of Mr. Petrie, and I am satisfied that if elected to that position he will do honour to this Chamber, he will do honour to himself, and he will do honour to Queensland.

Mr. MACARTNEY (*Toowong*): Two nominations now have been received, and I take it that we are at liberty to offer arguments pro and con. It has not always been the habit of this House to appoint a Government nominee to the honourable position of Speaker. It has frequently, and even within my own recollection, been the habit to appoint a man from the opposite side of the House. Mr. Petrie, whose nomination has been proposed by the hon. member for Burnett and seconded by the hon. member for Nanango, is perhaps the oldest member in the House at the present time. He has special qualifications. He has, in the first place, had a very, very wide actual experience of the House. His disposition is such that I do not think anyone can question his fair-mindedness or tact. I think it would be a graceful thing on the part of the Government and on the part of the nominators of Mr. Bertram to withdraw his nomination and allow the oldest member of the House to be selected. I have nothing to say adverse to the appointment of the hon. member for Maree. I realise that I have personally myself received a great deal of courtesy at

[*Mr. F. A. Cooper.*

his hands while he has occupied the position of Chairman of Committees and while he has temporarily occupied the chair of the Speaker. I realise also that he has in him a sense of fair-mindedness. A man who is married to sport to the extent that Mr. Bertram is must necessarily be a man who will do a fair thing. But I realise also that the man who occupies that chair is not altogether a free agent. A man looks to his future, he looks to his progress and advancement in his party, and if he is to have those he must secure the goodwill of the majority of his party. If he fails to please hon. members on the other side individually or to the extent of a majority of the caucus, then his position is more or less a hopeless one. A man who occupies that position is entitled to our sympathy. Whatever happened, I believe that Mr. Bertram would make an endeavour to rise above it, but if we view the position as it is all round, I think it would be a graceful and a wise thing to make way for the selection of Mr. Petrie. We have had several Speakers from the other side of the House during the currency of the present regime which have always sounded like support of the cry of "spoils to the victors," and it would be a fair thing to show that the appointment is not altogether and at all times a political or party one.

The fact that we have to select a Speaker at all comes with certain surprise to this party—comes with certain surprise to Parliament. I do not know whether it has come as quite such a surprise as hon. members on the other side would have expected. It might have happened that on Tuesday of this week, without any preliminary notice, we might have been called upon to discuss the question we are now discussing. Fortunately, we are not in that position, but I think coming events—particularly in matters so important to a wide section of the community—might have been foreshadowed, to give the community an opportunity of expressing itself before the event and preventing the happening of events which are matters for very deep and very sincere regret.

The PREMIER: That would be a curious system of government.

Mr. MACARTNEY: I think the cause of the present vacancy in the Speakership has come as a shock, not only to this House, but it has come as a shock to the people of Queensland. The practice has been that the gentleman who has been appointed to the position of Lieutenant-Governor has not been a man associated with the active politics of the Lower House, and he has not been a man who could be regarded as an extreme partisan.

The PREMIER: All the Lieutenant-Governors in the past were associated with active politics in the Lower House at some time or another in their career.

Mr. MACARTNEY: They may have been associated with active politics at some remote part of their career—

The HOME SECRETARY: The public was not informed of Sir Arthur Morgan's appointment beforehand.

Mr. MACARTNEY: It is quite true that gentlemen have been appointed who were at one time connected with politics, but at the time of their appointment, and for some time prior to their appointment, they had

not been taking an active part in the politics associated with the surroundings of the Lower House.

The PREMIER: The same thing applies to the Speaker.

Mr. MACARTNEY: In most cases they have been men who have been for a considerable time connected with the cooler surroundings of the Upper House. In this case apparently His Excellency has recommended—no doubt on the advice of his responsible advisers, the only persons we can attack in connection with the matter—a gentleman who, until a few minutes ago, was actually a creature of the caucus of the Labour party; a gentleman who was a member of the Caucus until a few minutes ago. His resignation is dated to-day; and, if I am to read the remarks made by the Premier in the Press a right, his commission is likely to arrive some time about the middle of January, which means that it must have left the old country about the middle or the early part of December, in which case the hon. gentleman practically had already been appointed, or has for some time been actually appointed, to the position of Lieutenant-Governor, all the time being a member of the caucus behind the Government of the day.

The PREMIER: The same remark applies to the present Governor-General of the Commonwealth of Australia. He was a member of the caucus of the Liberal party in Great Britain before he was appointed Governor-General.

Mr. MACARTNEY: There is no comparison whatever between the Liberal caucus of Great Britain and the caucus as we know it that is behind the Government of Queensland. The members of the Liberal party, or of the National party, or whatever you like to call it, in any part of the British Empire have still got their liberty of conscience.

Mr. KIRWAN: What about Bruce Smith?

Mr. FRY: Your friends nearly stoned him to death.

Mr. MACARTNEY: The gentleman who has just resigned from the Speaker's chair was until a few minutes ago a member of the Government caucus, and was as such in such a position that he could not be a free agent. I say that his appointment is a discredit to those who advised it; it is an insult to the loyal people of Queensland.

Mr. KIRWAN: An insult to the profiteers.

Mr. MACARTNEY: It is an insult to those people in Queensland who desire to have their affairs administered by men known to be impartial and fair-minded men.

The PREMIER: You are attacking a man whose three sons went and fought for the Empire, and fought with distinction. (Hear, hear!)

Mr. MACARTNEY: Personally I have not one word to say against the present Lieutenant-Governor. I desire to say on my own behalf, although other hon. members may take a different view—that during the Hon. Mr. Lennon's occupancy of the chair I think he showed an inclination to be fair-minded, and during his short period of office I gained respect for the hon. gentleman in that position. I am exceedingly sorry that I have to stand here to-day

to make any comment on the subject that we are now dealing with.

The HOME SECRETARY: You are abusing a privilege at this stage.

Mr. MACARTNEY: I am exercising a right, and I would like to tell the hon. gentleman that he himself is probably the cause which prevented the matter being discussed on another occasion. I think that the nomination of the Government, which is responsible for the present position, ought not to be adopted by the House. The hon. gentleman who has been appointed to the position of Lieutenant-Governor was, as I have said, a member of the Caucus at the time of his appointment. He is personally pledged to the sessional programme that we are now finishing; he is personally pledged to the Budget that we are now considering; and before this session is completed, the hon. gentleman may be called upon for the judicial consideration which is sometimes required between the two Houses that constitute Parliament. Is the hon. gentleman in a fair position to do justice by such questions when they come under his notice?

Hon. J. MULLAN: Just as much as any other Lieutenant-Governor.

The PREMIER: The position is just the same as it is in connection with Sir William Irvine in the State of Victoria and Sir Adrian Knox in the High Court.

Mr. MACARTNEY: The hon. gentleman must know that Sir William Irvine's case is not parallel.

Mr. KIRWAN: He was a bitter partisan.

Mr. MACARTNEY: He was not a bitter partisan; and, in any case, he was a member of the Federal Parliament, not the State Parliament, before he became Chief Justice of Victoria.

The HOME SECRETARY: He was a bitter partisan.

Mr. MACARTNEY: He may have been a partisan in the sense that he was a member of the National Government or of the National party in the Federal Parliament, but the parallel is not there. The hon. gentleman who has been appointed Lieutenant-Governor of Queensland represents a Caucus party which represents organisations that preach class-consciousness, which represents organisations that victimise men who do not agree with their views. The position in which the Lieutenant-Governor finds himself is entirely different to that of Sir William Irvine.

The HOME SECRETARY: What did Sir William Irvine do in the Victorian railway strike?

