

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 9 AUGUST 1938

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FIRST SESSION OF THE TWENTY-EIGHTH PARLIAMENT

Appointed to Meet

AT BRISBANE ON THE NINTH DAY OF AUGUST, IN THE SECOND YEAR OF THE REIGN OF HIS MAJESTY KING GEORGE VI., IN THE YEAR OF OUR LORD 1938.

TUESDAY, 9 AUGUST, 1938.

OPENING OF PARLIAMENT.

Pursuant to the proclamation by His Excellency the Governor, dated 11 July, 1938, appointing Parliament to meet this day for the despatch of business, the House met at 12 o'clock noon in the Legislative Assembly Chamber.

The Clerk of the Parliament read the proclamation.

COMMISSION TO OPEN PARLIAMENT.

The Clerk acquainted the House that His Excellency the Governor, not being able conveniently to be present in person this day, had been pleased to cause a commission to be issued under the public seal of the State, appointing the Hon. William Forgan Smith, the Hon. Percy Pease, and the Hon. Maurice Patrick Hynes Commissioners in order to the opening and holding of the present session of Parliament.

The Commissioners so appointed having taken their places upon the dais, and the Clerk having read the commission,

The **SENIOR COMMISSIONER** (Hon. W. Forgan Smith, Mackay) said: Hon. members, we have it in command from His Excellency the Governor to let you know that, as soon as the members of the Parliament of Queensland have been sworn, the causes of this Parliament being called together will be declared to you; and, it being necessary that a Speaker be first chosen, it is His Excellency's pleasure that you proceed to the election of one of your number to be your Speaker, and that you present such person so chosen to His Excellency the Governor at such time and place as His Excellency shall appoint.

The Premier thereupon produced a commission under the public seal of the State,

empowering him, the Hon. Percy Pease, and the Hon. Maurice Patrick Hynes, or any one or more of them, to administer to all or any members or member of the House the oath or affirmation of allegiance to His Majesty the King, which commission was then read to the House by the Clerk.

RETURN OF WRITS.

The Clerk informed the House that the writs for the various electoral districts had been returned to him severally endorsed as follows:—

Albert—Thomas Flood Plunkett.
Aubigny—Arthur Edward Moore.
Barcoo—Frank William Bulcock.
Baroona—William Power.
Bowen—Ernest Joseph Riordan.
Bremer—Frank Arthur Cooper.
Brisbane—John Henry Mann.
Bulimba—George Henry Marriott.
Bundaberg—Bernard McLean.
Buranda—Edward Joseph Hanson.
Cairns—John O'Keefe.
Carnarvon—Paul Jerome Remigius Hilton.
Carpentaria—John Mullan.
Charters Towers—William John Wellington.
Cook—Harold Henry Collins.
Cooroora—Harry Frederick Walker.
Cunningham—William Arthur Deacon.
Dalby—Aubrey Robert Slessar.
East Toowoomba—Herbert Yeates.
Enoggera—George Cuthbert Taylor.
Fassifern—Adolph Gustav Muller.
Fitzroy—James Clark.
Fortitude Valley—Samuel John Brasington.
Gregory—George Pollock.
Gympie—Thomas Dunstan.
Hamilton—Hugh McDiarmid Russell.
Herbert—Percy Pease.
Ipswich—David Alexander Gledson.
Isis—William Alfred Brand.

