

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 5 AUGUST 1947

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Legislative Assembly.

FIRST SESSION OF THE THIRTY-FIRST PARLIAMENT

Appointed to meet

AT BRISBANE ON THE FIFTH DAY OF AUGUST, IN THE ELEVENTH YEAR OF THE REIGN OF HIS MAJESTY KING GEORGE VI., IN THE YEAR OF OUR LORD 1947.

TUESDAY, 5 AUGUST, 1947.

OPENING OF PARLIAMENT.

Pursuant to the proclamation by His Excellency the Governor, dated 3 July, 1947, appointing Parliament to meet this day for the dispatch 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. Edward Michael Hanlon, the Hon. Vincent Clair Gair, and the Hon. Harold Henry Collins Commissioners in order to the opening and holding of the present session of Parliament.

The Commissioners so appointed being seated on the dais, and the Clerk having read the commission,

The **SENIOR COMMISSIONER** (Hon. F. M. Hanlon, Ithaca) 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 Legislative Assembly 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. Vincent Clair Gair, and the Hon. Harold Henry Collins or any one 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—Walter Beresford James Gordon Sparkes.
Barcoo—Edward William Davis.
Baroona—William Power.
Bowen—Frederick Woolnough Paterson.
Bremer—James Donald.
Brisbane—John Henry Mann.
Bulimba—George Henry Marriott.
Bundaberg—John Francis Barnes.
Buranda—Richard Kidston Brown.
Cairns—Thomas Martin Crowley.
Carnarvon—Paul Jerome Remigius Hilton.
Carpentaria—Alfred James Smith.
Charters Towers—Arthur Jones.
Cook—Harold Henry Collins.
Cooroora—David Alan Low.
Cunningham—Malcolm McIntyre.
Dalby—Charles Wilfred Russell.
East Toowoomba—Gordon William Wesley Chalk.
Enoggera—Kenneth James Morris.
Fassifern—Adolf Gustav Müller.
Fitzroy—James Clark.
Fortitude Valley—Samuel John Brassington.
Gregory—George Henry Devries.
Gympie—Thomas Dunstan.
Hamilton—Harold Bourne Taylor.
Herbert—Stephen Theodore.
Ipswich—David Alexander Gledson.
Isis—William Alfred Brand.
Ithaca—Edward Michael Hanlon.
Kelvin Grove—John Albert Turner.
Kennedy—Ceil George Jesson.
Keppel—Walter Charles Ingram.
Kurilpa—Patrick Kerry Copley.
Logan—Thomas Alfred Hiley.
Mackay—Frederick Dickson Graham.
Maranoa—John Russell Taylor.
Maree—Louis Wells Luckins.
Maryborough—David Farrell.
Merthyr—William Matthew Moore.
Mirani—Ernest Evans.
Mundingburra—Thomas Aikens.

Murrumba—George Francis Reuben
Nicklin.
Nanango—Johannes Bjelke-Petersen.
Normanby—Thomas Andrew Foley.
Nundah—Frank Edward Roberts.
Oxley—Thomas Caldwell Kerr.
Port Curtis—James Burrows.
Rockhampton—James Larcombe.
Sandgate—Eric Paul Decker.
South Brisbane—Vincent Clair Gair.
Stanley—Duncan Macdonald.
The Tableland—Henry Adam Bruce.
Toowong—Charles Gray Wanstall.
Toowoomba—John Edmund Duggan.
Townsville—George Keyatta.
Warrego—Harry O'Shea.
Warwick—Otto Ottosen Madsen.
West Moreton—Edmund Bede Maher.
Wide Bay—James Alfred Heading.
Windsor—Bruce Pie.
Wynnum—William Morrison Gunn.

