

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

...
Legislative Assembly
7th May 1863

...
Extracted from the third party account as published in the
Courier 8th May 1863

The SPEAKER took the chair at twenty-two minutes past three o'clock,

PAPERS.

The COLONIAL SECRETARY laid upon the table of the house, the undermentioned papers:—(1.) Despatch, dated 11th February, 1863, from her Majesty's Secretary of State for the Colonies, notifying the proposed transfer of the Military Barracks from the imperial to the colonial authorities.

Ordered to be printed.

(2.) Returns to an address, relative to the immigrant ship Helenslee, agreed to by this house, on motion of Mr. EDMONDSTONE, on the 6th instant.

On the motion of the COLONIAL SECRETARY, these last returns were ordered to be referred to the select committee, now sitting, on the working of the immigration regulations.

QUEENSLAND IMMIGRATION SOCIETY.

Mr. BLAKENEY asked the honorable the Colonial Secretary—Whether there was any Executive minute authorising him to put a stop to the operation of the Queensland Emigration Society, and if so, what was the date of said minute.

The COLONIAL SECRETARY, in reply, said that there was no Executive minute authorising him to act in the matter. The instructions sent by the Executive to Mr. Jordan will be laid before the Select Committee.

THE TARIFF CONFERENCE.

Mr. O'SULLIVAN asked the Colonial Secretary—(1.) Whether it is the intention of the Executive to appoint one or more commissioners to confer with the governments of the neighbouring colonies so far as may be necessary to enable them to formally agree to, or dissent from, the decisions arrived at by the late Intercolonial Tariff Conference, and during the present session to submit any contingent propositions requiring the sanction and ratification of the Legislature? (2.) Whether the Executive purpose by commission, either in connection with the foregoing object, or separately, to negotiate an arrangement with the government of New South Wales for a mutual adjustment of inland customs; and if not, what steps they propose to take in order to collect, or otherwise secure to this colony, the revenue to which it is entitled on the importation of dutiable goods across the border?

The COLONIAL SECRETARY replied as follows:—1. Until the receipt of further information respecting the proceedings of the late Conference, the government cannot determine what steps had better be taken with reference to its decisions. The matters in question will be brought under the consideration of the house at a later day. 2. The government is proceeding to negotiate an arrangement with the government of New South Wales for the collection of border duties.

THE BENEVOLENT ASYLUM.

Mr. LILLEY asked the Colonial Secretary—1. Whether the government intend to provide for the maintenance and regulation of a Benevolent Asylum in Brisbane? 2. Whether any communication has been made to them on the subject?

The COLONIAL SECRETARY replied that the desirability of providing a benevolent asylum apart from the hospital is now under the consideration of the government, in consequence of a communication from the committee of the hospital.

PETITION.

Mr. LILLEY presented a petition from certain inhabitants of Brisbane, bearing upon the Publicans' Bill, which was about to come under consideration. The petitioners prayed that certain abuses, at present existing, such as the public-houses being allowed to open on Sundays, that music and dancing was permitted on the premises, &c., &c., might be done away with.

Petition received.

THE BATHURST BURR.

Mr. BELL moved for leave to introduce a bill for the destruction and eradication of the Bathurst burr and certain thistle plants in this colony.

The motion, which was seconded by Mr. TAYLOR, was put and carried; the bill was read a first time, ordered to be printed, and its second reading fixed as an order of the day for the 13th May.

PASTORAL INTERESTS.

Mr. FORBES moved for leave to bring in a bill to provide for suppressing certain evils affecting the pastoral interests.

Mr. LILLEY seconded the motion, which was put and carried. The bill was read a first time, ordered to be printed, and its second reading fixed as an order of the day for Wednesday next.

NATIVE DOGS.

Mr. FORBES moved for leave to bring in a bill to promote the destruction of native dogs.

Mr. BLAKENEY seconded the motion, which was put and carried.

In answer to a question from Mr. TAYLOR, Mr. FORBES stated that he believed there was at present an enactment in force bearing upon the matter.

