

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

...
Legislative Council
9th July 1862

...
Extracted from the third party account as published in the
Courier 10th July 1862

THE PRESIDENT took the chair at half-past two o'clock, and opened the proceedings with prayer.

THE TRAMWAY COMPANY.

Mr. HARRIS moved that the 39th standing order be suspended, for the purpose of enabling him to correct an error which occurred in the record of his vote on the previous day relative to the tramway resolutions. It appeared that in division his vote was inadvertently given against instead of for the resolutions.

Mr. WESTERN WOOD pointed out that no standing order could be suspended unless there was present an absolute majority of hon. members—such as contemplated by the standing orders themselves; and seeing that such was not the case, he imagined the motion could not be entertained.

The PRESIDENT ruled accordingly, and the motion for the present was withdrawn.

BUSINESS OF THE SESSION.

Mr. FITZ moved the following amended resolutions:—“(1.) That from the very few days (but twenty-two in all) this House has met for the despatch of business during the present session, there has been a precipitate legislation towards its close, which is highly to be deprecated, and which cannot but be injurious to the efficiency of Parliamentary Government. (2.) That in order to guard against the repetition of so undesirable a course of procedure, this House is of opinion Parliament should be called together at an earlier period of the year, and that more time should be afforded to deliberation on such measures as Government may think fit to submit for the consideration of the Legislature. (3.) That without time for their careful consideration, measures are likely to be passed in so crude and imperfect a state as to preclude their proving of any permanent benefit to the colony, and with great risk of affecting injuriously large existing interests. (4.) That it would greatly tend to facilitate legislation in this House, if all bills proposed to be introduced by the Government could be placed on the table within one month after the meeting of Parliament.” In bringing forward these resolutions, he did not desire to cast any blame on the Government, nor yet upon hon. members of that House, who, he believed, had attended to their duties with the greatest regularity. He contended that the abrupt and hasty manner in which the session had been brought to a close was attributable entirely to a neglect of duty on the part of gentlemen composing the other House. He found, upon enquiry, that the Parliament met on the 30th of April, and that there had been since only 22 regular sittings for the disposal of all the important business brought before them. The consequence was that several of the more important measures had been shelved, and as a proof of this he alluded to the tramway resolutions, which were most ignominiously thrown out on the previous day. Irrespective of the great importance of the enterprise involved, he regarded the summary rejection of those resolutions as a direct vote of want of confidence in the Government. (Cries of “No, no.”) He believed, however, that no such result could have occurred had the resolutions been brought down earlier, or further time been given for their consideration.

Mr. WESTERN WOOD agreed with the spirit of the resolutions, and also admitted that the tramway resolutions might have been passed had sufficient time been allowed for their consideration. He argued further that if it had not been for the system of hasty legislation adopted lately, many other measures of great importance would have been carried, which would not have to stand over until the next session. The cause of all this obstruction to legislative business rested not with the Government, nor yet with that House, but with gentlemen in another chamber. In proof of this he might mention that he saw around him a full attendance of hon. gentlemen, who ever since the session commenced had given their attendance regularly, and who were even now prepared, to go on earnestly and energetically with the business of the country.

Mr. BALFOUR objected to the resolutions because he considered they reflected unjustly on the conduct of the Government. (No, no.)

Mr. FITZ, in reply, stated that he had not the remotest idea of casting any censure on the Government, and if he thought his resolutions were likely to have such an effect he would withdraw them at once. He believed that the hon. gentlemen constituting the Ministry had done all in their power to carry on the business of the country, and it was not their fault if hon. members in another place chose to neglect their duties.

The House divided with the following result:—

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|---------------------|--------------------|
| Contents, 7. | Non-contents, 5. |
| Hon. J. J. Galloway | Hon. G. Harris |
| W. Hobbs | J. M'Connell |
| G. Fullerton | J. Balfour |
| H. B. Fitz | D. F. Roberts |
| A. W Compigne | R. Pring (Teller.) |
| L. Hope | |
| W. Wood (Teller.) | |

The resolutions were therefore carried.