The CLERK: I have also to inform the House that an Order in Council was issued on 24 July, 1947, validating the election for the electoral districts of Carpentaria, Cook, Gregory and Warrego:

(a) notwithstanding that the poll was not taken at certain polling places in the electoral districts of Cook and Gregory until 2 June, 1947, and 24 May, 1947, respectively;

(b) notwithstanding that the receipt of ballot boxes from polling places in the electoral districts of Carpentaria and Warrego was delayed beyond the 30 May, 1947;

(c) notwithstanding that the writs for the said electoral districts were not returned on the due date, and extending the time for the return of the writs as follows:—

Carpentaria and Warrego to 13 June, 1947, and Cook and Gregory to 27 June, 1947.

MEMBERS SWORN.

The Commissioners, who, with other members of the Ministry, had been sworn in before His Excellency the Governor on 31 July, and 4 August, 1947, and subscribed the roll, then administered the oath or affirmation of allegiance to the following other members, who thereupon also subscribed the roll:—

Aikens, Thomas, Esquire.
Barnes, John Francis, Esquire.
Bjelke-Petersen, Johannes, Esquire.
Brand, William Alfred, Esquire.
Brassington, The Hon. Samuel John.
Brown, Richard Kidston, Esquire.
Burrows, James, Esquire.
Chalk, Gordon William Wesley, Esquire.
Clark, James, Esquire.
Copley, Patrick Kerry, Esquire.
Crowley, Thomas Martin, Esquire.
Davis, Edward William, Esquire.
Decker, Eric Paul, Esquire.
Devries, George Henry, Esquire.
Donald, James, Esquire.
Dunstan, Thomas, Esquire.
Evans, Ernest, Esquire.

Farrell, David, Esquire.
Graham, Frederick Dickson, Esquire.
Gunn, William Morrison, Esquire.
Heading, James Alfred, Esquire.
Hiley, Thomas Alfred, Esquire.
Hilton, Paul Jerome Remigius, Esquire.
Ingram, Walter Charles, Esquire.
Jesson, Cecil George, Esquire.
Kerr, Thomas Caldwell, Esquire.
Low, David Alan, Esquire.
Luckins, Louis Wells, Esquire.
Macdonald, Duncan, Esquire.
Madsen, Otto Ottosen, Esquire.
Maher, Edmund Bede, Esquire.
Mann, John Henry, Esquire.
Marriott, George Henry, Esquire.
McIntyre, Malcolm, Esquire.
Moore, William Matthew, Esquire.
Morris, Kenneth James, Esquire.
Müller, Adolf Gustav, Esquire.
Nicklin, George Francis Reuben, Esquire.
O'Shea, Harry, Esquire.
Paterson, Frederick Woolnough, Esquire.
Pie, Bruce, Esquire.
Plunkett, Thomas Flood, Esquire.
Roberts, Frank Edward, Esquire.
Russell, Charles Wilfred, Esquire.
Smith, Alfred James, Esquire.
Taylor, Harold Bourne, Esquire.
Taylor, John Russell, Esquire.
Theodore, Stephen, Esquire.
Turner, John Albert, Esquire.
Wanstall, Charles Gray, Esquire.

ELECTION OF SPEAKER.

Mr. DUNSTAN (Gympie) (12.22 p.m.):
Mr. Dickson, I move, and fully appreciate the privilege of moving—

“That Mr Samuel John Brassington, do take the Chair of the House as Speaker.”

For that high and honourable position he has the credentials and qualifications of experience, ability and impartiality. He has had experience as member of Parliament and as Speaker of the House. He came into this House as member for Balonne in 1927, and represented that electorate for approximately five years. After the electoral redistribution of 1932 he was returned at a by-election in 1933 as member for Fortitude Valley, which he still represents. He held the position of Chairman of Committees for two years, and was elected Speaker of the House in 1944. During the three years of the State Parliament recently concluded, he fully justified his appointment, which logically warrants this nomination for his re-election to the Speakership.

As Edward Lummis, in his book entitled “The Speaker's Chair,” truly says—

“The most important of a Speaker's duties (and they are many) lie in the Speaker's Chair. Courteous, prompt, judicious, dignified, a Speaker ought to be; impartial he must be.”