On the motion of Mr. FORBES the bill was read a first time, ordered to be printed, and its second reading fixed as an order of the day for Thursday next.

VAGRANT ACT AMENDMENT BILL.

Mr. GROOM, by consent of the house, postponed the motion standing in his name, for leave to introduce a bill to amend the Vagrant Act, until Tuesday next.

HAWKERS' AND PEDLARS' ACT AMENDMENT BILL.

Mr. GROOM moved for leave to introduce a bill to amend the Hawkers' and Pedlars' Act.

Mr. B. CRIBB seconded the motion, which was put and carried. The bill was read a first time, ordered to be printed, and its second reading fixed as an order of the day for Tuesday next.

REV. MR. M'GINTY'S STIPEND.

Mr. B. CRIBB, with the consent of the house, postponed the following motion, standing in the name of Dr. Challinor, until Tuesday next—"That in the opinion of this house, it was not the meaning and intention of the legislature in passing the 'State Aid Discontinuance Act, 1860'; that any minister of religion, who at the time of the passing of the said Act was in receipt of a stipend paid by the government, should, so long as he 'resides', and is ready and willing, and desirous to

'officiate' within the colony of Queensland, be deprived of such a stipend when prevented from officiating, against his will, and without any fault of his own; and consequently, that the Reverend William M'Ginty is entitled to the stipend claimed by him under the provisions of the said Act, and that it ought to be paid to him."

PUNTS ON THE CONDAMINE.

Mr. FORBES moved—"That an address be presented to the Governor, praying that his Excellency will be pleased to cause a sum of money to be placed on the estimates for 1864, for the construction of three punts; one to be placed on the river Condamine, at Greenbank, near Dalby; one to be placed on the river Condamine, at the township of Condamine; and one to be placed on the Balonne River, at the crossing-place." In introducing the motion to the notice of the house, he would state that he believed most hon. members would remember that in 1860 a sum of money was voted for the erection of a bridge over the Condamine at Greenbank; and that in the following year a sum of money was voted for a bridge at the Condamine township. The former bridge had been erected, and it had taken two years to build it. Shortly afterwards, however, it had been swept away by a flood, and, in consequence, the public had suffered a great deal of loss and inconvenience. It was true that by the building of rafts temporary provision had been made for crossing, but the charge for crossing in them had been enormous. He had known many instances where, in consequence of there being no crossing-place, drays, &c., had taken three or four months to go from the Condamine township to Ipswich, a distance of two hundred miles. Those sort of difficulties in the way of travelling would be obviated if the government would consent to placing proper punts at the different crossing-places, so that sheep or cattle, many of whom were *en route* to the far West, might be enabled to cross. There was reason to believe that any stoppage to the large amount of traffic that was going on westward would be most injurious to every interest in the colony; he might say that the Condamine township was the key to the far west, and therefore every facility that it was in the power of the government to give towards keeping up the communication thither should be given. It had been represented to him by persons who were competent to judge that the two punts to which he had referred would not cost more than £1000; and if that amount were granted it would be money well spent. The revenue that would be derived from them would at least be equal to the interest of the money they would cost, therefore the government would be fully compensated for the outlay. The house could not fail to perceive the very great advantage which would follow so judicious an expenditure, and would, he hoped, sanction the motion. The punt at the Balonne was not nearly of so much importance as the other two places he had drawn attention to, and he would not press that part of his motion; but he would reiterate that if the government really desired to add to the prosperity of the colony they would assent to the motion.

Mr. GROOM seconded the motion.

