Record of the
Proceedings of the Queensland Parliament
...
Legislative Assembly
25th June 1862
...
Extracted from the third party account as published in the
Courier 26th June 1862

The SPEAKER read prayers, and took the chair at twenty eight minutes past three.

STANDING ORDERS COMMITTEE.

The COLONIAL SECRETARY brought up a report from the Standing Orders Committee, recommending that certain alterations be made in the Standing Orders, namely:—1. That if any member absent himself from the House for three consecutive days during the session, without the consent of the House, such member shall be adjudged to have been guilty of contempt, and will be liable for a fine of £20. 2. That any member counting out the House shall be deemed to be present, whether he is or not, when the Speaker counts the House. He would move that the report be printed, and that it be considered in committee the next day.

Mr. O'SULLIVAN considered that the report alluded to himself personally. He would move, as an amendment, that it be considered in committee on Tuesday next.

The SPEAKER could assure the hon. member that the report had not the slightest reference to him; it had been under the consideration of the committee for some time past, and had no reference to any hon. member.

After some further remarks from Messrs R. CRIBB, JONES, FERRETT, CHALLINOR, and the MINISTER for LANDS, the House divided on the amendment with the following result:—

Ayes, 13.			Noes, 10.		
Mr.	Richards		Mr.	Herbert	
	Taylor			Mackenzie	
	Edmonstone			Macalister	
	Fleming			Haly	
	Forbes			Blakeney	
Dr.	Challinor			Moffatt	
Mr.	Raff			McLean	
	O'Sullivan			Coxen	
	Warry			Ferrett	} Tellers.
	Lilley			Royds	}
	B. Cribb				
	R. Cribb	} Tellers.			
	Jones	}			

GRANTS OF LAND TO RELIGIOUS DOMINATIONS.

Mr. JONES asked the Colonial Secretary—Whether grants of land, or a grant for other than burial purposes, have or has not been granted to one or more religious denominations since the 1st October 1860; and if so, to what sect or sects, for what purposes, and in what localities?

The COLONIAL SECRETARY, in reply to the hon. member's question, would state that no grants had been made to religious denominations for other than burial purposes, since the 1st October, 1860, except those grants which had been made and considered before that period.

ILLEGALITY OF ACTS.

Mr. JONES asked the Colonial Secretary—Whether the Government have considered the possibility of the Acts of the present session being declared illegal, should the question arise in a court of law, in consequence of the presence and participation in the legislation of the House of two members whose seats, owing to their absence for "one whole session without the permission of the Assembly entered on its journals," were and are vacated under the 26th section of the Constitution Act?

The COLONIAL SECRETARY said that, as the question of the hon. member involved an expression of opinion, he could not answer it without infringing upon the rules of the House.

ELECTORAL BILL.

The COLONIAL SECRETARY, in rising to move the committal of the Electoral Bill, would state to the House the course the Government had proposed to adopt. The session was nearly past now, and there was a great deal of work before the House; he would therefore state his intention, if it met with the approval of the House, to leave out those clauses of the bill which referred to the franchise altogether, and make it a bill to certify how elections were to be carried on, and for a re-distribution of members. The Government thought they were bound to take the course proposed in justice to those hon. members who had supported the bill, and to those hon. members who had signified their intention to move amendments in the various clauses. He would move that the Speaker leave the chair, and that the House resolve itself into committee of the whole to consider the Electoral Bill.

Mr. R. CRIBB would make a few remarks before the House went into committee. He had no notion of taking part of a bill, and he thought it was incumbent on the Government either to go into the whole matter, or else withdraw the bill altogether. He thought that by following the latter course great waste of time would be avoided. If this bill were not withdrawn, he should decidedly oppose going into committee on a portion of it.

Mr. RAFF said hon. members would remember the high position taken by the hon. member at the head of the Government when he had introduced the bill. That hon. gentleman had then stated that he would not submit to any material alteration in the bill. He (Mr. Raff) was not the least astonished that that hon. gentleman had seen fit to change the opinion he then held. At any rate, if the bill was passed through committee there was no chance of its passing a third reading. He (Mr. R.) should allow the Government to make what alterations they pleased in committee, but he should certainly oppose the third reading.