Mr. Brassington today can justly lay claim to these special qualifications which befit and distinguish the high office of Speaker—experience, judgment, courtesy, wisdom and ability. During his occupancy of the chair he was firm, yet impartial; in the exercise of authority, clothed with supreme powers, he

was fair and considerate, without being harsh or feeble; he aimed always at preserving order and decorum in debate and maintaining the prestige of the House; his studious knowledge of the Standing Orders and Parliamentary practice gave weight to his judgments; and he competently provided for the amenities and social functions that add to the prestige of this House of Parliament.

Incidental to the Speakership, and illustrative of the changes that have taken place over the centuries in the customs and practices of Parliament, particularly the House of Commons, I venture to relate a bit of history chronicled by Edward Lummis. It goes back to the year 1597 and the reign of Queen Elizabeth, when the nomination of a Speaker—as it had been for 200 years—was largely at the instigation and command of the occupant of the throne. Then the duties of a Speaker were onerous, exacting and even fearful, because any dereliction that offended the reigning monarch might easily entail relegation to the Tower and even to the headsman's axe.

So there were occasions when the royally-sponsored Speaker-nominee, with a pseudo-modesty born of trepidation, made petition to the King or Queen to be excused from elevation to the Chair, only to have his excuses regally denied. Sergeant Yelverton in 1597 was one of such. Here is his petition of excuse to Queen Elizabeth—

“He that supplieth this place ought to be a man big and comely, stately and well-spoken, his voice great, his carriage majestical, his nature haughty, and his purse plentiful and heavy. Contrarily the stature of my body is small, myself not so well-spoken, my voice low, my carriage lawyer-like and of common fashion, my nature soft and bashful, my purse thin, light and never plentiful.”

Mr. Maher: Like the Chifley era—all in the same boat.

Mr. DUNSTAN: But this moving appeal, Mr. Dickson, was all to no avail. Yelverton had to take the Chair, but at least his term had the distinction of a House of Commons' agreement, “That the Litany shall be read every day, as in the last Parliament, and also a prayer, said by Mr. Speaker, as he shall think fittest for this time, to be begun every day at half after eight a.m.” The prayer used by Mr. Speaker Yelverton is preserved, and is a very beautiful piece of English, in which God is reverently besought “to expel darkness and vanity from our minds and partiality from our speeches,” and to grant “wisdom and integrity of heart.”

Well, Mr. Dickson, we have moved away somewhat from those times and petitions, and even from the recorded incident of 1881, when the Speaker closed a debate on his own responsibility and named, in order to suspension, thirty-seven members of Parliament, twenty-five of whom were suspended the following year.

Mr. Aikens: They must have had a ‘Bombshell’ Barnes in the House in those days.

Mr. DUNSTAN: I can only assume that in those times the words “decorum and prestige of the House of Parliament” were words of a foreign language compared with the present day.

We have moved also from the old-time Speaker-nominees' reluctances and excuses. Mr. Brassington himself needs none of them. His stature is not small, he is well-spoken, his voice is not low, his carriage is not of common fashion, nor is his nature soft and bashful. As to whether his purse be thin or fat, we know not; but to his courtesy and good nature we can all subscribe.

So, for these reasons, Mr. Dickson, I confidently submit the nomination of Mr. Brassington to the good sense and favour of hon. members. In honouring him we shall be honouring also ourselves and the long-established traditions of the Speaker's chair, which, I sincerely believe, he will uphold in this ensuing Parliament with the same prestige and success that marked his previous term.

Government Members: Hear, hear!

Mr. DAVIS (Barcoo) (12.34 p.m.): I regard it as a great privilege to have the opportunity of seconding the motion now before the Chair and so ably moved by the hon. member for Gympie. I can add a little to what he has said. My observations in this Chamber convince me that Mr. Brassington has forced upon most hon. members the opinion that he is one who has the capacity to fill the important office of Speaker of the Legislative Assembly in the State of Queensland.

