

**Record of the  
Proceedings of the Queensland Parliament**

...  
**Legislative Council**  
**29<sup>th</sup> May 1860**

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Extracted from the third party account as published in the  
Moreton Bay Courier 31<sup>st</sup> May 1860

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This being the day for the formal opening of Parliament by his Excellency the Governor, a very large assemblage of ladies and gentlemen took place in the Chamber of the Legislative Council. Lady Bowen occupied a seat near the President. Mr. O'Shanassy, late Chief Secretary of Victoria, was among the crowd of gentlemen spectators. The members present were the Hon. H. B. Fitz, the Hon. W. H. Yaldwyn, the Hon. Dr. Simpson, the Hon. Dr. Fullerton, the Hon. J. J. Galloway, the Hon. A. W. Compigne, the Hon. G. Harris, the Hon. F. Bigge, the Hon. J. F. Macdougall, the Hon. D. F. Roberts, the Hon. Captain O'Connell, and the Hon. J. Balfour.

The President took the chair at about five minutes to 12 o'clock, and produced a Commission from his Excellency under the Great Seal of the Colony, empowering him to administer the usual oaths of allegiance to those hon. members who had not previously subscribed the roll.

The Clerk read the Commission at length.

**SWEARING IN.**

The Hon. Dr. Simpson and the Hon. H. B. Fitz were then duly sworn in by the President.

**THE SPEECH.**

After the lapse of a few minutes his Excellency the Governor entered the chamber in full official costume, and was received by the visitors, as well as members, standing. Having taken his seat in the vice-regal chair, and requested hon. members to be seated, he directed the Usher of the Black Rod to summon the attendance of the Legislative Assembly.

All the Hon. members of that House were promptly in attendance, and His Excellency, having requested them to be seated, proceeded to read the following speech:—

**“HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL  
AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—**

“It is with feelings of no ordinary interest and satisfaction that I now, in the name and on behalf of the Queen, open the first Session of the first Parliament of Queensland;—and have recourse to your advice and assistance in the Government of this great colony.

“It has been, throughout, my earnest desire to meet the Legislature at the earliest practicable period after my assumption of office in last December; but it was the unanimous opinion of the Law Officers of the Crown, that, by reason of the lengthened periods fixed by the Constitution Act for the formation and revision of the Electoral Rolls, the elections could not legally begin before the 27th of April. Consequently, it was impossible for the Parliament to assemble for the despatch of business sooner than the day for which you were summoned.

“This delay, however, has been accompanied with at least one advantage. It has afforded me time to make myself personally acquainted with our chief centres of population, with a large portion of our vast territory, and with the condition and requirements of its inhabitants.

"The genuine respect, the hearty welcome, the overflowing kindness, with which I have been everywhere, and on all occasions, received, while deeply gratifying to me personally, are most satisfactory on public grounds, as strong proofs of the loyalty to the queen, and of the attachment to the mother-country, which animate all classes of this community.

"I now congratulate you on the full attainment of the object of your long-sustained efforts and aspirations, in the establishment of this separate and independent Legislature; and on the perfect order, decorum, and good feeling, with which the people of Queensland universally exercised at the recent elections their privilege of self-government. It is my firm hope and belief, founded on all that I have seen since my arrival here, that Her Majesty will have the high satisfaction of witnessing, as the result of Her gracious boon to this colony, its continued progress alike in material industry, in mental activity, and in moral and religious well-being; its steady advance in wealth and social improvement; and the permanent happiness and welfare of Her people.

"Before proceeding to state the principal questions to which your attention will be directed during the present session, I will briefly refer to the animadversions which have been passed on certain parts of the existing Constitution of this colony, as settled by the Order in Council of June 6th, 1859. On this subject, however, it will be only necessary for me to say that I am fully persuaded that you, with the general instinct of the Anglo-Saxon race, will regard with alight concern any alleged want of symmetry in the political edifice, so long as no practical inconvenience is felt therefrom. In the latter event you will, I am convinced, set to work to amend whatever may be found amiss in the manner pointed out by Her Majesty in the Order in Council aforesaid.

