

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

...
Legislative Council
4th July 1862
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Extracted from the third party account as published in the
Courier 5th July 1862

The PRESIDENT took the chair at 25 minutes past 10 o'clock, and opened proceedings with prayer.

MESSAGES FROM LEGISLATIVE ASSEMBLY.

Messages were received from the Legislative Assembly returning the Pastoral Occupation Bill, with an intimation that the Assembly concurred in the amendments proposed by the Council, also the Appropriation Bill.

ASSENT TO BILLS.

A message was received from His Excellency the Governor, signifying his assent on behalf of her Majesty to the following bills:—The Coolie Labor Bill, Hospital Bill, Marine Board Bill, and Naval Service Bill.

APPROPRIATION BILL.

On the motion of the ATTORNEY-GENERAL, this bill was read a first time; but upon his moving that it be read a second time,

Dr. HOBBS objected, on the ground that the bill was of far too important a character to be disposed of in five minutes. He found, by a glance at the schedule, that the bill authorised an expenditure of not less than £410,000, which sum he considered to be very extravagant, looking at the limited sources from whence it was to be defrayed. He would therefore move, by way of amendment, that the second reading of the bill be deferred until Tuesday next.

Mr. GALLOWAY observed that this was a most important bill, inasmuch as it touched the whole expenditure of the country, so far as the public generally were concerned, and unless it were passed, the whole machinery of the Government would be stopped. He did not think any hon. member desired to see a crisis of that kind, and looking at all the circumstances of the case he was disposed to think that the course adopted by the hon. Dr. Hobbs indicated something like a factious opposition.

Dr. HOBBS denied that he was actuated by any such motive.

Mr. GALLOWAY, although disposed to sanction the second reading, was anxious to know from the Attorney-General how the excess of £40,000 over the estimated income was to be accounted for.

The ATTORNEY-GENERAL admitted that there was an apparent deficit in the estimated income as compared with the expenditure, but upon enquiry he found from the Colonial Treasurer that the estimated sources of revenue would fully cover the deficit.

Mr. WESTERN WOOD was in favour of reading the bill a second time, but he thought some time ought to be allowed for its consideration in committee. He would therefore propose that its committal be deferred until Monday next.

The ATTORNEY-GENERAL explained that the bill must be passed at once, otherwise there would be no quorum in the other House to receive it, and thus the Government would be

brought to a dead-lock with regard to the funds necessary to carry on the ordinary services of the country.

The PRESIDENT, looking at the importance of the measure, was in favour of giving time for its consideration, and would therefore support the proposition for deferring it to the bottom of the paper.

Dr. FULLERTON suggested that such a course would only involve waste of time, inasmuch as the bill, being a money one, they could not even in committee alter a single clause of it. Their only course was to adopt it or reject it as a whole.

Mr. HARRIS supported the second reading, as he thought it was very inadvisable to incur the risk of bringing the Government into a dead-lock in the ordinary administration of the public service.

The amendment was then put and negatived, and the bill was read a second time.

The ATTORNEY-GENERAL moved that the House resolve itself into a committee of the whole for the purpose of considering the bill.

Dr. HOBBS moved, as an amendment, that the committal of the bill be fixed for a later hour in the day, and in doing so he urged the extreme importance of the matters involved, and contended that the proposed expenditure was extravagant in the extreme, and what was more, that it had been sanctioned by a House in which two gentlemen had sat and taken part in the proceedings who, it appeared, were not really members according to the provisions of the constitution. In proof of this statement he cited the fact of having seen, that morning, the printed evidence of the Speaker, who distinctly stated that the two hon. gentlemen alluded to had forfeited their seats by reason of their absence during the interregal session. He believed this was a matter in which that House was deeply interested. Of the total revenue he found that two-thirds were contributed by the squatting interest, and he would ask hon. members who represented that interest in the House whether they were prepared without taking time for consideration to sanction so extravagant an expenditure as £410,000 wholly unprovided for. As to whether they brought the Government to a dead lock or not was a matter entirely beside the question. They had certain duties to perform which they could not conscientiously shirk, and if in the performance of those duties the present Ministry should find it necessary to resign, he dare say there would be others found to take their places quite equal in point of statesmanship and administrative ability.

The ATTORNEY-GENERAL concurred with Dr. Fullerton, that no advantage could be derived from deferring the consideration of the bill in committee, seeing that they were not in a position to alter a single clause.

Mr. WESTERN WOOD supported the amendment, in order to allow of the Matrimonial Causes Bill being considered in the meantime.

The amendment was then put and negatived, and the original motion carried.

The bill accordingly went through all its stages, and was returned with the usual message to the Legislative Assembly.

ADDITIONAL JUDGE BILL.

A message was received from the Legislative Assembly transmitting a bill providing for the appointment of an additional Judge, in compliance with the resolutions recently passed by the Legislative Council.

On the motion of the ATTORNEY-GENERAL the bill was passed through all its stages and returned to the other House.

MATRIMONIAL CAUSES BILL.

The ATTORNEY-GENERAL moved that the consideration of this bill be postponed until after the further consideration of the Constitution Bill.

Dr. HOBBS objected as the bill was an important one, and had already been postponed.

The postponement, however, was carried without a division.

CONSTITUTION BILL.

On the motion of the ATTORNEY-GENERAL, the House resolved itself into a committee of the whole, for the purpose of resuming the consideration of this bill.

After passing one or two clauses, Mr. BROWN drew attention to the state of the committee.

The CHAIRMAN accordingly counted, and, finding there was not a quorum present, he reported the same to the President, who adjourned the House until three o'clock on Tuesday next.