The SECRETARY for LANDS was sorry that he had, on the part of the government, to refuse to accede to the hon. member's request. With regard to what he (Mr. Forbes) had stated about drays having taken three or four months to come from the Condamine township to Ipswich, in consequence of the bridge at Greenbank having been washed away, he (the Secretary for Lands) was of opinion that the delay was caused more by the bad state of the roads than the absence of the Greenbank bridge. He could quite understand though that it had been productive of much annoyance and loss. Perhaps, had the government been communicated with on the matter, some provision might have been made; but such had not been the case. It had been represented to him in the first instance by the hon. member for the Maranoa; and it appeared that the fact of the bridge having been swept away was not owing to its having been constructed badly, but was consequent upon its having been placed in a wrong position—it had been built much too low. However, a site had been selected not far from the old one, where a bridge could be built; and the sections were then in course of preparation, so that before very long there was every probability that a permanent roadway would be placed in the immediate neighborhood of Greenbank. At the Condamine township there was a bridge now in course of construction. With reference to the crossing place at the Balonne, he had been informed by the Engineer of Northern Roads that a site could be selected for building a bridge which would cost about the same amount as was asked for by the hon. member for the punts. It must be remembered, too,

that, although punts were all very well on still standing water, at times of flood the assistance rendered by them was of a very doubtful nature—they could not be depended upon. In order to work them properly also, it was necessary that men should be placed on both sides of the river, and there would be another outlay for providing these men with shelter besides their pay. Under all the circumstances, he hoped the hon. member would see the wisdom of withdrawing the motion.

Mr. O'SULLIVAN did not agree with the hon. gentleman who had just sat down that punts were of little use in times of flood, neither did he think that much outlay need be incurred in paying men to look after them. Why not let the punts be kept by the men themselves who could, of course, pay themselves out of the profits which would accrue. Unless the hon. member determined to withdraw the motion, he (Mr. O'Sullivan) should feel bound to support it.

Mr. HALY hoped the motion would not be withdrawn. He did not believe in building bridges to be swept away by the floods. He thought the idea of building punts was a very good one, and if near a township they could always be placed in the hands of the authorities; and if not near a township he had no doubt that a number of squatters could be found who would undertake to look after them. The best way would be to get iron punts made, and he believed they would cost from £70 to £150 each.

Mr. FERRETT would oppose the motion. With reference to what had been stated about the Greenbank Bridge, he might state that he had made every inquiry into the matter, and had discovered that the timber which had been used was very good, and that the workmanship also was first-rate. He entirely disagreed with the motion; and believed that instead of a punt such as would be required for the Condamine costing £70, they would not get one for less than £1000, besides the expenses of keeping it in repair, and paying men to look after it. He was one of the first to endeavour to forward the interests of the district he represented; but would put it to the house whether if the present motion were passed it might have the effect of tying the hands of the government.

Mr. COXEN agreed with the remarks of the previous speaker. He saw that the mover desired that punts should be provided in 1864, and by that time he presumed the bridge would be erected. He had known the Condamine river to be dry for twelve months at the place where it was proposed the punts should be stationed; during that time the probability was that they would rot, and become quite useless. He would advise the hon. gentleman to withdraw the motion.

Mr. WARRY thought that, as the government had honestly promised to build at the places referred to in the motion, it would be well to withdraw the motion.

Mr. BELL could not support the motion in its integrity.

Mr. TAYLOR knew as much about the locality as most people, and had known the river to be dry for two and three years at a time. Not even an iron punt would therefore be of any use. The money that would have to be paid for repairs would pay the interest for the money which would be expended on the bridge. He had noticed that two members of the Ministry had taken a trip to the north, and no doubt had made many fine promises. Now the north districts, when compared with the old-established towns of the colony, must be looked upon as only very petty. The hon. member for the Burnett had said £70 would build a punt; but he (Mr. Taylor) was under the impression that £1000 would not do it. He thought that if the motion were rejected it would serve the mover right, for having tried to invade the privileges of his friend the hon. member for the Maranoa.

The COLONIAL TREASURER must oppose the motion. His principal reason for doing so arose from the fact that there was no money to pay for the punts should the motion be passed. He had hoped to place the estimates in the hands of hon. members before the end of the week; but was afraid that he would not be able to do so until the commencement of next week. It placed the government in a very awkward position when hon. members came day after day applying for sums of money. He did not consider it to be at all a constitutional practice for hon. members, without having first communicated with the government, to place motions, such as the one he was then speaking to, upon the paper. The proper plan to adopt in cases of the kind, would be first of all to lay the matter before the government; should the government refuse to consider the

matter, then it would be time to apply to the house. He knew the locality referred to, and agreed with hon. members who had spoken on the subject, that it was very desirable that at that particular place the traffic should be unimpeded; but as he thought that it would be foolish to supplement the bridges which were about to be erected with punts, he should oppose the motion.