Mr. MACARTNEY: That was many years ago, and it has no relevance to the present. He left the Federal Parliament to take up the position of Chief Justice of Victoria, and he had been acting as Chief Justice of Victoria for some considerable time before he was called upon to act as Lieutenant-Governor of Victoria—not of the Commonwealth—so that there is no parallel. I do not desire to be in any way offensive to the hon. gentleman who is now occupying the position of Lieutenant-Governor, or to be unduly offensive to anyone. I have endeavoured to state the ground on which there is an objection to the appointment—that is the extreme partisan nature of the appointment. In making that appointment we are endangering our Queensland Constitution. It is a matter of common knowledge what the attitude of hon. members on the other side

has been towards the Upper Chamber. It is a matter of common knowledge that during the present session this Chamber has passed a Bill dealing with the abolition of the Upper House. I ask what is the position of the Lieutenant-Governor who has been appointed if he is requested by hon. gentlemen on the other side of the House to stuff the Upper House, or to assist in its abolition by overcrowding it and depriving it of its independence? That is another objection to his appointment, and there is another equally objectionable feature.

The SECRETARY FOR RAILWAYS: That is awful piffle.

Mr. MACARTNEY: The hon. gentleman is a perfect judge of that kind of thing; he was guilty of it during the late elections, as I have no doubt his colleagues have told him. There is another objection to the appointment. There is a discussion going on at the present time in regard to the appointment of citizens of the various States as State Governors. It may very well be that such may be decided upon. If it is, it is quite on the cards that our friend the late Speaker may be a candidate for the office of State Governor in Queensland.

I say that in that lies an exceedingly grave objection to his appointment as Lieutenant-Governor in the meantime, because if he fails to give pleasure to members of the Caucus party, or to members of the present Administration, we can easily come to the conclusion as to what his chance will be for the permanent position. His chance would be "Buckley's." No doubt, the Minister for Railways would realise that.

The SECRETARY FOR PUBLIC WORKS: Who appointed him, anyway? He is the King's representative, is he not?

Mr. MACARTNEY: I understand that he is appointed constitutionally, no doubt, on the recommendation of the Governor, following on the recommendation of the Governor's responsible advisers. I am perfectly justified in attacking His Majesty's advisers on the appointment. I am not going any further. I may say that I have a deep personal regret that almost the last act of our respected Governor has been the recommendation of such an extreme partisan appointment.

The SECRETARY FOR PUBLIC WORKS: You have shifted your ground of attack. You are attacking the Governor now, and not his responsible advisers.

Mr. MACARTNEY: The responsibility rests with his responsible advisers on the front bench. I have said that I think the appointment is an insult to the common sense of the loyal people of Queensland—people who have stood behind the Constitution and behind the Empire in connection with the conduct of the war. I am not going to enter into the details of a controversial subject, but I say that the action which the Hon. William Lennon was compelled to take as a member of the Administration which existed throughout the war, and the action which he took at different times, thoroughly unfit him for the position in the eyes of a large majority of the people of this State.

Mr. KIRWAN: He never lunched with the Kaiser, like Carson did. (Laughter.)

Mr. MACARTNEY: It has been the habit to refer to the case of Sir Henry Blake. Sir Henry Blake was a Governor appointed by the Imperial Government, I understand,

[Mr. Macartney.

without consultation with the local Government, and objection was taken by the local Government on the representation of a section of the people of the State to the appointment of Sir Henry Blake, on the ground that he had held some official appointment in Ireland, and was, consequently, objectionable to the Irish section of the people. In that case, Sir Henry Blake's resignation was obtained, and another appointment was made. So far as it is possible to have a parallel that applies.

The PREMIER: The objection was transmitted from the Government here to the Home Government.

Mr. MACARTNEY: I have said so. The Government here, acting as they ought to act in view of the objections of an inconsiderable section of the community at that time—when I say "inconsiderable" I do not mean a mere nominal section, but a section which did not represent, at any rate, the majority—

The PREMIER: You mean that the Nationalists will always oppose every nomination we make.

Mr. MACARTNEY: That does not get away with the extreme partisan nature of it. I say that there is a parallel in the case of Sir Henry Blake to that extent. Unfortunately, the late Speaker has by his own words, which are recorded in the official publication of "Hansard," expressed his opinions very freely on the office of the Governor itself, and he has expressed his opinion very freely on the subject of the Upper Chamber; and I venture to suggest that the opinions so expressed render him an unfit appointee for the office to which he has been appointed. It is quite clear that there may come before the Governor many calls in connection with the administration of matters arising under the Audit Act, and otherwise under the legislation of Queensland. We have had instances of actions taken by Ministers on the other side which we regard as being outside the Constitution—action taken to enforce their policy upon the country without getting the actual authority of Parliament. I would like to ask any man—I do not care on what side of the House he sits—what position the Lieutenant-Governor would be in when asked to sign minutes or to give his consent to such transactions. I say that it is not a fair position to put him in.

The SECRETARY FOR PUBLIC INSTRUCTION: Would he not take the oath of office to do the right thing to all parties concerned? (Opposition laughter.)

Mr. MACARTNEY: It is not a fair position to place him in, or to place the people or Parliament in.

The PREMIER: If you want to discuss the Lieutenant-Governor, why not do it by specific resolution before the House?

Mr. MACARTNEY: I am acting now under the privileges which are placed in the way of hon. members on this side of expressing their views on the subject of the appointment of the Lieutenant-Governor. There is also another prerogative which the Governor acts upon—that is the prerogative of mercy. Lately we have had a return placed upon the table showing the number of persons discharged from prison.

The HOME SECRETARY: Yes, and your Government let more men out than our Government.

Mr. MACARTNEY: The hon. gentleman may say so.

The HOME SECRETARY: I will prove it.

Mr. MACARTNEY: I venture to suggest that, if that return were examined closely and the procedure adopted in the various cases compared with the procedure followed in the cases of the preceding Government, there would be a considerable difference. (Government dissent.) When that return was tabled, the hon. gentleman who tabled it curiously avoided having it printed: that is to say, a procedure was adopted which prevented its closer examination.

The HOME SECRETARY: No one insults you with lack of industry.

Mr. MACARTNEY: I want to tell the hon. gentleman we have to-day a Court of Appeal. In the old days, offences were brought before the Governor on the ground of a suspected injustice, and the prerogative of mercy was used for the purpose of releasing men in cases of doubt.

The SECRETARY FOR RAILWAYS: There has always been a higher Court of Appeal, namely, the Executive Council.

Mr. MACARTNEY: I am sorry to say that the same judicial attitude was not adopted by hon. gentlemen on the other side. We have got a Court of Appeal which can deal with cases of injustice, but other cases really are cases of pure prerogative mercy, which rests in the hands of the Governor. I say that a late member of the Administration, just coming from the Caucus room, is not a man who can be expected to deliver justice with even hands when demands are made by members of the Caucus.

The HOME SECRETARY: One of the men was let out at the instance of your firm. (Government laughter.)

Mr. MACARTNEY: I do not want to be personal to the hon. gentleman. It was no doubt a proper case.

The HOME SECRETARY: I have got records of it.

Mr. MACARTNEY: I am not going to be drawn into saying anything about the hon. gentleman or any other member on the other side of the House. I will only say this: that I believe the Hon. William Lennon has it in him to rise above the position in which he is placed, whatever the people of the State may think. But that is not the question to-day, and I hope that, if his appointment is continued, he will do so, and render all I have said to-day meaningless. Then no one will be more ready to withdraw anything that has been said than myself.

The HOME SECRETARY: Why not wait and see how he gets on.

Mr. MACARTNEY: At the same time, it is not an appointment which will give confidence to the people of Queensland, and that is the point.

Mr. VOWLES (*Dalby*): I desire to support the nomination of Mr. Andrew Lang Petrie. That gentleman has the proud distinction of being the father of this House. He has been for some twenty-six years continuously representing one of the most important constituencies round and about Brisbane. He is a gentleman, I think, who has the confidence of every member of this House.