Mr. O'SULLIVAN was pleased to notice that there was some wish at conciliation on the part of the ministerial side of the House. He believed that it was necessary occasionally for people to change their opinions, and he looked upon a man who refused to change his opinions, when he saw good reasons for changing them, as a fool. He thought they might as well go a little further, and let the question alone altogether, and they would doubtless be thanked for the concession they had made, although a concession it could hardly be called, seeing that petitions had been received from all parts of the country praying for an extension of the franchise. The only way of extending the franchise would be by granting manhood suffrage. The people had not asked for anything out of the way—they had expressed their intention of being satisfied if the franchise were allowed to stand as it was. If the Government would take the advice of a man would was well acquainted with public opinion—and public opinion must be anything but despised—they would withdraw the bill. If they did not do so, they would inevitably suffer defeat. For his own part he did not particularly wish to get rid of the present Government, believing as he did in the wisdom of not throwing an old broom away until the new one was obtained. He intended, however, if the bill was pressed to a committal, to oppose every clause of it.

Mr. JONES was not at all surprised at the proposition which had been made by the hon. the Colonial Secretary; it was an insidious attempt to endeavour to get over the opposition side of

the House. Well and truly had it been said by an hon. member who had since joined the Government, that that Government possessed neither policy nor principle. It appeared to him that the Government and their supporters might be looked upon as the hulk of the ship, and the opposition as the helm. Notwithstanding the spirited position affected by the Colonial Secretary on the first introduction of the bill, he (Mr. J.) was not at all surprised to see that hon. member now evince his old spirit of submission to the opposition. In his Excellency the Governor's speech at the opening of Parliament, it was stated that they were to be blessed with an extension of the franchise, when in fact, as far as that portion of the bill was concerned, it would have been preferable that the franchise should have been left as it was. The hon. the Colonial Secretary was willing to withdraw the clauses relating to the franchise, but he (Mr. J.) considered that there were other clauses of the bill of an equally objectionable nature. Secret nomination he could never consent to, but he was determined to uphold the ancient and English system of a man publicly submitting his views to his constituency, and that any questions which might be put to him he should answer. Another portion of the bill to which he objected was the distribution of seats, which was very unfair. The hon. the Colonial Secretary had stated that that distribution was made on the basis of population.

The COLONIAL SECRETARY begged to correct the hon. member. He (the Colonial Secretary) had said that the basis should be the male adult population.

Mr. JONES resumed: There was certainly one new constituency formed, the representation of which was very necessary—he referred to Rockhampton. But these new members had been proposed for the country districts, which, as it was calculated to increase what was already a greatly preponderating influence in that House, was a very objectionable arrangement indeed. The Government should have stated frankly their utter inability to bring in a measure anything like what had been promised, and not have pursued a course which he could not but condemn. He could assure the Government that, as sure as he at that moment stood upon his legs, he should oppose every line of every clause in the bill.

Dr. CHALLINOR thought that all the vital objections could be removed in committee, and that it might eventually be made a good bill. The Colonial Secretary had, however, in trying to make certain concessions, yielded the whole point; he had, in fact, given up the citadel in order to retain the outposts. He could not see what just complaint could be made to the proposed franchise—all the rights of those already on the roll were secured to them, and he had intended to move an amendment when the bill was committed, to the effect that all persons should not be compelled to prove their claims—only those whose claims were objected to. He considered that, if the franchise became limited, it would be the fault of the population. Surely, in the twelve months which would be allowed them, people would be in a position to qualify themselves. He held the opinion that the prayers of petitions, were properly and formally worded should be taken into consideration by that House, but he would state that out of the fourteen clauses which had been objected to he had intended to move amendments in seven. There was no doubt of the necessity of attention being given to the voice of public opinion, at the same time he did not think that the House should be guided by public opinion only—that should depend on circumstances. It would sometimes be wise to defer legislation if it was likely that that legislation would cause agitation from one end of the colony to the other. He thought that the bill might be made a good one in committee, and he felt inclined to support it as a whole bill; but he should decidedly oppose it as a part measure.

