

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

...  
**Legislative Assembly  
28<sup>th</sup> July 1863**

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Extracted from the third party account as published in the  
Courier 29<sup>th</sup> July 1863

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The SPEAKER took the chair at ten minutes past three o'clock, and read prayers.

**MESSAGE FROM THE GOVERNOR—THE ESTIMATES.**

The SPEAKER announced that he had received the following message from his Excellency the Governor, which he read:—

“G.R. BOWEN, Governor.

“In accordance with the provisions of the 54th clause of the Constitution Act, the Governor herewith submits for the consideration of the Legislative Assembly the Estimates of Expenditure for the year 1864, with additional supplementary Estimates for the years 1862 and 1863.

“Government House, Brisbane,

“July 28<sup>th</sup>, 1863.”

On the motion of the COLONIAL TREASURER the message was ordered to be printed and referred to the Committee of Supply.

**NEW MEMBER.**

Mr. EDWARDS (who had taken a seat in the house, on the cross-benches on the left of the chair, before the Speaker came in) approached the table and took the oath, and subscribed the roll as one of the representatives of the Burnett district.

**PERSONAL EXPLANATION.**

The ATTORNEY-GENERAL claimed the indulgence of the house to permit him to make a personal explanation in reference to something that had fallen from him during a debate on a former occasion. He regretted having, in an unguarded moment, in referring to a report long ago in circulation as to a circumstance that had occurred at Government House, done so in such language that an entirely wrong construction had been put upon it. (Hear, hear.) That circumstance did not in any way refer to the resignation of the hon. member for the Burnett of his office as a member of the Executive, nor did it reflect upon his Excellency the Governor. (Hear, hear.)

Mr. MACKENZIE rose.

The ATTORNEY-GENERAL: A personal explanation. No debate could follow upon a personal explanation. (Hear, hear.)

Mr. MACKENZIE begged to be excused for a moment. (Hear, hear.) He regretted that anything should have fallen from him on the occasion referred to calculated to lead to any misunderstanding. In referring to his friend—the Hon. the Attorney-General—if he had said anything offensive he was sorry for it; but what had been said had been meant only as a little harmless banter. And as to what had fallen from his hon. friend, it was a reference to a matter which he (Mr. Mackenzie) was sure was entirely forgotten on one side and forgotten on the other. (Cheers.)

## WITHDRAWAL.

Mr. BELL withdrew the question standing in his name referring to the state of the road at the Rosewood Scrub, and placed another motion on the notice paper (which see in its proper place below).

## THE CASE OF LIEUTENANT HARRIS.

Mr. MACKENZIE, without notice, asked the Attorney-General whether it was the intention of the government to prosecute Lieutenant Harris, late of the Native Police Force, for the murder of an aboriginal black boy named "Jemmy," or for being accessory to the murder.

The ATTORNEY-GENERAL said that after careful deliberation on the evidence taken before the magistrates at Gayndah, he had come to the conclusion that they were justified in not committing Lieutenant Harris for murder; although, in his own mind, he felt that the circumstances of the case tended strongly against him. (Hear, hear.) He might also state that Lieutenant Harris had sent in a report to the government which—being a privileged communication, could not be produced; though, if the house asked for it of course it would be—report would tend seriously to damage his character. (Hear, hear.)

## THE REPORTED SHIPWRECK AT MORETON ISLAND.

Mr. PUGH, without notice, asked the Colonial Secretary if any information had been received of the wreck of a vessel on Moreton Island, and if the government had taken any steps to ascertain the fate of the passengers. (Hear, hear.)

The COLONIAL SECRETARY said the government had received no information whatever of the wreck, any more than what any person might read in the newspapers yesterday morning. He had every reason to believe that it was not confirmed. (Hear, hear.)

## PETITION.

Mr. MACKENZIE presented a petition from the Rev. John Poole, praying the favorable consideration of the house to his case. The petitioner had come to the colony from England via Sydney, and, in consequence of this deviation, had been deprived of the land orders to which he would have been entitled had he come direct.

Petition received.

## DREDGING OPERATIONS AT THE RIVER BAR.

Mr. COXEN, in rising to move the resolutions standing in his name, was understood to say that he was fully alive to the importance of the subject, and that he thought the house would be glad of the information to be obtained by the committee of the nature and value of the dredging operations in the river and on the bar. A very large sum of money had been expended on the bar; and the sum being expended now was something that the house was not aware of. [The hon. member spoke in such a low tone that he was almost inaudible in the reporter's gallery.] He moved the resolutions as follow:—

(1.) That a select committee be appointed to enquire into the expenditure incurred in connection with the dredging operations at the River Bar and to report on the various plans suggested for cutting a channel into the Brisbane River. (2.) That such committee consist of Mr. Raff, Mr. Edmondstone, Mr. Sandeman, Mr. Macalister, and the mover.