"In accordance with this principle, the first measure to which your consent will be requested is a Bill for altering that part of the Constitution Act, passed by the Parliament of New South Wales, which renders indispensable the constant presence in the Legislative Assembly of this colony of a larger proportion of the members than is consistent with the total number at present fixed for that body.

"The Imperial Government has been careful not to prejudge or embarrass your decision respecting what is termed State-aid to Religion. The sum devoted in the Civil List to Public Worship was calculated simply to cover the existing appropriations for this purpose. Here again, in the settlement of so vital a question, I am convinced that you will be guided by no abstract theories, but by a careful consideration of the peculiar circumstances and wants of this country.

"I recommend you to examine carefully the system and condition of Primary Education in the colony, with a view to its improvement and extension. The Bill which will be submitted to you during this Session for the establishment of a Public Grammar, or High School, with a fixed number of exhibitions to the Universities of the mother-country, to be competed for eventually by the more advanced students, appears to meet an urgent need.

"An effective Police Force is now in process of organisation under the new Inspector-General. Some of the regulations proposed will require further legislative sanction, and have been embodied in a Bill to be submitted for your approval.

"Copies will be shortly laid before you of the correspondence which has already taken place respecting the settlement of the outstanding accounts between this Colony and New South Wales. I recommend you to grant, during the present Session, the necessary authority for the appointment of Commissioners, to whom, in conjunction with an equal number of Commissioners from New South Wales, the whole arrangement of the details of the questions still pending may be entrusted. It is also desirable that provision should be made for the appointment, by the Governments of the two colonies, of a single arbitrator, to whose final decision all disputed matters may be referred.

"You will receive copies of the Statistical Report, compiled by the Registrar-General, and exhibiting, so far as the necessary materials were procurable, the general condition of the Districts comprised within this Colony at the period of their separation from New South Wales.

This document will be found of immediate and practical use in your deliberations. It will also prove valuable and interesting hereafter, as a point of comparison with the progress which we confidently expect that the register of each successive year will attest.

“It is obviously desirable that measures should be adopted without delay for connecting by means of the Electric Telegraph, the seat of Government of Queensland with the capitals of the other Colonies of the Australian group. For this object, it is proposed, with your sanction, to enter into arrangements with the neighbouring Governments.

“I have received official information, through her Majesty’s Secretary of State, that the Dutch Colonial authorities, having successfully laid a cable between Singapore and Batavia, are desirous to see it continued to Australia. I recommend that Committees of one, or both Houses of Parliament be appointed to take evidence, and to report on this project. The extension of a telegraphic line from Java to a point in the Gulf of Carpentaria, and thence overland to Brisbane, would, if feasible, exercise an almost incalculable influence on the rapid colonisation of our territory; while realising the grand and truly imperial end of placing Australia in immediate communication with Asia and with Europe.

“Closely allied with the project thus shadowed forth, will be an enquiry into the best means of providing for periodical intercourse by steamers through the Asiatic Mediterranean sea which extends from Cape York, the most northern promontory of Queensland, to Singapore, that central emporium on the high-way of eastern commerce. The benefits that would accrue from a direct trade with India and China, through Torres’ Straits, over calm waters and with moderate prevailing winds, are too self-evident to require enumeration.

