

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**TUESDAY, 14 JULY 1874**

---

Electronic reproduction of original hardcopy

had made certain amendments in the Bill, which amendments had not been accepted by the Assembly. He did not wish to propose any departure from the position which the great majority of the Council—17 to 3 votes—maintained in regard to some material principles of the Bill; but he thought that some modification might be made if his motion was assented to by the House, and if a free conference between the two Houses was held: it might be that they would arrive at a mutual understanding which would be for the welfare of the country. A great deal of time had been taken up in passing the Crown Lands Sales Bill, and it would be a great pity if, from a want of great discretion and forbearance on the part of the Council, it should fall to the ground. At all events, he thought it was a duty the Council owed to the country to pass, if they could, a land law that would be for the good of the country. The motion which he had to propose was:—

1. That the Legislative Council request a free conference with the Legislative Assembly, with a view of arriving at a mutual agreement on the amendments made by the Council, and disagreed to by the Legislative Assembly in "*The Crown Lands Alienation Act of 1874.*"

2. The managers of such conference to be the Hon. G. Thorn, the Hon. F. T. Gregory, the Hon. A. B. Buchanan, the Hon. A. H. Brown, the Hon. E. I. C. Browne, the Hon. F. H. Hart, and the Mover.

Honorable members would, at once, see that this was a very unusual proceeding.

The PRESIDENT: He had better ask the House if there was any objection to the motion being put. He thought it premature on the part of the honorable gentleman, as the Bill should be on the table first. The House did not know what amendments of theirs in the Bill had been rejected. He did not think the conference would be of any good, if the will of the House was not first known.

The Hon. H. G. SIMPSON: Before the motion was put in such a hurried manner, he had a word to say. He was not aware that it was to be brought forward; and, for his own part, he thought it meant simply that all the amendments of the Council about which they had taken so much trouble were to be overborne for the sake of some moderate compensation. He should most decidedly object at the beginning. Honorable members had a right to know what was intended by the conference, before consenting to the motion being put.

The PRESIDENT: It could not be put if there was any objection.

The POSTMASTER-GENERAL: He might point out that the motion could be put as an amendment on the motion that he would have to make, for the House to go into committee, when the Order of the Day was called in for the consideration of the Assembly's amendments on the Council's amendments in the Crown Lands Sales Bill. For his own part, he

## LEGISLATIVE COUNCIL.

*Tuesday, 14 July, 1874.*

Proposed Conference.—Manufacture of Salt.—Audit Bill.—Crown Lands Sales Bill—Conference.—Select Committee to examine Member.—The late Sergeant-at-Arms.

## PROPOSED CONFERENCE.

The Hon. T. L. MURRAY-PRIOR said he thought honorable gentlemen would agree with him in the advisability of the step he was about to propose that the Council should take, and that they would allow him to make a motion unopposed, without notice, in respect of the Crown Lands Sales Bill. In view of what had occurred, nothing should induce them to admit of any misunderstanding between the two Houses of Legislature. The Council

had no objection to the motion of the Honorable Mr. Murray-Prior; and he trusted that some good would result from the conference. He was anxious to see the Crown Lands Sales Bill passed. There was some probability that if the conference should take place, a useful Bill would become law. Meantime, he asked the honorable gentleman to withdraw his motion.

The PRESIDENT: There was no question before the House.

The Hon. T. L. MURRAY-PRIOR said he should move the adjournment of the House. Speaking to the matter of the Crown Lands Sales Bill, he did not know whether it was too late for the honorable member to withdraw his opposition—

The Hon. H. B. FITZ: The honorable member was out of order. He could not move the adjournment to speak on the motion he had already spoken to.

The PRESIDENT: Perhaps I may save a great deal of trouble if I state that it is quite incompetent for a portion of this House—for a certain number of members of the Council—to meet a certain number of members of the other House, to consider what shall be the action of the Council. If a conference is demanded, the only action that the managers of the conference can take is, to inform the other House of what this House has already decided upon, not to ask the reasons which the Council can come to certain conclusions. The managers in conference can only inform the other House of what this House has decided to do.