Mr. ROYDS seconded the motion.

Mr. BLAKENEY begged leave to move

That the committee be appointed by ballot.

The first resolution was then put and carried, and, in compliance with the call of the hon. member for Brisbane, the ballot was taken and it resulted in the election of the members named in the second resolution.

(Laughter.)

## WORKING OF THE IMMIGRATION LAWS.

Mr. RAFF moved—

(1.) That a select committee be appointed to enquire into, and report on the operation and working of the Immigration Laws, and the legality and effect of the regulations affecting same, which have from time to time been issued by the government with power to call for persons and papers, and leave to sit during any adjournment. (2.) That such committee consist of the Hon. the Colonial Secretary, Mr. M'Lean, Mr. Lilley, Mr. Blakeney, Mr. Groom, and the mover.

He had to remark that this motion was, in fact, for the re-appointment of a committee of the last parliament which had proceeded so far in its deliberations that he considered it essential it should be re-appointed, and that the evidence which was taken before that committee should be ordered to be laid on the table of the house. As this parliament was composed of nearly the same members as the last, he considered it quite unnecessary to go into any reasons for the appointment of this committee. In fact, the only objection that was made to the appointment of the committee last session was by the hon. the Colonial Secretary; and he (Mr. Raff) thought that the hon. gentleman would recollect that afterwards his views were materially changed when he stated—not as a witness before the committee, for he (Mr. Raff) would not be at liberty to mention it—before the committee that he thought it would do justice to the government and the country. (Hear, hear.) He therefore anticipated no opposition to the motion on the part of the Colonial Secretary. The only change that he proposed in the committee was the substitution of the Colonial Secretary for the Colonial Treasurer. He had done that because the hon. member had complained that a want of courtesy was shown to him in omitting his name from the committee. The hon. member whose name he had left out had been unable to attend to the duties of the committee before. The subject had not decreased in any way in importance, and, after the declaration of the hon. member on the other side on a former occasion, he trusted that the motion would have his support. (Hear, hear.)

Mr. BLAKENEY seconded the motion.

The COLONIAL SECRETARY said he was not about to oppose the appointment of a committee to inquire into this question, but he was about to exercise his privilege of asking that the committee be appointed by ballot. (Hear, hear.) He found that four recognised members of the opposition were on the committee, one member who was absent, and himself. This was unfair to the government. ("Oh," and "Hear, hear." The government had introduced a scheme of immigration which had so far worked satisfactorily and beneficially for the country, and they were now prepared with such modifications, which they would bring before the house, as should meet the new circumstances that had arisen. The government were prepared at the proper time to come before the house with a statement of their policy with reference to immigration; and he thought, therefore, it would not be proper that hon. members on the other side should have a committee adverse to the government. ("Oh, oh," "Hear, hear," and an hon. member: "They are equally divided.") Four members of the opposition; one gentleman who was, he believed, absent in Sydney, and himself! He certainly should oppose such a committee. He would repeat it to the house that the government were in no need of advice in this matter from the opposition. ("Oh, oh.") The question was understood by the government, and the government would come forward with their policy at the proper time. In conclusion, the hon. member said that there were some names on the committee in which the government would not have confidence. (Oh, oh.) He therefore moved that the committee be appointed by ballot. (Hear, hear.)

Mr. MACKENZIE seconded the amendment. He would not comment upon what came from the other side; but, when they were asked to believe it, he should be happy to hear the charges made against the Colonial Secretary, of altering the immigration regulations while in England, met by that hon. gentleman. That was just to those who made the charges and just to himself; and the impression was strong in his own mind that those regulations had been altered. In proof of that he would read a few portions of a document that fell into his hands the other day. And he begged to inform the house that what he would read was a printed paper—it must have been printed in England some months ago—and it had on it the mark "corrected," and was signed by "Henry Jordan." It was a circular letter on assisted immigration. It ran thus.—"The Queensland Government will now grant, until further notice, assisted passages to a *limited* number of persons

