

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

...
**Legislative Assembly
27th June 1862**

...
Extracted from the third party account as published in the
Courier 28th June 1862

The SPEAKER took the chair at twenty minutes past 10.

IPSWICH RECREATION GROUND.

In reply to Mr FORBES, the MINISTER FOR LANDS was understood to state that the deed of grant had been issued to the trustees of the recreation ground, Ipswich, and that such deed did not reserve the right of all the roads as delineated by the Surveyor-General.

BUSINESS OF SESSION.

The COLONIAL SECRETARY, pursuant to notice, moved, "That this house, at its rising, do adjourn to a later hour of the day: and that unless otherwise ordered, this house do sit on Monday in each week at three p.m., in addition to the other sitting days." He said that he had thought it desirable to make this motion, which he had placed on the paper, although he thought that very possibly that there would be no necessity for the house to meet next Monday, as by meeting again at a later hour all the business on the paper might be disposed of on that day, and judging from the business paper in another place they were not likely to receive any business from there before Tuesday. As it was impossible to say how long that day's business might take them he did not consider it advisable to withdraw the motion.

Mr. TAYLOR wished to know whether the business of the session would be finished by that day week. A great many members said it would, and he (Mr. T.) Would like to hear the Colonial Secretary's opinion on this point. One thing was very certain, that if they did not conclude by that day week they would not be able to muster a quorum after, and several members of that house had then to leave.

The COLONIAL SECRETARY could not say until a late period of next week whether it would be possible or not to terminate the business of the session at the time stated. As there seemed to be some doubt whether a quorum could be assembled after next week, the Government desired to get all the estimates passed, and to provide for the passage of the Appropriation Act through both Houses. The Government ought, he considered, to be so far prepared for the non-resumption of business after next week, and that was one reason why he desired the House should get through the remainder of the estimates that afternoon.

Mr. RAFF said that it appeared then that all the Ministry cared about was the passage of the Appropriation Act. (Hear, hear.) As far as the Ministry was concerned, all the other business might be passed over. (The COLONIAL SECRETARY: "Not with the consent of the Government.") He (Mr. Raff) thought that as so many members would be called away the week after next, the House might very well be adjourned for a fortnight or a month, and then be re-assembled to complete the remaining business of the session. The members of the House, before they allowed the estimates to finally pass, ought to be satisfied how they were to be provided for. It was evident that there was a deficit for last year and this year unprovided for, and they were now asked to pass large supplementary estimates for those years.

The COLONIAL TREASURER had explained on a previous occasion how these supplementary estimates were created. He denied that he had said they were unprovided for. He

had said that there was no use in treating the amount as a deficit until next year, when they would know what their revenue for the present year actually was, and what actual deficiency, if any, had to be provided for.

Mr. FORBES expressed his disapproval of the House passing the Appropriation Act, until all other business before them had before performed.

Mr. JONES urged that they had yet before the termination of the session to consider two very important bills, viz.—the act to amend the present Insolvent Laws, and the Publicans' Act. These were measures of too great importance to be hurried through the House in the way proposed. He would suggest that the House should sit until the 22nd July, and should then adjourn until August 15th, and thus allow time for certain hon. members who desired to go to the Agricultural Exhibition to visit it and return to town again. After which the remainder of the business could be transacted in ample time to allow the country members to reach their stations before the busy season, and to attend to these occupations so important not only to themselves, but to the colony generally.

Mr. MOFFATT said that it was all very well for members living in town to talk of adjourning the House for a fortnight, and of then returning to business, but hon. members living in the interior would never, he was sure, agree to such a suggestion. He should certainly prefer that the House should continue to sit every day until the business was completed. He did not see that there was any pressing business to keep the House after next week. Neither could he perceive what good it was for the Ministry to bring any more bills in that House, when the business was so completely obstructed in another place (Hear, hear.)