The Hon. T. L. MURRAY-PRIOR: It was unnecessary for honorable gentlemen to go into the matter now. At a later period of the day he should propose what the forms of the House would not allow him to go into now.

The PRESIDENT: There was no motion before the House.

#### MANUFACTURE OF SALT.

The Order of the Day was read for the consideration of a message from the Legislative Assembly, transmitting the following resolutions:—

"1. That an Address be presented to the Governor, praying that His Excellency will be pleased to cause such steps to be taken as will give effect to the recommendations of the Select Committee appointed to inquire into the petition of Wills and Company, Gladstone.

"2. That the foregoing resolution, together with a copy of the report of, and the evidence taken before, the Select Committee, be transmitted to the Legislative Council, with a Message, inviting their concurrence in the recommendation of the committee."

The PRESIDENT said he undertook to bring before the notice of the Council the subject of the resolution, without any communication with the honorable gentleman who had charge of it in another place and who had neglected to ask any one to bring it forward

for their consideration; and he did so very willingly, knowing the locality where Messrs. Wills and Company carried on the manufacture of salt, and taking a great interest in all that concerned the growth of that part of the colony. The committee to whom the petition of Messrs. Wills was referred recommended that a grant of the land

"now occupied by the petitioners, and of four acres adjoining, on which the works are situated, be issued to them."

Knowing the locality, as he did, he could assure the House that the site in question could not be devoted to a more profitable purpose than that for which it was now occupied. He thought that Wills and Company deserved very great encouragement for their enterprise in having undertaken the manufacture of salt, an article which was of great importance to this colony, being largely used for many economical purposes, and, for years past, with great advantage by stock-keepers for the maintenance in health of their sheep and cattle. The award proposed by the committee was to be made under the Encouragement to Native Industries Act of 1869. There was not much evidence attached to the report; still the efforts made by Wills and Company in the manufacture of salt were such, that the results were well known. He had no doubt the Council would concur in what the Assembly had agreed to as a just mark of the appreciation of the country of the exertions made by Wills and Company in the manufacture of salt, and he moved—

That the resolution of the Legislative Assembly, relative to the petition of Wills and Company, of Gladstone, be agreed to.

The Hon. A. H. BROWN said he cheerfully supported the motion, because he knew intimately the property which it was proposed to give to the enterprising firm of Wills and Company, and he thought it was a just recognition of their industry to grant them what they had petitioned for. As the committee described the place, it was a mud flat of about four acres; and it was of no commercial value really and was entirely unadapted for building purposes. It was very desirable that land of that description should be turned to good account, as in the present case. The manufacture of salt was of great importance to the community, the article being so much used in the colony for the preservation of the health of stock. He therefore looked upon the industry of Wills and Company as very valuable. The firm, in spite of difficulties, had produced an article of the best quality from their manufactory. The Council might well accede to the resolution sent up from the other Chamber.

Question put and passed.

#### AUDIT BILL.

The Order of the Day was read for the consideration of the Legislative Assembly's amendments on the Council's amendments

in the Audit Bill, set forth as follows, in the message received on Friday last :—

“The Legislative Assembly having had under consideration the amendments made by the Legislative Council in the Bill entitled ‘*A Bill to Amend the Law relating to the receipt custody and issue of the Public Moneys and to provide for the Audit of the Public Accounts,*’

“Agree to the Legislative Council’s amendments in clauses 8, 9, 12, 13, 20, 40, and 46, without amendment.

“Disagree to the Council’s amendment by which it is proposed to insert new clause 30; because the power thereby proposed to be conferred upon the Auditor-General, to promote any officer of his department without the consent or approval of the Governor in Council, is inconsistent with clause 12 of ‘*The Civil Service Act of 1863,*’ and prejudicial to the rights and privileges of certain officers secured thereby; because the power proposed to be given to the Auditor-General to make regulations is inconsistent with clause 51 of the Bill; and, because the system of making up and rendering periodical accounts for confirmation is not in force in this colony, and is not provided for by the present Bill.

“Agree to the Legislative Council’s amendments whereby it is proposed to insert new clause after clause 48 of the present Bill.