SUSPENSION OF STANDING ORDER No. 39.

Mr. HARRIS moved, without previous notice, by virtue of the 136th Standing Order, there being an absolute majority of the whole of the members constituting the Council present, that the Standing Order No. 39, in reference to unopposed motions, be now suspended—his object being, as he stated before, to correct a vote which he had given in error. Nearly every one knew that he had always been a warm supporter of the tramway enterprise, and therefore he should be sorry that any vote of his should be taken by the public in an adverse light.

The motion was carried.

TRAMWAY COMPANY.

Mr. HARRIS then moved, without previous notice, under the suspension of the 39th Standing Order, That this House do now rescind the vote arrived at on Tuesday, the 8th instant, with regard to the resolutions of the Legislative Assembly, in reference to the Moreton Bay Tramway Company.

Mr. WESTERN WOOD opposed the motion, on the very same grounds that had been urged by his friend, the hon. Mr. Fitz, in the resolutions which had just been passed with regard to hasty legislation. If the hon. gentleman were sincere in his professions regarding the danger of passing important measures hastily, he was bound, in order to preserve his consistency, to vote against the resolutions then before the House. His own idea was that, if they assented to the rescission of the vote, they would be bound to go into committee for the purpose of considering the resolutions in detail, the subject being one of unusual importance, and he would appeal to hon. members whether the circumstances of the case were such as to warrant them in taking this step.

The ATTORNEY-GENERAL was not surprised at anything the Hon. Western Wood might say, but he still thought that the hon. gentleman might have gracefully accorded to the Hon. G. Harris the privilege of correcting a vote which, as they all knew, had been given in error. Then again, the Hon. Western Wood talked about going into committee on these resolutions;—if such was really his idea, why did he not vote against the motion of the hon. Mr. Fitz for going into committee on the previous day.

Mr. FITZ, in reply to the Hon. Western Wood, denied that he had ever given a vote inconsistent with his political profession of principle; and what was more, he had never yet given a vote which he regretted, with the exception of the one having reference to the prosecution of the *Courier*.

The motion was then put and passed on the following division:—

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|--------------------|--------------------------|
| Contents, 9. | Non-Contents, 3. |
| Hon. L. Hope | Hon. W. Wood |
| J. M'Connell | D. F. Roberts |
| A. W. Compigne | J. J. Galloway (Teller.) |
| G. Harris | |
| H. B. Fitz | |
| G. Fullerton | |
| W. Hobbs | |
| J. Balfour | |
| R. Pring (Teller.) | |

The ATTORNEY-GENERAL moved the adoption of the resolutions as transmitted from the Assembly. Carried.

A Message was sent to the Legislative Assembly, conveying the resolutions relative to the tramway, but owing to there being no quorum in that chamber, they were returned.

STANDING ORDERS.

On the motion of the ATTORNEY-GENERAL, the vote suspending the standing orders was rescinded.

ORDERS OF THE DAY.

On the motion of the ATTORNEY-GENERAL, the following business was discharged from the paper:—The Constitution Bill, Matrimonial Causes Jurisdiction Bill, and the Jury Bill.

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Prorogation of Parliament
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THE PROROGATION.

Owing to the announcement made in both Houses of the Legislature on Tuesday that Parliament would be prorogued by his Excellency the Governor at three o'clock yesterday afternoon, a considerable number of persons assembled in Queen-street at that hour to witness the arrival of the vice-regal *cortege*. A guard of honor from the detachment of H. M. 12th Regiment was drawn up in front of the Parliamentary Chambers, and a few policemen were also in attendance. The Legislative Council met at three o'clock, and as they had some business to transact, in the way of rescinding a motion which they had passed on the previous day, the ceremony did not commence at the hour previously announced. His Excellency arrived from Government House in an open carriage, accompanied by his Aide-de-Camp, Lieut. Seymour, and attended by an escort of the Brisbane Mounted Rifles, under the command of Captain Bramstone, and, as his Excellency alighted from his carriage, the guard of honor presented arms.