The MINISTER for LANDS said that the Government had no desire, as represented by the hon. member (Mr. Raff) to abruptly terminate the business of the session. As far as the members of the Government were concerned, they were quite willing to sit in that House all the year round. In this matter they were quite in the hands of the House. There were three more important bills which, in order to carry out the promises they had made, the Government intended to introduce into the House this session, viz.,—the Insolvency Bill, the Publicans' Bill, and the Joint Stock Companies' Bill. These bills, as stated hon. member for Warwick, were all measures of very great importance. It would, however, be very unwise to allow the estimates to remain over until perhaps a quorum of members could not be obtained, as it would involve the immediate stoppage of many most important works if these estimates were not passed.

Mr. HALY deprecated any attempt to prolong the session in the manner suggested by the hon. member for Warwick. The members of the country were not justly treated by members living in the town, who, as far as regarded the business of the House, seemed to consult their own convenience alone. Had the House not adjourned for the Ipswich races, all the business of the session might by this time have been concluded. He opposed that adjournment for the races in the first session, and if it were proposed next session he should certainly again oppose it.

Mr. FERRETT protested against the House continually adjourning for raises and shows, and he was quite opposed to the adjournment now suggested by the hon. member for Warwick. It should be remembered that he (Mr. Ferrett) like many other honorable members, had a long way to come. The adjournment proposed would scarcely give him time to reach the locality in which he usually resided, much less would it admit of his returning again to that House in time to go on with the business. It was a great sacrifice of time, and time was money, for many hon. members to be compelled to sit in that House during the busy season of the year. Those hon. members who came a long distance had to remain in town during the session, whether the business was proceeded with or not. He trusted that the House would proceed with the business, and dispose of it as quickly as possible.

Mr. BLAKENEY agreed with the hon. members who had expressed their sense of the great importance of the two bills which had yet to be discussed by the House during the present session, and did not see why the session of necessity should be brought to a close because certain hon. members desired to be present at the Agricultural Exhibition. If the House adjourned at the end of next week for a fortnight, and the members for Drayton and Toowoomba returned to the House afterwards there would then be enough members to make a quorum.

Mr. WATTS said that the honourable member for Warwick and the honourable member for North Brisbane (Mr. Blakeney) had endeavored to impress on the House that certain hon. members desired very much to go to the Cattle Show. He thought that those learned and hon. members, however, were more desirous of the adjournment than other members, as no doubt they did not forget that the Toowoomba Assizes were held the week after next. He (Mr. Watts) had a very great desire to be present at the cattle show: at the same time he was prepared to remain in town until the business of the session was concluded, and to do his duty in that House. It would have recollected that at the early part of the session gate delay occurred in consequence of there not being a quorum present from day-to-day. Had he (Mr. W.) been able at that time to have attended in that House, no doubt there would have been a quorum. But the delay was principally to be attributed to the absence of town members, and to the absence of those very members who were now so desirous to prolong the session. Delays had subsequently occurred, owing to the House having been more than once counted out, the town members not having been in their places on such occasions. He would attend as long as he was well and able to attend, and he was opposed to any further adjournment until the business of the session was concluded. No doubt the members of the bar would have to leave the week after next for Assizes, but the business could be proceeded with without them.

The motion of the COLONIAL SECRETARY was then put and passed.

PUBLICANS' ACT.

The MINISTER for LANDS having moved for and obtained leave to introduce a bill to consolidate and amend the laws relating to licensed publicans, the bill was, on the motion of the same hon. gentleman, read a first time, its second reading being set down as an order of the day for Friday next.

JURY BILL.

On the motion of Mr. BLAKENEY, this bill was read a third time and passed.

MATRIMONIAL CAUSES JURISDICTION BILL

On the motion of Mr. LILLEY, this bill was read a third time and passed.

MESSAGE FROM HIS EXCELLENCY.

A message was received from his Excellency, accompanying supplementary estimates for 1863, and additional supplementary estimates for 1862. On the motion of the COLONIAL TREASURER, the message and estimates were ordered to be printed, and referred to Committee of Supply.

