

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

...  
**Legislative Assembly  
30<sup>th</sup> July 1861**  
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Extracted from the third party account as published in the  
Courier 31<sup>st</sup> July 1861

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The SPEAKER took the chair at seven minutes past three.

**REPORT.**

The SPEAKER stated that his Excellency the Governor had expressed his approval of the additional standing orders.

**MESSAGES.**

A message was received from his Excellency the Governor acknowledging the vote of £500 passed by the Legislative Assembly in aid of the efforts to be made by the Victorian government to proceed in search of Mr. Burke and his companions, and announcing that a despatch had been received by him from Sir. H. Barkly stating that the sum of £2000 had been voted by the Victorian government for this object; that one party would be collected and fitted out under Mr. Gregory in Brisbane, which would proceed hence by sea to the Albert River, and that it was the intention of the Victorian government to fit out two other parties for the same object, one to start from Cooper's Plains and the other from Rockhampton.

**CASE OF MESSRS. FERRITER AND JONES.**

Mr. MACALISTER brought up the report of the committee to enquire into the case of Messrs. Ferriter and Jones, and gave notice of the motion to-morrow on the subject.

**MESSAGES.**

The SPEAKER announced that he had received messages from the President of the Legislative Council, forwarding certain resolutions passed by that house with reference to the position and claims of His Honor Mr. Justice Lutwyche, the Real Property Bill with amendments, the Municipalities Act Amendment Bill, and the Supreme Court Bill with amendments.

**PAPERS.**

The COLONIAL SECRETARY laid on the table the papers moved for by Mr. R Cribb, on the introduction of Asiatic labor,

Mr. R CRIBB gave notice that he would move, to-morrow, that a portion of them be printed,

The COLONIAL SECRETARY laid on the table the regulations for the management of the Electric Telegraph department, and expressed a regret that he had not done so at an earlier period as required.

**QUEENSLAND STEAM NAVIGATION COMPANY.**

Mr. LILLEY moved—

1. That the "Queensland Steam Navigation Company's Act" be referred for the consideration and report of a select committee. 2. That such committee consist of the following members:—Mr. Coxen, Mr. Haly, Mr. Ferrett, Mr. Fitzsimmons, and the mover.

Mr. FERRETT having explained his inability to attend the committee, begged to be excused, and the name of Mr. Blakeney was substituted.

### CLOTHING AND EQUIPMENTS FOR VOLUNTEERS.

Mr. BLAKENEY moved—

“That this House will, on Wednesday next, resolve itself into a committee of the whole, to consider of an address to the Governor, praying that his Excellency will be pleased to cause to be placed on the supplementary estimates for 1862, a sum of £500, towards the expense of clothing and other equipments for the volunteers of Brisbane and Ipswich respectively.”

After referring to the assistance which had been given in the other Australian colonies in favor of the volunteer movement, he proceeded to state that in South Australia, a colony nearly similar to this in revenue and population, he found that £11,622 10s. was placed on the estimates for 1861 for this purpose, and for 1862 £9336 13s., in comparison with which the sum voted by this government appeared miserable. The sum voted by this government not being more than sufficient to defray the expenses of drilling, &c., he thought that as the members of those companies gave their time and services for the benefit of the colony, the government should provide them with a suitable uniform. He thought that the sum he asked for was not a large one for the corps at Brisbane and Ipswich, and trusted that the house would pass the motion.

Mr. WATTS stated, on behalf of the Ipswich volunteers that they were not desirous for the government to find them in uniform, as they understood that they gave their services gratis, and were to find their own clothes. He admitted that it was the duty of the house to find arms for the volunteers, but could not agree that this young colony was to go to the expense of finding clothes for them. He believed that the revenue of South Australia was three times that of this colony, consequently they could afford a larger sum in aid of the volunteer movement.

The COLONIAL SECRETARY regretted that he could not support the motion. He believed that it was not the kind of assistance that should be given, and that the volunteers should be content to receive arms from the government. He belonged to one company of volunteers in Brisbane, and could say that that company were not desirous that their clothing should be provided by the government—he alluded to the mounted rifles. The other corps had already a uniform which cost only a pound, which was quite suitable for their requirements, while such a one as asked for would be found unsuitable to the climate. If any person were unable to join the corps in consequence of the expense of the present uniform, no doubt they would be able to obtain assistance for the Rifle Association which had been just formed.

