

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

...
Legislative Council
27th June 1861

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Extracted from the third party account as published in the
Courier 28th June 1861

THE PRESIDENT took the chair at 10 minutes past 3 o'clock, and opened the proceedings with prayer.

CONDUCT OF CROWN LANDS COMMISSIONERS.

Mr. BROWN asked the hon. member representing the government—

(1.) If the government permits its officers holding the appointment of Commissioner of Crown Lands in this colony, to traffic in runs, or to offer for sale directly or indirectly, country as yet unoccupied? (2.) If the government is aware of the prevailing rumour, that a gentleman holding the position of Crown Land Commissioner in this colony, has been selling runs in a district to the north, near which he is located? (3.) If there will be any objection to lay on the table of this house all letters addressed to the government of this colony by Mr. Halloran, in explanation of certain charges made against him for irregular conduct whilst filling the office of Police Magistrate and Crown Lands Commissioner in the Wide Bay district?

Dr. HOBBS, in answer to the first question, stated that the government did not sanction the trafficking in runs by officers under their control. 2ndly. That no representation had been made to government to the effect that a Crown Land Commissioner had been selling runs in the manner stated, and that consequently the government were unacquainted with the abuse complained of. 3rdly. That the government had no objection to produce the papers asked for.

CHURCH OF ENGLAND SCHOOLS.

Mr. YALDWIN moved that the petition presented by him on the previous day be printed, as he would have an opportunity on another occasion of going into the merits of the question. He would not then trespass on the attention of the house with any observations of his own.—Carried.

DRAFT ON BANKERS' BILL.

Dr. HOBBS moved that this bill be read a second time, explaining that it had been sent up by the Assembly, and that its several provisions had undergone very serious consideration by that body.

Dr. FULLERTON thought the bill in its present form was more calculated to benefit the rich than the poor man. He maintained that the system of crossing cheques and drafts would give rise to a combination between the bankers and the moneyed classes of the community, which would compel the poor to fall back on the gin shop for pecuniary assistance, and thus to deprive him from all the benefits of banking speculation. The hon. member here entered into a lengthened illustration in support of his argument.

Mr. GALLOWAY supported the motion, pointing out that it was a great advantage to the poor man to legalise the passing of small crossed cheques as cash, which would really be the effect of the present bill.

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

AUDIT BILL.

The PRESIDENT announced that he had received a message from the Legislative Assembly, transmitting the Public Revenue and Audit Bill for their concurrence.

On the motion of Dr. HOBBS, this bill was read a first time, and the second reading fixed for Thursday next.

REAL PROPERTY BILL.

The PRESIDENT reported that he had received a message from the Legislative Assembly, transmitting the Real Property Bill, 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 was fixed as an order of the day for Thursday, 11th July.

CORONERS' BAIL ON MANSLAUGHTER BILL.

On the motion of Dr. HOBBS, the house resolved itself into a committee of the whole for the purpose of considering the Legislative Assembly's amendments on this bill.

After some discussion, in which Mr. YALDWIN, Mr. GALLOWAY, Dr. FULLERTON, and Dr. HOBBS took part, the amendments as made by the Assembly were agreed to, and the house resumed.

Dr. HOBBS then moved that the bill be re-transmitted to the Legislative Assembly, with a message expressing the concurrence of the Legislative Council in the amendments proposed.—Carried.

POISON BILL.

On the motion of Dr. HOBBS, the house resolved itself into a committee of the whole, for the purpose of considering the amendments proposed in this bill by the Legislative Assembly.

Dr. HOBBS moved that the amendment of the Legislative Assembly, omitting the words "ignorantly or negligently," be agreed to; and his reason for doing so was, that he had since been informed that a law already existed whereby offences of the kind referred to could be punished.

Dr. FULLERTON had not changed his opinion since the matter was last under their consideration. He maintained that the words proposed to be omitted were essential to the bill, in order to check ignorant persons from administering drugs as medicine of which they knew nothing, or comparatively nothing. In support of his argument, the hon. member cited several cases within his own experience, showing the evil effects of allowing ignorant persons to administer drugs in the shape of medicine, especially under the name of "coffee," as designated by female nurses of a certain class. He argued, moreover, that there need be no apprehension as to the probability of confounding the term "ignorant" with "innocent," seeing that the whole object of the bill was to punish the ignorant or guilty, and not the innocent. He believed, further, that if the two words in question were expunged the whole bill would be useless. He concluded by moving that the bill, with amendments, be referred to the Legislative Assembly for further consideration.

Mr. YALDWIN would be disposed to agree with the amendment for sending back the bill unless he were assured that the law already in existence was sufficient to meet cases such as those contemplated in the words "ignorantly or negligently." As it appeared, however, that the law now in force was adequate to meet all the requirements of the case, he could see no particular reason why he should not vote for the amendment as proposed by the Assembly.

Mr. McDOUGALL also stated that he was prepared to send back the bill unless it were shown that the administration of poison by ignorant persons was provided for in other acts.

After a few remarks from the PRESIDENT, much to the same effect, the question for omitting the words "ignorantly or negligently" was put and negatived, and the house resumed.

On the motion of Dr. HOBBS, the bill, with a message intimating the rejection of the amendment in question, was ordered to be returned to the Legislative Assembly.

COTTON CULTIVATION.

On the motion of Dr. HOBBS, the house resolved itself into a committee of the whole, for the purpose of considering the message of the Legislative Assembly relative to the resolutions on cotton cultivation. Dr. Hobbs explained that some doubt had arisen in the Assembly, touching the phrase "from the date of acquired possession," which, it was thought, might apply to some period of fifteen or twenty years hence. It was, therefore, proposed to obliterate these words from the bill altogether.

After some remarks from the PRESIDENT, Mr. McDOUGALL, and Dr. FULLERTON, the amendment as proposed by the Legislative Assembly was agreed to, and the house having resumed, the resolutions as amended were adopted, and ordered to be re-transmitted to the Legislative Assembly for their concurrence.

The house adjourned at half-past 5, until Wednesday next, at 3 o'clock.