Mr. LILLEY said it appeared to him that they were asked to make confusion worse confounded. The old Constitution Act had pieces taken out of it to form a new Constitution Act, and now they were asked to serve the Electoral Act in the same manner. He thought that it was very desirable that the Government should withdraw the bill, as he did not believe that any Electoral Bill would pass the House the franchise of which was not based upon manhood suffrage. They had been led to believe that they would have an extension of the franchise, and when the bill passed its second reading he had been so much disappointed in that respect that he had not thought it necessary to raise his voice against it, believing, as he did, that the country would never allow such a bill to pass. Then there was the secret nomination, which he presumed was an adaptation from the French law, and which, of course, would leave the carrying out of all

election affairs in the hands of the Government. He should, unless the bill were withdrawn altogether, move, as an amendment, that the bill be committed that day six months. It was very undesirable that so important a measure should be hurriedly entered into. Hon. members were not sufficiently prepared with their amendments, and he believed that if the bill were withdrawn it would cause a deal of satisfaction to be felt out of doors.

Mr. RAFF seconded the amendment.

The MINISTER for LANDS and WORKS said that it had been suggested by the hon. Colonial Secretary to send the bill into committee, leaving out the clauses relating to the franchise. He (the Minister for Lands) would endeavor to express to the House his idea of what was best to be done under the circumstances. There could not be any doubt but that the particular point of the bill was the franchise. As far as the re-distribution of members was concerned, he believed that that distribution had received the approbation of nearly everybody. He could state that there did seem good reasons for omitting the clauses relating to the franchise from the bill. He thought that considering the late period of the session, and the difficulty to be experienced in getting hon. members to unite upon those clauses, and the large amount of time which would undoubtedly be consumed in augmentation in that House, besides the bill having to go to the other House and be returned therefrom, it would be a matter of great difficulty, if not altogether impossible, to go through with the bill during the present session; he would, therefore, suggest the propriety of withdrawing the bill.

The COLONIAL SECRETARY said that what his hon. colleague had stated was the intention of the Government. He must, however, say that certain hon. members on the other side of the House had disappointed him by opposing what they had promised to support. He quite concurred in the opinion of his hon. colleague that there was but a small chance of passing the bill in a mature form during the present session. Other important matters called for different bills to decide upon them, and he therefore thought that he could not be charged with an abandonment of principle endeavoring to take so important a bill piecemeal. He must confess that the hon. member for Warwick had taken great efforts to convince the country that he was what he pretended to be and he (the Colonial Secretary) was sure that hon. members much deplored the remarks that had been made by the hon. member for Ipswich (Mr. O'Sullivan.) In the course of time no doubt the hon. member for Warwick would be properly appreciated by the public; and that hon. member must patiently bide his time. He (the Colonial Secretary) would, in deference to the views of the House, move that the order of the day for the committal of the bill be discharged.

Mr. JONES could well understand that the part which he had taken in the discussion had assisted to hurl the hon. Colonial Secretary from the pedestal upon which that hon. Member fancied he stood. He (Mr. Jones) had no doubt but that some time or other the public would value him at his own opinion.

After some further remarks from Mr. O'SULLIVAN, the amendment having been withdrawn, the motion for the discharge of the Electoral Bill was put and carried.

CHINESE IMMIGRATION.

Mr. BLAKENEY moved—"That the unrestricted and unregulated admission of Chinese immigrants into this colony is most objectionable, and might be attended with the most injurious effect to the well-being of society in Queensland, Resolved,— That in the opinion of this House it would be desirable that the Government should introduce a bill during the present session, imposing a capitation tax on the arrival of all Chinese into this colony, unless accompanied by their wives." He had no doubt but that the resolution would meet with approbation from all sides of the House, especially when it was remembered that the colonies of Victoria and New South Wales had both imposed a capitation fee on every Chinaman who arrived in those colonies. The questions of the importation of coolies and that of Chinamen were widely different. Regulations in the framing of which the Home Government, the Indian Government and the Queensland Government had a voice, were made to conduct properly the immigration of Coolies; besides they generally brought a certain proportion of the female sex with them, whilst there could be no doubt of the fact that the Chinese immigration was exclusively confined to males. He would call the attention of the House to the turmoil which had existed for twelve months in New South Wales in