The Legislative Council Chamber was crowded by a large number of ladies and gentlemen who received tickets of admission to witness the ceremony. Lady Bowen was not present, as she usually has been on similar occasions; but all the spare seats in the body of the House were occupied by ladies, whilst the strangers' gallery was filled as full as it could hold with visitors of the sterner sex.

Immediately after his Excellency had taken his seat, the Usher of the Black Rod was directed to summon the Assembly to attend, and seven or eight members of that House soon after entered, headed by the Speaker, the Colonial Secretary, the Colonial Treasurer, and the Minister for Lands and Works. His Excellency then announced that he had given his assent, on behalf of the Queen, to the Pastoral Occupation Bill, the Additional Judge Bill, the Diseases in Cattle Act of 1862 Suspension Bill, and the Common Law Procedure Bill.

The Speaker, in compliance with the usual form, congratulated the Governor on the close of the session, and presented the Appropriation Bill for the vice-regal assent, which was given. His excellency then read, in his usual emphatic manner, the following speech:—

**“HONORABLE GELTLEMEN OF THE LEGISLATIVE COUNCIL, AND
GENTLEMEN OF THE HOUSE OF ASSEMBLY:—**

“1. The public business which has occupied your attention during the annual session has not been so far disposed of as to enable me to release you from your attendance in Parliament, and to dismiss you to those other duties which claim so large a share of your time and energy.

“2. The session now brought to a close, though comparatively short in duration, has produced several useful measures. Among these, one, in particular, deserves especial notice. The Pastoral Occupation Act, which was framed in order to obviate delays and evils urgently complained of by this community, and by persons desirous of introducing capital from abroad, will, it is confidently hoped, effect an important change in the position of pastoral investments in Queensland. By removing all obstacles from the path of the *bona fide* occupant, the revenue and

exports of the colony will be immediately increased, and the further occupation of our vast territory facilitated and hastened.

“3. Proposals have already been made to the Government on behalf of a projected Association at Melbourne, desirous of settling a portion of the territory to the north-west, which has been temporarily annexed to Queensland by her Majesty, in gracious compliance with an address from this Legislature. It will be the duty of the Government to further any well-considered project in accordance with our existing laws; and I am aware that I may rely on your enlightened liberality for making any provisions that may be necessary for the settlement and development of that rich accession of country which has been granted at your own request.

“GENTLEMEN OF THE HOUSE OF ASSEMBLY,—

“4. I thank you, in the name of the Queen, for the liberal supplies which you have granted for the coming year. The provision which you have made should suffice, with economy, to secure efficiency in all branches of the public service; and it appears almost certain that the revenue of the current and ensuing years will considerably exceed the amount at which it has been estimated.

“HONORABLE GENTLEMEN, AND GENTLEMEN,—

“5. The co-operation of this Government with that of Victoria, in searching for traces of the lamented explorers, Messrs. Burke and Wills, has produced a result even beyond what we were entitled to anticipate. The ability and energy of Mr. Landsborough have placed him in the proud position of being the first leader of an expedition who has successfully connected the northern and southern shores of Australia, and who, at the same time, has brought his entire party across the continent in perfect health and safety. I congratulate you upon the happy and gratifying circumstance, that this exploit has been achieved by our own fellow-colonist, with a party selected and equipped at Brisbane, and within what is now principally our own territory.

“6. The final determination of her Majesty's Government with reference to the proposed station at Cape York, will probably reach me by the mail of this month; but there appears to be little doubt that military and naval protection will be afforded, periodical communication with the settled districts maintained, and the first buildings erected at the cost of the Imperial Government; while the Parliament of Queensland will be called upon to make provision only for such Civil Officers as may be found necessary. I need not dwell upon the great advantages that must accrue from the formation of this settlement, not only to this colony and to the British empire in Australia, but generally to the commerce of the world.

“7. I now declare this Parliament to stand prorogued until Tuesday, the 11th of November next.”

Immediately after the delivery of the speech his Excellency retired from the Legislative Council Chamber, and returned to Government House, escorted as before, and the third annual session of the Parliament of Queensland was at an end.