SUPPLY.

On the motion of the COLONIAL TREASURER, the House resolved itself into committee of supply. The first estimates taken into consideration were the Supplementary Estimates for 1862, and these estimates were proposed in one lump sum. The following is the abstract of these estimates as originally printed:—

His Excellency the Governor	...	£300	0	0
Executive Council	... ..	100	0	0
Legislative Council and Legislative Assembly	... ..	450	0	0
COLONIAL SECRETARY'S DEPARTMENT.				
Registrar-General	... ..	£1200	0	0
Immigration	... ..	100	0	0
Police	... ..	2897	0	0
Native Police	... ..	2362	0	0
Water Police	... ..	1000	0	0

Sheep and Cattle Inspector	...	...	2000	0	0
Medical Board	...	...	50	0	0
Charitable Allowances	...	...	800	0	0
Grants in aid on Public Institutions			100	0	0
Colonial Store	...	...	52	0	0
Miscellaneous Services	...	...	7711	19	8
Lunatic Asylum	...	...	251	0	0
Printing and Bookbinding	...	...	5500	0	0

ADMINISTRATION OF JUSTICE.

Supreme Court	...	...	£1272	15	11
Coroners	...	...	110	0	0

COLONIAL TREASURER'S DEPARTMENT.

Treasury	...	...	£750	0	0
Customs	...	...	1026	0	0
Marine Board	...	...	325	0	0
General Post-office	...	...	1140	0	0
Conveyance of mails	...	...	4175	0	0
Moreton Bay—Harbor Department			1819	0	0
Lighthouse, Cape Moreton, ditto		...	66	0	0
Lightship "Rose," ditto	ditto	...	30	0	0
Rockhampton, ditto	ditto	...	1089	0	0
Port Curtis, ditto	ditto	...	279	0	0
Wide Bay, ditto	ditto	...	255	0	0

DEPARTMENT OF LANDS AND WORKS.

Secretary for Lands and Works	...	...	£1800	0	0
Botanical Gardens	...	...	80	0	0
Engineer of Roads, Northern Branch			734	0	0
Roads	...	...	6816	0	0
Bridges	...	...	8221	0	0
Miscellaneous	...	...	1229	0	0
Buildings	...	...	10,213	0	0
Auditor-General	...	...	200	0	0
Total	...	...	£66,503	15	7

It was agreed by both sides of the House that all the items for increases of salary, (such proposed increases having been refused by the Committee in the case of the Estimates for 1863), should be expunged from these Supplementary Estimates for 1862. Some other items, refused in the case of the Estimates for 1863, were also expunged. The reduction thus effected amounts to the sum of £4285, and this sum being deducted from the estimates as above printed, the remainder amounted to £62,218.

The COLONIAL TREASURER then proposed that the sum of £62,218 be granted to her Majesty on account of the Supplementary Estimates for 1862, and the item was put and passed without discussion.

The COLONIAL SECRETARY then proposed the following additional Supplementary Estimates for 1862. He would explain such of these estimates as referred to his own department, and leave it to the Minister of Lands to explain such of them as came more immediately under that department. The items in connection with Port Denison spoke for themselves. The item for allowance to jurors was money which had already been paid for this purpose, and which, of course, the House could not refuse. By some oversight the Sheriff had omitted to send in a return

in time for the estimates passed last year. The increase for the Native Police was in the Kennedy district, and had been found to be necessary. Hitherto there had been 18 men, and this force was now increased to 20, and was to be divided into three detachments, one to be placed at the head of the Burdekin, another at the head of another river in the district, and a third at head-quarters. This division necessitated the creation of two additional Camp Sergeants. He would move the following items, leaving his colleague to explain those which referred to the Lands Department:—

PORT DENISON.