Mr. O'SULLIVAN objected to the item, as he believed the volunteers would fly at the approach of danger, and also on account of the expense. As the Ipswich volunteers were not desirous that the government should provide uniforms, and the Brisbane corps did not number more than 50, the sum would amount to £10 each.

Mr. COXEN did not understand the hon. mover to apply for hot clothing, and had no doubt that a dress suitable to the climate would be provided. The hon. member after speaking highly of the efficiency of the volunteers in the colony, expressed his opinion that the house should give some encouragement to men who gave their time and services gratuitously. Besides they would, by so doing, be placing confidence in a body comprising so many of the working classes, and thus make them lovers of law and order in the event of riots breaking out in the colony. The proceedings of the house in connection with the volunteer movement last year having tended much to the formation of the corps, they could not, he thought, withdraw their support now.

Mr. BLAKENEY, in reply, stated that the revenue of South Australia was under £400,000, and therefore the sum asked for by him was disproportionate to that granted in that colony.

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

Ayes, 10.

Noes, 12.

Mr. Haly  
Lilley

Colonial Secretary  
Colonial Treasurer

Warry  
 Fitzsimmons  
 Coxen  
 Edmondstone  
 Challinor  
 Richards  
 Royds } Tellers  
 Blakeney }

Mr. Watts  
 O'Sullivan  
 Gore  
 Fleming  
 Moffatt  
 Ferrett  
 Macalister  
 Raff  
 Pring } Tellers  
 R. Cribb }

## BRIDGE OVER THE BARAMBA AND DAWSON.

Mr. HALY, in proposing the motion of which he had given notice, viz.:—

“That this House will, on Wednesday next, resolve itself into a committee of the whole, to consider of an address to the Governor, praying that his Excellency will be pleased to cause to be placed on the supplementary estimates for 1862, the sum of £1000—£500 of this sum for a bridge over the Baramba, at Mondure, and £500 for a bridge over the Dawson, near M'Nab's crossing-place;”

said that, had the sum of £22,000, which it was proposed to expend in roads and bridges been passed, he believed that the two bridges he asked for would have been included. It might probably be said that the bridges over the Baramba, could not be constructed for £500, and perhaps his constituents would blame him for not asking for more; but, should the government be unable to obtain tenders for it at that sum, he would undertake, if the government placed the money in the hands of the nearest bench at Nanango, to superintend the work himself, and get it done for £500. He could speak himself of this bridge being much needed; but with respect to the other, although he knew nothing of the country, he believed it to be urgently required. He only wished that he could have the contract for the erection of suitable bridges all over the colony for £7 10 s. a yard, and would give up squatting if he could obtain such a contract.

Mr. ROYDS said that, as the second bridge had been included in the motion, at his request, he could speak to its being much required.

Mr. FERRETT would support the motion, knowing well the value of bridges to the country.

Mr. LILLEY would like to know whether any application had been made to the government on the subject.

The COLONIAL TREASURER stated that application was made for these bridges after the estimates were prepared, and they were intended to be included in the £22,000 to be raised by loan. He would support the motion, as he found there would be a surplus for 1862 which could be applied to the purpose.

Mr. WATTS intended to support the motion, as he had received letters from several gentlemen in the neighbourhood of the proposed bridge, who stated that for the last eight months the river was impassable unless by means of temporary bridges, of which one gentleman had eight washed away by the stream. He was also informed that in some parts of the district flour was selling at a shilling a pound in consequence of the state of the roads, and had then to be fetched a distance of fifty or sixty miles.

Mr. R. CRIBB would support the motion.

Mr. BLAKENEY would have opposed the vote for £22,000, if the money were to be expended in roads as well as bridges, as he believed that bridges only were necessary except in the neighbourhood of large towns. He would support the motion.

Mr. RAFF would also support the motion.

Mr. O'SULLIVAN was opposed to the government erecting a bridge at every squatting

station, simply because flour was a shilling or even two shillings a pound, and noticed that Mr. Haly had given no estimate of the expense of the bridge or the traffic in the neighbourhood. He only knew of one station in the neighbourhood. With reference to Mr. Haly's proposal to place the matter in the hands of the Nanango bench, he certainly must say that he had not much confidence in that bench, seeing that all they did had to be referred to the Supreme Court.