“And agree to the Legislative Council’s amendments in clause 5, with amendments.”

On the motion of the POSTMASTER-GENERAL, the House resolved into Committee of the Whole; and the honorable gentleman then moved that the Council should not insist upon their amendments with which the Assembly disagreed.

The Hon. H. B. FITZ: The Council would be very wrong, indeed, to give way on clause 30; and he contended that they should maintain the independence of the Auditor-General as an officer of Parliament.

The Hon. A. H. BROWN said he could not agree with the proposition of the Postmaster-General. Indeed, he regretted that he had not included in the clause that the Auditor-General should have the power to “nominate” as well as to promote and suspend, the officers of his department. The position of Auditor-General should be regarded as one of dignity and importance. As an officer of the Parliament, it would be very difficult sometimes for him to act upon the power he possessed, if he was not placed in an independent position towards the other departments of the public service: pressure might be brought to bear upon him to induce him to take officers who would be personally disagreeable to him.

The PRESIDENT said he merely rose to call the attention of the committee to the very amusing reasons brought before the House in the message:—First, that the new clause of the Bill was inconsistent with clause 12 of the Civil Service Act of 1863. That Act provided that the Governor in Council should promote the senior officer of any department where a vacancy occurred. He had lived in this colony as long as other honorable mem-

bers, and he thought that while the Act was in force no Government paid the slightest attention to the twelfth clause; and now that it was repealed, by the Act of 1869, which reserved only the rights of those members of the Civil Service who contributed to the superannuation fund, it was not likely to be attended to. Therefore, such a reason was like poking fun at the Council—as if it was supposed that honorable gentlemen did not know what the existing law of the country was; and they might put aside that reason, at any rate, as one which should not guide them in their deliberations. He adopted the arguments of the Honorable Mr. Brown in support of the clause, having no doubt that it was a wise object of the House to make the Auditor-General as independent as possible in the performance of his duties. The Council did not desire that the Auditor-General should be an officer of the Treasury, but an officer of Parliament. His duties might sometimes be disagreeable; but he must be backed up by being placed in an independent position to perform them.

The Hon. W. THORNTON said he thought the thirtieth clause ought to be expunged from the Bill, because it would be a rank injustice to those gentlemen in the Audit Office who were now under the Civil Service Act. What had fallen from the President was perfectly true: most Governments had ignored the Civil Service Act in regard to promotions. But if the clause passed, a man could be dismissed by the Auditor-General without inquiry into his case. In alluding to the Auditor-General it must not be considered that what he said reflected in any way upon the excellent officer who now held that position; but a future Auditor-General might crowd his office with his own family, after sweeping out the whole of the officers now there. The clause was, moreover, perfect nonsense. It was taken from the Imperial Act, whose provisions did not apply to this colony at all; there was no system of periodical accounts for confirmation in Queensland, in force, as provided for by the Bill. He hoped that the Council would not, for sake of that one clause, allow a very valuable measure to be lost. It was not likely that any officer would be forced upon the Auditor-General by the Government against his wishes, or that they would decline to listen to him, or that he would not have the same power to suspend as the other departmental heads of the public service. Indeed, the Auditor-General was the last one that the Government would probably interfere with.

The Hon. H. G. SIMPSON: The mistake of the Hon. Mr. Thornton was, that he did not regard the Auditor-General as an officer of Parliament, who consequently had a right to greater independence than any officer of the Civil Service or the Executive Government. The whole scope of the amendment was, that the Auditor-General should not be a mere high-salaried officer of the Treasury. Any-

thing that would lessen the independence of the Auditor-General of the Executive Government would be a very great mistake. He (Captain Simpson), for one, should do his best to keep clause 30 in the Bill.

The question was put and negatived.

The House resumed, and the Chairman reported that the House, after consideration in committee, insisted on their amendment. The report was adopted.

On the motion of the Hon. A. H. BROWN, the following members were appointed a Select Committee to draw up the Council's reasons for such insistence:—The Hon. H. B. Fitz, The Hon. E. I. C. Browne, The Hon. G. Thorn, and The Hon. A. H. Brown.

