

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 4 AUGUST 1868

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THE
PARLIAMENTARY DEBATES

DURING THE

SECOND SESSION OF THE THIRD PARLIAMENT OF THE COLONY
OF QUEENSLAND, AUSTRALIA,

APPOINTED TO MEET

AT BRISBANE, ON THE FOURTH DAY OF AUGUST, IN THE THIRTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN VICTORIA, IN THE YEAR OF OUR LORD 1868.

LEGISLATIVE COUNCIL.

Tuesday, 4 August, 1868.

Meeting of Parliament.—Absence of the President from his Seat in the Council.—New Members.—Vice-Regal Speech.—Turnpike Trusts Bill.—Resignations.—Address in Reply to Opening Speech.

MEETING OF PARLIAMENT.

The Parliament, which had been prorogued successively from the 4th March to the 21st April, then to the 22nd June for the despatch of business, and then to the 4th August for the despatch of business, met this day pursuant to proclamation bearing date 10th July, 1868.

His Excellency the Acting Governor having come down to the House and taken his seat on the dais, the Usher of the Black Rod was directed to request the attendance of Mr. Speaker and the members of the Lower House.

ABSENCE OF THE PRESIDENT FROM HIS SEAT IN THE COUNCIL.

The Clerk read a letter from the Honorable the President, stating that he was unable to resume his place in the House, as he was still called upon to act as Administrator of the Government.

NEW MEMBERS.

The Hon. D. F. ROBERTS, Acting President, announced the appointment, by His Excellency the Acting Governor, of the following new members:—The Honorable W. Yaldwyn, The Honorable H. G. Simpson, and the Honorable H. S. Harden.

VICE-REGAL SPEECH.

The Honorable the Speaker and the members of the Legislative Assembly having arrived and being seated, His Excellency read the following Speech:—

“HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

“1. It is now exactly five months since I was enabled to relieve you from the labors of an

unusually protracted session, in order that time might be given you to attend to those private affairs you had so long patriotically postponed to the consideration of the public business of the colony. I trust the time and relaxation thus afforded may not have been without benefit; but the progress of events, and the material growth of the varied interests of the country, once again demand your watchful care; and I have pleasure in meeting you, for the first time, in this noble building, which the munificence of a former Parliament has provided as the future palace of the Legislature. It cannot but be highly gratifying to myself personally that, in carrying out the responsibilities of the office I temporarily hold, this duty in this particular place should have fallen to my lot; but appreciating fully, as I do, the honorable task I am now fulfilling, I would willingly have foregone its performance had time allowed, in order to enable the Governor, whom Her Majesty has selected to be the successor to Sir George Bowen, to open this Parliament. Colonel Blackall may be expected very shortly to reach the colony; but the late period of the year at which we have now arrived has induced me no longer to postpone calling you together for the despatch of the public business.

“2. Since Parliament was last in session, the attempted assassination of His Royal Highness the Duke of Edinburgh has filled all Australia with grief and shame that such a crime should have been perpetrated within the boundaries of any one of our colonies; and I feel assured, as I have intimated to the Secretary of State, in more than one Despatch, that Queensland yields to no part of the British Dominions in loyal sympathy with Her Majesty the Queen under the trial to which this attack upon the life of her son must have exposed her. It is a consolation to find, however, that Her Majesty, and the Royal Duke

himself, who was the victim of this attempt, have both expressed their unabated trust in the loyalty of Her Majesty's Australian subjects.

"3. The Land Act, passed during last session, having come into operation, the Regulations which have been framed by the Government, in accordance with its provisions, will be placed before you for confirmation and approval. A large area of land has been thrown open to selection. No less than 500,000 acres of the choicest portion of the Darling Downs are now available for that purpose; and a further area, comprising 500,000 acres, has been proclaimed in pursuance of the forty-first section of the Act. In East and West Moreton 800,000 acres are available to the public, situated for the most part in the railway and agricultural reserves, and lands not under lease. In these latter districts but few runs have as yet been subdivided, in consequence of the areas of the greater number not having been defined with sufficient accuracy. This difficulty will, however, soon be overcome, as surveys are proceeding with all due despatch.

"The same cause has precluded any large portions in the Northern Districts being as yet thrown open to selection, except in the cases of railway, agricultural, and coast reserves, and those lands not held under lease or license.

"4. The Supreme Court, as at present constituted, is considered scarcely adequate to the increased requirements of the colony. A Bill will, therefore, be introduced to provide for the appointment of a third Judge, who will also preside over the civil jurisdiction of the Metropolitan District Court.

