

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

...
Legislative Assembly
3rd May 1861
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Extracted from the third party account as published in the
Moreton Bay Courier 4th May 1861

The SPEAKER took the chair at 10 minutes past 10 o'clock.

EAST MORETON ELECTION.

The SPEAKER read a letter from Mr. R. Cribb, begging to withdraw the petition presented by him against the return of Thomas Symes Warry for East Moreton.

Mr. CRIBB explained that on viewing the whole circumstances of the case, he did not think it worthwhile to plunge the constituency into the turmoil of another election. He also believed, from what little he had seen of Mr. Warry in the house, that that gentleman would prove a good member, as he had already shown symptoms of a spirit of economy in dealing with the public funds (Hear, hear, and laughter)

QUESTION OF PRIVILEGE.

The SPEAKER drew attention to a question of Mr. Lilley standing on the notice paper, which he (the Speaker) considered was out of order. The question addressed to the Colonial Secretary was as follows—"Under whose authority or sanction the Attorney-General of Queensland told this house that the colonists of Queensland would have accepted the boon of separation under any terms, even as a crown colony, by which the proposer understands a convict colony, or a colony devoted to any purpose the Imperial government might wish?" He ruled that this question could not be put, as it was not allowable for an hon. member to allude in the house to what had been said on a previous debate."

Mr. LILLEY, on rising to the point of order, thought that, although in debate a member is not allowed to allude to what has passed on a previous debate, it was yet competent to pose a question, or even a motion for returns &c., upon what had passed on a previous debate.

The SPEAKER reiterated his ruling, and in support of it quoted an instance of a similar nature which took place in the House of Commons, when a question put by Mr. E. B. Roche, having reference to the reported words of another hon. member in a previous debate, was declared out of order by Mr. Shaw Lefevre.

Mr. LILLEY begged to submit to Mr. Speaker's ruling. Every purpose he wished to serve by putting this question, had already been attained. (Hear, hear).

The ATTORNEY-GENERAL would, with the permission of the house, explain that on the occasion alluded to, speaking argumentatively, he had merely said that he believed at one time a great portion of the inhabitants of this colony, would have submitted to the colony being made a Crown colony, rather than it should continue attached to New South Wales.

Mr. LILLEY merely wished that the statement that we would have taken separation at any price should not go forth uncontradicted.

ERECTION OF BRIDGES.

Mr. WATTS asked the Colonial Secretary—"(1.) What has been done in the matter of erecting bridges, for which the money was voted last session, more particularly those over the Condamine, Myall Creek, and Lockyer; and over the Bremer River, at Ipswich. (2.) Has the money been spent on Brisbane street, Ipswich, which was voted to repair it last session?"

The COLONIAL SECRETARY said that in some of the cases referred to plans and

specifications were being proceeded with, and when completed tenders would be called for. Sections for the bridge at Dalby would be taken forthwith. Plans and specifications for the bridge over the Lockyer had already been called for, and the necessary plans and drawings for the bridge at Ipswich were also being taken. With reference to the second question, out of three thousand pounds voted by the Legislature, two thousand had already been expended under the supervision of the corporation, who had rendered accounts of the expenditure to the government. Application had been made for the remaining thousand, and it would be immediately granted.

ROAD INTO TOOWOOMBA.

Mr. WATTS asked the Colonial Secretary—“(1.) If any contract has been taken to clear the road from the old toll-bar into Toowoomba? (2.) If no contract has been taken, what the government intend doing with the money voted last session for that purpose?”

The COLONIAL SECRETARY stated that tenders had been called for, but none had been received. The government had therefore thought it best to place a road party under the Surveyor of Roads on the spot.

DR. CHALLINOR.

Mr. GORE, pursuant to notice, asked the Attorney-General—“(1.) Whether a letter addressed to the Attorney-General, signed Henry Challinor, J. P., containing imputations on the conduct of a magistrate of the territory, which appeared in the ‘North Australian’ of the 19th of February last, was published by his direction? (2.) If not, whether the publication of such letter be not unprivileged and irregular?”

Mr. O’SULLIVAN rose to a point of order. He thought this question involved a matter of a personal nature, and was one which, if answered, must involve an expression of opinion and also argument. (Hear, hear.) It was also put in such a way that the party concerned could not answer for himself. The proper and fair course for the hon. member for Warwick to adopt would be to bring forward a substantive motion about the matter, and such a course would give the hon. member for West Moreton an opportunity of defending himself. (Hear, hear.)