The committee retired, and being returned; The Hon. A. H. BROWN brought up their report, and moved—

That the following message be transmitted to the Legislative Assembly:—

“MR. SPEAKER—

“The Legislative Council having had under consideration the Legislative Assembly's Message of the 9th July, in reference to ‘*The Audit Bill of 1874*,’ beg now to intimate to the Legislative Assembly that the Legislative Council insist upon their Amendment (new clause 30) in this Bill.

“Because it gives to the Auditor-General, as it was intended to give him, greater independence in the exercise of the duties which Parliament has entrusted to him.

“Because this House cannot see in what way this clause can be deemed to be inconsistent with clause 12 of ‘*The Civil Service Act of 1863*,’ inasmuch as that portion of the Act was repealed in 1869; and, moreover, as the conditions of the said clause were, when law, never acted upon by any Government in power.

“Because we fail to see that clauses 30 and 52 are conflicting, as in each case the Governor in Council is the authority.

“M. C. O'CONNELL,

“President.

“Legislative Council Chamber,

“Brisbane, 14th July, 1874.”

Question put and passed.

#### CROWN LANDS SALES BILL—CONFERENCE.

On the Order of the Day being read,  
The POSTMASTER-GENERAL moved—

That the House be now put into Committee for the consideration of the Legislative Assembly's message, with amendments on Council's amendments in this Bill.

The Hon. T. L. MURRAY-PRIOR said: The motion which he endeavored earlier to bring forward, could at this stage be proposed as an amendment on the motion of the Postmaster-General; and he then moved—

That this Order of the Day be postponed until a later hour of the day, with the view of bringing before the Council the following:—

1. That the Legislative Council request a free conference with the Legislative Assembly, with a

view of arriving at a mutual agreement on the amendments made by the Council, and disagreed to by the Legislative Assembly in “*The Crown Lands Sales Bill of 1874*.”

2. That the managers on the part of the Council in the conference be the Hon. G. Thorn, the Hon. F. T. Gregory, the Hon. A. B. Buchanan, the Hon. A. H. Brown, the Hon. E. I. C. Browne, the Hon. F. H. Hart, and the Mover.

It was, he said, a very unusual thing to ask for a free conference; and there must be some very good reason indeed why his resolutions should be acceded to by the House. He thought he could show that there were good reasons for doing so. Usually amendments by the Council which had been disagreed to in another place were brought before the Council and again considered, and, if insisted upon by the Council, sent back by message, as in the instance just passed with regard to the Audit Bill; and if, after that, the disagreement between the two Houses still existed, a conference was called for. But a conference of that sort would be useless in the present instance. In that sort of conference, the managers for each House met and handed to one another written statements. He did not see that written statements would have any greater effect than messages in the usual form. A free conference was a different thing; and he should read from May's “*Practice of Parliaments*” what could be done by a free conference:—

“A free conference differs materially from the ordinary conference; for instead of the duties of the managers being confined to the formal communication of reasons, they are at liberty to urge their own arguments, offer and combat objections, and, in short, to attempt, by personal persuasion, to effect an agreement between the Houses which the written reasons had failed in producing. If a free conference should prove as unsuccessful as the former, the disagreement is almost hopeless: but if the House in possession of the Bill should at length be prepared to make concessions, in the hope of an ultimate agreement, it is competent to desire another free conference upon the same subject”——.

It was not likely, however, the Council would wish, if they still disagreed, to go further; but it was of great consequence that a few members of each House should come together to place matters before one another in the way that each saw them. The free conference might not do the good he fancied it was capable of; still, at the same time, it would show that the Council were prepared to do all they could to prevent any misunderstanding with the other Chamber, and it must be left to the powers of persuasion and the arguments that each manager could bring forward, to effect a settlement, if possible. It would be out of place, now, to go into any details of the Bill, or to make any more com-

ments on the matter at issue. He should leave the subject in the hands of the House, and be content with formally moving his amendment.