Messrs. G. Raff and Co.—Demur-

rage on schooner "Buona-								
parte"	...	...	...	...	£48	0	0	
Ditto purchase and freight of boat					32	0	0	
Perry Brothers—Stores for harbor								
department	...	...	...	...	32	0	0	
A. R. Jones ditto ditto			...	...	24	0	0	
Harbor Master, 1st January to 30th								
June, at £175	...	...	...	...	88	0	0	
Acting ditto, 1st July to 31st De-								
cember, at £25	...	...	...	...	13	0	0	
4 boatment, at £96	...	...	...	...	384	0	0	

SHERIFF.

Allowance to jurors attending

Supreme and Circuit Courts	...	£600	0	0
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NATIVE POLICE—FIFTH DIVISION.

2 camp sergeants, from 1st July,								
at £100	£100	0	0	
2 troopers, from 1st July, at 3d,								
per diem	...	...	...	...	5	0	0	

CONTINGENCIES.

In lieu of provisions to 2 camp ser-

geants, from 1st July, at 2s.								
each	...	...	...	...	37	0	0	
Ditto 2 troopers, ditto, at 1s. 6d.								
each	...	...	...	...	28	0	0	

OCCUPATION OF LANDS.

6 Sub—Commissioners, from 1st								
July, at £400	...	...	...	...	£1200	0	0	
6 Chainmen, ditto £101			...	...	303	0	0	
24 Laborers, £82	...	...	...	...	984	0	0	
Equipment allowances for six Sub-								
Commissioners, £250	...	...	...	...	840	0	0	
Surveying main Roads	...	...	...	...	3000	0	0	

ROADS.

Burnett via Durundur	...	...	...	...	1600	0	0	
Oakey Creek	300	0	0	
Drayton Main Range	500	0	0	

MISCELLANEOUS.

Logan River Bridge	1005	0	0	
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To complete Lock-up at Laidley	50	0	0
Cabbage-tree Creek Bridge	250	0	0
One-third proceeds of land sold within the Maryborough Muni- cipality	162	0	0
Exchange on various sums remitted to England	...	...	775	0	0
Enclosing and opening roads were required	...	...	300	0	0
Rent of building for Lunatic asylum, from 1st July, at £180	...	...	90	0	0
Erection of Police Paddocks	...	...	150	0	0
Total	...	...	£12,900	0	0

The MINISTER for LANDS explained that the sub-commissioners referred to were all surveyors. (Hear, hear.) The making of professional men of this class sub commissioners would be found a great advantage over the old system. The item of £3000 for surveying the main road would also, he thought, meet the approval of the committee. This item was put down owing principally to the representations of the hon. member for the Northern Downs, who took a great interest in this matter, and was entitled to the credit of having drawn the attention of the Government to it. With regard to the items for roads, the amounts were there required in excess of the original estimates voted. The item for the Logan River Bridge was also an overdraft.

Mr. TAYLOR wished to know if the £1600 set down for the road to the Burnett, via Durundur, was also in excess of the money already voted for this road. If such were the case, this road, which was one scarcely used at all, had cost an enormous sum.

The MINISTER FOR LANDS regretted to say that this was an overdraft.

Mr. WATTS drew attention to the fact that there was wasteful expenditure on the Main Range road, inasmuch as if the Government would keep one or two men constantly on the road to attend to it, to repair slight damages, and to keep the drainage clear, they would save themselves the trouble of having periodically to place gangs of men on the road to repair damages, which at present were slight, but which through being unattended to at the onset became serious.

The MINISTER for LANDS said that the suggestions of the hon. member were identical with those made by the Engineer of Roads, and should be carried into effect.

Dr. CHALLINOR wished to know if the Executive had authorised the over-draft referred to by the hon. member when alluding to the Burnett Road?

The MINISTER for LANDS said that after the over-draft had been created the Executive were obliged to authorise its payment. It was not the fault of the responsible ministers that the over-draft had been made.

