

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 19 AUGUST 1868

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commission, bearing date at Westminster the twentieth day of May last, has appointed him Governor and Commander-in-Chief of the colony of Queensland, and that, in virtue of such commission, he has assumed the Government of the colony accordingly.

"Government House,

"Brisbane, 19th August, 1868."

The POSTMASTER-GENERAL moved, without previous notice—

That a select committee, consisting of the Honorable W. Hobbs, the Honorable St. G. R. Gore, the Honorable W. D. White, the Honorable G. Harris, and the mover, be appointed to prepare an address, thanking the Governor for his message, communicating to this House the fact that His Excellency has assumed the Government of this colony.

The motion was agreed to; and the committee retired to consider the address.

The Hon. ST. G. R. GORE, on the return of the committee, brought up the address agreed to, which was read, as follows:—

"To His Excellency SAMUEL WENSLEY BLACKALL, Esquire, Governor and Commander-in-Chief of the colony of Queensland and its dependencies."

"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.

"We respectfully offer to your Excellency our cordial congratulations on your assumption of the Government of Queensland.

"We desire, in conclusion, to assure you, that we shall at all times readily afford to your Excellency our co-operation and assistance in carrying out all such measures as may be best calculated to promote the permanent interests of the colony."

The Hon. ST. G. R. GORE then moved, that the address, as read, be adopted.

Agreed to.

The Hon. ST. G. R. GORE further moved—

That the address be presented to His Excellency the Governor by the Honorable the President, and such members of the Council as may be present to-morrow, at half-past two o'clock.

Agreed to.

LEGISLATIVE COUNCIL.

Wednesday, 19 August, 1868.

Appointment of Colonel Blackall as Governor.—Leave of Absence.—Return of the President.—Ministerial Statement.—Address of Thanks to the Queen for Gift of Books.

APPOINTMENT OF COLONEL BLACKALL AS GOVERNOR.

The PRESIDENT announced that he had received the following message from His Excellency the Governor:—

"SAM. W. BLACKALL,
"Governor.

"Colonel Blackall has the honor to inform the Legislative Council that Her Majesty, by a

LEAVE OF ABSENCE—RETURN OF THE PRESIDENT.

The Hon. ST. G. R. GORE moved, without previous notice, that leave of absence for three weeks, on urgent private business, be granted to the Honorable E. I. C. Browne, and said—In doing so, I think it will not be deemed out of place in me to refer to the return of the honorable the President to occupy his place in the Council. I feel sure that every honorable member will agree with me in believing that we should offer to the honorable the President our congratulations on the high position he has recently, for some time past, held as Acting Governor of this colony, and on seeing him again

amongst us. I am sure, also, that every honorable member will unite with me in wishing the President health and happiness, and that he may long continue to preside over our deliberations in that chair, which he previously occupied with so much satisfaction to honorable members of this branch of the Legislature.

The PRESIDENT, on rising to put the motion, said—Before putting the question, I cannot avoid acknowledging, with very grateful feelings, the kind congratulations on the resumption of my duties which my honorable friend, Mr. Gore, and the House have been good enough to offer me. I feel that, high and important as were the duties which prevented my taking my seat some time before the conclusion of the last session, and since the beginning of this, they have deprived me of a distinction I was somewhat proud of. Being one of the original members of this House, I was able, up to the present time, to say, that from its first meeting—from the establishment of Parliamentary Government—I had never been a day absent from its sittings—a boast which, I believe, no other member can make. This distinction I no longer possess; but the House is aware it was an unavoidable duty, and that only which has made me an absentee from my place. I have the pleasure of knowing that, during my absence, my place has been very satisfactorily filled by my honorable friend the Chairman of Committees; and once again thanking the House, I will venture to express a hope that I may be able to secure for the future a continuance of that kind consideration from honorable members, and the House generally, which I have always experienced in the past. I now put the question.

The motion was then agreed to.

MINISTERIAL STATEMENT.

