

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

TUESDAY, 7 JULY 1885

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1885.

QUEENSLAND.



DEBATES OF THE LEGISLATIVE COUNCIL

DURING THE

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

APPOINTED TO MEET

AT BRISBANE, ON THE SEVENTH DAY OF JULY, IN THE FORTY-NINTH YEAR OF THE REIGN OF HER
MAJESTY QUEEN VICTORIA, IN THE YEAR OF OUR LORD 1885.

LEGISLATIVE COUNCIL.

Tuesday, 7 July, 1885.

Meeting of Parliament.—New Members.—The Governor's Opening Speech.—Resignation of Member.—Leave of Absence.—Ministerial Statement.—Bill *pro forma*.—Address in Reply.

MEETING OF PARLIAMENT.

Pursuant to proclamation, bearing date 4th June, convening Parliament for the despatch of business, the Council met shortly before noon this day.

NEW MEMBERS.

The PRESIDENT announced the receipt of letters intimating that His Excellency the Governor had been pleased to advise the Executive Council to summon Thomas Macdonald-Paterson, Esquire, Walter Horatio Wilson, Esquire, and Frederick Hurrell Holberton, Esquire, to the Legislative Council, and that His Excellency had administered to them the oath of allegiance.

The Hon. T. Macdonald-Paterson and the Hon. Walter Horatio Wilson were then introduced, and having subscribed the roll, took their seats.

THE GOVERNOR'S OPENING SPEECH.

At noon His Excellency the Governor came in state to the Houses of Parliament, and was received at the main entrance by the President, the Postmaster-General, and other members of the Legislative Council, and conducted to the dais in the Upper Chamber. The House being seated, a message was sent to the Legislative Assembly to the effect that His Excellency desired the presence of Mr. Speaker and hon. members in the Council Chamber; and the Assembly attended accordingly, and being seated in the place reserved for them below the bar,

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His EXCELLENCY read his Opening Speech as follows:—

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

“I am glad to have recourse once more to your advice and assistance in administering the affairs of the colony.

“Since I last had the opportunity of consulting you, events have occurred which appeared to indicate the necessity of immediate preparation for the defence of our coasts against invasion by a power hostile to the British Empire. Prompt measures were taken by my advisers to meet this emergency, and it is with great pleasure that I record the satisfaction with which I observed the loyalty and alacrity displayed by the inhabitants of all parts of this colony in coming forward for the defence of their country. I am confident that under similar circumstances the same willingness to perform their duty will always characterise the people of Queensland. Your sanction will be asked for the expenditure necessarily incurred in connection with this subject.

“I trust that the attention which has thus been drawn to the necessity of putting our defences on a proper footing may prove of lasting benefit. My Ministers are now in communication with the Governments of the other colonies upon the important subject of maintaining an adequate naval force in Australian waters. Papers on these questions will be laid before you,

"The offer of men and arms made to the mother-country by the colony of New South Wales was followed by many offers from men willing to volunteer from Queensland in aid of the British arms in Africa. There can be no doubt that the action of the Australian colonies in this matter has had the effect of bringing them conspicuously into notice throughout the civilised world, and of drawing closer the bond of union between them and Great Britain.

"I have been informed of Her Majesty's determination to substitute direct and complete jurisdiction over a portion of New Guinea for the Protectorate originally contemplated. I am not yet, however, in possession of full particulars as to the intentions of Her Majesty's Government.

"I anticipate that the Draft Bill for the establishment of a Federal Council, of which, during the last session of Parliament, you expressed your approval, will shortly, with some modifications, become part of the law of the Empire. I trust that advantage will be taken of its provisions by all the Australian Colonies.

"I have caused full inquiry to be made into the circumstances under which natives of New Guinea and the adjacent islands were introduced into Queensland. The result of the inquiry having shown that these men were brought here without understanding the nature of the engagements into which they were supposed to have entered, my Ministers have caused such of them as desired to return to be taken back to their native islands at the expense of the colony.