[4 p.m.] He is one who has the capability to fill the position. As far as the Government nominee for the office of Speaker is concerned, I have every confidence in him, and I feel sure that if

he receives the approval of this House he will carry out the functions of the office with dignity and credit. During the time he was temporarily in the chair, and during the time he was in the position of Chairman of Committees, he certainly showed that he had an open mind, and he exercised that justice which is due to both sides of the House—a justice which on some occasions we have reason to believe we have been denied. If he is elected as Speaker of the House, I will give him all the loyal support I can. It is generally understood that the position of Speaker of the House is a non-party one, but we all know that that is not so at the present time. The Caucus have had their deliberations and have taken a vote, and no doubt the member who is now nominated for the position of Speaker succeeded in obtaining the larger number of votes. But the position now arises: will he if he is appointed to the chair represent a majority of the people in this Assembly, because whoever the other nominee in the Caucus was he had a following, and if that nomination were put before this Chamber and members on this side were given an opportunity to vote on it, though it is quite possible that everyone of us would vote for Mr. Bertram, we would have the privilege of exercising a vote in the matter, and the result might be different. So much for the nomination of the Speaker by the Caucus. The occasion which gives rise to a vote being taken on this question in the Assembly is the retirement of a previous member of the Ministry to occupy the position of Lieutenant-Governor of Queensland. Anybody who reads the newspapers must come to the conclusion that the public of Queensland are not satisfied with the appointment that is being made. There are various sections of the community who are offended with this nomination. Whether they are right or otherwise in their views is a matter for them, but certain circumstances have arisen in the past which give a good deal of reason for objecting to Mr. Lennon's filling the position of Lieutenant-Governor of Queensland. We had on a previous occasion to review certain remarks which that gentleman made in public, and members on that occasion expressed in no uncertain words their feelings towards him, and those feelings still exist. But the great objection I take to the appointment is that it is opposed to the usages of constitutional government. It is thoroughly understood, and the advice has been given to Governors in Queensland right back to the time of Governor Bowen, that—

“The first care of a Governor in a free colony is to shun the reproach of being a party man.”

That was the advice given by Lord Lytton to Governor Bowen, and that advice is borne out by Tod in his “Parliamentary Government of the British Colonies.”

The HOME SECRETARY: How does the Governor appoint men to the Upper House in New South Wales, unless he makes party appointments?

Mr. VOWLES: It is all very well for the hon. gentleman to make that statement: but it appears to me that this appointment is part of a scheme in connection with the passage of the taxation proposals now before the House. Those proposals contain a measure which was refused by another place, and it is to be brought in in this particular form as a taxation proposal, so that when it goes through this House objection may be taken

*Mr. Vowles.]*

to the other House dealing with it because it is part of a taxation Bill. We know that if that repudiation measure which is asked for is submitted, and an attempt is made to pass it into law by trickery, one of two positions may arise. Either the Governor can force on the people something which the people's representatives in another place decline to accept, or they may object to the whole of the financial proposals of the Government and bring about a financial crisis. If that crisis comes about the Lieutenant-Governor who has been appointed will be in a position to pass that legislation. In the past our Lieutenant-Governors have been drawn from the ranks of the Presidents of the Legislative Council. I should like to know if the gentleman who now occupies that office has been offered the position of Lieutenant-Governor. Has the Hon. W. Hamilton, who is a member of the Labour party, been asked to accept the position?

Mr. T. FOLEY: He would not accept it.

Mr. VOWLES: His appointment would be more acceptable than the appointment of a man who has been a party to carrying through this legislation and of passing certain planks in the platform of the Labour party which are not acceptable to the majority of the people of Queensland—a man who is surrounded with socialistic ideas which many leading members of the Labour movement find cannot be put into practice. Why should such a man be placed in the position of Lieutenant-Governor, and given an opportunity to carry legislation which the other House is not agreeable to accept. Mr. Lennon, speaking in this House in 1910 on the question of retaining the office of Governor in Queensland, said—

“Was the Governor of any use? He considered it was an effete office that might well be done away with. He was not speaking of the present occupant of that position, because they all had the very greatest respect for Sir William MacGregor.”

That quotation is found in page 1012 of “Hansard” for 1910. Further on I find that Mr. Lennon also made the following remarks:—

“We are not saying anything against the man. It is the office that we object to.”

“Hon. R. PHILP: What was wrong with the office?”

“Mr. Lennon: It is not necessary.”

“Hon. R. PHILP: Do we want a politician to be Lieutenant-Governor?”

“Mr. Lennon: We don't want a Governor at all.”

Then he says—

“Not one member had said a word against that gentleman, but, on the contrary, they had all extolled him on account of his great ability, his distinguished career, and particularly on account of the fact that he had sprung from the people. Nor had they advocated elective Governors. They did not want an elective Governor, nor a Governor of any brand of politics.”

That was in 1910, and here you have a gentleman walking straight off the political bench, or walking straight out of the House, and taking on the Governorship of one brand of politics. Why cannot he be consistent? Then, again, Mr. J. M. Hunter, formerly a Minister of the Crown, and now a gentleman

in London, speaking on the same matter on the question of Supply, as reported on page 1175 of “Hansard,” said—

“Personally, he was utterly opposed to the whole principle of State Governors. (Hear, hear!) He did not regard State Governors as necessary. The actual work of the Governor could be very well done by the President of the Legislative Council, if that officer also was necessary, and failing him the Chief Justice.”

Why have they not carried out the practice that was advocated by this gentleman? Why was not Mr. Hamilton appointed to the position? and why could not Sir Pope Cooper have acted like other Chief Justices have done in the past?

The PREMIER: You would have objected in the same way to Mr. Hamilton.

Mr. VOWLES: The Chief Justice could do all that is necessary under what is known as his dormant commission. The public are opposed to the present appointment.

Hon. J. MULLAN: You do not represent the public.

Mr. KIRWAN: You would not have been in the cold shades of opposition if you did.

Mr. VOWLES: Then, as to whether Mr. Lennon is a partisan or not: we know that one of the planks of the Labour platform is the abolition of the Upper House, and now I will give you Mr. Lennon's views on that subject, as expressed in 1914. On page 854 of “Hansard” he said—

“The hon. member who proposed this motion hails from Victoria, and naturally wants to have here an Upper House similar to that which obtains in that State. I lived in Victoria for a quarter of a century, I have lived in Queensland for a longer period, I have also lived in New South Wales, and I have been watching the behaviour of these Upper Houses of Australia. And, upon my word, I cannot choose between them! I cannot say that I would prefer an elective Upper House; I am certainly in favour of abolishing the whole ‘bally’ lot of them.”

“The whole ‘bally’ lot of them.” That is the language of the new Governor. (Opposition laughter.) He goes on to take exception to the form of nomination to the Upper House, and, speaking about the five gentlemen having been nominated by Mr. Denham, he said—

“In nominating five gentlemen to that distinguished assemblage he might have taken care in selecting a gentleman who was regarded as thoroughly democratic, not a pretended democrat, but a real democrat, such men, for instance, as we find occupying the positions on this side of the House at the present time. But he did not do that; he did not grasp the opportunity. He nominated five men to that Upper Chamber of the same character as those who were already there. We know that one of the greatest evils of a nominee Upper Chamber—as has been practised by every Government, past and present alike, without exception—is to put into that House men who have been rejected at the polls by the people. I think that is a strong indictment against a nominee Upper House in itself. No fewer than two of the five gentlemen nominated to the Upper House on the last occasion were men who had been refused at the polls by the electors.”

[Mr. Vowles.]

There we have his opinion on the question of the Upper House. That gentleman may be placed in the position one of these days, if the Government does not have its appeal to the people which they threaten to have on the abolition of the Upper House, and tries to force its legislation through the other Chamber, and tries to get the Governor's consent to swamp the Upper House, of being able to carry out his ideas. We know what his opinions are, and is he likely to alter them? We are told that in the ethics of government that an appointment should be made of men right away from public life; that they should be removed as far as possible from politics; men who have no interests politically or otherwise which might unconsciously hamper them in the exercise of their functions, yet we have a man who is pledged to a platform and a man who has stood there and helped the pledges through this House. We were told by an hon. member a few moments ago that he will take the oath of office. Did he not take an oath of office to the Crown? Did he not take an oath of allegiance to the King? and did he not support the remarks of a certain Minister on a certain occasion?