Mr. M'LEAN strongly suspected that the hon. Colonial Treasurer feigned innocence of having had experience of the mode of procedure generally adopted by people who wished to obtain a small amount of money to tide over present difficulties, namely, by drawing a bill. There was not the slightest reason to doubt that the government had a great objection to be bothered by hon. members for sums of money; but hon. members certainly had something else to do than to consider those objections for one moment. Should the hon. member for the Burnett be willing to contract for building the punts for £70 each, he (Mr. M'Lean) would support the motion.

Mr. JONES thought as the punt at Rockhampton had cost only £180—

The SECRETARY for LANDS: £500,

Mr. JONES resumed: That punt had worked very well, and was in charge of only one man. He therefore could not see why one man would not be sufficient to work the punts asked for by the motion. The punts would only be used occasionally, and as soon as the bridges were erected the punts could be removed to other places where they would very likely be required.

Mr. R. CRIBB would like to know how they were to be conveyed to other places? The hon. gentleman who had introduced the motion had said they would cost £500 each, and he was not likely to under-calculate the amount. It was the duty of that hon. member, after what had fallen from the hon. Secretary for Lands, to withdraw the motion. The statement of the hon. member for the Burnett, as to the price of the punt being £70, was absurd.

Mr. HALY: I said from £70 to £100.

Mr. GROOM had been pleased to hear the hon. Colonial Treasurer instructing hon. members as to the constitutional mode of proceeding to be adopted by them. At times it was necessary for them to know how to proceed properly. With reference to the statement made by that hon. member as to there being no money at the disposal of the government, he (Mr. Groom) would ask what was intended to be done with the £9000 which the Auditor-General had announced was unexpended. He should vote for the motion on principle. If the bridge had been placed in the wrong position at Greenbank, whose fault was it but the government officials' who had marked out the site? and it was not reasonable to suppose that the district in which it was situated should be made to suffer in consequence of the stupidity of a surveyor.

Mr. FORBES, in reply, said that he for one could never think of applying at the back door of any minister's office to be snubbed by some impudent underling. If he had any grievances which required redressing, he should come to that house for the necessary redress. He believed that unless something were done in accordance with his motion, they would be doing a serious injury to the best interests of the colony. He maintained that he was not called upon to consult any hon. member if he saw anything that was necessary should be done in the district represented by that hon. member. With regard to what had been said about an iron punt, he looked upon the idea as monstrous. There was abundance of wood of the very best kind that could be used for shipbuilding in the immediate vicinity of the localities mentioned; the punts could therefore be made on the spot. The delay which had occurred in seeing after the matter had been productive of losses to an almost inconceivable amount. The hon. member for East Moreton (Mr. Warry) had spoken in favor of building bridges; he (Mr. Forbes) might state his opinion that bridge-building appeared to be a peculiar hobby of the hon. member of that house who resided in the metropolis. He would consent to withdraw the motion; but would have done so with much more pleasure had he believed that the bridges would be erected within the next twelve or eighteen months.

The SECRETARY for LANDS said that the bridge at the Condamine township would be finished in eight months.

The motion was then withdrawn.

MUNICIPALITY OF WARWICK.