The Hon. F. T. GREGORY supported the amendment, and endorsed the sentiments already given utterance to by the honorable gentleman who moved it. The difficulty that had arisen was such that it must be obvious to most honorable gentlemen that, from the nature and the number of the disagreements, a satisfactory conclusion could not be come to merely by returning the Bill to the Legislative Assembly, with, possibly, a few concessions on the part of the Council to the wishes of the Assembly. It was likely, however, that if the managers for the Assembly heard in conference some of the arguments of the Council, some way of dealing with the question might be discovered. He based his supposition, without making any remarks upon the way the Bill was dealt with by the other House, when it was forwarded with the amendments of the Council. The very short time that had elapsed when it was returned from the Assembly led him to believe that it could hardly have received that attention which the subject demanded. Although he was quite well aware that the conference, as a whole, was not likely to result beneficially, yet he felt with other honorable members an extreme anxiety that the subject should receive the most deliberate consideration. A disbeliever in the Bill when first introduced, he should, for all that, be very sorry to see it thrown out now. It had received attention at the hands of the Council, and the Council's amendments should receive calm consideration at the hands of the Assembly. There were many points that he could enlarge upon; but he did not think the question at issue should be discussed now.

The Hon. H. G. SIMPSON said he could not agree to the amendment. At the same time, he did not intend to enlarge upon his objections to it; because, if he did so, it was quite possible that the reasons he should give would lead the House to think as he thought, as he said before, that the conference would be quite useless unless the Council were prepared to give up everything, except one small item. He was not prepared, therefore, to expect much from the motion of the Honorable Mr. Murray-Prior. The House had best decide matters at once, and either insist upon their amendments or let the other House do as they thought proper. He should not allude to the way in which the amendments of the Council had been treated in another place. He entirely dissented from the opinions expressed. The conference would not do the slightest good whatever. The dignity of the Council ought to be considered.

The Hon. A. H. BROWN said he felt inclined to support the amendment. The

Council owed a duty to the colony, and if they could by any possibility arrive at an understanding with the other branch of the Parliament, it was their duty to attempt it. The amendments they had made in the Bill were, he considered, all improvements. They had been objected to in the other Chamber in a somewhat peremptory manner. It was an unusual course to propose a conference; still, if it was likely to terminate in any benefit, it was advisable to propose a conference. From what he could gather from the representative of the Government in the Council, he believed the conference was almost invited, which led him to suppose that a concession would be made on the part of the other House, as well as that the Council were expected to make some concession. It must be remembered that the Bill was of great importance, and that the close of the session of Parliament was near at hand. If the Bill should not be passed, no other measure for dealing with the land could be brought forward. The amendments of the Council had been disposed of in a very hurried manner; and if honorable members were to judge by the reasons given by the Assembly, some of which he could not understand, it was, perhaps, desirable to have a conference, with the view of listening to some explanation of the course taken in another place. He could not think that the Council would be derogating in any degree from their dignity, or departing from the position they ought to maintain, in proposing the conference. Therefore, he hoped the amendment would be carried.

The Hon. J. F. McDougall said he was sorry that there should be any opposition to the amendment, because he thought that if carried, it would have the good effect of showing that there was a desire on the part of the Council not to obstruct, at all events, the business of the country; and the conference would afford an opportunity to explain to the other House the reasons which actuated, and the disposition which existed in, the Council. He scarcely hoped that any great results would follow beyond what he stated. He hoped the opposition to the motion would be withdrawn, as it would only retard business.

The POSTMASTER-GENERAL said he had no objection to the amendment, and he hoped some good would result from the conference. There should be no discussion, because there was an understanding that the other House would adjourn at six o'clock, out of respect to the late Sergeant-at-Arms, and it was well known that the conference could not sit when the Houses were adjourned. He should like the Council to come to a determination promptly, one way or the other—whether they would have a conference, or throw out the proposal of the honorable member, Mr. Murray-Prior—without further discussion.