Ithaca—Edward Michael Hanlon.
 Kelvin Grove—George Alfred Morris.
 Kennedy—Cecil George Jesson.
 Keppel—David John Marlais Daniel.
 Kurilpa—Patrick Kerry Copley.
 Logan—John Innes Brown.
 Mackay—William Forgan Smith.
 Maranoa—Charles William Conroy.
 Maree—William Thomas King.
 Maryborough—David Farrell.
 Merthyr—James Patrick Keogh.
 Mirani—Edward John Walsh.
 Mundingburra—John Dash.
 Murrumba—George Francis Reuben Nicklin.
 Nanango—James Braidwood Edwards.
 Normanby—Thomas Andrew Foley.
 Nundah—John Vincent Hayes.
 Oxley—Thomas Nimmo.
 Port Curtis—Thomas Lewis Williams.
 Rockhampton—James Lacombe.
 Sandgate—Roland William Hislop.
 South Brisbane—Vincent Clair Gair.
 Stanley—Duncan Macdonald.
 The Tableland—Henry Adam Bruce.
 Toowong—Harry Massey.
 Toowoomba—John Edmund Duggan.
 Townsville—Maurice Patrick Hynes.
 Warrego—Randolph Bedford.
 Warwick—John Joseph O'Connor Healy.
 West Moreton—Edmund Bede Maher.
 Wide Bay—Ernest Henry Collet Clayton.
 Windsor—Herbert Williams.
 Wynnum—William Logan Dart.

MEMBERS SWORN.

The Commissioners, who, with the Hon. John Mullan, Hon. Frank Arthur Cooper, Hon. Edward Michael Hanlon, Hon. Thomas Andrew Foley, Hon. Henry Adam Bruce, and Hon. John Dash, other members of the Ministry, had been sworn in before His Excellency the Governor on 4 August, 1938, and subscribed the roll, then administered the oath or affirmation of allegiance to the following other members, who thereupon also subscribed the roll:—

Randolph Bedford, Esquire.
 Samuel John Brassington, Esquire.
 John Innes Brown, Esquire.
 The Honourable Frank William Bulcock.
 James Clark, Esquire.
 Ernest Henry Collet Clayton, Esquire.
 Harold Henry Collins, Esquire.
 Charles William Conroy, Esquire.
 Patrick Kerry Copley, Esquire.
 William Logan Dart, Esquire.
 William Arthur Deacon, Esquire.
 John Edmund Duggan, Esquire.
 Thomas Dunstan, Esquire.
 James Braidwood Edwards, Esquire.
 David Farrell, Esquire.
 Vincent Clair Gair, Esquire.
 David Alexander Gledson, Esquire.
 Edward Joseph Hanson, Esquire.
 John Vincent Hayes, Esquire.
 John Joseph O'Connor Healy, Esquire.
 Paul Jerome Remigius Hilton, Esquire.
 Roland William Hislop, Esquire.
 Cecil George Jesson, Esquire.
 James Patrick Keogh, Esquire.
 William Thomas King, Esquire.
 James Lacombe, Esquire.

Duncan Macdonald, Esquire.
 Edmund Bede Maher, Esquire.
 John Henry Mann, Esquire.
 George Henry Marriott, Esquire.
 Harry Massey, Esquire.
 Bernard McLean, Esquire.
 Arthur Edward Moore, Esquire.
 George Alfred Morris, Esquire.
 Adolf Gustav Muller, Esquire.
 George Francis Reuben Nicklin, Esquire.
 Thomas Nimmo, Esquire.
 John O'Keefe, Esquire.
 Thomas Flood Plunkett, Esquire.
 The Honourable George Pollock.
 William Power, Esquire.
 Ernest Joseph Riordan, Esquire.
 Hugh McDiarmid Russell, Esquire.
 Aubrey Robert Slessar, Esquire.
 George Cuthbert Taylor, Esquire.
 Harry Frederick Walker, Esquire.
 Edward Joseph Walsh, Esquire.
 Herbert Williams, Esquire.
 Thomas Lewis Williams, Esquire.
 Herbert Yeates, Esquire.

ELECTION OF SPEAKER.

Mr. LARCOMBE (Rockhampton) (12.20 p.m.): Mr. Dickson, I have very much pleasure in moving—

“That Mr. George Pollock do take the chair of the House as Speaker.”

Government Members: Hear, hear!