eligible as to occupation, and passed at the Queensland Emigration Office, on the payment of £8 per adult. \* \* \* \* \* (“Hear, hear,” and laughter from the ministerial side.) *Single men* can obtain a passage for £8 each. *Single women*, being *respectable female domestic servants* may receive a passage for £4 each. \* \* \* \* \* (Hear, hear.) Land orders *will not be granted in the case of persons receiving these assisted passages*, but will be granted to persons paying their full passages to the colony, being cabin or intermediate passengers, in the proportion of what will be equal to thirty acres of land, that is, thirty pounds worth of land orders to each adult, eligible by the emigration regulations, and obtaining a land order warrant now issued at the Queensland Emigration Office. Steerage passengers will receive an £18 Land Order. Land Orders in [text unreadable] will not be transferable except by permission of the Government in special cases.” \* \* \* \* \* (“Hear, hear.” from the Treasury benches.) Now, he thought what he had read was sufficient to prove those charges. (Laughter, and “Hear, hear,” from the ministerial benches; counter cheers from the opposition.) “*Applications for forms for assisted passages cannot be granted in any case unless accompanied by a certificate from some late employer, or other satisfactory proof of proficiency in their professed calling, and of the good character of the person making the application. Certificates from employers must be in all cases countersigned by a magistrate or minister of religion residing in the same parish with the applicant.*” \* \* \* \* \* (Hear, hear; and laughter.) But “steerage passengers would receive an £18 land-order” only. There was a great deal there to laugh at and say “Hear, hear” to; but there was a great deal which was in contravention to the regulations now in force. He wanted to know what occasion there was for printing the document some months before it was required; because, if Mr. Jordan had to wait until the regulations were altered, he must have to wait a considerable time after the document was printed. There were other matters that should be inquired into. The first was that Mr. Jordan had been put to a very great expense on first starting, and that he expected a reimbursement; while, on the other hand, it was asserted that he was making a rapid fortune. (“No, no,” and “Hear, hear.”) And it was quite understood that he insisted that persons could only be sent out and get their land orders by a particular class of ships—the Black Ball Line. (“Hear, hear.” from Mr. Herbert.) And, then, the additional regulations regarding the surgeons of ships. They had an additional gratuity of £3 for an outfit. (“No, no,” from Mr. Herbert.) They had been told by Mr. Jordan that they could get the £3 only on condition of going to some particular warehouse. (No, no.) Not only that, but the articles provided for them were of the very worst description. (“No, no; not the surgeons,” from Mr. Herbert.) He was only mentioning these things in justice to Mr. Jordan as well as to others. He mentioned them hoping that the Colonial Secretary would be able to clear himself from the charges. (Hear, hear.)

Mr. BELL said he objected to the committee last session. The reasons that existed then for his so doing existed now; but as the government had not objected to the motion, he should not oppose it, and would go in for the ballot.

Mr. RAFF, in reply, said he had an observation or two to make in reference to what had come from the other side. He did not think a committee should be confined to any particular party in the house. It was very desirable that there should be, as far as possible, an equal number of members for each side of the house. He would just recall to the hon. the Colonial Secretary that when the committee was first proposed it was composed of two members from each side—the Colonial Treasurer and Mr. M’Lean, and Mr. Lilley, and himself (Mr. Raff). It was on the motion of Mr. O’Sullivan, now out of the house, that two others were added. (Hear, hear.) In moving for the re-appointment of the committee, he (Mr. Raff) just put down the names of the old committee, believing it was better that there should be no change, with the exception of the substitution of the Colonial Secretary for the Colonial Treasurer. He had no objection to the ballot; and he hoped that the Colonial Secretary, in exercising his privilege, would act in this matter contrary to what he condemned so much in the opposition. (Hear, hear.) He really hoped that the hon. member would do so, notwithstanding that he wanted no advice from the opposition. (“Hear, hear,” and laughter.) Again he hoped the hon. member would pardon him if he referred to the circular of the emigration agent, Mr. Henry Jordan;—for when these things got into circulation, the public had a right to think that the regulations were in force. They had it most distinctly there that land orders would be granted to cabin and intermediate passengers—one for £18 and a second for £12; while the steerage passengers would get only one for £18. Only the two first-mentioned classes would get