"5. Since the close of last session, great progress has been made in developing the mineral resources of the colony. The gold fields at Gympie have realised the expectations formed of them, and both in Southern and Northern Queensland fresh fields are being daily opened up. Large deposits of copper and coal are also known to exist; and the appointment by the Government of a staff of Geological Surveyors will, it is believed, in conjunction with private enterprise, render mining a profitable investment for capital, and a most important, as well as permanent, branch of our industries.

"The importance of connecting the capital with the Southern gold fields by means of roads and telegraph lines will be pressed on your attention.

"6. The opening of the Southern and Western line of railway to Dalby has been attended with satisfactory results in the increase of traffic consequent on the extension of the line to its present limit. You will be asked, during the present session, to provide means for making up the deficiency in the amounts provided by previous loans for the completion of the main trunk line;

and, also, for carrying the line now under construction between Toowoomba and Warwick, as far as Allora.

"7. In the early part of this year a census was taken, pursuant to Legislative enactment; and, although the population has been somewhat unsettled, owing to the recent gold discoveries, the returns appear to be sufficiently accurate to justify the Government in bringing forward a measure for re-adjusting, without further delay, the different electorates throughout the colony. It is satisfactory to observe that our population is still on the increase, notwithstanding the temporary cessation of immigration and the exodus to the other colonies which took place during the period of our greatest depression.

"8. I have to impress upon you the importance of an immediate resumption of immigration from Europe to this colony. The circumstances under which the Government of the day deemed it advisable to check a further influx of population appear to have passed away; and the introduction of capital and labor under our new land laws should stimulate our reviving prosperity.

"Action in this direction has already been taken by the Government as far as the means at their disposal would admit; and they are prepared to appoint an agent to proceed to England so soon as Parliament shall have provided the means for extending our efforts in that direction.

"9. The recent arrangements entered into by the Home Government for the conveyance of mails *via* Suez have proved unsatisfactory in their operation. The establishment of a fortnightly postal service is now under consideration. Despatches and correspondence, together with an Executive Minute, embodying the views of the Government on this important subject, will be laid before you, and you will be again invited to consider the question.

"The absence of regular communication with the ports to the north of Rockhampton being attended with much inconvenience, tenders have been called for a fortnightly steam service, subject to the approval of Parliament, between Rockhampton and Townsville, calling at the intermediate ports.

"The telegraph lines open throughout the colony, including recent extensions, are working satisfactorily; and lines between Brisbane and Maryborough, *via* Gympie, and from Bowen to Cardwell, are in course of construction.

"10. Measures have been prepared, and are ready to lay before you; among the more important of which may be mentioned Bills to provide for Immigration; and for a "Re-distribution of Electorates throughout the Colony, and an increase to the number of Members serving in the Legislative Assembly." Also, Bills to provide for the better management of the Gold Fields;

for the further and better administration of local affairs by means of Provincial Councils ; to afford relief to certain Pastoral Tenants of the Crown in the Unsettled Districts ; and for the Registration of Brands.

"In accordance with the recommendation of a Select Committee of the Legislative Assembly which sat last session, my Responsible Advisers have undertaken to re-introduce a Bill for the Amendment of the Insolvent Law now in force.

"GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

"11. The Estimates for the ensuing year will shortly be laid before you. It will be seen by the published accounts for the first six months of this year, that the returns from the various branches of revenue are steadily on the increase.

"Although the amount realised under the new Land Act is not at present such as was anticipated, whilst the progress of the colony demands an increased expenditure proportionate to its extended settlement and the development of its resources, there is yet reason to believe that the general revenue of the year will not fall far short of the charges against it, including interest payable on the public debt. Should the present favorable appearance of the revenue be sustained, my Responsible Advisers will be prepared to propose for your consideration a reduction in the rate of the *ad valorem* duty now levied on imported articles, which at present presses heavily on all classes of the community.

"You will be invited to furnish the necessary authority for raising a further Loan for the completion of our Railway works in course of construction, for Immigration purposes, and for retiring the Treasury Bills now in circulation. The favorable condition of the money market, and the price which colonial securities are now realising, lead me to believe that that portion of the loan at present required will be raised without difficulty or further depreciation.

"HONORABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL, AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY—

"12. The Statistical Register of Queensland for the past year will immediately be laid before you, and the Registrar-General's Annual Report, with its accompanying tables, will, I am sure, impress upon you once again the conviction that, in legislating for this community, and directing its Government, you have under your influence a wealth of natural resources which, assisted by prudent enterprise and your care, cannot fail of early development ; and I pray that the blessing of Almighty God may rest upon your counsels, and direct them to aid in maintaining that return of prosperity now dawning on this colony."