"Although the men by whom these islanders were recruited were formally the agents of the persons by whom the islanders were employed in the colony, my Ministers do not think it fair, having regard to the fact that an agent of the Government accompanied each ship engaged in recruiting, that the employers should be called upon to bear all the loss consequent upon being deprived of the services of the islanders. A Bill will, therefore, be introduced at an early date to make provision for giving them compensation upon a fair and equitable basis.

"I regret that little advantage has hitherto been taken of the Act passed by you during last session to facilitate the introduction of indentured labourers from Europe. There is strong reason, however, to anticipate that employers of labour will shortly avail themselves of the provisions of this Act to a considerable extent.

"Immigration has been maintained at a moderate but steady rate; and I am glad to know that the immigrants introduced have been of a class well suited for the requirements of the colony, and have readily found engagement.

"The necessary steps have been taken to bring into operation the Crown Lands Act of 1884, so far as has been practicable in the short time that has elapsed since the commencement of the Act. It has been found that in some of the older settled districts in which selection has been going on for many years the provisions of the Act requiring survey before selection are not well

adapted to secure the occupation of the land still remaining unselected. You will, therefore, be invited to confer upon me further suspensory powers with respect to these provisions.

"Your early consideration will be asked for a measure to give additional representation in the Legislative Assembly to certain parts of the colony which are now inadequately represented.

"The danger threatening the colony of an invasion of rabbits has attracted the anxious attention of my Ministers. You will be immediately asked to deal with this subject.

"GENTLEMEN OF THE LEGISLATIVE ASSEMBLY,—

"The Estimates for the present year will be laid before you forthwith. It is gratifying to note that, notwithstanding the effects of a drought of unprecedented severity and duration, the Revenue has continued steadily to advance. The price which, notwithstanding many adverse influences, was obtained in London for the Queensland stock recently offered, to the extent of two and a-half millions, affords gratifying proof of the unshaken credit of the colony.

"The Bill to provide for the Payment of the Expenses of Members of the Legislative Assembly, of which you have already recorded your approval, will be at once submitted for further consideration.

"You will also be asked to make further provision for developing the mining wealth of the colony by the encouragement of deep sinking.

"The various public works sanctioned by you have been pushed forward with all practicable expedition.

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

"The present laws for regulating elections are admittedly unsatisfactory. I have to ask your careful attention to a measure dealing with this subject, and making better provision for the prevention and punishment of corrupt practices.

"A Bill to amend the laws relating to the Sale of Intoxicating Liquors by Retail, and to provide for the exercise of Local Option, has been prepared, and will be submitted to you as soon as possible.

"Amongst other measures which will be submitted to you as opportunity arises, are—

"A Bill to make better provision for the management of Public Charitable Institutions;

"A Bill to continue the operation of the Marsupials Destruction Act of 1881;

"A Bill for facilitating Sales, Leases, and other Dispositions of Settled Land, and for promoting the Execution of Improvements thereon;

"A Bill to shorten the Duration of Parliaments;

"A Bill to amend and put a limit to the operation of the Pacific Islanders Act of 1880;

"A Bill to consolidate and amend the laws relating to the Jurisdiction of Justices of the Peace ;

"A Bill to amend the Local Government Act of 1878 with respect to Loans for Water-works, and in other respects ;

"A Bill to make provision for Regulating the Width of Streets and Lanes, and to prevent the Subdivision of Land in such a manner as to be injurious to the public health.

"You will also be invited to consider the advisability of remodelling the Native Police Force, and of making better provision for the welfare of the aboriginal inhabitants of the colony.

"I trust, also, that time may allow of your dealing with the important question of the supply and conservation of water, upon which much valuable information has been and is still being obtained by my Government.

"For these, together with such other matters as may be brought before you, I confidently ask your most earnest and careful consideration, and I trust that under the blessing of Providence your labours may tend to the permanent welfare of this portion of Her Majesty's Dominions."

His Excellency and suite then left the Chamber, and the members of the Assembly having also withdrawn, the sitting was suspended until half-past 3 o'clock.

RESIGNATION OF MEMBER.

The PRESIDENT announced the receipt of a letter from the Private Secretary of His Excellency the Governor, informing him of the resignation of the Hon. Charles Stuart Mein of his seat in the Legislative Council.