the second land order. ("Hear, hear," from the ministerial benches.) If the Colonial Secretary could contradict that, let him do so. ("No, no," from Mr. Herbert.) If he could contradict it, he might prove that it was a forgery. (Laughter, and "Perhaps it is," from Mr. Pring.) The hon. member concluded by saying that the Colonial Secretary did not always avoid on his side of the house what he deprecated so much on the opposition side. He must express his surprise that, when there was not a quorum on the opposition side one day; the Colonial Secretary next day adopted the course of the opposition, and there was no quorum on the ministerial side. (Laughter.) There were some good grounds for the conduct of the opposition on the occasion referred to. The writs were not all returned. (Laughter and "Hear, hear.") One hon. member had been waiting about to take his seat, but could not. (Renewed laughter and "Hear, hear," from the treasury benches.) But there was no excuse for the government. (Hear, hear, and prolonged laughter.) It was a practice that the opposition side of the house was not at all inclined to follow. (Laughter.) He thought if any hon. member had stood up on that side and read such a lecture to the ministerial side as the Colonial Secretary had read to the opposition, the opposition would not have repeated it as the Colonial Secretary had done. (Hear, hear, and laughter.)

The COLONIAL SECRETARY desired to offer a word of explanation on this alleged violation of the law, for which had he been guilty, he would, no doubt, be in gaol. (Laughter.) When the hon. member opposite—he referred very particularly to the hon. member for Brisbane, Mr. Raff, who had received his explanation—knew that those charges against him were not facts (and now, would not go into them), must express his surprise that the hon. member should repeat them. (Hear, hear.)

Mr. RAFF: There was no use in trying to set them aside by a quibble. The hon. member had not denied the facts.

Mr. HERBERT: I have. I do deny them. (Hear, hear.)

The first resolution was then put and agreed to.

A ballot was then taken, which resulted in the choice of the following hon. members:—Messrs. Raff, Herbert, M'Lean, Challinor, Coxen, and Blakeney.

### MESSAGE FROM LEGISLATIVE COUNCIL.

A message was received from the Legislative Council, notifying that the following hon. members of the Council had been appointed members of the joint committees:—Joint Library Committee—the hon. the President, the hon. J. J. Galloway, and the hon. J. Bramston. Joint Refreshment Rooms Committee—the hon. the President, the hon. D. F. Roberts, and the hon. George Harris, Joint Committ for the Arrangement and Superintendence of the Parliament Buildings—the hon. the President, the hon. G. Fullerton, and the hon. J. F. M'Dougall.

On the motion of Mr. HERBERT, the following members of the Legislative Assembly were appointed to act on the several joint committees, and a notification of their appointment was sent with a message to the Legislative Council:—Joint Library Committee—the hon. the Speaker, and Messrs. Royds and Coxen. Joint Refreshment Rooms Committee—the hon. the Speaker, the Minister for Lands, and Mr. Blakeney. Joint Committee for the Arrangement and Superintendence of the Parliament Buildings—the hon. the Speaker, the Minister for Lands, and Mr. Blakeney.

### EVIDENCE BEFORE SELECT COMMITTEE ON EMIGRATION.

Mr. RAFF moved—

That the evidence taken before the select committee on Immigration last session be laid on the table of this house.

He did not expect that any opposition would be raised to the motion, and therefore considered it unnecessary that he should make any remarks with reference to it.

The COLONIAL SECRETARY seconded the motion, which was then put and passed.

Mr. RAFF moved that the papers then laid upon the table of the house be referred to the select committee on Immigration.

Motion put and passed.

## EXPENDITURE.

Mr. MACKENZIE moved—

That an address be presented to the Governor, praying that his Excellency will be pleased to cause to be laid upon the table of this house—(1.) A return showing the distribution of the sum voted for unforeseen expenses from the 1st January to the 30th June of the present year, inclusive. Also, a return specifying the different sums expended from the amounts voted for repairs and incidentals to public buildings during the years 1862 and 1863. (2.) A return showing the amounts and items on which the sums voted for furniture to public buildings have been expended during the years 1862 and 1863. (3.) A return showing how all sums, exceeding £200 in each case, voted for contingencies or incidental expenses to public departments, have been expended from 1st January to 30th June of the present year.