Mr. COLLINS: And he sent three of his sons to fight for the Empire.

Mr. VOWLES: I am not talking about his sons; I am talking about him. (Interruption.) When he was sitting as a Cabinet Minister, having taken that oath of allegiance, that is the way he acted, and we can only assume when he did that under the dictation of some outside influence—and that force will be there when he is Governor to tell him what to do—that he will not hesitate to do it again.

Mr. COLLINS: Sham loyalty.

Mr. VOWLES: Just let me give an instance of how the nomination is received by what is known as the official Labour paper in Queensland, the "Daily Standard." Here is what appears in the "Standard"—

"His Excellency Bill Lennon. Gee, we are getting on—we are assured that, perhaps, the quickest and most effective way of securing the abolition of State Governorship and the Legislative Council would be to appoint to the various jobs individuals whose very presence would turn every hide-bound Tory into a bomb-carrying anarchist."

The SECRETARY FOR PUBLIC INSTRUCTION: You ought to behead the writer of that article.

Mr. VOWLES: That is the recognised organ of Labour in Queensland, and that is their criticism on the appointment of the Lieutenant-Governor in Queensland. Further, we have the resolutions which have come down from Rockhampton from the railway organisation, which we know is one of the biggest organisations in Queensland, and one which is listened to more particularly by the Minister for Railways.

The SECRETARY FOR RAILWAYS: What is that?

Mr. VOWLES: The railway organisation. They have carried a resolution for the abolition of State Governors and the Governor-General, and the election of a President by popular vote of the people.

The SECRETARY FOR RAILWAYS: Terrible!

Mr. VOWLES: I think the hon. gentleman on one occasion suggested cutting the painter.

Mr. CARTER: Sir Joseph Cook did. (Interruption.)

Mr. VOWLES: At any rate, that is what is in the air; they want to establish a republic in Queensland. They want to have a President.

The SECRETARY FOR RAILWAYS: You say we have a Soviet at the Trades Hall.

Mr. VOWLES: And you know it. Reference was made to the appointment of Sir William Irvine, but the case is not parallel at all. Sir William Irvine went from the Federal House into the Chief Justiceship of Victoria; and I would like to remind hon. members that there was no man who was more independent in his attitude towards William Morris Hughes than Sir William Irvine was. There was an open breach between them.

The SECRETARY FOR RAILWAYS: Quite different to your leader, who said Hughes was the greatest hypocrite in the world.

Mr. VOWLES: There was an open breach between them to such an extent that it was thought the Government would be dissolved. On this question of the prerogative of the Crown, it seems to me that that is being used rather freely. The remission of sentences is a very serious matter.

The SECRETARY FOR RAILWAYS: The handing out of sentences is a very serious matter, too.

Mr. VOWLES: This remission of sentences has been objected to by the judges. They want to know what is the good of committing men to prison and imposing sentences on them if they can bring political influence to bear and have those sentences removed. We had a list of innumerable cases tabled here last year where the prerogative was exercised. The judges have not, in some cases, been consulted. I say that that is a wrong way of dealing with the prerogative of mercy. The judges should be consulted in every case. The judges have the privilege of seeing the witnesses and hearing the evidence.

The SECRETARY FOR RAILWAYS: The Executive has full discretionary power.

Mr. VOWLES: We know all about that. They have the power of releasing political prisoners if they want to, and they do it.

The PREMIER: We have no such thing as "political prisoners."

Mr. VOWLES: Organisations bring pressure to bear to have certain persons of their political persuasion released. If we could only get the cases and judge them on their merits, it would be found that in the majority of instances where the prerogative of mercy has been exercised have been cases where politicians or political organisations have had some hand in the matter.

Mr. POLLOCK interjected.

Mr. VOWLES: I am dealing with the men who have been convicted of crime. Those men are put in because they have been convicted, for the purpose of deterring others from offending. If people who have a criminal disposition knew they can get political friends to release them after being sentenced, I say justice is not being properly done.

The SECRETARY FOR PUBLIC INSTRUCTION: Do you think a man convicted of stealing £3 should get three years, while another who stole £1,500 should get a much lighter sentence?

Mr. Vowles.]

Mr. VOWLES: We have heard that before. How many other convictions were there previous to that one? The hon. gentleman will give the case of a man who has been convicted of stealing £5 in value, but he will not say that that man has fifty other convictions—and that is a thing that counts.

The SECRETARY FOR PUBLIC INSTRUCTION: That was expiated.

Mr. VOWLES: No, it was not expiated. When a man becomes a habitual criminal there is no other way of dealing with him. We will have the opportunity on the Estimates of going further into this, and I hope the hon. gentleman will be armed with all the information, so that he can give us the cases we ask for. I desire to support Mr. Andrew Petrie for the position of Speaker of this House. I go further, and hope there will be a ballot taken. We should not go through the farce of nominating a man and then withdrawing that nomination. If there is any division amongst the members on the other side of the Chamber, they will have the opportunity of expressing their opinion by a vote, so that it will be a vote of the whole House, and not a vote of a majority on one side of the House.

The PREMIER: The opportunity has been availed of this afternoon by leading members of the Opposition to lodge a bitter personal attack upon the gentleman who has been selected for the high position of Lieutenant-Governor. I think it is a most mean way of raising the question and a mean taking advantage of the privileges of the Standing Orders. Hon. members on the other side—if they desired to have a public discussion on this matter in the Chamber—could have done it by seeing that a resolution was moved, or that a special adjournment of the House was moved for the purpose of discussing the question. But, instead of that, they have taken advantage of the present situation, when no one is actually in charge of the Chamber, in order to vent their miserable political spleen against Mr. Lennon, who happens to have been offered the dignity of the appointment of Lieutenant-Governor. They cannot truthfully allege anything against Mr. Lennon. They themselves have spoken in the highest possible terms of Mr. Lennon as an upright gentleman and as a good citizen. Now, simply because they know the Labour Government have been instrumental in nominating a Lieutenant-Governor and in getting the nomination accepted, this is the way in which they vent their spleen—by attacking and trying to tear to shreds the reputation of that man. Hon. members have been associated with an attack upon Mr. Lennon's character, based upon the charge that Mr. Lennon is not strictly loyal. They cannot support that by any argument or by the slightest tittle of fact. (Hear, hear!) Mr. Lennon has been an honourable citizen. He has lived in Queensland for a great number of years, he has been honourably associated with business and the life of this Chamber, and I challenge any man to urge anything discreditable against him which is founded on fact. Mr. Lennon has been represented at the front by three sons, who went willingly and did their duty; and did their duty in a manner which earned them special distinction.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: At least one of Mr. Lennon's sons, I think, was singled out for

*[Mr. Vowles.]*

the honourable distinction of having the military cross awarded to him and afterwards having a bar added to that. A man who has in his family men who have earned this distinction, who have fought valiantly for the country, surely is not one against whom should be levelled this horrible charge or one deserving of the innuendoes which have been indulged in by members on the other side of the House, or by some of the political partisans among the public outside. Some of the things which have been said against Mr. Lennon are absolutely scurrilous, and cannot be defended by any fair-minded man. Look at the leaflet which has been circulated to-day. I ask hon. members do they endorse this thing? It reads as follows:—

“Urgent! Electors of Queensland!  
Your liberties are in danger! The Constitution in danger!”

Mr. MACARTNEY: It is not far wrong.

The PREMIER: I am sorry to hear the hon. gentleman endorse the scurrilous innuendo that is contained in this. It says further—

“Demand at once public meetings to denounce this infamous appointment of a bitter partisan and a suspected disloyalist as Lieutenant-Governor.”