Mr. LARCOMBE: In 1932, when the hon. member for Gregory was first elected to the chair, I had a similar pleasure to that which I am now experiencing. On that occasion I expressed the opinion that he possessed the ability, judgment, studious habits, and sense of impartiality that are essential to the satisfactory discharge of the duties of Speaker; and his record in the chair has justified that opinion and fulfilled my expectations. He has proved that he has outstanding qualifications for occupying the position of Speaker, and he has been highly successful in that office.

The fact that the Opposition have never opposed the hon. member's candidature for the chair, but always supported it, is a graceful tribute and compliment to him, and it confirms my opinion. But the Speakership record of the hon. member for Gregory is the best recommendation that it is possible to have for my motion and ample justification for the Government Party's again choosing him as their nominee.

The hon. member for Gregory has been Speaker continuously for a period of approximately six years, has discharged his duties ably and well, and has protected the rights of hon. members, to whom he has always been willing to give useful advice. Finally—and what is very important—he has insisted upon order in the House, thus preserving its decorum and helping to instil into the public mind that respect for Parliament which every hon. member of the House should endeavour to inculcate.

Therefore, I submit my nomination to the House with confidence. I hope and I believe that it will be the only nomination put forward.

Mr. DUNSTAN (Gympie) (12.23 p.m.): I desire to second the nomination of Mr. George Pollock for the office of Speaker of the House. I am very pleased at having the opportunity of doing so, and my reasons for that pleasure are more than one.

There is more than formal or party pleasure in electing our Speaker. Every one of us, having just emerged from another kind of election, realises the personal pleasure and honour of being able to hear his voice from the chair, and even of being called to order by the gentleman who, speaking less than any of us, always speaks to the point, and who, unlike you, Mr. Dickson, is even permitted to speak without any point at all. (Laughter.) During the period of my unsought and unsolicited exclusion from this Chamber, I missed hearing the Speaker's voice, not because the voice was stilled, but because certain electors, having listened to other voices, considered that my hearing would be better directed elsewhere. (Renewed laughter.)

However, I second the motion for other and more adequate reasons than personal ones. If we had followed the quaint convention and custom of the House of Commons many years ago, the hon. member for Rockhampton and I should be praising the hon. member for Gregory to the skies as a heaven-sent possessor of all the virtues, an Admirable Crichton specially endowed and designed to preside over this august assembly of members of Parliament. The hon. member, in his turn, would pretend to be so modest and so reluctant to accept the office of Speaker that he would struggle in the hands of his nominators when being escorted to the chair, crying out that the honour was more than he could sustain.

We do not need those pretences in these days. We do not expect the hon. member to be a shrinking violet, and we do not need to laud him to the skies. We can testify to his fitness by facts and experience. During his past six years' occupancy of the chair he has proved himself to be both competent and fair, comporting himself with dignity in his office, keenly attentive to the debates that he has to endure, tempering his adherence to established practice and precedents with commonsense, and commanding respect not so much by the exercise of arbitrary power as by his firm resolve to maintain the prestige of this House and of the members themselves.

Apart altogether from the sessional duties of the speakership he has shown himself a very vigilant guardian of members' rights and has been solicitous in the provision of facilities for carrying out their work in the interests of their constituents.

For these reasons I have pleasure in supporting his nomination and I feel sure that during the ensuing term he will do honour to this House which honours him.

Honourable Members: Hear, hear!

Mr. POLLOCK (Gregory) (12.27 p.m.): I have to thank hon. members and to express my deep appreciation of the high honour that they propose to confer upon me in again

appointing me Speaker of this Parliament; therefore, without more ado I submit myself to the will of the House.

Mr. SPEAKER was escorted to the chair by the mover and seconder of the motion, and, speaking from the dais, said: Hon. members, having been "forcibly dragged" to the chair, I must now thank hon. members for their kindness.

Honourable Members: Hear, hear! (and laughter).

