

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

...  
**Legislative Council**  
**12<sup>th</sup> June 1861**

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Extracted from the third party account as published in the  
Courier 13<sup>th</sup> June 1861

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The PRESIDENT took the chair at ten minutes past three o'clock, and opened the proceedings with prayer.

**RE-CONSTRUCTION OF THE UPPER HOUSE.**

Mr. YALDWYN said it had been his intention to bring the resolutions forward of which he had given notice for that day, but looking at the great importance of the subject, and the fact of so many members being absent, owing mainly to the impassable state of the roads and other unforeseen causes, he had come to the conclusion that it would be better to withdraw the resolutions for the present and give a fresh notice for that day week. He was particularly anxious that this matter should be discussed in as full a house as possible.

The CHAIRMAN OF COMMITTEES suggested that as the matter was undoubtedly one of very great importance, it would perhaps be better to place a notice on the paper requiring a call of the House on a certain day, by which means only could they ensure a full attendance.

Mr. YALDWYN pointed out that a call of the house would involve a delay of at least 21 days, and would also entail upon those members who might fail to attend the full fines and penalties prescribed by their Standing Orders, which he thought was hardly necessary under the circumstances.

After some further remarks to the same effect leave was granted to postpone the motion for a week.

**THE HON. J. BALFOUR.**

The PRESIDENT stated that he had received an intimation from the Hon. John Balfour, declaring his inability to attend, in consequence of illness.

**LEAVE OF ABSENCE.**

On the motion of Mr. GALLOWAY, leave of absence was granted to the Hon. Western Wood, for fourteen days.

**LAW OF FALSE PRETENCES AMENDMENT BILL.**

The PRESIDENT stated that he had received a message from the Legislative Assembly, transmitting a Bill to amend the law of False Pretences, and requesting the concurrence of the Legislative Council therein.

On the motion of Dr. HOBBS, the bill was read a first time, and the second reading fixed as an order of the day for that day week.

**NATIVE POLICE.**

The PRESIDENT intimated that he had just received a message from the Legislative Assembly, requesting permission to examine the Hon. M. C. O'Connell (President) before a select committee of that body now engaged in prosecuting an enquiry into the state of the Native Police.

The necessary permission was granted accordingly.

## PAPERS.

Dr. HOBBS laid on the table a report on the Seventeen-mile Rocks, and one in reference to the botanic gardens, both of which, on the motion of Mr. ROBERTS, was ordered to be printed.

## CEMETERIES' REGULATION BILL.

Mr. YALDWYN moved the second reading of a bill for the establishment and management of cemeteries in the colony of Queensland, and in doing so took occasion to explain its leading provisions. He commenced by stating that he believed every hon. member would agree with him as to the desirability of providing, at the expense of the public, decent places of sepulchre for those with whom they had been accustomed to walk in mutual concourse through life; and he also thought the house would acknowledge the great want that now existed for a general cemetery, conducted on broad and equitable principles. The bill which he had the honour to introduce was designed to carry out this object, as would be seen from the substance of the several provisions. The second clause empowered the Governor in Council, to appoint trustees in whom all lands granted for burial purposes should be vested; and the third clause gave the same authority power to remove trustees under certain circumstances, and to appoint others in their stead. The 4th clause defined the powers of the trustees, the main object of which was to cause them to lay out and maintain the grounds in a secure, ornamental, and convenient style, subject to the approval of the Governor in Council. The 5th clause empowered the trustees to make rules and regulations with regard to the positions of graves, vaults, the construction of coffins to be admitted into the vaults, the depths of the graves, the erection of monuments, and many other matters of a like character. The same clause, however, contained a proviso, that no regulation of the trustees should interfere with the most perfect religious freedom of the various denominations. The 6th clause enacted that every minister of religion, for whose denomination a portion of the cemeteries had been specially set apart, should at all times have free access for the exercise of his spiritual functions. He pointed out, moreover, that there were other provisions in the bill of alike liberal character, even to the extent of allowing persons, on the payment of reasonable fee, to consult their own peculiarities of taste in the construction of vaults or the erection of monuments, &c. There were many other matters upon which he might dwell in connection with the bill, but as the several clauses would come under consideration in committee of the whole house, he would defer for the present any observations he might have to make with regard to details. He had no doubt, however, that the consideration of the bill in committee would result in making it a more perfect measure.

The motion was then put and passed, and the consideration of the bill in committee was fixed as an order for the following day.

## MEDICAL BILL.

On the motion of Dr. FULLERTON this bill was read a third time and passed, and ordered to be transmitted to the Legislative Assembly for its concurrence.

## JOINT COMMITTEES.

A message was received from the Legislative Assembly, intimating that Mr. Fitzsimmons had been appointed a member of the joint committees for the management of the refreshment rooms and parliamentary buildings.

The house adjourned at 20 minutes to 4 until 3 o'clock the next day.