With reference to the first return, he would state as one of his principal reasons for moving for it, the discrepancy between the statements of the hon. the Minister for Lands and the Colonial Treasurer as to how the salary of the Chief Commissioner of Crown Lands was to be provided. Then with regard to the amount for expenditure in the repair of public buildings set down for 1864. In his opinion, it was much larger than it ought to have been. If all of it were expended, it would amount to a sum sufficient to build another government-house. He thought, also, that most of the government offices were, or ought to have been, pretty well furnished already, and therefore he could not conceive that there existed any necessity for so large an increase upon those items. Adverting to the last portion of his motion, he thought it was desirable that the house and the country should be made acquainted with the manner in which the large sum of money set apart for contingencies was expended. It had been remarked by many how the amount had been gradually increasing, and it was very desirable therefore that some idea of the manner in which they were expended should be given to the house. It was very objectionable that even a suspicion should arise that any of it was used as secret service money—that any of it should be paid to the Australian Steam Navigation Company for the purpose of conveying the Colonial Secretary from one part of her Majesty's dominions to another, where perhaps his presence might be more required. He should like to know who—should these contingencies not be voted—would be prepared to pay the piper. Under all the circumstances, he did not think that any reasonable objection could be made to the production of the papers.

Mr. BLAKENEY seconded the motion.

The MINISTER for LANDS said that on the part of the government there was not the slightest objection to produce the papers called for by the hon. member. Beyond the necessity for a little extra clerical assistance no difficulty whatever would be experienced. He was, however, he must confess, somewhat surprised to hear a hon. member who had once been a member of the ministry expressing any dissent to a large amount of money being set down for unforeseen expenses. That hon. member must know that they were out of session for perhaps nine months of the year, and that it was absolutely necessary, in order that the business of the country should be carried on, that various sums of money expended from time to time should be put down to the item referred to. Hon. members would find that when the large increase in the population of the colony was considered, the amount set down in the various items was not any larger than in previous years. He must differ with the hon. member as to their being any discrepancy between the statements of the two members of the government with reference to the salary of the Chief Commissioner of Crown Lands. As to the hon. gentleman's remarks, referring to the furniture to be provided for public buildings, &c., he appeared to totally ignore the fact that there were many new establishments, such as the Lunatic Asylum at Woogaroo, and other places in various portions of the colony which would have to be provided for by the government during the ensuing year. With regard to what had fallen from him about any portion of the items being employed as secret service money by the government, he (the Minister for Lands) could state, that should it be considered expedient they were quite prepared to furnish weekly statements of the manner in which the money voted for unforeseen expenses was expended.

The motion was then put and passed.

### CLERK OF PETTY SESSIONS, IPSWICH.

Mr. BLAKENEY, before moving the motion standing in his name, would, in justice to a gentleman referred to therein, now state that he had made a mistake in the wording of the motion. He had used the word "dismissal" when it should have been "resignation." He would move—

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 all the papers and correspondence connected with the removal of Mr. C. W. Daveney from the office of the Clerk of the Bench and Land Agent at Ipswich; the resignation of his successor, Mr. Poole; and the subsequent appointment of Mr. William W. Macalister in room of the last-named person.

The first part of his motion referred more particularly to Mr. Daveney; but before entering into that portion of it, he would state to the house that the fact of the situation of Clerk of Petty Sessions at Ipswich having been held by three different gentlemen within the short space of a few months had created a deal of unpleasant feeling in the public mind. No doubt hon. members would recollect the trial of Mr. Daveney, at which the prosecution was conducted by the hon. the Attorney-General. He (Mr. Blakeney) happened to be present at that trial; and in his opinion, and in the opinion of many professional and non-professional men, there never was a greater sham. He perceived that the hon. the Colonial Treasurer was smiling; but that hon. gentleman, who was present at the trial, would perhaps remember that although there were cartloads of books produced, the whole of which were useless, a small scrap of paper, which would undoubtedly have brought home the case to the prisoner, was left in Brisbane. He believed that the Crown Solicitor also was employed in the prosecution, and yet they had actually permitted two persons who were sureties of the accused, to sit upon the jury. However, he thought perhaps that the less was said about that prosecution the better. With regard to the resignation of Mr. Poole, he would also say as little as possible. (Hear, hear, from the Colonial Secretary.) He (Mr. Blakeney) was not at all afraid to go fully into the matter. Then they came to the appointment of Mr. Poole's successor, and although he wished to say nothing that would be calculated to hurt that young man, he still was of opinion that some one might be found fully competent to fulfil the duties of the office in whom the public had more confidence, and whose antecedents would be calculated to render him better qualified. There was an evident desire on the part of the government to fill the various offices with their friends and adherents, and evidence of their nepotism were apparent in every direction. It had been asserted, too, that the duties of the office were to be divided—that the young gentleman was to have a sort of deputy scribe, whose duty it would be to take down depositions, &c., and to transact the immigration and land agency. The government, however, must remember that the house held the purse strings, and there was very little doubt but that should the contemplated division of the duties take place, they would refuse to sanction the payment of two men in Ipswich, while one man in Brisbane did four times as much.