The PREMIER (Hon. W. Forgan Smith, Mackay) (12.28 p.m.): I desire to congratulate you, Mr. Speaker, on being elected for the third time to the high office of Speaker of the House. It is indeed a high honour. You have been called to a post of considerable importance to Parliament and, through Parliament, to the State. The Speaker is the guardian of the privileges of Parliament and its members, and, therefore, must have at all times a knowledge of the rights and privileges of Parliament and be familiar with the Constitution and the Standing Orders. But, in addition to all these things, he must be a man who in his own person has the characteristics necessary to enable him to win and retain the respect of members of the House.

The order of debate in the House is controlled by the Speaker. He must be impartial; he must exercise no discrimination amongst hon. members. He should be tactful, courteous, kindly, and, if necessary, firm.

I think, Mr. Speaker, without undue eulogy towards you, that you have displayed all these qualities and that during your occupancy of the office you have added lustre to the record and reputation of the great Speakers who have gone before you.

To the uninitiated the forms of Parliament may sometimes look archaic or formidable, not justified by modern conditions nor suited to them, but when one studies parliamentary procedure one realises that it is the accumulation of the experience and wisdom of Parliaments. The basis of our order and forms is that no legislation shall become law until it represents the will of the majority in Parliament. Therefore, it is provided in the Standing Orders that a Bill shall be initiated by resolution, read a first time, ordered to be printed, and read a second time. During the second reading stage hon. members may speak for or against it at length. It is then considered in detail in Committee. If it has been found that a mistake has been made, the Bill may be recommitted and even at the final stage, the third reading, it may be amended or even rejected. So that the principle of the will of the people as interpreted by their representatives in this House is maintained. The Bill then goes forward for the Royal Assent and the message to Parliament communicating that assent is the final act that enables expression to be given to the people's will.

Parliament as an institution has stood the test of time. You, Mr. Speaker, are the guardian of the rights and privileges of the members of Parliament and of Parliament itself; and Parliament as an institution is a reflex of the standards of citizenship. It

is the best form of government that has yet been devised, and I am sure that hon. members will give you every support in maintaining order in debate and in carrying out the duties of your high office.

A Speaker who has a thorough knowledge of the Standing Orders and administers them properly is of assistance to hon. members. There is nothing like orderly debate to produce the best that is in hon. members. By decorum and respect for Parliament, Parliament is strengthened and grows in the esteem of the people. I congratulate you again, Mr. Speaker, on being elevated to your high office for the third time.

Government Members: Hear, hear!

Mr. MAHER (West Moreton) (12.33 p.m.): Mr. Speaker, I congratulate you on being again appointed to the honourable position of Speaker in this Parliament. It is not given to many Speakers to hold office for a period of what promises to be at least nine years. Political changes often break the continuity of office of very great Speakers, but you have the honour of now winning that appointment for the third time. The fact that your nomination has been unopposed by the Opposition is an indication of the satisfaction the Opposition feel with your efforts in maintaining order in Parliament and is also an expression of appreciation of what we believe to be your impartiality in the exercise of your duties. In the proper conduct of debate a firm and capable Speaker is a necessity, because firmness in the chair often nips provocation in the bud and it is provocation that invites retaliation, with its consequent scenes; and to act with that firmness a Speaker needs the support of hon. members.

During your period as Speaker, Sir, the House has been particularly free of unpleasant episodes. That is largely due to the fact that you seem to sense any impending stir or trouble in the House and take prompt measures, no matter which side of the House is involved.

I want to congratulate you on once again being appointed to the high office of Speaker. I have every certainty that you will carry out your high duties in the same fair and competent way as you have done in the past.

Mr. RUSSELL (Hamilton) (12.36 p.m.): Mr. Speaker, may I, on behalf of the section of the Opposition I represent, offer you our congratulations on being elected once again to the very high office of Speaker of this Assembly? Of course, there may have been occasions when we differed from your decisions, but every man must be judged by his motives. I can honestly say that you have been uniformly fair in what you have done, and that you have endeavoured to give a fair deal to every hon. member. I can assure you so far as we are concerned that we will do our utmost to uphold the dignity not only of your office but of the Chamber also.