Mr. HALY, in reply, stated that the Nanango bench were frequently threatened with appeals, but never heard of these threats coming to anything. The bridge over the Baramba was not merely to one station, but was on a main road. He would state, as to the expense, that if the government were unable to obtain a contract for the amount asked, he would undertake to see it built for the money, if it were placed in the hands of the Nanango bench.

The motion was then carried without a division.

### PROPOSED INCREASE TO MINISTERS' SALARIES.

Mr. ROYDS withdrew the motion standing in his name proposing an item to supplement the ministers' salaries, as he understood that the ministers themselves, and other members also, would oppose it.

### EXPENDITURE IN THE NORTHERN DISTRICTS.

Mr. FITZSIMMONS moved—

"That this House will, on Wednesday next, resolve itself into a committee of the whole, to consider of an address to the Governor, praying that his Excellency will be pleased to cause to be placed upon a further Supplementary Estimate for 1862, sufficient sums for a punt over the Fitzroy at Rockhampton, and for building kitchen &c., to the Court-house at Gladstone; and also the sum of £75 as an addition to the salary of the Sub-collector of Customs at Rockhampton."

A short discussion ensued, which resulted in the withdrawal of the motion; Mr. FITZSIMMONS giving notice of one for to-morrow (this day) respecting a sum for the punt.

### BRIDGE OVER THE CONDAMINE.

Mr. FERRETT moved—

"That this House will, to-morrow, resolve itself into a committee of the whole, to consider of an address to the Governor, praying that his Excellency will be pleased to cause such sum of money, as the government may deem necessary after inquiry into the matter, to be placed on the Supplementary Estimates for 1862, for the construction of a bridge over the Condamine river, at the Condamine township."

He said that as the matter before the house had been discussed on a previous occasion, it was not necessary for him to detain the House; but as hon. members were now better acquainted with the subject he hoped that the house would pass the motion.

The COLONIAL SECRETARY stated that when the vote was originally proposed, it was opposed by the government who were then unaware of the cost of the bridge. He had since ascertained that its cost would not exceed £1600, and would therefore support the motion of the hon. member who was quite right in bringing it forward a second time. Another reason was that he had received a memorial from the inhabitants of the district praying for the construction of the bridge, which he now believed was much needed, and he believed the house would agree with him in saying that the hon. member, Mr. Ferrett, had not been remiss in his duties with reference to the subject.

Mr. O'SULLIVAN was sorry to oppose the motion, but was not displeased at finding that the hon. the Colonial Secretary, who sometimes affected to despise public meetings, was influenced by one on this occasion. He would, however, like to know who had been sent to inquire as to the cost of the bridge, the sum being the same as asked for by the hon. member (Mr. Ferrett) when he brought forward his motion the first time.

Mr. WATTS thought the remarks of the hon. member (Mr. O'Sullivan) inconsistent with his

vote against the appointment of a Minister for Lands and Works, as it shewed the necessity for an office whose duty it would be to inquire into such matters. He would support the vote.

The motion was then carried.

### STATISTICAL REGISTER FOR 1860.

The COLONIAL SECRETARY laid upon the table the Statistical Register of Queensland for the year 1860, which was, upon the motion of the hon. gentleman, ordered to be printed.

### APPROPRIATION ACT.

On the motion of the COLONIAL TREASURER, this measure was read a third time and passed.

### STREETS CLOSING BILL.

On the motion of the COLONIAL SECRETARY, the house resolved itself into committee to consider the Legislative Council's amendments in this bill. The amendments having been agreed to without debate by the house, the chairman left the chair and reported progress, and the house resumed.

### MINISTER FOR LANDS AND WORKS.

On the motion of Mr. WATTS, the Speaker left the chair, and the committee resumed their consideration of the resolutions affirming the desirability of creating this office.

The CHAIRMAN having read the resolutions and the amendment of Mr. Lilley to the effect that this minister having the control of a large expenditure of public money, should be a member of the Legislative Assembly.