consequence of the wholesale importation of Chinese into the colony. When the Legislature of New South Wales had passed a bill imposing a capitation fee on the Chinese, that bill had been sent home to the Duke of Newcastle, and he would read to the House what the Duke had said on the matter. [The hon. member here quoted at considerable length from the despatch of the Duke of Newcastle]. He believed that the large number of Chinamen who had arrived here the other day was but the advent of an immense importation of that very objectionable people. If a number of those people came here to remain, it would be very objectionable to Queensland, and if they were allowed to come here for the purpose of crossing into New South Wales, it would be very unjust to that colony. He believed that only those gentlemen connected with pastoral pursuits were interested in such importations, but these gentlemen should also remember that almost daily ship-loads of Englishmen, Irishmen, and Scotchmen, together with many continentals, were arriving, and surely that circumstance should prove to hon. gentlemen that no necessity existed for the importation of China men. At any rate, it was only fair and just that, if regulations were framed for the importation of Coolies, regulations should be framed for the importation of Chinamen. A tax might be put on them, which could, of course, be reduced, should a certain proportion of females accompany the immigrants. If something of the sort were not done, it would be most dangerous to the well-being of the colony, and he thought it would be advisable for the Government to pass some short measure empowering them to frame regulations which would, in some measure, check the large overflow of Celestials which might be expected to arrive every day. He had observed that, in the Legislative Assembly of New South Wales, the propriety had already been discussed of sending officers to the borders of the colony, in order to prevent the Chinese from crossing, until they had paid the capitation fee.

Dr. CHALLINOR seconded the motion.

The COLONIAL SECRETARY could not assent to the motion before the House. If the hon. member who had introduced it wished a bill to be introduced, why had he not introduced the bill himself—it was quite competent for him to do so—and not endeavour to throw the onus of the bill upon the shoulders of the Government. The hon. member had stated that there was a deal of injustice likely to be done to New South Wales by allowing the Chinese to cross the border. Now, he (the Colonial Secretary) had communicated with the Government of New South Wales as soon as the Chinese arrived, and that Government had thought the matter to be of so little consequence that they had not even answered his communication. The motion would have the effect of dictating to the Government a certain course to be pursued, and he should therefore oppose it.

Dr. CHALLINOR thought it was desirable to take time by the forelock, and he should, therefore, support the motion.

Mr. WATTS did not approve of the motion, and could assure the hon. member who had introduced it that the squatters were not at all desirous for the importation of Chinese. The hon. member should have brought in a bill himself and not have presumed to dictate to the Government in the matter.

Mr. O'SULLIVAN should support the motion, and could assure the hon. member who had just sat down, and who appeared to represent the squatting interest, that if the squatters did not wish to import Chinese, the townspeople certainly did not. As to the dictating to the Government, he could certainly see no dictation in the matter.

Mr. RAFF would be very sorry to see the colony inundated with Chinamen; but, as he saw no immediate prospect of such a catastrophe, he should oppose the motion. He thought that at this late period of the session, when there was so much business before the House, it was very undesirable that resolutions should be brought forward, as it appeared to him, for the mere purpose of evoking discussion. He should vote against the motion.

Mr. R. CRIBB had always expressed himself as being a free trader, and he should, believing the motion to be a restrictive one, vote against it. At the same time he must express some surprise at his hon. colleague having introduced such a motion.

Mr. BLAKENEY, in reply, said that he felt rather surprised at hon. members having asserted that if the motion were passed it would have the effect of dictating to the Government;

he could not conceive a resolution written in milder language. He thought a bill of the nature proposed should emanate from the Government, as it would have the effect of raising a tax. With reference to what had fallen from his hon. colleague (Mr. RAFF) he most decidedly repudiated the idea that he had introduced the motion for the mere purpose of evoking discussion, and he was pretty sure that, although his venerable colleague (Mr. R. Cribb) might be a free trader in Chinamen, that gentleman was certainly not a free trader in Coolies.