Mr. SPEAKER: I desire to express my thanks first to the mover and seconder of the motion and to the House for my appointment

to this office, and also to the Premier and Leader of the Opposition for the kind words they have expressed to-day.

Both hon. members who moved and seconded this motion dealt very ably with the subject in their own inimitable styles. They gave me credit for the possession of qualifications and qualities that I have tried very hard to attain hitherto without very much success. I acquiesce in the will of the House with grateful thanks to both the mover and seconder of the motion, the Premier, Leader of the Opposition, and all other hon. members who appear to be prepared to suffer me, together with all my shortcomings, during the life of this Parliament.

My position as Speaker during the last six years has been like that of a man among his friends. Many hon. members have disagreed with my views during that period, but never have any of those hon. members given me anything other than consideration, respect, and assistance. For all of those kindnesses I should like every hon. member who was in the previous Parliament to accept my very sincere thanks.

Recognition of the authority of the Chair is important. I have had no complaints to make on that score. The House has dealt more than fairly with me in that respect. If I disagreed with hon. members in decisions that had to be made from time to time which in my judgment made for the better conduct of debate and the decorum of the House, I hope I shall always be able to respect every hon. member whose disagreement with me is founded on desire for the public welfare. That is important.

May I say in all sincerity that this House this morning has not elevated a man to this chair to sit in judgment on a group of school children for the next three years? The status and the reputation of this Parliament are not in the keeping of the Speaker; they are in the keeping of every hon. member in it. No Speaker, whatever may be his mental or moral stature, can bring either prestige or reputation to a Parliament comprised of men who speak other than in the public interest. This is not a lecture. It is merely an expression of my views of the manner in which Parliament ought to be conducted. A Speaker's functions are mainly negative. The Speaker, himself, cannot lay down a moral code for hon. members as to what they should do or say. Ofttimes it has been necessary for some occupants of the office to use the words "must not"; but, fortunately, I have not very often had to do that. The most a Speaker is permitted to tell any hon. member is what he should not do or say; so that courtesy and consideration towards other hon. members is a matter for every hon. member himself. Therefore the prestige of this Parliament rests in the keeping of hon. members themselves.

This House should know my many faults well enough. I am conscious of most of them, but as it is the desire of hon. members that I should remain their Speaker for a further period I can only promise to try to be a human being and do my best.

Honourable Members: Hear, hear!

Mr. SPEAKER: I again thank the House and the mover and seconder for their consideration.

I should like to take advantage of this opportunity to thank also the Clerk of Parliament and his officers and the Hansard staff for the very able assistance that has been rendered to me and every other hon. member of this House who has sought that assistance.

Honourable Members: Hear, hear!

Mr. SPEAKER: They are willing at all times to do everything that lies in their power to give help to those who seek it.

I can only express the hope that the deliberations of this Parliament will result in the happiness, contentment, and prosperity of the people of this State.

Honourable Members: Hear, hear!

PRESENTATION OF Mr. SPEAKER TO
GOVERNOR.

The **PREMIER** (Hon. W. Forgan Smith, Mackay) (12.42 p.m.): I desire to inform hon. members that His Excellency the Governor will receive Mr. Speaker and such other hon. members as care to accompany him at Government House at 10.15 o'clock to-morrow morning. I suggest that as many hon. members as can make it convenient to do so accompany Mr. Speaker on that occasion.

SPECIAL ADJOURNMENT.

The **PREMIER** (Hon. W. Forgan Smith, Mackay): I move—

“That the House at its rising do adjourn until 9.45 a.m. to-morrow.”

Motion agreed to.

The House adjourned at 12.45 p.m.