The COLONIAL SECRETARY must oppose the motion. In the first place, all the circumstances connected with the part of it referring to Mr. Daveney had already been before, and had no doubt been well canvassed by, the public, and no further light could be thrown upon the subject by the production of any papers whatever. With regard to the hon. member's forbearing to enter into the causes which led to the resignation of Mr. Poole, he (the Colonial Secretary) would exercise an equal amount of forbearance, but would state that, although they had not come under his notice, he had been informed of certain things which, if true, would have rendered that resignation a dismissal. He would proceed to say a few words with reference to what had been asserted by the hon. member concerning the appointment to the office of Mr. William Macalister. Had the hon. member not seen the notice in the *Gazette*, by which that young gentleman had been appointed merely acting Clerk of Petty Sessions in Ipswich? If not, he (the Colonial Secretary) would inform him that such had been the case, and that Mr. Macalister had now ceased to act altogether, Mr. George Dodwell, of the Crown Lands Office, having been appointed. However, he certainly could not admire the want of sincerity displayed by the hon. member in coming down to that house for the production of papers in the manner which he had done on the present occasion, seeing that he must have been aware of the nature of Mr. Macalister's appointment. In conclusion, he would state that there was no papers to produce, the resignation of Mr. Poole amounting to about five lines of writing, and the appointment of Mr. Macalister consisting nearly of what had appeared in the *Gazette*. As to the case of Mr. Daveney there was absolutely nothing.

The ATTORNEY-GENERAL said that, as his integrity had been called into question by the hon. member (Mr. Blakeney), who had also commented upon the ignorance of the Crown Solicitor in conducting the case of Regina v. Daveney, he (the Attorney-General) would trouble the house with a few remarks. First of all, then, he could prove to the house and the hon. member that there was not a better man for the office or a better lawyer in any of the colonies than was

the Crown Solicitor. It had also been asserted that the whole prosecution was a sham—a farce. In spite, however, of the long professional experience of the gentleman who had made the assertion, he would much rather believe in the opinion expressed by a gentleman of high legal ability, to the effect that a first rate case had been made out. But what was the use, the jury would not have it, and after having been in consultation for five or six hours, the verdict was returned by the minority of five giving into the majority of seven. He was surprised at such scandalous charges being brought forward by a brother professional man, especially seeing that the facts stated were not true. It was not the custom of the crown prosecutor to challenge jurymen, although the privilege was conceded to the accused of challenging twenty if he liked. It was at the same time likely that had his (the Attorney-General's) attention been drawn to the fact, that the names of Daveney's sureties were called out, he should have requested them to stand aside. (Hear, hear.) He was yet to hear, however, that any two gentlemen in Queensland, after having taken a solemn oath, would proceed immediately to perjure themselves. [Mr. BLAKENEY: I did not say so.] The hon. gentleman did so by inference; he dared not do so openly. According to him, the judge who tried the case was a farce, the jury was a farce; Mr. Jones, who defended the prisoner, was a farce, and the prisoner was a farce;—it was, in fact, a farce altogether. He (the Attorney-General) was sorry that the name of Mr. Poole had been mentioned at all; and did not intend himself to allude to that unfortunate young man. In conclusion, he would suggest to the hon. member for North Brisbane the propriety for the future of being a little more advised as to any motions he should introduce, or any remarks he might make to the house.

Mr. LILLEY did not care for the production of the papers. He did not think that Mr. Blakeney had any intention of asserting that a compact had been entered into between the Attorney-General and the Crown Solicitor as to the prosecution of Mr. Daveney. He thought, however, that it was hardly fair for the hon. the Colonial Secretary to refer to Mr. Poole in the manner which he had done. He (Mr. Lilley) would advise Mr. Blakeney to withdraw the motion.

Mr. DOUGLAS said that but for the motion being brought before the house, he would have been ignorant of many of the facts disclosed, and as he wished to be further enlightened, he should vote for the production of the papers so far as they could be produced.