“The Land Question is at once the most comprehensive and the most important with which you will have to deal. Queensland embraces a territory, blessed with a salubrious climate, and with a fertile soil, equivalent, at the lowest estimate, to nearly three times the area of France, and nearly ten times the area of England and Wales. Along our sea-coast and on the banks of our rivers, we possess millions of acres which bear the same relation to the cotton and sugar, which the great pastoral districts of the interior hold to the wool manufactures of the mother country. Of this gigantic patrimony the Crown has constituted this Legislature to be the guardians and administrators. The control and disposal of the whole is in your hands. I know that you are deeply impressed with the responsibility involved in such a trust; for the mode in which you may acquit yourselves of the duties connected with it, will, in all human probability, affect materially the interests of generations yet unborn. You will feel with me that hasty legislation is, above all things, to be deprecated. But experience has shown that there is at least one part of the system now in force with regard to which immediate action is imperative. A measure will be laid before you on an early day for the purpose of thoroughly reforming the existing method of tendering for vacant Crown Lands, with the view of protecting the bona fide occupier against the mere speculator.

“Next to a wise management of the public lands, a good system of immigration is, perhaps, the most essential element in the prosperity of a new country. Provision has been made by the Government, under the regulations now in force, for a supply of labour from the mother country, adequate to the requirements of the present year. I advise you to consider whether it would not be well materially to modify the existing system; and, in future to grant, under certain conditions, Remission Certificates in the purchase of land, to persons who reach our shores at their own cost, or who introduce laborers without expense to our Treasury. A policy of this nature would soon have the effect of directing hither a permanent stream of immigration of the most desirable character. It would thus prove a graceful method of communicating to our less prosperous fellow-subjects at home a share in the profits of that rich and magnificent estate, with which our Sovereign has been graciously pleased to endow this colony.

“I take this opportunity of informing you that I have felt much gratification in accepting, on behalf of the Queen, and in the terms of the existing laws, the services of several Corps of Volunteers. I trust that this movement here, as in the United Kingdom, will become permanent. Communities which have entirely neglected to cherish the military spirit, or which have failed adequately to provide for their own external and internal defence, have seldom attained, and

have still more seldom preserved, a vigorous manhood. In this respect the British colonies in North America afford us an example to be imitated, and the Spanish colonies in South America a warning to be avoided.

“GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

“The Estimates for 1860 will be laid on your table forthwith; to be followed, after a short interval, by the Estimates for 1861. The year now current is the first of the political existence of Queensland; and it is of paramount importance that the supplies for the ensuing year also should be voted previously to its commencement, in order that the expenditure of the public revenues may take place on constitutional principles.

“Among the special appropriations which will be proposed to you, I recommend to your early consideration that for the machinery required for the removal of the bars which now obstruct the navigation of several of the principal rivers of this colony. No undertaking is, in the opinion of the Government, better calculated to place our commerce on an independent footing, to enlarge our trade, and to draw forth new sources of wealth.

“Numerously signed petitions have been addressed to me in favor of the establishment of a Bonded Warehouse at Ipswich. A sum has been placed on the Estimates, which will enable you to arrive at a decision upon a question, respecting which the mercantile interests of that important town and its neighborhood have preferred what seems a not unreasonable claim.

“No provision having been made in the Civil List for the establishment of an Audit-office, a professional accountant has been temporarily employed to revise the public receipts and expenditure during the two first quarters of the present year. His report will shortly be submitted to you; and I invite you to provide for the performance of these duties in future by a permanent Auditor-General.

“The salaries of the Officers of Her Majesty’s Civil Service in this Colony have been fixed subject to your sanction, according to a graduated scale; and with the strictest economy that was found compatible with procuring gentlemen competent to discharge the duties of the several departments. Full details will be laid before you, explanatory of the principles adopted in these arrangements; as also of the system of competitive examinations instituted for the selection of junior candidates; and which is intended to promote public education, and to secure to merit, independent of patronage, the privilege of admission to the public service.

“In consequence of the growing importance of our Northern Districts, the Government has felt itself called upon to anticipate your decision by providing, on the most favourable terms practicable, for periodical steam communication with the ports of Maryborough, Gladstone, and Rockhampton.

“The votes proposed for the repair and extension of the internal communications of the country will demand attentive examination, with a view to the adoption of such means of transit as may enhance the value of property, and facilitate the development of our varied and almost inexhaustible resources.