Mr. TAYLOR strongly protested against this item for the Burnett road. A sum of £1400 and one of £1500 had been already spent on it, and now this £1600 was asked for. A great portion of this enormous sum had been laid out within a few miles of Brisbane. If the money had not been paid, he (Mr. T.) would have refused to vote the item. It was the most disgraceful vote ever asked for by the Ministry.

The MINISTER for LANDS could only state that the money had been spent on this road, and that accounts and vouchers to this extent had been sent in and passed without the authority of the Government.

The COLONIAL SECRETARY considered that the present system of audit was at the bottom of all these evils. The Auditor-General at present accepted vouchers from heads of

departments without the sanction of the Executive. That officer considered this course to be the correct one, and in one instance he (the Colonial Secretary) had expressly stated that a charge made in a certain account was overmuch, and should not be paid. Yet this charge was paid. This system to which he alluded had been frequently the cause of great annoyance to him.

Mr. RAFF said, that as the Colonial Secretary had referred to this matter, he would also allude to it, although, being a member of a certain select committee, he had hitherto refrained from doing so. Here they were being asked to vote £62,000, £12,000, and £18,000 additional estimates. This was a serious state of affairs when it was considered that the great bulk of this money had been spent without any vote of that House, and without even the sanction of a minute of the Executive. He (Mr. Raff) thought always that it was the duty of the Auditor-General to see that all the sums he was asked for were really available.

Dr. CHALLINOR expressed his opinion that if matters were to go on in this manner, the sooner the Audit Department was abolished altogether the better.

Mr. JONES thought that it was the duty of the Auditor-General before he met any expenditure, to first see that that expenditure was duly authorized.

The COLONIAL TREASURER was understood to say that there were two systems of audit, viz., that of audit before expenditure and audit after expenditure. Here, a portion of the New South Wales system was adopted. The expenditure was divided into twelve parts, and only one month's part at a time was paid. This rule had to be broken through, however, in case of public works, which, of course, were often in distant districts. With regard to the particular item alluded to, the Engineer had taken upon himself to spend this £1000 in anticipation, without consulting anybody, and he sent the accounts in, with vouchers, to the Audit office. The Auditor-General came to him (the Colonial Treasurer) and told him of the matter. He (the Colonial Treasurer) informed the Colonial Secretary, who at once ordered the works to be stopped.

The COLONIAL SECRETARY considered that all amounts should be authorised by one of the responsible ministers before the money was paid.

The MINISTER for LANDS might state that since he had been in office, no money had been paid in connection with his department without his sanction.

Dr. CHALLINOR considered that this matter was one which deserved the enquiry of a select committee.

Mr. RAFF quoted section 19 of the Audit Act, which he interpreted as not giving power to the Auditor to pass vouchers which were unsanctioned by the Executive.

Mr. TAYLOR was very much amazed at this waste of money. With regard to the item for the survey of main roads, it showed the initiation of a very admirable system.

Mr. WATTS also spoke strongly in favor of this item, and of surveying the main roads concurrently with the lands surveyed for sale.

The estimate was then put and carried.

The COLONIAL SECRETARY then proposed the following items, amounting to £1726, additional estimates for 1863:—

POLICE—JUDICIAL					
SALARIES—					
Clerk Petty Sessions at Springsure			£175	0	0
Ditto Mount Abundance	...	...	175	0	0
Ditto Peak Downs	...	...	175	0	0
PEAK DOWNS.					
Chief Constable, 2nd class		...	140	0	0
3 ordinary constables, 5s. 6d. per diem	...	...	302	0	0
MOUNT ABUNDANCE.					
Chief Constable, 2nd class		...	140	0	0

2 Ordinary Constables, 5s. 6d. per diem	...	...	...	...	201	0	0
Forage allowance, at £20 per annum	...	...	...	...	80	0	0

NATIVE POLICE—FIFTH DIVISION.