LEAVE OF ABSENCE.

The PRESIDENT announced that His Excellency the Governor had been pleased to grant leave of absence to the Hon. James Francis Garrick, Q.C., C.M.G., during the present session of Parliament.

MINISTERIAL STATEMENT.

The POSTMASTER-GENERAL (Hon. T. Macdonald-Paterson) said : Hon. gentlemen,—It is my duty to intimate to this House that since the last session of Parliament the Hon. C. S. Mein, having been appointed to the position of Judge of the Supreme Court of the colony, has resigned the office of Postmaster-General. I have accepted that office with the accompanying responsibility of leading the Government, as it is termed, in this House. I am fully sensible that I am an unworthy successor to the hon. gentleman who preceded me, because he was, as I think most of you will admit, peculiarly fitted to discharge the duties attaching to that onerous position. Besides being a cultured scholar, he was possessed of great tact, good temper, and excellent discretion ; and these are qualities which I think should, to a great extent, subsist in any gentleman holding the position I occupy to-day. I feel, however, having regard to the estimation in which I have held this honourable House ever since I have turned my attention to politics, that it practically represents the ripened experience and mature judgment of the country ; and I have hope that honourable gentlemen will accord to me the kindly feeling and unvaried courtesy that they gave to my predecessor in the discharge of the business of the Government. I therefore trust that, in the conduct of the business of this House, I shall merit and receive the kindly forbearance of honourable gentlemen.

The HON. T. L. MURRAY-PRIOR : Honourable gentlemen.—We have heard what the hon. the Postmaster-General has said, and I think I can assure him that he will receive every assistance from the members of this House he can possibly desire, whatever their political feelings may be. I must now pay my tribute to the gentleman who for so many years was leader of this House—the Hon. Mr. Mein. At one time it was my painful duty, when that gentleman first sat in this House, to find fault with his appointment, but I now believe that every member of this House regrets very much that the Hon. Mr. Mein has gone from among us. I have often had to oppose that gentleman, and it is not an easy task to oppose a gentleman of his intelligence and erudition ; but I would much rather see that gentleman in this House, and always have to oppose him, than have him absent from the House. He was an ornament to this Chamber, and I can only hope that he will long enjoy the high position he now holds in the colony.

BILL PRO FORMA.

The POSTMASTER-GENERAL presented a Bill to amend the law relating to Deodands, and moved that it be read a first time. Question put and passed.

ADDRESS IN REPLY.

The PRESIDENT having acquainted the House that, for greater accuracy, he had obtained a copy of the Speech which His Excellency the Governor had delivered to Parliament, and having read so much of it as was addressed to that House,

The POSTMASTER-GENERAL moved—

That a Select Committee be appointed to consider and prepare an Address in Reply to the Speech of His Excellency the Governor, such committee to consist of the following members, namely :—The Hon. W. Horatio Wilson, the Hon. A. Raf, the Hon. G. King, the Hon. J. Cowlshaw, and the Mover.

Question put and passed, and the Committee retired.

The Select Committee having returned, brought up the following Address in Reply, which was read by the Clerk :—

"To His Excellency Sir ANTHONY MUSGRAVE, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies.

"MAY IT PLEASE YOUR EXCELLENCY,—

"1. We, Her Majesty's loyal and dutiful subjects, the Members of the Legislative Council of Queensland, in Parliament assembled, desire to express our continued loyalty and affection to the Person and Government of our Most Gracious Sovereign ; and we thank Your Excellency for the Speech with which you have been pleased to open the present Session.

"2. We shall give our careful and serious consideration to the various measures to which Your Excellency has referred, and to such other business as may be brought before us ; and we beg to assure Your Excellency that it will be our constant endeavour to unite with Your Excellency and the Legislative Assembly in passing such laws as will lead to the permanent advancement and welfare of all classes of the community."