“I congratulate you on the flourishing condition of our rapidly increasing revenue, which at once secures to Queensland, at the very commencement of its career, the twelfth place among the forty-eight Colonies of the British Crown. We may confidently hope, through the blessing of Providence on the energy and industry of all classes of our community, to rise steadily to a still higher position on the list. Probably there is no example in all history of so limited a population producing so large a revenue, with a taxation so little burdensome.

“Our financial prospects appear to justify the Repeal of the Export Duty of Gold, which is shortly to be abolished in the neighboring Colonies, and against which public opinion here has pronounced itself in an unmistakeable tone.

“I feel a perfect confidence that you will vote, with due regard both to efficiency and economy, the supplies required for all the branches of the public service. Indeed I am so thoroughly convinced that you will grant all that is necessary for the general welfare, that it is only

in compliance with established usage that I address to you any application whatsoever on this part of your functions, wisely reserved by the constitution exclusively to the immediate Representatives of the people.

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

“The future destiny of this colony will depend in no slight degree on the members of the first Legislature. You will feel with me that an arduous and responsible, but most important and interesting task awaits us; for the commencement of self-government is an epoch in the life of a State, resembling the attainment of his majority in the life of an individual. For myself, I highly value the honor and privilege of having been selected by our Sovereign to inaugurate, as first Governor of Queensland, this new province of the Empire. You may rest assured of my zealous and honest endeavours to carry out efficiently, as Head of the Executive, whatever measures you may have declared to be conducive to the public welfare, and to which I shall have signified my assent, as Representative of the Queen. But, I say in all sincerity, it is on ‘your’ prudence, knowledge, and experience that I depend. On these I implicitly rely, as also on your patriotism, and on that loyalty for which Australia is so celebrated. My subsequent experience has powerfully confirmed the impressions to which I gave utterance on my first arrival among you, in my reply to the address then presented to me on behalf of the people of this colony. This great portion of the earth—for Queensland embraces a territory far more than equal in extent to the aggregate area of two of the principal monarchies of Europe—this great portion of the earth, I said, begins its political life with noble principles of freedom, order, and prosperity. Let me again conclude with the humble prayer that Almighty God may vouchsafe to direct our councils, and that he may grant to all of us that moderation, wisdom, and courage, necessary to preserve and extend these inestimable blessings, and to hand them down hereafter to our children’s children.

Hon. members of the Assembly then retired to their own chamber, and on the motion of Capt. O’Connell the Legislative Council adjourned until half-past 1 o’clock.

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LEGISLATIVE COUNCIL.

TUESDAY, MAY 29.

The House resumed punctually at half-past one o’clock.

PRIVILEGES OF THE HOUSE.—PUBLICANS’ AMENDMENT BILL.

Captain O’CONNELL said that in order to confirm by an act of the House its undoubted privileges to deliberate and legislate, he would now move, pro forma, for leave to introduce a Bill to alter and amend the law relating to public houses. Leave was granted.

SWEARING IN.

The Hon. J. Balfour and the Hon. D. F. Roberts were sworn in by the President.

THE SPEECH.

The PRESIDENT then read his Excellency’s speech, a copy of which he had obtained for greater certainty of information.

THE ADDRESS.

Mr. BIGGE moved that the following members be appointed a committee to prepare an address in answer to his Excellency’s speech, viz.—Captain O’Connell and Messrs. Yaldwyn, Macdougall, Balfour, and the mover.

Mr. YALDWYN seconded the motion, which was put and passed.

After the lapse of about 10 minutes the committee returned to the House, when Mr. Bigge, as chairman, brought up the following address, which was read to the House by the Clerk.—

“To His Excellency Sir George Ferguson Bowen, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Captain-General and Governor-in-Chief of the Colony of Queensland and its Dependencies, and Vice-Admiral of the same, &c, &c:

“May it please Your Excellency,—

“We, Her Majesty’s, most loyal and dutiful subjects, the Members of the Legislative Council of Queensland, in Parliament assembled, desire to express, through your Excellency, our feelings of loyalty and attachment to the House and Person of Our Most Gracious Sovereign; and to thank you for the Speech with which your Excellency has, in the name and on behalf of the Queen, opened this, the first Session of the first Parliament of Queensland.