The motion was then put and negatived on the following division:—

Ayes, 4.			Noes, 18.		
Mr.	O'Sullivan		Mr.	Macalister	
	Edmonstone			B. Cribb	
Dr.	Challinor	} Tellers.		Mackenzie	
Mr.	Blakeney	}		Herbert	
				McLean	
				Ferrett	
				Coxen	
				Royds	
				Richards	
				Raff	
				Taylor	
				Fleming	
				Forbes	
				Haly	
				Watts	
				R. Cribb	
				Moffatt	} Tellers.
				Jones	}

MESSAGES FROM THE LEGISLATIVE COUNCIL.

Messages were received from the Legislative Council to the effect that the amendments made by the Assembly in the Medical Act Amendment Bill had been agreed to; and that a series of resolutions had been passed by the Legislative Council recommending the appointment of a second Judge.

Mr. M'LEAN moved, "That the Legislative Council resolutions, just reported to the House, be taken into consideration in committee to-morrow (this day)."

Mr. R. CRIBB considered that more time should be allowed hon. members to take into consideration such an important question as the appointment of a second Judge. Hen should therefore move, as an amendment, that the word "Tuesday" be inserted instead of the word tom-morrow.

Mr. JONES would second the amendment, believing, as he did, that it was not at all an unreasonable request — that a little time should be allowed hon. members to consider a measure which must have taken them all by surprise.

The COLONIAL SECRETARY thought it was very desirable that hon. members should make up there minds on the matter as quickly as possible.

After some further remarks from Messrs. LILLEY and CHALLINOR, in support of the amendment, it was put and passed without division.

QUALIFICATIONS OF MEMBERS

The MINISTER for LANDS and WORKS said that he had no doubt but that hon. members would remember that, at an early period of the session, the hon. member for Warwick had

introduced a resolution declaring the seats of two hon. members to be vacant. That resolution met with the fate it deserved — the House refused to adopt it. Since that time a bill had been introduced and passed by the House declaring the true meaning of the word “fail”. That bill had been sent to the Upper House, and no more had been seen of it. Referring to some remarks which had been made, he could tell hon. members that there was no court of law that would dare to interfere with the Constitution of that House—should any such interference be attempted, he had no doubt the House would be able and willing to vindicate its own authority. As it was drawing near to the end of the session, he thought it would be well to set hon. members’ minds easy by referring the matter to the Committee of Elections and Qualifications, and he would repeat that it was beyond the power of anybody outside the House to interfere with anything that might be done inside the House. He would move—“That the Question of qualification of Messrs. Fleming and Sandeman be referred to the Committee of Elections and Qualifications.

Mr. JONES said that it was very evident that the hon. the Minister for Lands and Works was one of those men who never saw any difficulty in the way of doing anything that he wished to do. It was an established fact that the hon. members whose seats were virtually vacated always voted with the Government, hence the anxiety of the hon. the Minister for Lands to keep them in their seats. He should entirely oppose the matter being sent before the Committee, as in fact there was nothing to send before them. The hon. member then proceeded to argue that the 76th section of the Electoral Act did not apply to the question at all, but that it came under the operation of the 26th section of the Constitution Act. It was perfectly clear that the Speaker could have issued a fresh writ at the commencement of the present session, as the seats were positively vacated. The Government had, however, believing that they had a large majority at their back, introduced a measure by which these gentlemen retained their seats, while at the same time a measure might as well be brought in endeavoring to prove that the Emperor of the French was Queen of England. Had the Government but looked at the Constitution Act with a single eye they would have seen at once that the seats in question were forfeited. They did not do so, however, but had attempted to juggle with the Constitution Act. The Upper House had, however, thrown out the bill, clearly perceiving that they could not legislate in the matter. As those gentlemen, who were certainly not entitled to their seats, had taken part in the legislation, there could be no doubt but that every act passed during the session—and he made the assertion advisedly—was illegal. If any of the acts so passed came before the tribunal of the Supreme Court of the colony, he believed that the Judge would, in spite of the threats of the hon. Minister for Lands and Works, declare those acts to be illegal. The only way by which the Government could get out of the dilemma in which they had placed themselves would be to move that the two seats be declared vacant, and then to rescind the whole of the acts which had been passed during the session.