The HON. W. H. WILSON said : Hon. gentlemen,—I rise to move that the Address as read by the Clerk be now adopted. In doing

so I trust that the generous indulgence usually accorded to new members may be extended to me, particularly as I am comparatively new to public life, and consequently feel the novelty of the situation. I have no intention of going through the whole of the Speech, but I may say that all the subjects in the colony which seem to demand attention are embodied in it. The Speech seems to me to differ from speeches in general in this: that on some occasions such speeches have, in certain quarters, been characterised as exposing no policy—in fact, binding the Government of the day to nothing; while this, on the other hand, has a backbone, as is evidenced by the matters promised for intended legislation, and by boldly accounting for Ministerial action during the time the present Government have been in office. I think hon. gentlemen will join me in congratulating the Government upon the prompt measures taken for the defence of the colony at a time when war was probable. The circumstances will be fresh in the recollection of hon. gentlemen; and the manner in which the people of this colony met the gravity of the situation is good augury for the future, in case similar circumstances should arise. I therefore gladly echo the statement made in the Speech “that under similar circumstances the same willingness to perform their duty will always characterise the people of Queensland.” In connection with this matter I may mention that the foresight and ability displayed by the Premier during the time of what is now called the “war scare,” but what then seemed to be more of a reality, will commend itself to our highest admiration. Everything that could be done was done by the Premier, who was virtually in the position of Minister for War. As far as could be done, the defences were then placed on a sound footing, and I am glad to find that arrangements are now about to be made for the defences of the colony to be put on a permanent footing. To a certain extent, it is fortunate that the occurrences which led to such an interest being taken in defence matters arose, because we have not been used to declarations or rumours of war in these colonies; and to have had a little experience in the matter seems to point to this—that we shall be able to carry out whatever is necessary for the defence of the colony, and that, the attention of the colony having been turned to the subject, we shall be better prepared than if there were a lasting peace. In connection with that part of the Speech which refers to the Australian Contingent and the offer of men and arms by the colonies, I am quite sure that if volunteers from this colony were required for Afghanistan or any other place there would be no difficulty in obtaining men in any number. The fact of the Contingent having been sent to the Soudan has certainly had the effect of bringing these colonies more conspicuously under notice throughout the civilised world than any other possible contingency which could have happened, and a closer bond of union between them and Great Britain has no doubt been the consequence of that event. I think we might well hail with satisfaction the determination of Her Majesty's Government in England to substitute a direct and complete jurisdiction over a portion of New Guinea instead of the Protectorate which was originally contemplated. Whatever blunders or delays occurred in connection with that matter, I think can be very well laid to the door of the British Government, and not to any action of these colonies. However, as the Speech states, the full particulars of the intentions of Her Majesty's Government are not before us; but I hope there will be no difficulty about that matter. With reference to the subject of a Federal Council I

consider this a very important step in the advancement and progress of the Australasian colonies, because the establishment of such a council will bring about a more intimate relationship between the colonies, especially in their domestic relations, and questions of common interest will be much more easily dealt with than they could possibly be without such a council. I now come to the next paragraph of the Speech, which refers to the Government having caused a full inquiry to be made into the circumstances under which the natives of New Guinea and adjacent islands were introduced into the colony. I think that the colony may be congratulated that the Government had the boldness to tackle that question, and to return those islanders who had been brought here without understanding the nature of their engagements; and also upon the fact that they determined that the islanders should be returned at the expense of the colony. I have also much satisfaction in finding that, whilst doing this, the Government have determined to do justice, even to those who had been instrumental in bringing the islanders to this country; and that a Bill is intended to be introduced in order to afford compensation to the employers. With reference to the next paragraph of the Speech, it is to be hoped that indented white labour will very soon take the place of black. I have no doubt that that is a vexatious question, but at the same time it appears to me that the tendency of public opinion is in the direction of very shortly putting an end to black labour altogether in this colony. In conjunction with the Government, I hope that employers of labour will shortly avail themselves of the provisions of the Indented Labourers Act. It is gratifying to learn that immigration has been maintained at a steady rate, and that the immigrants that have been sent out have been of a class well suited to the requirements of the colony. There is no doubt that, in a young colony like this, immigration is a very important matter. It is, in fact, a vital question that we should promote immigration, especially if it is of a proper description. I am, therefore, glad that the Government have this well in view, and that immigrants of a good class are being shipped and sent here. Hon. gentlemen will recollect that the Crown Lands Act of 1884 was a very heavy item in the legislation of last session, and that Act having been passed it is now only necessary that the administration of it should be of the best possible description. I trust that the Land Board which has been appointed will take every care to administer the Act to the very best possible advantage, and I have no doubt that, if they do, the Act will be found to work well in settling a large population on the lands of the colony. I am glad to find that a measure will be proposed to give additional representation in the Legislative Assembly to certain parts of the colony now inadequately represented. That is a measure which has long been called for, and which it is quite time was passed by the Legislature of this colony. Another important matter is the danger threatening the colony through an invasion of rabbits, and this, it is stated, is engaging the attention of the Ministry. I am glad to find that it is so, and indeed I should be surprised to hear that it was not. I trust that whatever may be done will be done in such a way that it will be a success, because I look upon it in this way—that an invasion of rabbits is almost as bad as an invasion by a foreign power. I also notice that the present laws for regulating elections are to be amended, and that it is intended to make better provision for the prevention and punishment of corrupt practices at