That is authorised by E. N. MacCulloch. It would not be worth taking notice of except that it is encouraged by members opposite. I ask hon. members whether they think it is a fair thing to launch against Mr. Lennon, or whether they approve of the bitter attack which has been indulged in lately and the innuendoes some hon. members have been making in connection with this matter? If there is anyone blame-worthy in connection with the matter it is the Government. I say there is no blame attachable to the Government. The leader of the Opposition seems to have a grievance that someone still associated with the Labour party has been singled out for the honour of appointment as Lieutenant-Governor. He would have no complaint if it were a Nationalist who had been singled out. Yet there would be not the slightest difference, according to his argument, because both would be associated with active politics—or would have been prior to their appointment to that position. His only complaint is based on the fact that the man selected is a Labour man, or is actively connected with Labour politics. He does not think Mr. Lennon would not be a thoroughly impartial, loyal, upright, and honourable Lieutenant-Governor. Everyone who knows Mr. Lennon expects that he will be.

GOVERNMENT MEMBERS: Hear, hear!

The PREMIER: I want to say, in connection with this choice of Lieutenant-Governor, that, of course, everyone knew that a Lieutenant-Governor would have to be appointed. It has been known that a certain length of time would elapse before a permanent successor was appointed to the office of Governor in this State, and that a Lieutenant-Governor would be appointed. Everyone should have expected that. As a matter of fact, certain gentlemen who are prominent

in the public eye in Queensland  
[4.30 p.m.]—men who have had long association with public affairs—had been sounded for this position. To show how little hon. members are justified in making an attack upon either the Governor or the Government, let me mention just one

or two who were approached and who, for some reason or other, did not accept the offer which was made. They did not signify their intention to accept the offer. Sir Robert Philp was one of the men who was approached.

Mr. MACARTNEY: Was it offered to him?

The PREMIER: I understand it was, and he declined to accept.

Mr. SIZER: By whom?

The PREMIER: It is all very well for the hon. member to give this display of his ignorance, but I want to say that it is not the Government, nor the head of the Government, who is entrusted with the duty of eliciting whether this or that individual is willing to accept the office of Lieutenant-Governor. It is the Governor who does that.

Mr. MACARTNEY: On the recommendation of the Government.

The PREMIER: It is the Governor who accepts that duty. Sir Robert Philp was asked, and he did not express his intention to accept. Sir Samuel Griffith was asked and he did not indicate his acceptance.

Mr. SIZER: When?

Mr. CORSER: Did Sir Samuel Griffith refuse?

The PREMIER: You may ask a person whether he will accept an offer, and he may not give you a reply within a reasonable time. He may not refuse; but, if he does not accept, what are you to do? He did not accept—that is what I have stated. Neither of those gentlemen accepted, and others were asked also, but they have not accepted. Mr. Lennon has been selected for the honour, and, because he happens to have been associated with the Labour party, he is to be condemned, and the hon. member opposite pretends to speak in the name of the people in condemning him. If there is anyone who has the right to speak in the name of the people it is the Government or the Labour party in Queensland. They represent the majority of the people in Queensland to-day. (Hear, hear!) But the hon. member will not be satisfied unless it is laid down that the Governors or Lieutenant-Governors shall be selected only from the Conservative or Nationalist party.

Mr. MACARTNEY: You have no warrant for saying that. The President of the Upper House has not been asked, according to your own statement.

The PREMIER: The hon. member cannot say that he has not been asked, according to my statement. He might go through the electoral roll of Queensland and select 379,000 persons who also have not been asked. That would prove nothing. Does he mean to say that anyone or everyone who has not been appointed should have been the person selected? I suggest—and I think I do it with a good deal of reason and justification—that hon. members are only attacking the Governor, and the Government, because a member of the Labour party has been chosen, because a Nationalist has not been appointed—because a Conservative, a Tory, has not been selected. Hon. members have it so ingrained in their minds that this is a position reserved for Tories that they are horrified at the suggestion of a Labour man occupying it. I venture to assert that Mr. Lennon will fill the position with dignity, with ability, with impartiality,

and with strict loyalty to the Constitution and the Throne, and with every other quality that is necessary, to such a degree as will satisfy the most finicky members of the community, or the Opposition for that matter. (Hear, hear!) I am satisfied that after Mr. Lennon has had a reasonable term of office, hon. members on that side will be as ready to congratulate him for his impartiality and ability and fairness in his present office as they have been ready to congratulate him for these qualities in the Speakership, and I think this attempt to work up a public feeling against Mr. Lennon or the Government for having done something which members opposite consider outrageous—a charge which cannot be substantiated at all—is something to be deplored. Hon. members can base their opposition to Mr. Lennon only on the ground that he is associated with Labour in politics, with radical views—that is the only ground. What did the arguments of the leader of the Opposition amount to? That because he has been actively associated with politics, he should be condemned for having been appointed to this position—he should not accept it, should not be selected for it. What is the position in connection with every Governor selected recently for Australia? They have all been taken from among gentlemen who have definite views—definite and Conservative views, as a rule, upon politics.

Mr. SMITH: Sir Ronald Munro Ferguson is one of the most conservative.

The PREMIER: The most recent appointment was that of Sir Francis Newdigate-Newdigate as Governor of Tasmania. He was a member of the House of Commons for, I think, twenty years, and was considered an ultra-Conservative during the whole of that period. He came, too, from a family that was known to have been ultra-Conservative for generations. There has not been on the part of the Labour people of Tasmania any attempt to besmirch his character because he was recently associated with politics. Sir Ronald Munro Ferguson, the present Governor-General, was selected from amongst the then sitting members in the House of Commons. There was no outcry from the Labour party in Australia that a politician had been transferred from the House of Commons immediately to the position of Governor-General. There was no attempt to wreck his character or destroy or besmirch his reputation upon these grounds. Take other positions. Sir William Irvine was recently appointed Chief Justice of Victoria—taken from active and partisan politics, a man of ultra-Conservative views. He was recognised as the real representative of the ultra-Tory view in Australia. And almost immediately after his appointment to that position he took up the duties of Lieutenant-Governor. There was no outcry there, no indignation meetings, no assailing of his personal character, no attempt to undermine his standing in the community as a loyal citizen or otherwise. Here in this State the Nationalists have distinguished themselves by starting this rumpus and making outrageous charges against the Government and the person selected, for no other reason than that they allege he was recently connected with Labour politics. Carry the analogy further. What happens in connection with the appointment of judges? The office of a judge of the Supreme Court of Queensland is supposed to be occupied by a man who can give a

*Hon. E. G. Theodore.]*

judicial decision without being influenced by any political prejudices or prejudices of another nature. What has happened in Queensland? Nearly every judge in Queensland has been a politician, and nearly every one of them has been appointed to the bench directly from this House, or from the Queensland Parliament. Yet there has been no outcry that the Constitution is in danger or that the foundation of our society will be wrecked or undermined. Take the High Court bench. Nearly every man on the High Court bench has been actively associated with politics, and the gentleman who has recently been selected for the high honour of the position of Chief Justice of the High Court, Sir Adrian Knox, was a bitter political partisan—one of the mainstays of the Conservatives in New South Wales.

Mr. MACARTNEY: Are you sure of that?

The PREMIER: I am absolutely sure of it.

Mr. MACARTNEY: There are more Knoxes than one down there, you know.