TURNPIKE TRUSTS BILL.

The House adjourned until three o'clock of this day, and being re-assembled,

The POSTMASTER-GENERAL presented, *pro forma*, a Bill to regulate the laws relating to Turnpike Trusts, which was read a first time.

RESIGNATIONS.

The ACTING PRESIDENT announced the resignations of the Honorable John McConnell, the Honorable Western Wood, and the Honorable Albert Norton as members of the Legislative Council.

ADDRESS IN REPLY TO OPENING SPEECH.

The ACTING PRESIDENT read the Speech of His Excellency the Acting Governor. A select committee, consisting of the Honorable G. Harris, the Honorable J. F. McDougall, and the Honorable H. G. Simpson, was then appointed to prepare an address in reply. The committee retired, and being returned, the address was read by the Clerk :—

"To His Excellency The Honorable MAURICE CHARLES O'CONNELL, by Her Majesty's Royal License, a Knight Commander of Isabella the Catholic, Knight of the Second Class of San Fernando, a Knight Extraordinary of Charles III. of Spain, President of the Legislative Council of the Colony of Queensland, and Officer Administering the Government thereof.

"MAY IT PLEASE YOUR EXCELLENCY,—

"We, Her Majesty's loyal and dutiful subjects, the members of the Legislative Council of Queensland, in Parliament assembled, desire to express to your Excellency our affection and loyalty to the person and government of our Most Gracious Sovereign, and to thank your Excellency for the Speech with which you have been pleased to open the present session of Parliament.

"2. We heartily concur with your Excellency in the sentiments conveyed to the Secretary of State expressing the loyal sympathy of all classes in this colony with Her Majesty the Queen, under the trial she has suffered by the attempt on the life of His Royal Highness the Duke of Edinburgh.

"3. We receive with pleasure the assurance from your Excellency that the central gold fields have realised the expectations formed of them, and that the development of our mineral resources is progressing satisfactorily.

"4. The measures which have been announced by your Excellency as about to be introduced this session will receive our best attention.

"5. In conclusion, we earnestly trust that, under Divine Providence, our Legislature may contribute to the continuance of the prosperity now happily dawning on the colony."

The Hon. W. YALDWYN rose to move the adoption of the address which had just been read by the Clerk of the House. He said it was

an extremely short one, and did not contain, as far as he could see, anything to which the most fastidious could take exception. The second paragraph in the Speech referred to the late attack upon the son of Her Most Gracious Majesty; and there could be no doubt that in consequence of the attempt to assassinate His Royal Highness the Duke of Edinburgh, a stigma had attached to the whole of the Australian colonies. The feelings of all classes had been outraged by that dark deed. They could picture to themselves the grief of the royal mother when the tidings first reached her—a grief outwardly repressed by the strong will and indomitable fortitude which characterised her race. It must, therefore, be a matter of sincere congratulation to the colonists of Queensland to learn that their Sovereign still maintained her trust in the loyalty of her Australian subjects, and that she attributed that atrocious crime to a single individual, and not to the disloyalty or disaffection of a class; for surely there could be found no body of men who would connive at such a dastardly act. With regard to the Land Act, he had very little to say. He believed it had been conceived in a liberal spirit; and if its operation had not proved as satisfactory as had been expected, still it had gone further than any previous Act dealing with the question. The fourth paragraph touched upon a subject of which he knew very little. He believed, however, that the appointment of a third Judge to the Supreme Court would be acceptable to the majority of colonists. The fifth referred to the mineral resources of the colony. Upon reference to the debates of the previous session, he found the honorable member who moved the adoption of the address had stated that "he hoped and believed that, during the next year or eighteen months, Queensland would enter upon a fresh career of prosperity." It must be a matter of great satisfaction to that honorable gentleman to find that his anticipations were being so fully realised. Fresh sources of wealth were daily being discovered; and he believed that, at no distant date, the colony would take up the position to which she was destined, as first of the Australian group. The eighth paragraph had reference to immigration—a question of vital importance to the colony. The partial cessation of that immigration was a matter deeply to be deplored; and it was, therefore, satisfactory to hear that steps were contemplated to resume it as speedily as possible. Arrangements were also to be submitted to the Parliament for steam and telegraphic communication throughout the colony, as well as for a fortnightly postal service; and the tenth paragraph of the Speech left very little to be desired, inasmuch as it referred to no less than seven important measures which were to be introduced of such a nature as must be considered acceptable to the colony, and would, he hoped, be so carried out as to remain monuments of judicious and wise

legislation. He begged to move that the address, as read by the Clerk of the House, be now adopted.