The POSTMASTER-GENERAL said that, last week, he was asked by an honorable member to explain what course the Ministry intended to pursue, in consequence of the amendment that was carried on the address in reply to the Opening Speech in the Legislative Assembly. He could not then comply with the request, but he was now in a position to make such a statement. His honorable colleague, the Premier, after the amendment on the address that was carried in another place—when a vote of want of confidence, or what was tantamount to a vote of want of confidence, was carried by a majority of two, in a thin House, there being only twenty-five members present—took the earliest opportunity of having an interview with His Excellency the Governor on the subject. He might state that the honorable the Premier previously had an interview with His Excellency the Acting Governor with respect to what had taken place; but His Excellency, as his successor was so shortly to arrive, declined to take any action in the matter. The honorable the Premier informed His Excellency the Governor, as early as

possible after he arrived, of what had taken place; and, at the same time, tendered advice that His Excellency should dissolve the Parliament, because, parties being so equally divided, he did not see how the Opposition could carry on the business of the country. The honorable the Premier, at the same time, explained that he thought it would be desirable, as a general election had taken place but a short time previously, if the Parliament would assist the Ministry to pass a Re-distribution Bill, and the Estimates, before a dissolution. That being done, he thought that an appeal to the country might well be made; and that, as there would then be an increased number of members, it was not likely that parties would be so equally divided as they were at present; and that the business of the country would consequently be better carried on by the party who might have the majority. At the same time as his honorable colleague tendered this advice, he tendered the resignation of Ministers, but His Excellency declined to accept it; and he also considered that an immediate dissolution would not be desirable, as a re-distribution of seats was contemplated. His Excellency urged on the honorable the Premier the desirableness of persuading the Parliament to assist the Government in passing a Re-distribution Bill and the Estimates before a dissolution took place. The Ministry, therefore, intended to ask the Parliament to assist them in carrying through those measures. If Parliament should agree to that course, only a very short time would elapse before the other branch of the Legislature was dissolved, and the country appealed to. He thought honorable gentlemen would agree with him, that under existing circumstances, that would be the most advantageous course that could be adopted by the present Ministry.

The Hon. ST. G. R. GORE moved the adjournment of the House, as there was no question before it, for the purpose of being able to say a few words, and affording other honorable members an opportunity of expressing their views on the extraordinary and unconstitutional course the present Ministry proposed to adopt, as had just been explained by the honorable the Postmaster-General. He must confess that he felt a difficulty in expressing himself as strongly as he felt on the subject, inasmuch as the Ministry were not laboring under a vote of want of confidence on the part of the Council. He thought, however, that he might assume that honorable gentlemen had, through the ordinary channels of information, full knowledge of what had taken place in the Assembly. There could be no doubt that very great inconvenience would accrue from a dissolution of the Parliament taking place at the present time; but that was an inconvenience which, under existing circumstances, they must be prepared to face. He had no doubt that some honorable gentlemen, who might be opposed to his way of thinking, might compare the

case of the Ministry with that of Mr. Disraeli, who was carrying on the home Government, although he was supposed not to have the confidence of a majority of the House of Commons. But the want of confidence in the Ministry here was expressed in a very different way from the way in which a want of confidence in Ministers was recently exhibited in the Imperial Parliament. In the House of Commons, the want of confidence in the Ministry was expressed merely by their inability to prevent a certain motion being carried, that was brought forward by Mr. Gladstone, the leader of the Opposition; but here, a motion was carried, stating distinctly that the Ministry did not possess the confidence of the Assembly. Mr. Disraeli, on the motion being carried, tendered his resignation and that of his colleagues to Her Majesty, but Her Majesty declined to accept the resignation of Ministers; and then Mr. Disraeli informed the House of Commons that the Government would offer no further opposition to the measure that was proposed by Mr. Gladstone, and that, when it and the Scotch and Irish Reform Bills were passed, to complete the Parliamentary reform initiated by the passing of the English Reform Bill in the preceding session, and other pressing measures, including, of course, the estimates, the existing Parliament would be dissolved. Under those circumstances Mr. Disraeli had, with the consent of the House of Commons, carried on the reform and other necessary measures; and, as he thought, the right honorable gentleman had, in doing so, incurred a great deal of undeserved obloquy. The circumstances under which the Ministry here proposed to retain office were very different, although the Ministry professed to have a somewhat similar object. As the Council was not pledged to the vote of want of confidence carried in the Assembly, they were concerned in it only in the second degree. Still, he could not help raising his voice against what he considered to be an utter contradiction of constitutional practice. There were only two courses open to the Ministry to pursue. The first was, to dissolve the Parliament; and they had every right to claim that Parliament should be dissolved; because they came into power during a Parliament that was elected while gentlemen who now sat on the Opposition benches were in power. That being the case, they had a right, according to constitutional usage, to ask that the Parliament should be dissolved. He would not have blamed them for adopting that course in a straightforward way; and saying that they felt they would obtain an accession of strength by an appeal to the constituencies; and, therefore, in spite of the inconvenience that would be occasioned, they would dissolve the Parliament. That was the first course that was open to them to adopt. The second course was, to resign office unconditionally. It appeared to him,