The PREMIER: A man who not only had definite views, but who took no trouble to hide them. A man who took no care to hide his views about the Labour party was Sir Adrian Knox—a man who went to no pains to confine them within a narrow circle; a man who allowed them to be known broadcast; a man who is marked out as one of the most ultra-conservative men in Sydney. But that does not prove that he will not make a good High Court judge. I would be the last to suggest that, because he had views against the Labour party, he, therefore, would not give an impartial judicial decision. I say that a man can divest himself of such views when he is called to a high office, and I expect the same thing in the case of Mr. Lennon. (Hear, hear!) What I believe of hon. members opposite is that they think that the Nationalists—Tory politicians—are the only persons who can divest themselves of these opinions and act fairly and squarely. They think that everyone of them can carry out his duties impartially, but they refuse to allow the same attribute in a Labour man. I think that the present appointment will entirely belie that feeling on the part of the Nationalists. I think that Mr. Lennon will justify his appointment, and I believe that the Nationalists will be the first to admit that he has disappointed their anticipations, and that William Lennon is as good a man as we can get in Queensland. It has to be recognised that if we are to have Lieutenant-Governors, or locally appointed Governors, it may be a difficult matter to get a man who, because of his standing in the community, has some claim to the appointment and who, at the same time, is dissociated from politics or political views. I go so far as to say that it would be almost impossible to get such a man. If you run through in your mind the men who occupy prominent positions in the commercial life of the community or the public life of the community, or in any other walk of life you like, you will find that all those men have pretty definite views upon politics. Whether they are actively associated with one party or another is quite beside the question. They have pretty decided prejudices on political matters; and, if we are to have local Governors, it is almost inevitable that we shall have one whose views are already made up in regard to politics, but who is

expected to divest himself of any prejudices he may have while carrying out the duties of his high office.

Mr. SIZER: What is your opinion with regard to local Governors?

The PREMIER: It is rather premature to have a discussion on that subject. I am sorry that the leader of the Opposition has raised this discussion, as an opportunity could easily have been taken to have the matter thrashed out thoroughly in a legitimate way under the Standing Orders when we have a Speaker or a Chairman of Committees in the chair. But the hon. member has thought fit to take the opportunity when no one is in control of the House to raise the question. I do not know whether he wanted to give latitude to hon. members to indulge in abuse and misrepresentation; but I suggest that it would have been far better to have moved in the matter in a regular way. I think we might let the thing rest now, and, if it is desired to have a further discussion upon the action of the Government in making the nomination to the Lieutenant-Governorship, an opportunity will be afforded. No attempt will be made to burke the discussion in any way. An opportunity will be afforded either to discuss the recent nomination or to discuss the wider question of local Governors. If it is desired, an opportunity will be afforded during this session; but it is only fair for me to ask hon. members now to confine themselves to the discussion of the nominations that have been made to the Speakership. My own belief on that point is that Mr. Bertram has, while he has been acting as Chairman of Committees, displayed the qualities which fit him for the higher office.

Mr. CORSER: Why wasn't he elected Speaker last time?

The PREMIER: The House did not appoint him last time.

Mr. CORSER: He was Chairman of Committees, and had acted as Deputy Speaker before that.

The PREMIER: If he is elevated to the chair, he will carry out his duties thoroughly and impartially. I think he understands the Standing Orders as well as most members of the House. Probably he has made a closer study of the Standing Orders and of parliamentary practice and procedure than other hon. members, and I think he will fill the office with distinction to himself.

GOVERNMENT MEMBERS: Hear, hear!

Mr. SWAYNE (*Mirani*): I do not intend now to refer to the appointment that has been spoken of, but I want to say that nothing fell from the leader of the Opposition or the deputy leader of the Opposition that the circumstances did not warrant. I am not going to pursue the subject, because we have the assurance—I suppose we can take it as an assurance—that we will be given an opportunity for full discussion of the matter. I desire, however, to say that, if the discussion had not been burked—had not been gagged—on a previous occasion, it would not have been raised now. There was never seen such a scandalous stretching of the powers of a Chairman as took place on Wednesday when the Hon. W. H. Barney was suspended. (Government laughter.)

Mr. KIRWAN: Take your medicine without squealing.

Mr. SWAYNE: However, as we are assured by the head of the Government that

[*Hon. E. G. Theodore.*]

we shall have another opportunity of discussing the matter, I am quite content to let it go at that for the present. The question before us is a most important one—that is, the choice of the gentleman who is to preside over the sovereign deliberative body of Queensland—the body whose tone is taken as a pattern by similar assemblies throughout Queensland. I want to express the hope that, no matter whether it is Mr. Bertram or whether it is Mr. Petrie who is chosen to fill the position, he will be free from any bias. I think the public of Queensland will agree with me that during the last four or five years the tone of this House has not been raised. I am not now referring to the gentleman whose resignation we received to-day. But, undoubtedly, what happened under previous control was that a deaf ear was frequently turned to appeals to extend the protection of the Standing Orders to members on this side whilst the slightest dereliction of a member on this side was immediately met with a reprimand. We have had instances while hon. members on this side have been speaking when they have been subjected to a tirade of abuse and to a continual string of insulting interjections from the other side of the House, and the occupant of the chair has turned a deaf ear to them. If an hon. member on this side has risen to protest or to raise a point of order, a half-hearted withdrawal has been accepted, and the thing has been repeated immediately afterwards. Should even a murmur be made from this side while a member on the other side has been speaking, the offending member has been promptly called to order, and sometimes treated in a most humiliating manner. I think this is a suitable time to voice this matter, and I express the hope that, now that public attention has been drawn to it, we may have some assurance that the same sort of thing will not occur in the future.

Mr. ELPHINSTONE (*Oxley*): I can assure the Premier that there is no intention on the part of the Opposition of prolonging this discussion unduly; but we do think, seeing there is a great deal of feeling outside the House regarding this particular matter, that no harm will be done by ventilating our opinions. The discussion in this House will obviously have its effect in allaying a certain amount of suspicion and doubt that exists outside this Chamber. I wish in the first place to support the nomination of Mr. Petrie. I do so because this is the third occasion on which, during the life of this Parliament, a Speaker has been elected, and, seeing that the Opposition represented 46 per cent. of the electors of Queensland nearly three years ago and now represents about 60 per cent. of the electors, it is quite reasonable and fair that we should have one of our nominees occupying the Speaker's chair. I also think, seeing that the office of Chairman of Committees is passed round, that it is only reasonable that the office of Speaker should likewise be passed round in the life of a Parliament when the opportunity offers. The appointment of a Speaker naturally raises the question as to what has occasioned it, and naturally points the finger to the unfortunate incident that took place in this House on Wednesday last. I think that if the Premier had treated the leader of the Opposition, and the Opposition generally, with that courtesy which we are entitled to expect, then I am quite certain that the

episode of Wednesday last would never have taken place.

Mr. KIRWAN: It was a prearranged stunt.

Mr. ELPHINSTONE: Had such courtesy been shown, this discussion would not have been necessary; but when the leader of the Opposition asks for information regarding the appointment of Lieutenant-Governor, and he is referred to some evening paper for the information which he seeks, then I think that is treating the Opposition and its leader with such discourtesy as brings forth what has happened since. I would like also to touch upon the system of camouflage which the leader of the Government adopts largely in giving answers to inquiries by the Opposition and the Press. He prides himself on a practice of rather misleading, or not saying what he could say, or leaving unsaid what he reasonably might be expected to say, regarding the subject of inquiry. We have seen in the Press quite recently how certain deductions have been drawn from his remarks which have been quite contrary to the facts. I just put that forward as a suggestion with a view to removing the necessity for occasions such as exist at the present moment. For my part, as regards this particular appointment, I take a generous view of it. I think that the fact that the appointment has been offered to other men of position in Brisbane—and I personally know it was offered to Sir Robert Philp, and refused—puts quite a different complexion on the matter. I see no reason why, because a man is a Labour man, if he is otherwise fitted, he should not occupy the position of Lieutenant-Governor. I see in Mr. Lennon a man who has qualifications which I think fit him in many regards for the position of Lieutenant-Governor of this State, but there is one unfortunate incident, which I am not going to elaborate upon, but which has been the reason for a good deal of the venom which has been introduced into this matter. I pass that over, because I think that possibly in the pleasure and joy of meeting a lot of associates around the dinner table, the hon. gentleman and some who were associated with him may have given utterance to certain expressions which probably they may have regretted, but have not been big enough to withdraw. But, nevertheless, these things come home to roost, and, if Mr. Lennon could remove from the records that one particular incident, I do not think there would have been a single objection raised to his appointment as Lieutenant-Governor. For my part, I take a generous view of the matter, and I look to a proper and fitting carrying out of the duties of the office by Mr. Lennon. But there is another view of this matter which the less charitable may possibly place upon it, and that is one which there is a good deal of room for in the minds of those who have had a certain amount of experience with the present Government and the Labour party generally; that is, that they see in this appointment some method of accomplishing what they have hitherto failed to accomplish—some method of making the Upper House so temperamentally fitted that it will pass legislation and not interfere with the Bills of the Labour party, or of removing the Council altogether from the Constitution, or of filling it in such a way that the eighteen-year-old vote and such like Bills will pass through. It is quite possible that the Government, as it is in the last throes of its existence, may look for some opportunity of

*Mr. Elphinstone.]*

extending its operations, and may look through the extension of the franchise to eighteen-year-old people for some opportunity of prolonging their life. If that is the view the Government have in making this appointment, the people of Queensland will have a good deal to say upon it. But I, for one, am prepared to take a generous view, and I sincerely hope that, in view of the statements the Premier has made this afternoon—that is, that this appointment has been offered in other quarters and refused—as we know Mr. Lennon to be a man of high qualities, any agitation which may have been raised will cease from this moment.