Mr. JONES, pursuant to notice, moved—"That the house, on the 8th instant, resolve itself into a committee of the whole, to consider an address the Governor, praying that his Excellency will be pleased to cause to be placed upon the supplementary estimates for 1864, the sum of £1000 for the repair of the main road within the municipality of Warwick." He expressed a hope that the house would, notwithstanding the resolution which was passed on the previous evening with reference to Drayton, be willing to give to Warwick what was really due to it as a rising township. Maryborough, Rockhampton, Toowoomba, and other places had had £1000 each, and Ipswich £2000. Brisbane had had he knew not how much. (Several members: "No, nothing at all.") Well, he was wrong there, perhaps. But why the sum of £1000 should be refused to Warwick, he was at a loss to conceive. He trusted the time was not far distant when there would be a railroad into Warwick, and it was desirable therefore that they should do all they could to make one of the termini as decent as possible. He trusted to have the support of the hon. member for Western Downs, as when that hon. gentleman visited Warwick, instead of calling it a mud hole, he said it was a very pretty place, in fact he seemed so pleased with the ladies, and with everything, that he quite made himself a favorite. (Laughter.) He thought the vote for Warwick stood in a different position from that for Drayton, and that the people of the town had a right to ask why their representatives had not been fortunate enough to get the same sum for it that had been given to other towns. He had observed the courtesy of waiting upon a member of the government, and if he was not mistaken, some months ago, he was told that he might write to the people at Warwick, stating that the sum of £1000 would be placed at their disposal; that however had not yet been done. The money, he could assure the house, would not be wasted, and he trusted hon. members would give the motion their support.

Mr. M'LEAN seconded the motion, and said that although he was not a representative of the pretty town of Warwick, he had great interest in seeing the vote passed by the house. The vote in question should have been passed last year, consequently the people considered they had a right to it, and the government acknowledged that right. It was only a matter of surprise to him that it had not been on the estimates. As the mover had remarked, other townships had had money voted for making and repairing their roads. Moreover, it should be recollected that Warwick was an inlet for New South Wales for all stock, drays, and traffic, and, in fact, for everything which came from New England. There was thus a great deal of traffic passing through the township, and only one crossing-place, so that it was a difficult thing to maintain the road from the revenue of the municipality. They had, it was true, a very good bridge; but they could not derive any advantages from it, unless the roads leading to it were kept in a state of repair in wet weather. The population was equal to that of Toowoomba and Drayton, and, as to the people, he believed they would show greater industry than any others, by the money they paid into the revenue. He should support the motion.

The SECRETARY for LANDS said it was with extreme pain (Oh, oh) that he rose to oppose the motion. He was extremely sorry to have done so, with reference to other votes, but having done so he did not see how he could conscientiously act otherwise with regard to the present motion. Some misconception had crept into the minds of hon. members as to the mode of applying for sums of money. The hon. members for Drayton and Toowoomba thought that the government meant that unless the application was first made to them the house should not listen to it; that was not the statement, but what the government contended was, that as they had the responsibility of framing the estimates it was a matter of courtesy to the government that they should be informed by hon. members of the wants of their constituents. (Hear, hear.) If, in putting those wants before any member of the government, it appeared to him that it was not desirable that those wants should be granted, of course it was then perfectly open for any member to bring them before the house. It did seem to him that when the hon. member brought forward his motion he failed altogether to show any reason why the money should be granted. If he could understand the hon. members argument it was that because Warwick was Warwick, and was represented by the hon. member, and asked for money it should have it, but it had not even the advantage of showing that it really wanted the money, as from his recollection he believed the main street was a good street. The hon. member stated that if his memory served him aright, he had been told

that the money would be voted, and that they could go to work at once, but if such a promise was made it was unknown to him (Mr. Macalister.) All he had said was, that if the house voted the money he would have great pleasure in giving it, but that from reasons he had stated on the previous day it was impossible for him to place it on the estimates. It would be well for the house to say whether the government were to take charge of a main road when it went through a municipality. (Hear, hear.) But when that was not the fact, and he found that Warwick received not only a liberal endowment, but also half of the proceeds from the land sales, he thought the least it could do was to support the road through its own municipality. He would put it to every man whether the hon. member for Warwick had assigned a single reason for the vote being granted.