Mr. BLAKENEY, in reply, said, with reference to the remarks of the hon. the Colonial Secretary as to the wording of the appointment in the *Gazette*, that such a manner of avoiding the question was mere quibbling, he (Mr. Blakeney) having had private information that Mr. Macalister had been appointed for twelve months on probation. As regarded the assertions of the hon. the Attorney-General, he (Mr. Blakeney) could only repeat his statement that many professional and non-professional men had expressed their opinion that the prosecution referred to had been a mere sham. The hon. gentleman had spoken in his usual warm and emphatic manner, but he had failed to prove that the small bit of paper—Mr. Daveney's account—which would have had so much influence upon the case, had not been produced. He could not deny that such was the case. As to the assertion he had made that it was without his knowledge that the two bailsmen of Mr. Daveney had sat upon the jury, he (Mr. Blakeney) would like to know if the names of those bailsmen were not pinned upon the depositions? It was a most unheard of thing to permit gentlemen acting in such capacity to a prisoner to sit upon the jury, and no one was better acquainted with that fact than the hon. the Attorney-General. It was evident that advantage had been taken by the government of his motion having been upon the paper for some time past to make the alteration in the appointment and to supersede Mr. Macalister. Under these circumstances, he should, with the permission of the house, withdraw the motion.

The ATTORNEY-GENERAL, before the motion was withdrawn, would state that there was not a link in the chain of evidence at the trial of Daveney wanting.

Mr. BLAKENEY would as distinctly assert that there was.

The motion was then withdrawn.

## ELECTION OF CHAIRMAN OF COMMITTEES.

The SPEAKER said the house had now come to the business which was under discussion and not disposed of on the last sitting day, which business was the appointment of the Chairman of Committees. He should now call on the Sergeant to ring the bell.

The SERGEANT-AT-ARMS having rung the "division bell,"

The question on which the division was to be taken was then put—

That the words proposed to be omitted stand part of the Question." This arose out of the debate upon the Colonial Secretary's motion, "That Charles Coxen, Esq., be appointed Chairman of Committees of the Whole House:" upon which Mr Raff had moved, by way of amendment, that the name of "Charles Coxen" be omitted, with the view to the insertion, in its place, of the name of "Charles William Blakeney."

The house divided:—

Ayes, 10.		Noes, 9.	
Mr. Macalister		Mr. Douglas	
Royds		Raff	
Cribb		Pugh	
Challinor		Groom	
Bell		Stephens	
Warry		Edmondstone	
Moffatt		Edwards	
Weinholt		Mackenzie	} Tellers
Herbert	} Tellers	Lilley	}
Pring	}		

The original question was then put and passed.

The following members withdrew from the house when the division bell was rung:—Mr. Sandeman, Mr. Coxen, and Mr. Blakeney.

Mr. COXEN (having returned) made his acknowledgments to the house for the honor conferred upon him, and expressed his hope that by attention to the business of the house and strict impartiality while sitting in the chair, to merit the confidence of hon. members. (Hear, hear.)

### DAYS FOR DESPATCH OF BUSINESS.

The COLONIAL SECRETARY moved—

That, unless otherwise ordered, this house will meet for despatch of business at three o'clock p.m. on Tuesday, Wednesday, and Thursday; and at ten o'clock a.m. on Friday, in each week; the sitting on the latter day to terminate at one p.m.

Mr. GROOM suggested the propriety of altering the Friday sitting to the same hours as on the other business days. The half-holiday was of little use to those hon. members for West Moreton, for whose advantage the Friday morning sitting was agreed to.

Mr. CRIBB concurred with the hon. member for Toowoomba.

The COLONIAL SECRETARY consented to alter his motion in accordance with the feeling of the house.

The motion, as amended, was then put and agreed to—all the words after "Wednesday" being omitted, and the following words substituted in lieu thereof: "Thursday and Friday."

### GOVERNMENT BUSINESS.

The COLONIAL SECRETARY moved—

That on Thursday and Friday in each week, government business take precedence of all other business.

The motion was agreed to.

### POSTPONEMENTS.

The COLONIAL SECRETARY postponed till next day two motions standing in his name for leave to bring in bills to consolidate and amend the Laws relating to the Police Force and for

transferring to one of her Majesty's principal Secretaries of State the powers and estates vested in the principal Officers of the Ordnance. He said that he was not quite prepared with those measures.

### STANDING ORDERS COMMITTEE.

The ATTORNEY-GENERAL moved—

That the Standing Orders Committee for the present session consist of the following members, viz.: The hon. the Speaker, Mr. Coxen, Mr. Lilley, Mr. Sandeman, Mr. Mackenzie, Mr. Pugh, and the mover, with leave to sit during any adjournment, and authority to confer upon subjects of mutual concernment with any committee appointed for similar purposes by the Legislative Council.

The motion was agreed to.