“We are glad that your Excellency has been enabled, between the period of your assumption of the Government and that of the meeting of Parliament, to find sufficient time, amidst the arduous duties imposed on you in establishing a new colony, to visit a portion of that large territory now placed under your Government; and we rejoice to learn your Excellency’s more extended acquaintance with the inhabitants of this colony has led you to form opinions in which we cordially concur, so favorable to the loyalty of its people.

“We heartily reciprocate your Excellency’s congratulations on the attainment of a separate and independent Government. We feel that, as a branch of that Legislature now called into existence, we have imposed upon us serious duties and great responsibilities, which, we trust, under God’s blessing, we may be enabled to discharge in a manner conducive to the well-being of this community.

“We shall be prepared to consider the bill which your Excellency intimates it is your intention to submit to us for altering that form of the Constitution Act, passed by the Legislative Assembly of New South Wales, defining the number of members necessary to constitute a quorum of the Legislative Assembly, with a view to facilitate the conduct of public business, and to promote the general well-being of the colony.

“The important measures which your Excellency has brought more prominently under our notice, in reference to State-Aid, Education, and Police shall likewise receive our best attention; and we are prepared to concur in the steps requisite to give effect to the appointment of a Commissioner or Commissioners for the regulating the outstanding accounts of this colony with New South Wales.

“The high importance of giving the earliest possible development to improved means of communication with Europe, as impressed upon us by your Excellency, is a matter which, during the Session, shall command our utmost deliberate consideration; and, impressed with the advantages of our geographical position, we shall give our most willing co-operation towards any measures directed towards the establishment or extension of telegraphic and steam postal services.

“The great questions involved in a right solution of the difficulties surrounding our land policy, are matters of the highest interest to all classes in the colony of Queensland; and we shall not shrink from adding our exertions to those of the other branches of the Legislature, in endeavoring to establish that system which, on mature consideration, may seem best calculated to ensure the best results.

“We are quite prepared to aid in passing a law for reforming the existing method of tendering for vacant Crown lands, with the view of protecting the ‘bona fide’ occupier against the mere speculator.

“We are prepared also to enter seriously on the important question of immigration, and to give our assistance in devising some mode of attracting population to our vast tracts of rich, but unoccupied, lands.

“We rejoice to find that your Excellency appreciates the loyal spirit which has led many of

the inhabitants of Queensland to volunteer their services for the defence of the country in case of need, and we trust the organisation given under existing laws to this body of Volunteers, may not only render them efficient in the hour of emergency, but also tend to foster that patriotic enthusiasm which alone gives life and spirit to the only warlike struggle likely to be known to the present generation of colonists, a war in defence of the country from attack.

“Finally, we heartily join your Excellency in your aspirations for the future of this country. We pray the blessing of Almighty God may rest upon the deliberations of the Legislature of this colony; and we add our congratulations that on your Excellency has devolved that proud task you have so well begun, of guiding this young community in its first footsteps amongst nations.”