elections. That is a matter that has already engaged the attention of the English House of Parliament, and it is quite necessary that some laws of the kind should be introduced here. There is another Bill promised, to amend the law relating to the sale of intoxicating liquors and to provide for the exercise of local option. This, I believe, has been promised before, but has never been carried out, and I have no doubt that it will receive careful consideration. There are other important measures promised which I will not go through because you have them before you, but prominent amongst others are to be found a Bill to shorten the duration of Parliaments, also a Bill to amend and put a limit to the operation of the Pacific Islanders Act of 1880—a very important measure which I hope will receive careful attention. That something will have to be done to put an end to the labour traffic there is no doubt, if it is to be carried on in the way it has been in the past. One other measure I will trouble you by mentioning, and that is a Bill to make provision for regulating the width of streets and lanes, and to prevent the subdivision of land in such a manner as to be injurious to the public health. That I consider a most important measure, and when it comes before this House I shall be prepared to give it my hearty support, because I think that the public health should stand first in legislation, and that people should be compelled by wise legislation and firm administration to preserve the public health. There is no doubt a very great amount of trouble will arise if this matter is not at once taken in hand, because land has been subdivided into very small portions, especially about Brisbane, and what is being done at the present time must be injurious to the public health. The desirability of remodelling the native police will no doubt receive due attention, and also the storage and conservation of water. Anyone who is familiar with the droughts that have taken place in this colony will know at once that such a matter is of much importance, and ought to receive the early attention of the Government. I have now, hon. gentlemen, detained you long enough, and will not further trespass upon your time, but will simply conclude by moving that the Address, as read by the Clerk, be now adopted.

THE HON. A. RAFF: Hon. gentlemen,—After what has been said by the mover of the resolution, it is hardly necessary for me to refer to what has been done by the Government in regard to the various matters mentioned in the Speech. I indorse most cordially their endeavour to make provision for the defence of the colony, and, although the offer of men and arms was only accepted of the Government of New South Wales, it must be gratifying to learn that many were willing to go from Queensland; and it must not be forgotten that Queensland was not altogether unrepresented in the New South Wales Contingent. With regard to New Guinea, it must be satisfactory to learn that the party now in power in Great Britain do not intend to remain satisfied with a mere protectorate over that country; and as to the establishment of a Federal Council of all the colonies, it must be admitted that this is a consummation devoutly to be wished for. I hope that it will pave the way to free interchange of commodities between all the colonies and the mother-country. I hope that it will also pave the way to fair trade between other countries, the colonies, and the mother-country. With regard to the Pacific Island labourers who have been returned to their homes, there can only be one opinion as to the necessity of giving compensation to those employers who have been deprived of the services of their men, and it is to be hoped that the compensation will be fair and equitable. As far as