### FIRES BILL.

The ATTORNEY-GENERAL moved for leave to bring in a bill to empower coroners to hold inquests concerning fires.

The question was put and passed; and the bill having been presented was read a first time, ordered to be printed, and to be read a second time next Tuesday.

### SUPREME COURT BILL.

The ATTORNEY-GENERAL said, before moving for leave to bring in a bill further to amend the constitution of the Supreme Court of Queensland, he wished to correct an erroneous impression which appeared to have gone abroad in reference to the appointment of a third judge. He wished to state, for the information of the house and the public, that the 12th and 13th clauses would be expunged from the bill. (Hear, hear; and laughter from the opposition.) He moved for leave to bring in a bill further to amend the constitution of the Supreme Court of Queensland, and further to provide for the better administration of justice.

Mr. LILLEY: It appeared, then, that the impression was correct, for by the hon. member's statement it was not erroneous. (Hear, hear.)

The ATTORNEY-GENERAL: No. The bill was not re-printed. It had been determined long ago—before the session commenced.

The motion was agreed to; and the bill having been presented, was read a first time, ordered to be printed, and to be read a second time on Tuesday next.

### PRINTING COMMITTEE.

The COLONIAL TREASURER moved—

That, in compliance with standing order No. 261, a select committee be appointed to assist Mr. Speaker in all matters which relate to the printing to be executed by order of the house, and for the purpose of selecting and arranging for printing returns and papers presented in pursuance of motions made by members. (2.) That such committee consist of the following members, viz.:—The honorable the Speaker, the Chairman of Committees, Mr. Macalister, Mr. Sandeman, and Mr. Stephens.

Agreed to.

### SCAB IN SHEEP BILL.

The COLONIAL TREASURER moved—

For leave to bring in a Bill further to provide against the introduction of Scab and other Diseases in Sheep.

Agreed to.

The bill having been presented, was read a first time, ordered to be printed, and to be read a second time next day.

### PASTORAL OCCUPATION BILL.

The SECRETARY for LANDS and WORKS moved—

For leave to introduce a Bill to consolidate and amend the Laws relating to the Occupation of Crown Lands for Pastoral Purposes.

Agreed to.

The bill having been presented, was read a first time, ordered to be printed, and to be read a second time on Tuesday next.

## RAILWAY BILLS.

The SECRETARY for LANDS and WORKS moved—

For leave to introduce a Bill to make provision for the Construction by the Government of Railways, and for regulation of the same.

(Cheers and counter cheers.)

Agreed to. The bill having been presented, was read a first time, and ordered to be printed, and to be read a second time on Tuesday next.

## SUPPLY.

The order of the day for the “consideration of that portion of the opening speech of his Excellency the Governor which was addressed to the house” having been called on.

The SPEAKER read the portion of the speech referred to.

The COLONIAL TREASURER then moved—

That the house will, on Friday next, resolve itself into a committee of the whole to consider of supply to be granted to her Majesty.

The motion was agreed to.

## RAILWAYS.

Mr. DOUGLAS moved—

That the petition from certain landed proprietors and others resident in the district of Rockhampton, presented on the 22nd instant, be printed.

Mr. GROOM seconded the motion, which was agreed to.

## RESIGNATION OF MEMBERS OF THE COUNCIL.

Mr BLAKENEY 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, copies of the letters of resignation of the following members of the Legislative Council, viz., Alfred Henry Brown, Esq., Sir Charles Nicholson, Bart., Ratcliffe Pring, and William Henry Yaldwyn, Esqrs.

When he gave notice of this motion, he said, he was told in an undertone that this house had no right to ask for such documents. Perhaps that might be so. If, however, this motion would not answer the object—if government refused to produce copies of the letters—perhaps they would be had in another place.

The ATTORNEY-GENERAL, for the information of the house, begged to say that before he issued his address to the electors, he gave his resignation into the Governor's hands—a letter of resignation written by himself. (A laugh.)

The COLONIAL SECRETARY said, in addition to the information afforded by his hon. colleague, he had made the necessary enquiries to find if any such letters existed, and had found that there were none. In most cases the letters were private communications to his Excellency the Governor, and containing other matters; and the house would not, of course, ask for them. The hon. member (Mr. Blakeney) had not shown any reason why the letters should be produced. If those letters were shown, referring to the constitution of the other house, it would be a decided breach of privilege; and hon. members would be very unwilling to have them shown, unless some very good reasons were given in support of the motion.

The motion was negatived

The house adjourned at half-past five o'clock till next (this) day at three o'clock.