The Hon. H. G. SIMPSON seconded the motion, and said he could fully endorse the remarks of the previous speaker. As he knew very little of the working of the Land Bill, he would not touch upon that question, but would pass on at once to the fifth paragraph, about which he could speak from personal knowledge and observation. He believed, from what he had seen during a short visit to Gympie, that they would equal, if not surpass, the richest discoveries in the other colonies. There were no less than ninety reefs already discovered at Gympie, all of which were gold-bearing, and many of them extremely rich. The eighth paragraph, which promised road and telegraphic communication, followed as a matter of course. Several important measures were referred to as about to be introduced. It was quite clear that some re-distribution of electorates was necessary. He hoped the measure the Government would bring in would be of a satisfactory character, and would do justice to the outlying and northern districts, who certainly deserved to have some parliamentary representation, as well as other districts now becoming so thickly populated. Upon the question of immigration, he thought honorable members might congratulate themselves upon the unanimity upon this question which now prevailed in the colony. The great point, in his opinion, was the selection of the immigrants. Mechanics who were unable to find work were not the men to send out; while men accustomed to farming, and possessing a small capital to invest, would be certain to do well. He hoped something would be done to remedy the inconvenience caused by the present mail service. He was sorry that the Torres Straits route had ever been abandoned, and should be glad, one day, to see it renewed. The measures referred to in the tenth paragraph were of essential importance, and he was glad to find that the questions they proposed to deal with had been under the consideration of the Government. He had great pleasure in seconding the motion.

The Hon. H. B. FITZ said that he intended to support the motion for the adoption of the address, although there were one or two paragraphs in it which he thought might have been more explicit.

The POSTMASTER-GENERAL said his honorable colleague, the Minister for Lands, had, in his opinion, conscientiously carried out the Act. He hoped the address would be adopted and sent to His Excellency.

The Hon. W. HOBBS said that an oversight had occurred, he thought, in framing the address, in the omission of any reference to the new Houses of Parliament. When honorable members recollected the inconvenience and discomfort to which they were subjected in the old building, they must congratulate

themselves in being met together in such a noble edifice. He thought it was their duty to recognise the efforts of the Colonial Architect, and the success he had achieved. The chamber they were assembled in would always be a monument of that gentleman's skill and energy; and he thought the House should make some recognition of his services, and make it in a tangible form. With regard to the Speech and address, he would only say a few words in reference to the importance of connecting the metropolis and the southern gold fields by means of roads and telegraph lines. He thought it was highly necessary to connect them with Brisbane as speedily as possible. If the Government had made a good road as far as the foot of the Range, and then constructed a light tramway over the Range, a great convenience would have been effected. He questioned the policy of the Government in asking the Parliament to provide means for making up the deficiency in the amounts provided by previous loans for the completion of the main trunk line of railway. He thought it would have been much better for them to have begun at the beginning, and constructed a line from Brisbane to Ipswich, for which they would have been certain to get some return. He was not of opinion, either, that it would be prudent to enter upon any large expenditure for immigration purposes. The result of that would be, that large numbers of immigrants would be coming here, only to rove about from one colony to the other, as the attractions on the various Australian gold fields might direct them. If an agent were appointed who could select a good class of men, and arrangements were made to make them at once settle on the land, it would be very different, but that was never an easy matter. Then, again, with regard to the proposed re-distribution of electorates, and the number of members to serve in the Assembly, he was again at issue. In his opinion, it was a great mistake to have too many members, and he thought it would be better not to specify any particular number until the matter had been more fully considered. With respect to provincial councils, he thought it would be unwise to attempt such a system, with the present scattered population of the colony. He was glad to observe that a reduction in taxation was contemplated. The *ad valorem* duty he looked upon as the worst possible tax that could be levied. It gave rise to all sorts of bribery and corruption, and it did not serve the interests it was intended to protect. He came, then, to the concluding paragraph of the Speech, which stated that the Statistical Register for the past year would shortly be laid before the House. It ought, in his opinion, to have been in the hands of honorable members some months past, as, without it, they were only legislating in the dark. He hoped the Government would take care that so much delay did not occur next year.

The question was then put and passed, and the Postmaster-General announced that His Excellency the Acting Governor would be prepared to receive the address on the following day, at two o'clock.