I say that because he has displayed to all sections of political thought in this Chamber three of the finest qualities that a nominee for this exalted and honourable position should possess—I am for the moment, of course, disregarding a proper knowledge of parliamentary procedure, which I put in a place by itself.

The first quality completely essential in a Speaker for the welfare of Parliament is impartiality.

Mr. Brand: Hear, hear!

Mr. DAVIS: Mr. Brassington has shown impartiality. Secondly, he has proved to most hon. members of this Chamber that he is tolerant. Tolerance is something that must be admired by every section of our community. It is something that if it were possible to imbue all individuals and the nations of this world with, it would certainly bring about a better world.

Hon. Members: Hear, hear!

Mr. DAVIS: Thirdly, Mr. Brassington possesses the quality of courtesy. He has been courteous to all sections of this Chamber. Courtesy today, unfortunately, is in certain quarters almost as rare as the famed and ancient bird, the Phoenix.

I hope and trust, indeed I know, that in the session that lies ahead we shall all, for the benefit of all sections in this House, and

for the benefit of the people of Queensland, give due consideration to the respect that is due to the Chair.

Hon. Members: Hear, hear!

Mr. DAVIS: If it is necessary that we should have disagreements then let us have them in such a way as will earn for this Parliament the respect that is due to it from the people of this State. Unfortunately, in the past we have had those in this Chamber who have not only taken a certain line of thought—which as individuals they are entitled to do—but in endeavouring to impress that line of thought on others have not exercised as they should the quality of tolerance and show the respect for his high office to which the Speaker of this House is entitled.

I trust that the Parliament that lies ahead will give service to the people, not to individual members of Parliament. I hope and trust, in fact I know, that the impartiality, courtesy and tolerance that it has been our privilege in the Parliament that is past to receive at the hands of the Speaker, Mr. Brassington, will again be ours in the future.

Hon. Members: Hear, hear!

Mr. BRASSINGTON: Hon. members, I am deeply sensible of the very great honour proposed to be conferred on me here today. If you elect me your Speaker I will in the future as in the past endeavour to be reasonable and impartial, and fair to all hon. members. I submit myself to the pleasure of the House.

Hon. Members: Hear, hear!

There being no other nomination, Mr. Brassington was called to the Chair by the Clerk, and conducted by the mover and seconder to the chair. Speaking from the dais, he said: I wish to thank hon. members for again electing me to the position of Speaker of this high and honourable institution. It is a great honour to have occupied the position of Speaker in this Assembly, and again I give my assurance that I will to the best of my ability interpret the Standing Orders and do my duty fairly and faithfully by every hon. member in this Assembly.

Hon. Members: Hear, hear!

Hon. E. M. HANLON (Ithaca—Premier) (12.41 p.m.): Mr. Speaker, may I tender to you my very sincere congratulations on your elevation to the very high and honourable position of Speaker of this Assembly? Your unanimous selection by members of this House this morning is an assurance of the satisfaction that members of the previous Parliament have had with the manner in which you have carried out your very difficult duties. The office of Speaker is one that calls for a great deal of patience and tact, and much study; it demands also that its holder shall show impartiality and toleration to members. The fact that the great bulk of the members of this Chamber were members of the previous Parliament, and have submitted you as their

unanimous choice for the Chair proves that you have carried out those responsibilities and duties to their entire satisfaction.

I trust you will have a pleasant period of occupancy of the chair in the present Parliament. I am sure the hon. members of this Chamber desire to help you in carrying out your duties. They want the business of the Chamber carried on in good order, and they desire that it shall be respected by the people of the State; and that respect can be maintained only while there are order in the House and decency of conduct. Your decisions have rarely been challenged by an individual while you have been there, and I am sure no cause will arise to challenge the honesty of any decision you may give in this Parliament.