Mr. FERRETT said he thought that, by passing the amendment, they would be endeavouring to trammel the ministry in their appointments, which would be very undesirable. It was not for that house to say where any minister should be placed, nor yet in this matter to attempt to take the control out of the hands of ministers. It might be for the benefit of the country that the Attorney-General should be placed in the Upper House, or it might not; but this was a question for the Executive to decide. When the house were not prepared to trust the discretion of the Executive in these matters, or if that trust were abused, it would certainly be their duty to bring forward a vote of censure upon the ministry, and turn them out of office.

Mr. LILLEY disclaimed the idea that any attempt at dictation was embodied in his amendment. It amounted simply to an expression of opinion upon the part of the house. If this minister were placed in the Upper House, it would be very inconvenient for honourable members to obtain explanation of the various items belonging to his department. He (Mr. L.) believed that the ministry saw themselves the justice of the opinion contained in his amendment, and so far from wishing to dictate, he would withdraw it if it were signified to him that such was the case. He had been induced to bring it forward principally owing to circumstances which had taken place in another place. (Hear, hear.)

Dr. CHALLINOR thought that it was quite competent for the house to endorse the amendment. If they were capable of creating the minister, he argued that they were equally capable of suggesting in which house he should be placed. (Hear, hear.) If the house were competent to express an opinion upon the one point, he inferred they were equally competent to express an opinion the other.

The COLONIAL SECRETARY quite agreed with the principle of the amendment, as he thought it desirable, as a general rule, that such a minister as the one proposed should be a member of that house. At the same time he should oppose the amendment, if pressed, as he did not wish that the house should place such an opinion on record. He should be glad if the hon. member would, as suggested, withdraw the amendment.

Mr. O'SULLIVAN greatly admired the tact displayed by the previous speaker's

observations. (Laughter.) He considered, however, that the argument of the hon. member for Maranoa, that if the ministry did wrong they could be turned out, was complete fudge. (Laughter.) No doubt in ordinary cases this was a safety valve, but where was the opposition in that house? (Hear, hear.) There were not five members upon the opposition benches who could be found to agree together. (Laughter.)

Mr. WATTS argued that a motion of that house upon a question of this kind was tantamount to a command as far as the ministry were concerned, and for that reason he opposed it. He hoped that the hon. member for Fortitude Valley would be induced to withdraw his amendment. In answer to the remarks of the previous speaker, he (Mr. Watts) would state his belief that, although the ministers were now supported by a large majority, yet if the ministry acted wrongly that majority would quickly be turned against them. (Hear, hear.)

Mr. GORE thought that if the house, having agreed, as they had already done, that such an office should be created, carried the amendment, it would look as though they had voted the salary on the condition that the officer to be created should be a member of that house. It would have the appearance of an attempt to coerce the ministers into a compact; he should therefore vote against the motion.

Mr. MACALISTER agreed with the hon. member for Ipswich (Mr. O'Sullivan) that there were no two members on that side of the house who agreed in opinion upon any one subject. At the same time, whenever a government adopted a constitutional course, he should not feel it to be his duty to oppose them, and he thought that on this occasion they were adopting such a course. (Hear, hear.) The principle of the original resolution had been carried by a large majority the other night, and of that majority he was one. He intended now to vote on the same side as he had voted then. He believed the amendment, if assented to, would amount to an attempt on the part of the house to usurp the functions of the government. (Hear, hear.) It savoured of an attempt to dictate in what house the minister should be placed, on condition that the vote for his salary were agreed to by that house. Let the house either refuse altogether to vote the salary for this office, or if they thought the government not competent to discharge their functions, let a vote of want of confidence be brought forward.

Mr. RAFF thought that the house was quite competent to give an opinion upon this point, and if the amendment were pressed he would vote for it. At the same time, after what had fallen from the Colonial Secretary, he believed the hon. member for Fortitude Valley would withdraw the amendment. (Hear, hear, from Mr. Lilley.) It appeared to him, however, that the committee was not competent to entertain the question of a salary for Minister of Lands and Works for 1861, as this question had on a previous occasion been put from the chair and negatived. For this reason he did not think the ministry could create such a minister before 1862.