Mr. WATTS expressed his intention to support the resolutions before the House. He argued that if these members had not already taken their seats in the House, the case would have been different. Had the Speaker issued writs for their seats before the House met, and thus declared them vacant, there could have been no dispute about the point. The Speaker, however, not having done so, no one could now declare those seats void. (The hon. member here quoted from May several cases, amongst which was that of Mr. Hawes, in 1848, to prove that the House had a right to refer matters of this nature to a select committee of its members.) The hon. member concluded by expressing his opinion that the hon. member for Warwick was not acting in a becoming manner to hold over the heads of members of that House threats to the effect that their acts would be pronounced illegal. He could not believe that any Judge could have a authorized the dictation of threats of this nature to the House. He trusted that the hon. member (Mr. Jones), being a young member, would for the future refrain from giving expression to any such threats.

Mr. LILLEY expressed his opinion that the hon. member for Warwick had, no doubt, uttered those sentiments which he had enumerated on his own authority. He should be sorry to imagine for one moment that the Judge of the Supreme Court had overlooked the proceedings of that House, or was the cause of inspiration to the opinions of any hon. member. The Judge, he was sure, had too much regard for his own dignity to endeavor to make of any hon. member of that House, who might appear to be a friend, but who perhaps was, in reality, a false and deceitful foe, his mere mouthpiece. He (Mr. L.) contended that if the Judge were to take such a foolish step, his

position would not be worth a moment's purchase. He hoped that they were not again on the verge of that great public scandal which had characterised previous sessions—viz., the contest between the Supreme Court and the Legislature. The contest was much to be deplored, and he (Mr. L.) had hoped that it would be, this session, as far as possible extinguished. He did not agree that if the Speaker had issued writs, and declared the seats vacant before the House met, that this course would have placed the matter beyond question. He thought that if the Speaker issued writs calculated to unseat any hon. member, without the sanction of the House, that the House could question his authority in the matter. He quite disagreed with the opinions expressed by the hon. member for Warwick, to the effect that the Judge of the Supreme Court would venture to question the acts framed by the Parliament of Queensland during the present session. (Mr. JONES: "I said hear the question.") Of course it was the duty of every Judge to listen to questions raised before him. It would be the duty of the Judge, however, to assume that everything done by that House, which did not exceed their jurisdiction, was rightly done. Now what authority would the bench here have for questioning the validity of acts passed during the session, on the ground that such acts were voted for by men who had no right to seats in the House. That House was supposed to be a secret tribunal. In law it was assumed that no one was in the House but members of the House. How then could a Judge be presumed to know that any act passed by the House was voted for by members whose titles to their seats had been called into question. No Judge, he contended, dare question the validity of any act passed solely on the ground that certain members who had voted for the act had no right to a seat in that House. Suppose a bill even had, through some informality, not passed through committee in the proper manner, but had passed through all its other stages, and been declared law. Would a Judge venture to declare such bill illegal on account of any informalities in its passage through that House? He (Mr. L.) believed that, if the Speaker were now to issue a writ for these two seats, he would be only falling into the mischief. He was of the opinion that the people of Queensland might rest perfectly satisfied that the acts of the present session would not be questioned by the Supreme Court.

Mr. RAFF briefly expressed his opposition to the motion.

Mr. O'SULLIVAN defended the hon. member for Warwick from the imputations cast upon him by the hon. member for Fortitude Valley, to the effect that he was the Judge's mouth-piece. The hon. member (Mr. Jones) had never once mentioned the Judge, but had merely said that this motion might eventually lead to a collision between the Courts of Law and the Legislature. He (Mr. O'S.) disputed that the quotations from May made by the hon. member (Mr. Watts) was at all applicable to the present case. That quotation merely applied to cases of disputed elections. The present case was one of a totally different nature. He (Mr. O'S.) believed that Judges had often refused to recognise Parliamentary enactments as binding, when such enactments were contrary to the constitution of the country. To mention a recent case of this nature he would cite that of Judge Boothby in South Australia.

Mr FERRETT denied the statement of the hon. member for Warwick, to the effect that the members, whose seats were in question, invariably voted for the Government. Each of those members had been found in opposition to the Government.

After some brief remarks from Dr. CHALLINOR.

The MINISTER for LANDS replied, and the resolution was put and passed without division.

The members of the committee were then sworn in by the Speaker.