Speaking for myself—and I am sure I can speak on behalf of all hon. members of this Chamber—we hope to help you in the onerous duties you perform in the coming Parliament, just as we hope the work of the Parliament will be of value to the people of this State. So we trust that as a result of our labours and co-operation between us at the end of the present Parliament the reputation of this Chamber will have been enhanced.

Hon. Members: Hear, hear!

Mr. NICKLIN (Murrumba—Leader of the Opposition) (12.43 p.m.): I join with the hon. the Premier in extending to you congratulations on your elevation to the high and honourable position of Speaker of this Assembly. I think you fully appreciate the honour paid to you, not only by your own party which has put you forward as its nominee but also by this Assembly, which has re-elected you to the position unanimously. It is an onerous one and carries high responsibilities. As the hon. the Premier has said, it is not an easy job; it entails a great deal of work on the part of the occupant and a great deal of study in order that he may fit himself for carrying out the duties attached to it.

The responsibilities of your position, Mr. Speaker, are great. You have the responsibility of maintaining the dignity and decorum of this House and governing its proceedings impartially. You have also to maintain the great traditions of the British Parliament, and I think it is the duty of every member of this House to do all he can to help you to do so.

Hon. Members: Hear, hear!

Mr. NICKLIN: After listening to the very interesting discourse given by the hon. member for Gympie, all I can say is that I hope you will not be as some past Speakers of Parliament have been—that you will not see the inside of Boggo Road and that your head will still adhere to your shoulders at the end of your three years of office. (Laughter.) But that the worst that will happen to you will be that, possibly, the House will disagree to one of your rulings.

I feel, Mr. Speaker, that as a result of the three years' experience you have had as Speaker of this Assembly you will be able to carry out your duties better than you have

done in the past. But I can say that in the main, as far as we on this side of the House are concerned, you have carried out your duties fairly and impartially. In conclusion, may I repeat that we all are responsible, not only to you but to this Assembly, for helping you in your duties and endeavouring to maintain decorum in this Chamber? On behalf of my party I again congratulate you.

Mr. PIE (Windsor) (12.46 p.m.): On behalf of my colleagues, I desire to join with the Premier and the Leader of the Opposition in congratulating you, Mr. Brassington, on your appointment as Speaker of this 31st Parliament of Queensland. I assure you that my colleagues and I will do everything in our power to help you in your efforts to carry out the duties, including the exercise of tolerance, fairness and impartiality, of the very high office of Speaker of this Parliament within our great British democracy.

Mr. MAHER (West Moreton) (12.47 p.m.): I take this opportunity of congratulating you, Mr. Brassington, on your reappointment as Speaker of the Legislative Assembly of Queensland. My mind harks back to 1927, when I had the opportunity of contesting the former Balonne electorate against you—and although you were elected I cannot help recalling the fact that I ran you a very close finish in an electorate that had been a Labour stronghold, that I got to within 540 votes of you. You represented that part of the State for a number of years, but because of certain readjustments you ceased to do so and have since been returned to Parliament as the member for Fortitude Valley and have risen to the high office of Speaker in this Parliament. I feel that owing to your upbringing in the environment of Western Queensland you could not help being other than fair and just in your conduct of the House. I believe that during the period you have occupied the Chair you have done your utmost as far as lay in your power to give everyone his due. I do not wish to take anything from you on that count: I think you have done your best to act justly and with impartiality in all your dealings with the different party groups in this Assembly.

Having been re-elected to the Chair I hope you will continue to dispense to every member of this Assembly, a fair deal. After all, that is the object of our democratic Parliament, to see that every section of the House, not only those in Government but also those in Opposition and the Independent groups, have fair and equal opportunity to express themselves and be heard on behalf of their constituents. Of course, in the stress of politics, Speakers have not altogether adhered to that ideal but during the past year or so we have been very fortunate in that respect, and I feel sure you will continue the policy of giving a fair deal to every member in this Parliament, to enable him to express his point of view and represent his constituency.