Mr. LILLEY was not surprised at the course taken by the hon. member for Ipswich (Mr. Macalister) on this occasion, although there were just grounds for surprise at the strong support recently extended by that hon. member to a ministry which had not long since been designated by him upon the hustings as corrupt. (Hear, hear.) He denied that there was in the amendment any assumption of the functions of the Executive. It had been argued that it was in the power of the house to censure the ministry if they adopted an unconstitutional course, but he believed it was better to prevent in the first place as much as possible from adopting such a course. It came fairly within the scope of the functions and office of the house to say where this minister should be placed. As he believed, however, from the remarks of the Colonial Secretary, that the government understood that it was the wish of the house that the minister should be placed there, he would withdraw his amendment.

Mr. O'SULLIVAN denied that the resolution had been affirmed by a large majority. The apparent largeness of the majority arose from the circumstance that those opposed to the resolution, finding they could not defeat it by a direct negative, endeavoured to prevent it from being carried by leaving the house. The hon. member for Ipswich (Mr. Macalister) was continually talking about constitutionalism, and his constitutionalism would choke him one day. He had not been a bit more consistent than any other member of the house. He (Mr. O'S.) had voted against

the resolution and was still opposed to it; at the same time he thought it was quite in the power of the house to recommend the government in the manner indicated by the amendment.

Mr. MACALISTER thought that the hon. member for Fortitude Valley, who had expressed astonishment at his eccentricities, ought to be the last person in the house to express surprise at the eccentricities of any hon. member. He would only refer to the exhibition on Friday last, to justify him in saying that the hon. member's own eccentricities were regarded with no little astonishment. When that hon. member was professing such immaculate patriotism, and boasting that a farthing of public money had never polluted his fingers, he was acting as agent of a company which was now carrying a private bill through committee. He forgot to state, however, whether the bill provided payment for what he proposed to be doing gratuitously. (Hear, hear.)

Mr. LILLEY said that the hon. member who had displayed great ignorance of law before the committee referred to, now again displayed his ignorance before the house. The expenses were for surveying, &c., and the clause was copied word for word from an English act. The hon. member should know that if he (Mr. Lilley) touched a single penny of the money he would be liable to be expelled from the house, and should therefore give him credit for a little more astuteness than to suppose he would do such a thing. Honourable members, however, who lived in glass houses should not throw stones. He (Mr. L.) remembered certain commissions being issued by the government last year, upon which some honourable members were profitably employed. (Hear, hear.)

Mr. MACALISTER had referred to the bill before committee simply because the honourable member was so obtrusive in his professions of patriotism, and yet no other member of the house, he (Mr. M.) believed, had made his seat more subservient to the benefit of his private interest than had the honourable member alluded to. As to the commissions referred to, they were appointed by the government, and he (Mr. M.) denied that he had derived any profit from them. He believed that the commissioners were the only persons who derived any pecuniary benefit from them.

Mr. LILLEY reminded the honourable member that he (Mr. M.) had allowed his name to be attached to the committee of the company referred to for more than six months. When the honourable member allowed his name to be advertised, was he prepared to display patriotism, or did he expect to receive fees?

Mr. WATTS, as far as he was concerned, if the committee agreed to the salary for Minister of Lands and Works would have no objection to agree that the office should not be created until the commencement of 1862.

The COLONIAL SECRETARY was willing to accede to the suggestion that the officer should not be created until 1862. He was induced to do so more readily because he saw that under existing circumstances it was in the power of a small minority to greatly retard the business of the country by walking out when any question came to a division instead of taking their defeat. (Laughter.) This course was adopted in order to count out the house; and owing to the large proportion of members required for a quorum it was usually successful. He could not at present help it, but he desired to see this state of things remedied. (Hear, hear.)

The original resolution was then put and carried without a division, and the CHAIRMAN having reported progress, the house resumed.

### ALIENS BILL.

The house went into committee upon this measure, and agreed to the Legislative Council's amendment without debate.

### FENCING BILL.

The Legislative Council's amendments in this bill were considered in committee, and agreed to without debate.

### ADDITIONAL RESPONSIBLE MINISTER.

On the motion of Mr. WATTS, the house resolved itself into committee upon the resolutions of the Legislative Council with reference to the necessity of creating an additional minister to represent the government in that chamber. The resolutions having been agreed to without debate, the Chairman left the chair and reported progress.

On the motion of Mr. WATTS, the resolutions, together with the signification of the house's assent to them, were conveyed by message to the Legislative Council.

The house adjourned at twenty minutes to six, until three o'clock this day.