The SPEAKER ruled that the second question could not be put. The first, however, was in order.

The ATTORNEY-GENERAL, in answer to the first question, stated that the letter alluded to was not published with his annotation.

MASTERS’ AND SERVANTS’ ACT.

The COLONIAL TREASURER moved for leave to introduce a bill to amend the Masters’ and Servants’ Act.

Mr. MACALISTER wished to know how many bills to amend the Masters’ and Servants’ Act the government intended to introduce this session (Laughter.) One had been laid upon the table of the house the other day. Was this measure of the Colonial Treasurer a bill to amend that one? (Renewed laughter.)

The COLONIAL TREASURER begged to withdraw his motion. The fact mentioned by the previous speaker had escaped his notice, the bill having been laid somewhat prematurely upon the table of the house.

AUDIT OF PUBLIC ACCOUNTS.

The COLONIAL SECRETARY moved for leave to introduce a Bill to Regulate the Audit of the Public Accounts. He explained that the provisions of this measure were similar to those of measures existing in New Zealand and Victoria.

Leave having been obtained, the bill was brought in and read a first time, its second reading having been set down as an order of the day for Tuesday week next.

ORGANISATION OF CIVIL SERVICE.

The COLONIAL SECRETARY postponed the motion standing in his name, for leave to introduce a bill to organise the civil service of the colony until next Friday.

SUPPLY.

On the motion of the COLONIAL TREASURER, that the house resolve itself into a committee of supply,

Mr. RAFF rose to move an amendment that the words "this day month" be added to the motion. He could see no necessity for the great haste which the Treasurer displayed by going into supply at this early period of the session. On the contrary he saw every reason why the house should not be in a hurry to vote the supply. It was just possible that the government did not wish to legislate upon matters of pressing urgency, and that having passed the estimates they might come down to the house, tell hon. gentlemen they were much obliged to them for their attention to public business, and liberality, and then dismiss them. (Hear, hear.) There was great need for caution, from the avowed intention of the government with respect to measures of great urgency. Their determination too, had been made known to the house in a manner which he scarcely thought compatible with the dignity and privileges of the house. It was hardly right for the Attorney-General to assert, as he had done yesterday, that he would oppose any measure introduced, dealing with a certain subject, without reference to the merits of that measure. There was another reason why they should defer going into supply, viz.—the Treasurer would be bringing forward supplementary estimates, and it was desirable that the house should have all the estimates before them at the same time.

Mr. LILLEY seconded the amendment.

The COLONIAL TREASURER stated that this was a mere formal vote which the government wished to take. The house could then go on with the estimates whenever they pleased. The government were, however, blamed last year for not providing sufficient work for hon. members, and they did not wish this session to render themselves amendable to the same charge.

Mr. RAFF, as this was a mere formal vote, would withdraw his amendment.

The COLONIAL TREASURER announced his intention of making his financial statement on Thursday next. There were certain items of supplementary estimates for 1861 which it was desirable that the house should pass as soon as possible.

The house then resolved itself into a committee of supply, and the sum of £300 for travelling expenses for his Excellency upon a tour of inspection having been voted, the chairman left the chair and reported progress, and the house resumed.

TENDERS FOR RUNS.

Mr. MOFFATT moved, "That an address be presented to the Governor, praying that his Excellency will be pleased to cause to be laid on the table of this house the following returns, viz.:—A return for all tenders for runs, the rent upon which was not paid on 30th March last, in accordance with the proclamation in the 'Government Gazette,' specifying the date of tender and the name or names of the tenderers. When the Tenders Regulation Bill was passed last session, it was anticipated that a large revenue would be derived from this source, and the present motion was made in order to ascertain whether those anticipations had been realized."

Mr. LILLEY seconded the motion.

The COLONIAL SECRETARY, on the part of the government had no objection to furnish the returns. He might state that three-fourths of the tenderers had failed to pay up their rent due even by the extended period for payment fixed by the government. Some of these tenderers had furnished to the government satisfactory reasons for their delay, and in these cases the government had accepted the tenders. A large proportion, however, had been forfeited.

Mr. FERRETT stated that many persons, to his knowledge, in the Maranoa district, were ignorant of the time fixed for the payment of the rent of the Treasury. They lived out of the reach of postal communication, and it was unfair to them, in such a case, to make them forfeit their runs.

The motion was put and passed.

The house then adjourned at ten minutes to eleven until three o'clock on Tuesday.