the Crown Lands Act of 1884 is concerned, it appears that the provision requiring survey before selection has been found to retard, rather than advance, settlement on the land in some districts, and it will be admitted that it is desirable to extend the provisions of the Act. I believe, however, that there are greater obstacles to settlement upon the land than the particular part of the Act referred to—obstacles which I am afraid no kind of legislation can remove. I refer, of course, to the extensive and protracted droughts and to the low prices ruling for wools in the London market. Dealing with the subject of the rabbit invasion, it must be gratifying to hon. members to learn that the Government are alive to the necessity of taking immediate steps to prevent the advance of rabbits into the colony, for it is scarcely possible to over-estimate the danger that we are threatened with. The sale of intoxicating liquors and the exercise of the principles of local option are also important subjects; and a measure dealing with them, when it comes before us, will have my cordial support. I believe also that it is necessary to provide for the better management of our charitable institutions. They are now a heavy charge upon the revenue of the colony, and as our population increases the expenditure in regard to them will also increase. It will also be desirable, in my opinion, to continue the operation of the Marsupials Act of 1881. Only last week I had the opportunity of seeing how rapidly wallabies are increasing in a portion of the colony where, twelve months ago, there was scarcely one to be seen. It must be a matter of regret that provision was not made long ago to prevent the subdivision of land into small lots, and the formation of so many narrow lanes in the city, and a measure dealing with that subject is much required. I also concur in the proposal to deal with the questions of Native Police, protection of aborigines, and the conservation and supply of water. These are subjects which appear to me to demand immediate attention. I beg to second the motion for the adoption of the Address in Reply to the Speech of His Excellency.

THE HON. T. L. MURRAY-PRIOR moved the adjournment of the debate.

THE POSTMASTER-GENERAL: I hope hon. gentlemen do not intend to adjourn at this early hour. We have still an hour and a-half, during which time we may pursue business. I am under the very strong belief that hitherto, except on special occasions, similar matters to these have been disposed of in one afternoon. I do not make this observation for the purpose of checking or diminishing discussion on the question, but I think I am fairly entitled to ask hon. members to do some more work this afternoon.

THE HON. F. T. GREGORY: I must say, in respect to the motion for the adjournment of the debate, that there are many hon. gentlemen present who really would like time to read the Speech and consider it. Possibly there may be very little in the Address in Reply, to which any of us may take exception; but we may fairly claim to have time to consider the various subjects brought forward in the Speech. We may reasonably make such request, as nothing can be gained by rushing the matter through. I therefore certainly shall support the motion of my hon. friend Mr. Murray-Prior.

THE HON. W. D. BOX: I trust that the House will consent to the adjournment; to my mind there is a great deal in the Speech that wants consideration. We want time to read His Excellency's Speech, and we have not had time to do so. If we stay to debate the matter it will only lead to the adjournment later on in the day; but, if we adjourn now,

hon. gentlemen will be able to speak with more knowledge upon the various subjects. We want to take the Speech home with us, and see what it actually means, and I confess that it would be very much better if the practice of adjourning on an occasion of this kind were regularly adopted. We have heard the programme for our future legislation read by His Excellency, and now is the time for considering the various matters mentioned in the Speech. There appears to me nothing to be gained by going on with the work this afternoon, and, personally, I should feel gratified if I had an opportunity of carefully reading the Speech before we finally decide upon the Address. That the Address in Reply will be accepted by this House I have no doubt, but a far more instructive and valuable debate would ensue if the House were to consent to an adjournment instead of deciding the question to-day.

Question—That the debate be now adjourned—put and passed.

The Hon. T. L. MURRAY-PRIOR moved that the resumption of the debate be made an Order of the Day for to-morrow.

The POSTMASTER-GENERAL said : Hon. gentlemen,—There is a great deal in what fell from the Hon. Mr. Box in regard to the custom which has hitherto prevailed in this Chamber, and you will of course expect me to follow the practice which has hitherto been observed. I am glad to say that I agree with the hon. gentleman that the time during which hon. members have been in possession of the Governor's Speech is too short to admit of a profitable debate now, and I myself should like to see less of the formality to which the Hon. Mr. Box referred ; so that under the circumstances I readily assent to the suggestion made by the Hon. Mr. Murray Prior.

Question put and passed.

On the motion of the POSTMASTER-GENERAL, the House adjourned at twenty-five minutes to 5 o'clock.