speaking in a political sense, that it was a breach of political honor for any Ministry to remain in power after the passing of a solemn vote of want of confidence—and that not in a thin House, as the honorable the Postmaster-General represented, for there were only five members absent. It appeared to him altogether unconstitutional for the Government to cling to office after such a vote. He did not mean to impute motives to the Ministry; but, he would ask, what would those out of doors think of such conduct, except that those who were in office merely desired to retain office as long as possible. He believed that the course Ministers proposed was quite impracticable; for he did not believe the Assembly would consent that a solemn vote of want of confidence should be ignored. As a party man, and he frankly confessed that he was a party man, he would prefer that there should be a dissolution; but he thought the course the Ministry should have adopted was to have resigned at once; and, as parties were so easily balanced, if their successors were unable to carry on the Government, then the responsibility of the inconvenience of a dissolution would have fallen upon them. He would only further refer, by way of contrast, to the conduct of the previous Ministry, who, when they found they did not possess a working majority, though they had a majority as large as the present Government were in a minority, at once resigned office, and offered every facility for the business of the country being carried on by those who thought they could command a sufficient majority for the purpose.

The POSTMASTER-GENERAL said that as no other honorable gentleman offered to address the House on the question brought under their notice by his honorable friend opposite, he would embrace the opportunity of saying a few words in reply. His honorable friend had said that the Ministry had only two courses open to them to pursue under the circumstances in which they were placed by the vote of want of confidence that was passed in the Assembly; and that the one was to dissolve the House, and the other to resign unconditionally. He had already explained to the House the reason why the Ministry did not recommend a dissolution at once, and that they had tendered their resignation, which was not accepted. It must be evident, he thought, that a general election at the present time would only prolong the inconvenience of carrying on the public business. Honorable gentlemen would agree with him that if the Parliament were dissolved at once, and a general election took place, the result would, in all probability, be merely a renewal of the present balance of parties. He thought, therefore, that it would be better to wait till there was such a re-distribution of members that the country would have a greater opportunity of expressing their opinion as to whether the present Ministry or the Opposi-

tion most possessed their confidence. He thought it would be useless to go to the country for a general election, when the only result would be a renewal of the existing difficulty. His honorable friend also commented on the conduct of the Ministry in not resigning at once; and remarked that the opinion that would be formed out of doors respecting such conduct would be that the Ministry were mainly influenced by a desire to retain office. Now, he could assure his honorable friend that there never had been a Ministry in Queensland yet, and, perhaps, never might be, that less wished, or would less wish, to stick to office, for the sake of office, than the present Ministry. The acceptance of office imposed a grave responsibility, and so also did the relinquishment of office. Neither step, he maintained, ought to be taken without a full appreciation of that fact. No body of gentlemen could be justified in accepting office unless they possessed, or had good reason to believe that they possessed, the confidence of the country; nor, on the other hand, would a Ministry, who had reason to believe that they possessed the confidence of the country, be justified in relinquishing office. Now, he believed the present Ministry possessed the confidence of the country; and he believed that every succeeding day would more and more afford increasing evidence of the honesty that had characterised all the proceedings of the present Ministry. Believing, therefore, as he did, that the present Ministry possessed the confidence of the people, he would be very loth to give up office to anyone, so long as the Ministry, of which he had the honor to belong, was able to carry on the Government of the country. He knew that the Ministry were popular throughout the country generally, and that it was only in one or two of the towns they were not so popular. For his own part, he would never desert his post so long as he could conscientiously cling to it; while, on the other hand, if he felt convinced that there was a majority against the Ministry he belonged to, he would be the first to resign.