I often feel that we could, with good effect, adopt the system that obtains in the House of Commons and by party arrange-

ment elect a Speaker who could not be deposed nor opposed in his constituency and therefore be free from any risk of discrimination or injustice to any section of the House. I think the House of Commons sets a very high standard in that respect. A Speaker is elected, and even though he might belong to a party group opposed to that in power, he continues in office and he is not opposed in his constituency. Thus he is free to be impartial and just and is outside any influence that might be directed at him or imposed upon him by the Party to which he belongs. We may not have the numbers they have in the House of Commons to give effect to such a policy as that, but nevertheless I appreciate your fairness in the past and I am sure that you will continue to exercise the same impartiality in the House during the coming Parliament. I wish you well.

Mr. SPEAKER (Hon. S. J. Brassington, Fortitude Valley) (12.52 p.m.): Hon. members, I wish to thank the hon. members for Gympie and Barcoo for their courtesy and kindness in moving and seconding my nomination as Speaker of the House today. I also wish to thank you, Mr. Premier, you, Mr. Leader of the Opposition, you, Mr. Deputy Leader of the Opposition, you, the hon. member for Windsor, and hon. members for your kindly expressions of good will, and I repeat that I will do my best to carry out my duties in the very best traditions of my high office.

With all thinking people of today, I am aware that in these troubled and difficult times our system of parliamentary government is being challenged, but I have confidence that this institution, which has functioned successfully down through the centuries will continue so to function, for the good of the people in the future. It will do so because it is based upon ancient practice, long experience and, above all, wise principles.

Hon. Members: Hear, hear!

Mr. SPEAKER: The Parliament in which we have the honour of sitting today is our responsibility, and it behoves us all to do our best to maintain its prestige, make its working more effective and strengthen it as far as possible in the eyes of the people of this State. I know that I shall have from all hon. members the co-operation, courtesy and help that I had during the last three years. I promise you in return those same things. I shall endeavour to co-operate with you as far as possible in fulfilling the purpose of my position so that this Parliament may be what it should be—very fruitful in the interests of our people and our State.

Hon. Members: Hear, hear!

Mr. SPEAKER: I might define the position of Speaker very clearly if I refer to the remarks made by one great Speaker of the House of Commons who, when accosted on a memorable occasion by the King of his day, declared—

“I have neither eyes to see nor tongue to speak in this place, but as the House is pleased to direct me, whose servant I am, and I humbly beg Your Majesty’s pardon

that I cannot give any other answer than this to what Your Majesty is pleased to demand of me."

I think that declaration, given centuries ago, still sums up the position of Speaker of any Legislative Assembly.

Hon. Members: Hear, hear!

Mr. SPEAKER: I should like to say, too, that one of the foundations on which Parliament rests is the fact that the great privileges we enjoy in Parliament have been won after centuries of effort.

So long as we can maintain those privileges in this Parliament all will be well, but if we mistake privilege for licence and go outside the bounds of privilege we shall be doing this institution harm indeed. All I can say, hon. members, is that I for one will stand firm, and allow nobody to substitute for privilege something that must never take its place.

I thank you once again for the honour you have conferred upon me. I will do my best to carry out the duties you have imposed upon me today.

PRESENTATION OF MR. SPEAKER.

Hon. E. M. HANLON (Ithaca—Premier): I have to inform hon. members that His Excellency the Governor will be pleased to receive the House for the purpose of the presentation of Mr. Speaker to His Excellency at 2.30 o'clock this afternoon.

Mr. SPEAKER: I desire to inform the House that at 2.15 p.m. today I shall leave for Government House, there to present myself to His Excellency the Governor as the member chosen to fill the high and honourable office of Speaker, and I invite such hon. members as care to do so to accompany me.

SPECIAL ADJOURNMENT.

Hon. E. M. HANLON (Ithaca—Premier): I move—

"That the House, at its rising, do adjourn until 11.57 a.m. tomorrow."

Motion agreed to.

The House adjourned at 12.58 p.m.