The Hon. J. TAYLOR said he hoped the House would not consent to do things in a hurry, because the Sergeant-at-Arms was dead, or because the other House would not be sitting out of respect to his memory. It was an extraordinary reason why the Council were to get through their business without consideration. The other House would sit to-morrow. He objected to the conduct of the Honorable Mr. Murray-Prior. What were the facts? The amendments in the Land Bill which had been passed by a majority of seventeen out of twenty members of the Council had not been considered with attention by the other House. The Bill, as first introduced, proposed repudiation. After discussing the matter out of doors, the Council made amendments, which were agreed to by the large majority he had named. The Bill went back to the Assembly, and those amendments were thrown out without any consideration, without even their object being looked at. Then, when the disagreement of the other House was communicated, the late leader of the Council was found to come forward for a conference! The honorable gentleman had not told the House whether the Assembly were willing to agree to his proposal.

The POSTMASTER-GENERAL: I have told you so—I agree to it.

The Hon. J. TAYLOR: When it was held, no good would result from it. He should oppose the conference. He was as deeply interested in the matter as any other member of the House; but he should not be a party to a conference upon a Bill, their amendments in which had been treated in such an extraordinary manner and returned to them. Let the Government bring forward the resolutions that the Upper House were threatened with for the resumption of their runs. That was the most proper course.

The Hon. H. B. FITZ said he objected to the conference, for more reasons than one; and he should move as a further amendment—

That the number of the managers of the conference be nine (or, one-third of the Council), and that they be chosen by ballot.

There were some members named as managers of the conference in whom he had no confidence; and he could not understand the Honorable A. H. Brown postponing his motion for the extension of the settled districts, until he should know the result of the conference. The conference would do no good. When the land was required for settlement, let it be taken up; even the whole colony, if needed. The House should not be held responsible for the action of the members named.

The Question was put—That this Order of the Day be postponed until a later hour of the day, and, in the meantime, a message be transmitted to the Legislative Assembly ask-

ing for a free conference on the subject matter of this message—and the House divided:—

Contents, 13.	Not-Contents, 3.
Hon. J. Gibbon	Hon. J. Taylor
" E. I. C. Browne	" H. B. Fitz
" A. B. Buchanan	" H. G. Simpson.
" W. F. Lambert	
" W. Wilson	
" G. Sandeman	
" F. T. Gregory	
" J. F. McDougall	
" T. L. Murray-Prior	
" A. H. Brown	
" W. Thornton	
" W. Hobbs	
" G. Thorn.	

Resolved in the affirmative.

The Hon. H. B. FITZ withdrew his amendment.

The question was then put, upon the second resolution, being the appointment of the managers.

The Hon. H. G. SIMPSON moved the amendment, before proposed by the Honorable Mr. FITZ, for the appointment of nine managers by ballot.

This amendment was negatived, and the original proposition for the appointment of the managers named was agreed to.

A message was, on the motion of the POSTMASTER-GENERAL, ordered to be transmitted to the Legislative Assembly:—

"MR. SPEAKER—

"The Legislative Council having received a Message from the Legislative Assembly, returning '*The Crown Lands Sales Bill of 1874*,' disagreeing to some of the amendments made by the Legislative Council in this Bill, have this day agreed to the following resolution, viz.:—

"That the Legislative Council request a free conference with the Legislative Assembly, with a view of arriving at a mutual agreement on the amendments made by the Council, and disagreed to by the Legislative Assembly in '*The Crown Lands Sales Bill of 1874*.'

"The managers of such conference to be the Honorable G. Thorn, the Honorable F. T. Gregory, the Honorable A. B. Buchanan, the Honorable A. H. Brown, the Honorable E. I. C. Browne, the Honorable F. H. Hart, and the Honorable T. L. Murray-Prior; and that such conference be held in No. 1 Committee Room of the Legislative Council, at four o'clock to-morrow.

"M. C. O'CONNELL,  
President.

"Legislative Council Chamber,  
"Brisbane, 14th July, 1874."

At a later hour of the sitting, the following message was received from the Legislative Assembly:—

"MR. PRESIDENT—

"The Legislative Assembly having had under consideration the Legislative Council's message of date this day, requesting a free conference upon the Council's amendments in '*The Crown Lands Sales Bill*,' beg to intimate their willingness to meet the Legislative Council, in conference, at the time and place appointed, and to state that they have appointed Messieurs Macalister, Stephens, Dickson, McIlwraith, Edmondstone, Pechey, Low, Miles, Pettigrew, Fryar, Hodgkinson,

Fraser, Thompson, and Griffith, to be their managers at the said conference.