The general question of the appointment of Lieutenant-Governors has been raised. We know that throughout Australia there is an agitation on foot to abolish the office of State Governor. That would naturally lead to the appointment of Lieutenant-Governors in Queensland and other States, and no doubt Queensland will be asked for its opinion in the matter. Like other States have been asked quite recently. Therefore, we can quite conceive that the appointment of Mr. Lennon as Lieutenant-Governor is not of a temporary nature as some people may be inclined to think. It may be of a permanent nature, because I am of opinion that State Governors are going to disappear from Australia, and, therefore, it rather makes the selection of Lieutenant-Governor a matter of even greater importance still. But I would say this, that where it is a matter of appointing a Lieutenant-Governor who really represents the King in this State of Queensland, the question opens itself up as to whether any Government should have the power of appointing a Lieutenant-Governor. It almost seems as if the voice of the people should be asked upon that specific question, just as I believe is done in the States of America, and, therefore, if the opportunity of making this appointment is to be a permanent one, it is quite within our scope to consider whether it should not be a matter for the people of Queensland to pass their opinion on from time to time.

Mr. SMITH: Why do you not do it in the proper way?

Mr. ELPHINSTONE: I do not wish to take up the time of the House any further, but I think the opportunity did exist for this criticism, because, in my judgment, it was invited by the way in which the Premier treated the Opposition and its leader when he had a distinct chance of making the position clear on Wednesday last, and which would have deprived the House of the unfortunate incident which resulted in the suspension of the hon. member for Bulimba.

In closing, I would say that, with regard to the Governors who are sent from overseas to the States of Australia who have had pronounced political opinions in the old country, I see no comparison at all between those gentlemen and one who is chosen right from the heart of a Labour caucus to fill this position. That is another very questionable matter in regard to this appointment, and is what directs criticism to the party which has been responsible for it. It is bad taste and form to take a man who is committed absolutely to certain Caucus principles and certain Caucus legislation and put him in a position of authority, as is being done at the present moment.

The SECRETARY FOR RAILWAYS: What about Sir William Irvine?

[Mr. Elphinstone.

Mr. ELPHINSTONE: Sir William Irvine was taken from State politics and put into Federal politics, then to the bench, and from there to the position of Lieutenant-Governor. But here is a gentleman who, we will admit, has the qualifications, taken straight from Caucus discussions and put into this responsible position. I contend that the Government has invited all the discussion and criticism which have been launched at it in this particular matter. It would have been very much better if Mr. Lennon had retired absolutely from the Caucus ranks at the time he was put into the Speaker's chair, particularly when the Government probably knew that at that time it was their intention to appoint him at some time to the position of Lieutenant-Governor of the State. I would express the hope that this matter will cease to actively agitate people's minds, because we do not want anything which is going to disturb our harmony at the present time.

Mr. SIZER (*Xundah*): I rise to support the nomination of the hon. member for Toombul, and I think, from my short experience in this Chamber, that we could not find a gentleman who would fill the position with more impartiality and credit than that gentleman. At the same time, I think that the hon. member for Maree is the best man who could be picked from the opposite side of the House. I also believe that if he is elevated to the position he will be generous to the House generally, and this side of the House particularly. While he has acted as Deputy Speaker we have received nothing but courtesy from his hands, and we have every confidence that, if elected as Speaker, he will continue in that spirit. But, at the same time, I feel that the Government should recognise that, after all, there is something more than partisanship required in connection with the office of Speaker. I think they might take a generous view on this occasion, and allow the father of the House to be placed in that honourable position.

I want also to deal, for a few minutes, with the other question which has caused the vacancy in the position and made the procedure this afternoon necessary—that is, the appointment of the Lieutenant-Governor. Personally, so far as Mr. Lennon is concerned, except for his endorsement of the remarks of the Minister for Railways on a recent occasion, there is nothing of a personal nature which one can quibble at. But for that there would be nothing to object to in Mr. Lennon personally; but when we come later on to the big subject there are many other strong grounds on which we, as an Opposition, should object to the appointment, and I feel certain the people of Queensland are going to resent the Government's attitude in this respect. When we heard the Governor's Speech read at the opening of Parliament we found that it contained a reference to the abolition of the office of State Governor.

It is laid down in the platform of the Labour party, and it is also part of the programme of the Government, that the office [5 p.m.] of State Governor shall be abolished. Everyone knows that the present Governor's term of office will expire within the life of the present Parliament, and that the present Government will oppose any new appointment being made by the Imperial Government. We know that there is an agitation going on throughout

Australia to abolish imported Governors. Personally, I see very little difference between an imported Governor and a local Governor, provided that the gentleman occupying the position is qualified and is impartial in every respect. It is very difficult to find a local gentleman who would be impartial in every way in administering the office of Governor. The question then arises, are we to change the system of appointing our Governors? If we are to change the system, as the present Government propose, there is nothing left to be done but to appoint a Lieutenant-Governor, as the Government have appointed Mr. Lennon, or, as the hon. member for Oxley has suggested, to select a Governor by the elective system. That system I oppose, because it brings the Governor into active politics. Such a system of electing Governors has brought more Tammany into elections in America than exists in any other part of the world. I believe that if we elected our Governors, the election would degenerate into a political squabble, and that the position would be given to some gentleman strongly favouring one party or the other. For that reason, I am not in favour of the system of electing a Governor. We know very well that Mr. Lennon has been a bitter partisan, and that, as the hon. member for Port Curtis has interjected, "It is impossible for the leopard to change his spots."

Mr. CARTER: You cannot change your spots.

Mr. SIZER: It is impossible, as the hon. member says. "For the leopard to change his spots," and I believe that Mr. Lennon has reached the age when it is impossible for him to change his political views, and become less partisan than he is at present. We know that hon. members opposite are not free, and the country knows that; and the fact that they are not free leads to the conclusion that this appointment has been made for a party purpose. If the Government of the day are to continue in power, and the Lieutenant-Governor is anxious to secure a fresh term of office, it naturally follows that he will not thwart in any shape or form the bitter partisan views entertained by hon. members opposite. If he does, his chance of reappointment will be considerably dampened. Unless the appointment of the Lieutenant-Governor is removed beyond the control of the present Government, or any other Government, we have no assurance that the Lieutenant-Governor will be in a position to be independent. If the appointment were a life appointment, the Lieutenant-Governor would be independent, and if the Government wanted him to flood the Upper House with new members he could refuse to do it without running any chance of losing his job. But, under present conditions, he might become more partisan than he would like to be, because if he displeased the party in power he would run a chance of losing his position. Such a way of making the appointment I strongly object to, because it is not in the best interest of the State. It has been stated during this debate that Sir Arthur Morgan and other Lieutenant-Governors in Queensland were appointed in a similar manner. Probably that statement may be correct. But still there is a vast difference between the appointment of those gentlemen and the appointment of Mr. Lennon, inasmuch as Sir Arthur Morgan and others were only Lieutenant-Governors while the Governor was out of the State, and the Governor practically had a power of veto over them.