Mr. RAFF, one of the said members, objected to sitting on the committee, on the ground that he had already pronounced an opinion upon this question of seats.

After some debate, the SPEAKER pointed out that it was in the power of the hon. member to resign his seat on the committee, if he desired to do so, by transmitting his resignation by letters to the Speaker.

MATRIMONIAL CAUSES JURISDICTION BILL.

On the motion of Mr. LILLEY, the House resolved itself into committee on this bill.

Mr. LILLEY proposed clauses 10, 11, and 12, as printed, which were put and passed.

On clause 13, “Reversal of decree,” being proposed,

Mr. O’SULLIVAN proposed the omission of the clause. This clause would allow the courts, after a married couple had been separated, to join them together again.

Mr. LILLEY pointed out that the clause referred only to cases of Judicial Separation.

Dr. CHALLINOR defended the clause, which was then put and passed.

Clauses 14, 15, and 16, were carried without amendment.

Mr. O’SULLIVAN opposed clause 17, which he characterised as being a beastly clause. The first part of the clause said it should be lawful for any husband to present a petition to get rid of his wife on the ground of adultery. How would this, he asked, act in mixed marriages? One party might believe marriage to be indissoluble, the other party might not.

Mr. LILLEY said that if one of the parties believed that he should not get married again, this party ought not to get married again.

Mr. O’SULLIVAN said that the bill would affect 8000 persons, who could take no more notice of it than if it were not in existence. Would the hon. member deny that he was offered a large sum if he could get this bill through the House?

Mr. LILLEY said that if any one had informed the hon. member that such was the case, that party had told the hon. member a lie.

Mr. O’SULLIVAN said that it was proper he should make a statement. He would take the hon. members’s word, and he was always of opinion that people in that House should not make their position a matter of profit—

The CHAIRMAN called the hon. member to order. He (Mr. O’Sullivan) had brought an accusation against the hon. member for Fortitude Valley, and that accusation had been flatly denied. He (Mr. O’Sullivan) must now desist from repeating or insinuating the accusation.

Mr. O’SULLIVAN said that, if he could not explain the reasons why he brought the charge, his only plan was to move for a committee to make an inquiry into the matter.

After some observations from Messrs R. CRIBB and CHALLINOR, the clause was then put and passed.

The clauses up to clause 18 were then carried without amendment.

After clause 18, Mr. JONES proposed a new clause, to the effect that the parties to the suit should give notice of petition to the Attorney-General, in order to prevent collusion between parties. This clause was put and passed.

The remaining clauses of the bill were then passed, with alterations of an unimportant character, and, on the motion of Mr. LILLEY, the Chairman having left the chair, the third reading of the bill was set down as an order of the day for Friday next.

DISEASES IN CATTLE ACT OF 1862 SUSPENSION BILL.

On the motion of Mr. MOFFATT, the House went into committee on this bill.

Mr. MOFFATT moved that the blanks in clause one be filled up with the words “December 31st.”

The COLONIAL SECRETARY argued that this bill was unnecessary, as the 1st clause of the Pleuro-Pneumonia Bill gave the Government a power of suspending the act, and the Government could be compelled by a resolution of the House to use the power conveyed in that 1st clause of the bill alluded to.

Mr. MOFFATT said that the Government had been asked, at the beginning of this session, to suspend the operation of the Pleuro-Pneumonia Act, and had not acceded to that request. The only course then left was to bring in this bill. He argued that it would be advisable to repeal this Pleuro-Pneumonia Act altogether. The disease referred to was dying out in New South Wales.

Mr. FERRETT thought that some measures should be taken to suspend the present act, seeing that the disease in cattle referred to had died out in the other colonies, and had not appeared in this colony.

Mr. RAFF suggested that the Pleuro-Pneumonia Act should be repealed altogether.

After some further unimportant discussion the clauses of the bill were put and passed, and the Chairman having left the chair and reported progress, the third reading was set down as an order of the day for to-morrow (this day.)

NAVAL SERVICE BILL.

This bill was, on the motion of the COLONIAL SECRETARY, read a third time and passed.

The House adjourned at a quarter past 10 until three o'clock to-morrow (this day.)