Mr. TAYLOR was sorry to have to vote the same way as on the previous day. He had then been accused of having a personal interest in the matter and the same charge might be made that day, but he denied both assertions, in fact the movers in each case were his personal friends. He certainly must oppose the motion. Warwick was a fine little town and had fine natural roads which would not cut up with drays, therefore, he could not see what claim it had for a vote of £1000. No doubt the municipality would like to get it, and could make good use of it, but they must recollect that already they received a large endowment and a large share of proceeds. He had not been able to discover that enormous traffic represented by the hon. member the seconder. They had heard of drays and cattle, but he could inform the hon. member for Warwick that there were ten drays passed through Drayton-street to one through Warwick-street. He was not aware indeed that Warwick led to any place (laughter); and he saw very little business in it when compared with his own town. (Oh, oh.) When they considered the sums asked for small towns like Warwick with those given to the large districts of Northern, Southern, or Western Downs, they would see they were quite out of proportion. Nearly £4000 had been spent upon a bridge at Warwick, which was a pretty large sum. The hon. member asked why Toowoomba should have money spent upon it. Why they only had £1000, and it was a place ten times more deserving of it. He trusted the hon. member would see the desirability of withdrawing his motion.

Mr. O'SULLIVAN, after denying that he had imputed any personal motives to the hon. member, and referring to the fact that it was too often the case to mix a man's individuality with his corporate position, said the principle of the government making main roads through municipalities had been already recognised by the house; the hon. member who had just sat down was the first who had ever introduced it, and had asserted that it should be carried out as a principle. He was really sorry to see the hon. member oppose the motion, after having voted for £5000 for the streets of Ipswich. As regarded the remarks thrown out by the government that it was not advisable to move for sums of money after the estimates were framed, he would call attention to the fact that not a single session had passed without there being supplementary estimates. As regarded the assertion that £4000 had been spent in Warwick, he would like to know where the hon. member had obtained his figures, for nothing like that had been spent upon that town. On the contrary, they had built bridges without calling upon the government for any assistance. He should certainly support the motion.

Mr. HALY could not consistently support the motion, but it was an established principle that the government should maintain all the main roads, and if the hon. member for Ipswich would introduce a motion to that effect, he would support it.

Mr. GROOM thought that one point had been overlooked both by the hon. member for Warwick and by the Minister of Lands and Works. As far as he could understand the matter, it seemed that there was a breach of faith on the part of the government with Warwick; for, according to the paper called the *Warwick Mail*, there was a promise that £1000 should be placed on the Estimates last year, but that promise not having been carried out, the people of Warwick put themselves into communication with their representative to bring the matter forward. Warwick had been laboring under great disadvantages owing to one of the heaviest floods ever known having caused a great deal of damage to it. Independent of that, however, he considered that the government had affirmed the principle that they should maintain the main roads throughout the colony; for when he applied two years ago for £2000 for the main street of Toowoomba, he was

told by the government that as a great deal of traffic passed along the main road they must help to repair it. He should support the motion on those grounds.

Mr. WARRY opposed the motion, as he did not approve of a town, when it was most liberally endowed by the government, coming to parliament and asking for more money. [Mr. GROOM here made some remarks, and was called to order by the Speaker.] The hon. member proceeded to say that some amusement had been introduced into the debate on account of his hon. friend the member for Western Downs having made himself a favorite with the ladies of Warwick; but that had nothing to do with the question at issue. He was only astonished that any lady could admire the hon. member. (Laughter.) He should oppose the motion.

Mr. R CRIBB opposed the motion, as he considered that the government had already given Warwick a very liberal endowment. He might mention that, as regarded the votes to other places, they had all been given previous to increased endowments being made.

The COLONIAL SECRETARY was in a position to bear out the remarks of the hon. member who had just sat down relative to the period when the votes were granted. If it was agreed that the government should maintain the main roads, the increased endowment could then be taken away from the municipalities. There was one thing, he would remind hon. members, namely, that that laudable scramble for money for constituencies had hitherto taken place towards the end of the session, when it was found that districts had not been sufficiently provided for. He thought that it would be better therefore that it should be left until towards the end of the session, or at any rate until the estimates had been seen.

Mr. BELL was in favor of the motion, and also of the principle of the main thoroughfares through towns being maintained by the government.