Mr. BIGGE then moved that the address in answer to his Excellency's most gracious speech be adopted. He esteemed it a great privilege to be in a position to address hon. members on this most important occasion in their history as an independent colony. He hoped that the ceremony of opening the Parliament would terminate as harmoniously as it began. It was not his intention to dwell upon the various topics broached in his Excellency's speech, but there were some of such importance that he could not pass over them in silence. The first was the proposed measure for altering the quorum of the house, which would be immediately introduced. He believed that all hon. members would agree as to the necessity of an amendment in this respect, more especially as the only object of the Government was to facilitate the business of the country. (Hear, hear.) The next topic was that of State-aid to religion, which the Government left open for future consideration. It seemed to him, however, that the adoption of state-aid under existing circumstances would seriously interfere with the interest of religion, and therefore he thought that the Government had acted wisely in inviting their mature consideration of the subject. He was afraid that the entire withdrawal of state assistance would throw the burden of supporting the clergymen on a few, whilst the many who derived, both directly and indirectly, the advantages of religious ministrations, would be wholly exempt from pecuniary obligation. On the other hand, he did not think it would be fair to place ministers of religion in the position contended for by some persons. Why should clergymen more than other people be compelled, especially in the country, to knock at every door for the means of subsistence. (Hear, hear.) With regard to Primary education, another topic alluded to in his Excellency's speech, he was decidedly in favor of the National System, that being the most readily applicable to the scattered state of their population. It was also proposed to introduce a bill for the establishment of a public grammar or high school, the object of which was to extend on a cheap and accessible plan, facilities to those parents who might feel disposed to give their children a high class education. He imagined the necessity for some such provision would not be disputed by the House. His Excellency next invited the attention of the house to the desirability of at once appointing commissioners to determine upon the boundaries of this colony, and to arrange the details with reference to separation from New South Wales. This was a very important matter, inasmuch as it involved to a certain extent their financial capabilities. He believed that the commissioners would also have to decide with regard to the public debt, now pending between this colony and New South Wales. If so, the sooner they commenced negotiations the better, for it appeared that New South Wales, at the present moment, admitted a debt in favor of Queensland to the extent of £18,000, which he believed could be easily obtained. Another topic worthy of special notice in his Excellency's speech was, the proposal for connecting the principal Australian colonies by means of electric telegraph via East Java. Such a line of communication would necessarily pass through this colony, and as it was now, according to his Excellency, under the consideration of the Governments of the other colonies, he thought there was little doubt that Queensland would take her share in the responsibility of the enterprise when the proper time arrived. (Hear, hear.) Having now drawn attention to the principal topics in the vice-regal speech he might be allowed the indulgence of saying a word or two with respect to the present Government. Those gentlemen had accepted office under circumstances of peculiar trial, they had to encounter all the difficulties of inaugurating a new political system in a new country, and whatever errors they might have committed, they had a right to expect the Parliament established through their instrumentality would fairly consider and judiciously correct. (Hear, hear.)

Mr. YALDWYN seconded the motion with very great pleasure. In separation they had secured a splendid gift of land and a glorious future. He did not intend to speak upon more than one or two topics in his Excellency's most gracious opening speech, and these were the land question and immigration. Adverting to the first, his Excellency informed them that it was not the intention of the Government, during the present session, to introduce a comprehensive measure, but that they intended to introduce a bill for the purpose of improving the present system of tendering for land. To this extent he entirely agreed with the policy adopted by the present Government. Why should persons have the privilege of merely taking a map and selecting large blocks of land for the sole purpose of speculative profit in disposing of them at enormous prices to bona-fide settlers. Such a system gave a monopoly to a class of persons who contributed nothing to the real production of the country, and who yet succeeded in acquiring possessions larger than German principalities. (Hear, hear.) He believed that the government would introduce a really beneficial measure, one which would have the effect of neutralising the evils complained of, and increasing the growth of wool to the extent of at least 50 per cent. Immigration was another topic of importance alluded to in his Excellency's speech. He was glad to hear that provision had been made for keeping up the supply of labor during the present year, but at the same time he should be glad to see some system of remission tickets established—such as was proposed in the vice-regal speech. His Excellency had told them that he relied upon their prudence and general knowledge for judicious legislation, and he had no doubt that so long as their measures did not infringe on the prerogatives of the Crown they would continue to enjoy the respect and esteem of their governor. (Hear, hear.)

The motion was then put and passed unanimously.

Captain O'CONNELL announced that it would be consistent with this Excellency's convenience to receive the addresses of the House at 12 o'clock next day.

The Council therefore adjourned until half-past 11 o'clock next day.