But this apparently temporary appointment is to be made a permanent appointment if the Government can make it so. Therefore, the position now is not analogous in any shape or form to the position which arose on previous occasions. I know that in the days when Sir Arthur Morgan and other gentlemen occupied that position, not one of them would have taken it upon himself to precipitate a political crisis, but would have referred the matter to the Governor. In the present case, the Government want, if a crisis arises, to get Mr. Lennon to make new appointments to the Upper House, and he would immediately concur in their request.

The SECRETARY FOR PUBLIC WORKS: How do you know?

Mr. SIZER: Well, I presume there is some understanding between Mr. Lennon and the Government to that effect; but even if that understanding does not exist Mr. Lennon, after having expressed his views on certain subjects so strongly, would have no hesitation in swamping the Upper House in order to enable the Government to pass all their measures or to place them in a position to abolish the Council. It seems to me, therefore, that we should take every opportunity to point out these dangers to the people. With regard to the Premier's statement that the position was offered to Sir Robert Philp, I am given to understand that the position was never offered to that gentleman, but that he was only sounded on the question as to whether he would accept the position or not. He never made any answer, but even if it was refused by Sir Robert Philp, was the position offered to the President of the Legislative Council? And if not to the President of the Legislative Council, was it offered to the Chief Justice? The hon. gentleman is concerned about Sir William Irvine. Sir William Irvine accepted the position of Lieutenant-Governor of Victoria by virtue of the fact that he was Chief Justice of Victoria, and the Chief Justice of Queensland, on the same argument, should have been appointed to the position. Probably the Chief Justice is not partisan enough for hon. members opposite.

Mr. STOPFORD: He is a little bit too much of a partisan.

The SECRETARY FOR RAILWAYS: At one time he was Attorney-General to your party, and went straight to the position of Lieutenant-Governor. He gave the job to himself.

Mr. SIZER: Is there no other gentleman in the community who should have been considered before the Speaker of the Legislative Assembly? Hon. members opposite cannot deny the fact, neither can they put up a sufficiently large smoke screen to cover the fact that it is a partisan appointment with the object of defeating the will of the people as expressed at the referendum on the abolition of the Legislative Council, and at the same time to endeavour to bring into operation by an underhand method legislation which is not acceptable to a majority of the people of the State. Might I remind hon. members opposite that since we met in this Assembly on the last occasion, whatever confidence the people may have had in them has been shattered to the four winds as a result of the recent Federal elections, and they no longer represent a majority of the people of this State. If the Government went to the country to-day or to-morrow they would be over here and we would be

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over there. The appointment of a partisan Lieutenant-Governor is open to grave danger, and it reflects discredit on the Government. It is an insult to the general intelligence of the people of this State, and I feel that it will be resented as such. I hope, even at this late hour, something will be done to prevail upon the Governor to cancel that appointment.

The SECRETARY FOR RAILWAYS interjected.

Mr. SIZER: The hon. gentleman knows that it is due to the non-interference in local matters by the Imperial Government and the freedom of the British Constitution that the bad advice given by hon. members opposite has been acceptable to those in the old country. He should be ashamed of himself for endeavouring to deary and belittle the institution which permits of freedom such as that. I hope the Governor will take some action to cancel this appointment, and that when the House appoints a Speaker we shall see installed in that honourable position the hon. member for Toombul.

Mr. PETRIE (*Toombul*): I desire to thank the mover and seconder of my nomination for nominating me for the position of Speaker, and also those hon. members on this side of the House who have supported that nomination. It is not my intention to take up the time of the House any further, because I know that to go to a ballot would be quite useless. Mr. Bertram has been selected—a good selection—from the other side of the House, and to save time and trouble, and again thanking those hon. members who supported my nomination, I withdraw my name.

HONOURABLE MEMBERS: Hear, hear!

Mr. BERTRAM: I desire to submit myself to the pleasure of the House.

GOVERNMENT MEMBERS: Hear, hear!

The Speaker Elect (Mr. Bertram) was then conducted to the chair by Mr. Kirwan and Mr. F. A. Cooper.

The SPEAKER-ELECT (speaking from the dais) said: Hon. members, you have done me the honour to elect me to the position of Speaker, the most important gift in the hands of the House; an honour which I deeply appreciate, and for which I thank you. The duties of Speaker, as I conceive them to be, are important, requiring courtesy, impartiality, tact, and a thorough knowledge of the Standing Orders. I am quite aware of my shortcomings with respect to those qualifications, but I hope, by earnest study and diligence to remedy my defects. I sincerely hope that in carrying out the important duties of Speaker I shall have the co-operation of hon. members on both sides of the House. I thank the mover and seconder for my nomination and for the complimentary things they have said concerning myself, and I again thank hon. members for having elected me.

HONOURABLE MEMBERS: Hear, hear!

The PREMIER: Mr. Speaker, I beg to offer you my congratulations on your election by the House to the honourable position of Speaker of the Legislative Assembly. You have, as is known to most members, very carefully studied the Standing Orders, and you are well acquainted with the procedure and practice which govern our proceedings in this House, and, therefore, I think you are well qualified to fulfil the duties imposed upon you in the office you now occupy. I feel sure that you will hold the scales of

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justice evenly between both parties, and will give a fair deal to all members, and will show also that necessary consideration to the younger members of the Assembly which is their due until such time as they become thoroughly acquainted with the rules and procedure which govern our Chamber. I offer you my heartiest congratulations, and hope you will be long spared to carry out your duties with distinction to yourself and credit to the Chamber.

HONOURABLE MEMBERS: Hear, hear!

Mr. MACARTNEY: I may be allowed, on behalf of the Opposition, to endorse the congratulations of the Premier. I feel, after the speech which you, Mr. Speaker, have just made, that we may hope for an improvement in the conduct of business in this House. Personally, I think it would be better for the House if every member of the House would make the same pledge of diligence and study in order that the Standing Orders might be better understood on both sides of the House. (Laughter.) I do not exclude myself, Mr. Speaker, but I feel that there are times when some ignorance of the Standing Orders has been displayed. If they were thoroughly understood, I believe there would be less misunderstanding at times. You have at all times as Chairman of Committees extended courtesy to members on both sides of the House, and I believe you have qualities which will make for a good Speaker, and I trust your term of office will be successful, and that, under your presidentship, the harmony of the House will be maintained to a greater degree than it has been in the past.

Mr. PETRIE: As one of the oldest members of the House—

Mr. KIRWAN: The father of the House.

Mr. PETRIE: I congratulate you on being elevated to the position of Speaker of this Assembly. I am sure, from what I have seen of you during the time you have been in this House, that you will carry out your duties faithfully and impartially, and that you will uphold the dignity of the Chair. One thing I would like to say is: I hope, in your selection—which I think is a very good one—they have not made a condition that you will not wear the robes of office. I think that such a nice gown and beautiful white tie add lustre, not only to the position of the man who wears it, but also to the dignity of the Chair. (Loud laughter.) There is another suggestion: With ordinary clothes costing £12 12s. and £14 14s. a year, you could wear an old suit and cover it in that particular way. (Renewed laughter.) I again desire to offer you my heartiest congratulations.

ADJOURNMENT.

The PREMIER: I beg to move, Mr. Speaker—That the House do now adjourn. I have learned that His Excellency will be pleased to receive yourself, and such other members as desire to accompany you when you present yourself according to the practice laid down in the Standing Orders, on Tuesday next at 2.30 p.m. at Government House.

The SPEAKER: Before putting the question, I desire to thank the Premier and the leader of the Opposition for the kindly remarks they have made regarding myself, and to express the hope that the relations between members and the Chair will be of a harmonious nature.

Question put and passed.

The House adjourned at twenty minutes past 5 o'clock p.m.