The Hon. Sr. G. R. GORE said he did not wish to occupy more of the time of the House than he felt to be really necessary; but his honorable friend the Postmaster-General had made some observations which he felt he could not allow to pass without availing himself of the opportunity of noticing. The honorable gentleman, in the first place, said there was every reason to believe that, under a general election at the present time, the same members would be returned for the seats they at present occupied; or, at all events, that the same state of parties would be reproduced; and he further stated that the present Ministry possessed the confidence of the people. Now, he must say, in regard to such opinions, that he believed the honorable the Postmaster-General was the only person in the whole country by whom they were held; for he could assure the honor-

able gentleman and the House that it was a matter of common conversation that several seats had been obtained by the grossest fraud and personation; and he himself had no doubt that such was the case. He believed there were many constituencies that would return members whose political opinions were diametrically the opposite of those held by the present members. The honorable gentleman also denied that the Ministry were clinging to office for the sake of office; but, if their conduct did not manifest that such was the case, he must confess that he did not know what clinging to office was. To hold to office, after a vote of want of confidence, was nothing else than a clinging to office for the sake of office. If the Ministry believed that they had been taken by surprise, and while some of their supporters were absent, they could have adopted a course by which the vote could have been reconsidered; and they might have had a call of the House for the consideration of a vote of confidence. That would have brought the question to the proper test. The honorable gentleman also stated that the Ministry possessed the confidence of the country, if they did not possess the confidence of the Assembly; admitting that, in one or two of the towns only, they might not be very popular. Now, he must say that that was one of the most astounding assertions he could possibly have expected to hear; and he could not but think that anyone who could seriously make such an assertion must have been asleep during the whole of the recess. He could most confidently assure the honorable gentleman that all the towns in the colony were most decidedly opposed to the present Ministry; and he believed there were few classes in the country who, even though holding widely different views in respect to general politics, had confidence in the present Ministry. There was, however, one very great objection he had to the course the Government proposed to pursue; and that was, that the very measure they proposed to pass before dissolving Parliament could not be passed. If the present Ministry were to hold office, and if Parliament could not be dissolved till a Re-distribution of Seats Bill was passed, they would hold office for ever; as the Bill could never be passed while the present state of parties existed. Before such a Bill could pass, there must be a majority of two-thirds of the members of the other House in favor of it; but such a majority could not be obtained by any party at the present time. The only other course would be the repealing of the two-thirds clause; but, to a Bill for that purpose, the Governor, seeing it would be an alteration of the Constitution Act, would not give his assent; and, therefore, the Bill would have to be sent home for the royal assent. Now, it would occupy a period of ten months for all that to be done; and, consequently, he maintained, it would be impossible to pass a Re-distribution of Seats Bill before dissolving Parliament. Any

attempt to pass a Re-distribution Bill at present must fail, for almost any minority could obstruct it, seeing that a majority of two-thirds was required to pass such a measure. It would, therefore, he thought, be quite as well to dissolve the Parliament at once as to struggle on a little longer, and have to dissolve under the same state of things as now existed. He would not occupy the time of honorable members further. He did not suppose that anything he could say would have any influence on the honorable gentleman and his friends; but he had thought that he would be wanting in his duty to the House if he did not firmly enter his protest against the most monstrous doctrine he had ever heard proposed.

The question, that the House do now adjourn, was then put and negatived.

ADDRESS OF THANKS TO THE QUEEN
FOR GIFT OF BOOKS.

The POSTMASTER-GENERAL reported that the Council, at a conference with the Legislative Assembly, had had communicated to them an address to Her Majesty the Queen, agreed to by that House, conveying the thanks of the two Houses for Her Majesty's gracious gift of books to the library, and moved, "That the address be read."

The motion was agreed to, and the address was accordingly read by the Clerk. It was as follows:—

"MOST GRACIOUS SOVEREIGN,—

"May it please your Majesty,

"We, your Majesty's loyal and dutiful subjects, the members of the Legislative Council and Legislative Assembly of Queensland, in Parliament assembled, desire to express to your Majesty our grateful sense of your Majesty's kindness and condescension in presenting to our library copies of 'The Early Years of His Royal Highness the Prince Consort,' and 'Leaves from the Journal of Our Life in the Highlands.'

"We thank your Majesty for these books, not only because they are a mark to us of the interest our Sovereign takes in this distant portion of her dominions, but also because they reveal to us much which, in every well-constituted mind, cannot fail to increase the love and veneration felt for your Majesty and your Royal Family.

"We assure your Majesty your gifts are highly prized by us; and we avail ourselves of this opportunity to renew the expression of our loyalty and devotion to your Majesty's throne and person."

The POSTMASTER-GENERAL moved, "That the House concur in the address as read."

Agreed to.