

Privy Council Appeal No. 3 of 1961

Charles MacDonald Whitehouse – – – – – *Appellant*

v.

The State of Queensland and others – – – – – *Respondents*

and

The Attorney-General of the Commonwealth of Australia and
others – – – – – *Interveners*

FROM

THE HIGH COURT OF AUSTRALIA

JUDGMENT OF THE LORDS OF THE JUDICIAL COMMITTEE
OF THE PRIVY COUNCIL, DELIVERED THE 14TH JUNE 1961

Present at the Hearing:

VISCOUNT SIMONDS.

LORD REID.

LORD RADCLIFFE.

LORD TUCKER.

LORD HODSON.

[*Delivered by* LORD RADCLIFFE]

The respondents in this appeal raised the same objection to the jurisdiction of the Board as was taken in the appeal *Dennis Hotels Proprietary Ltd. v. State of Victoria and others* and the arguments were heard concurrently on both appeals, since it was common ground that a decision upon the objection to one must necessarily apply to the objection in the other.

At the conclusion of the arguments their Lordships announced that the objections must be upheld—their reasons for so deciding are set out in full in their opinion in the *Dennis Hotels* appeal and they must be taken as governing this appeal.

For those reasons their Lordships will humbly advise Her Majesty that the appeal must be dismissed. Having regard to the special circumstances they make no order for payment of costs with regard to the petition for special leave; the appellants must pay the respondents' costs of the appeal. There will be no order as to the costs of the interveners.

In the Privy Council.

CHARLES MADDONALD WHITEHOUSE

v.

THE STATE OF QUEENSLAND AND OTHERS
AND THE ATTORNEY GENERAL OF THE
COMMONWEALTH OF AUSTRALIA AND
OTHERS

DELIVERED BY
LORD RADCLIFFE

Printed by HER MAJESTY'S STATIONERY OFFICE PRESS,
HARROW
1961