SALARIES—

2 camp sergeants, at £100	...	...	...	200	0	0
2 troopers, at 3d. per diem	...	...	...	10	0	0

CONTINGENCIES—

In lieu of provisions to 2 camp sergeants, at 2s. each	...	...	...	73	0	0
Ditto 2 troopers, at 1s. 6d. each	...	...	...	55	0	0

These items were passed after a few words of explanation from the mover.

The COLONIAL SECRETARY proposed the following items:—

VOLUNTEERS.

Clothing for 250 men, at £5 each	£1250	0	0
Ammunition, Instruction, and incidental expenses	...	...	...
	750	0	0
	£2000	0	0

He explained that if the expenses incurred by the volunteers were guaranteed by the Government, and a competent drill instructor provided, it was anticipated that a great many more men would come forward than at present. Another officer in charge of a military detachment might be shortly expected and it was proposed to make him answerable for the drill.

Dr. CHALLINOR said that the Ipswich volunteers had incurred expenses, and had received no assistance from the Government. A musketry instructor was sent up, but no cartridges were provided, and the instructor himself was a man of such intemperate habits that his services were quite unavailable.

The COLONIAL SECRETARY regretted that the conduct of the officer referred to had not been reported to the Government sooner than it had been. He (the Colonial Secretary) regretted that the Ipswich volunteers had not received their fair share of the money voted. He had always urged the claims of the Ipswich volunteers on the head of the force.

Mr. TAYLOR trusted that the House would not vote this sum. They were going to have 25 more soldiers and another officer sent them, and this would be a sufficiently strong force for the colony at present.

Mr. WATTS supported the item, on the ground that the question of our defences had been thrust on us by the Home Government. Public feeling was strongly opposed to a militia. The only alternative left at present then was to give the volunteer principle a fair trial.

Mr. WARRY considered £5 an exorbitant sum for a suit of clothes (Laughter.) He had been a volunteer himself, and his suit only cost £2 15s., and it was one of most respectable suits he ever had in his life. (Laughter.)

The COLONIAL SECRETARY explained that it was proposed to distribute the estimate in this way:—Brisbane, 150 men; Ipswich, 100 men; and Rockhampton and Maryborough, the two next ports, 50 men each.

Mr. FORBES considered that these volunteers, if they were as patriotic as they assumed to be, would find their own uniforms.

Mr. TAYLOR moved that the item be reduced by £1250, the amount for uniforms. These gentlemen could surely be drilled in everyday clothes.

Mr. JONES supported the item, as he considered the force to be based on a desirable principle. It would afford a capital school for rifle practice, and the nucleus of a good force would thus be created in the colony.

After some further remarks from Mr. FERRETT and the COLONIAL SECRETARY, in support of the item, and some observations from the same gentlemen and also from Mr. WATTS, in condemnation of the course pursued in taking the volunteers to the Ipswich races last year, the amendment of Mr. Taylor was lost, on a division, by sixteen to three, Messrs. Taylor, B. Cribb, and Forbes constituting the minority. The original item was then put and passed.

The MINISTER for LANDS proposed the following items, which were passed without opposition:—

OCCUPATION OF LANDS.

SALARIES—

6 Sub-Commissioners, at £400 each			£2400	0	0
6 Chainmen, at £101	...	...	606	0	0
24 Laborers, at £82	...	...	1968	0	0

CONTINGENCIES—

Allowances in lieu of horses, forage, equipment, and instruments, £280 each	1680	0	0
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MISCELLANEOUS—

Opening and enclosing roads			...	200	0	0
Springsure, erection of Court-House at	250	0	0
Peak Downs, ditto			...	250	0	0
Gayndah School of Arts, in aid of building	...	...	...	300	0	0
Rent of building for Lunatic Asylum				180	0	0
Making and cutting road of Boun- dary Line			...	2000	0	0

On the motion of the COLONIAL TREASURER the House then resumed, and the Chairman reported progress.

The House adjourned on the motion of the COLONIAL SECRETARY at twenty minutes to one, until three o'clock on Tuesday next.