"WM. HENRY WALSH,  
"Speaker.

"Legislative Assembly Chamber,  
"Brisbane, 14th July, 1874."

Eventually, the Order of the Day for the consideration of the amendments in the Crown Lands Sales Bill was ordered for to-morrow.

#### SELECT COMMITTEE TO EXAMINE MEMBER.

A message was received from the Legislative Assembly, informing the Council that a Select Committee had been appointed to inquire into and report on certain statements made in the Legislative Assembly on the 22nd May last, reflecting upon Gordon Sandeman, Esquire, formerly for many years a Member of the Legislative Assembly, and that committee being desirous to examine the Honorable Gordon Sandeman, Member of the Legislative Council, in reference thereto, requesting that the Legislative Council would give leave to their said Member to attend and be examined on such day or days as should be arranged between him and the said committee.

The POSTMASTER-GENERAL moved that the requisite leave be given to the Honorable Mr. Sandeman, to attend, if he saw fit.

The PRESIDENT: Before putting the question, I will inform the House that this involves a question of privilege. I do not know whether the honorable member should seek to have his case heard in the other House, without having obtained leave from this House. In fact, it is in direct opposition to the Standing Orders of the House of Lords:—

"Upon report made this day from the Lords' Committee, appointed to consider of the privileges of the Peers of this realm, and Orders and Customs of the Lords' House of Parliament, &c., to whom was referred the examining of what hath been the practice in former times in cases of Lords desiring leave to appear and answer accusations in the House of Commons, that their Lordships have searched and perused several precedents, and thereupon conceive that it may deeply intrench into the privileges of this House for any Lord of this House to answer an accusation in the House of Commons, either in person, or by sending his answer in writing, or by his counsel there. Upon serious consideration had whereof, and perusal of the said precedents in this House, it is ordered—That for the future no Lord shall either go down to the House of Commons, or send his answer in writing, or appear by counsel, to answer any accusation there, upon penalty of being committed to the Black Rod, or to the Tower, during the pleasure of this House."

It would appear, therefore—taking the analogy as far as we can take it—that no member of this House ought to have a committee of the other House appointed to consider his conduct unless he has first obtained the permission of this House to do so; other-

wise, it might become the practice of the other House to appoint itself to inquire into the conduct of members of this House, as it might seem convenient to it to do so. Let the motion stand until to-morrow.

The consideration of the message was postponed.

#### THE LATE SERGEANT-AT-ARMS.

On the motion for the adjournment of the House,

The Hon. A. H. BROWN referred to the death of a distinguished officer of the Legislative Assembly, Mr. E. B. Uhr, the late Sergeant-at-Arms, who had been connected with the Parliament for years—and had served faithfully. Though his own connection with Parliament commenced at a later period, he had known Mr. Uhr for the last five-and-twenty years as a resident of the northern districts. The deceased gentleman was one of the pioneers of those districts, and, as a colonist, he had proved himself of much worth, and he was highly esteemed. He had not only filled the position of a merchant in the town of Maryborough, but during a long period he was the sole magistrate in that large district, and he conducted the judicial business with great credit. Therefore it was not simply in his position as an officer of the Parliament that his loss was regretted; but he was regretted for what he had done for the country in times past. Had not business ceased in the ordinary course, he (Mr. Brown) should have moved the adjournment of the House for the evening as a mark of respect to Mr. Uhr's memory.

The POSTMASTER-GENERAL said he had to add a few words in tribute to the memory of the late Mr. Uhr, who, though lately an officer in another place, had been one of the pioneers of Queensland, especially of the Wide Bay district. He recollected Mr. Uhr for thirty years, during which time he always heard him spoken of with the greatest respect; and he knew that the deceased gentleman was esteemed as a colonist. He hoped that something more substantial than a mere expression of regret at his departure would be provided in another place for the members of Mr. Uhr's family, and in recognition of his services.