Mr. FERRETT could not support the motion, for the following reasons; that, in cases where money had been granted to municipalities, it had been granted previous to increased endowments being given, unless in very particular cases. The hon. member had not shown that Warwick was a main thoroughfare, but it was shown that it was not a poor municipality, and was able to take care of itself, on account of its having been well endowed by the government. If the question was brought before the house whether the government should maintain the main roads, he might be induced to support it; then, however, the question would arise what was a main road? He doubted very much whether Warwick would be called a main road.

Mr. JONES, in reply, said he thought he should be able to carry his motion if simply upon the ground that both he and his colleague were assured last session that the money would be granted. The hon. the Minister for Lands and Works assured him that it would be granted, (Hear.) He could not say positively when the promise was made, as he was so often in the habit of meeting the hon. member.

The SECRETARY for LANDS said he really must deny ever having made any such promise.

Mr. JONES thought the hon. member had forgotten. He (Mr. Jones) had certainly written to the people of Warwick, saying that £1000 was to be placed at their disposal, and they knew he was not in a position to give it himself.

The SECRETARY for LANDS trusted the hon. member would receive the assurance that he had never made any promise. The hon. member told him the promise had been made, but it was not by him, it was by some other member of the government.

Mr. JONES said it was really so long ago that he might have forgotten. The hon. member, since he had been a member of the government, had acquired such an admirable facility for answering questions that it was quite easy for him (Mr. Jones), and not the hon. member, to have made a mistake. He could not understand why, after other places had received money, it should be so wrong for Warwick to get money just because they happened to be a little late in applying for it. He trusted hon. members representing the town districts would support him on the present occasion, and should always be willing to support them, whether for a bridge, or road, or anything else. (Laughter.)

The motion was then put, and the house divided with the following result:—

Ayes	8
Noes	15
				—
Majority against the motion				7

The following is the Division list:—

Ayes.		Noes.	
Mr. Groom		Mr. Raff	
Mackenzie		Taylor	
Jones		B. Cribb	
Lilley		Macalister	
Bell		Warry	
O'Sullivan		Herbert	
Forbes	} Tellers.	Royds	
M'clean	}	Haly	
		Moffatt	
		Ferrett	
		Coxen	
		Richards	
		Edmondstone	
		R. Cribb	} Tellers.
		Blakeney	}

MESSAGES FROM THE LEGISLATIVE COUNCIL.

The SPEAKER reported the following messages from the Legislative Council, viz.:—

VOTE OF THANKS TO ROBERT R. TORRENS, ESQ.

The Legislative Council having agreed to the following resolutions:—(1.) That the thanks of this house be given to Robert R. Torrens, Esq., late Registrar-General of South Australia, for the valuable services rendered by him to the colony of Queensland previous to the introduction, and during the passing of the "Real Property Act of 1861." (2.) That the Legislative Assembly be invited to concur in these resolutions, and that they be transmitted to his Excellency the Governor, with a request that he will be pleased to communicate them to the abovenamed gentlemen—begs now to communicate the same to the Legislative Assembly for their concurrence.

On the motion of the COLONIAL SECRETARY the message was ordered to be taken into consideration on Thursday, the 14th instant.

POSTAGE TARIFF.

The Legislative Council having had under consideration the Legislative Assembly's resolution, transmitted to them this day, relative to the postage tariff, beg to notify their concurrence in the said resolution.

INQUESTS ON FIRES BILL.

The Legislative Council having this day passed a bill, intituled, "A Bill to empower Coroners to hold Inquests concerning Fires," begs now to present the same to the Legislative Assembly for its concurrence.

The COLONIAL SECRETARY moved—

That the bill be read a first time.

The motion was agreed to, and the bill was read a first time.

The second reading was made an order of the day for Thursday next.

PUBLICANS' BILL.

The house went into committee for the further consideration of this bill.

The preamble was postponed.

Clauses 1 and 2 were agreed to without remark.

On clause 3, which prohibited the sale of liquors without a license, named the penalties for illegally selling, and which named the exceptions.

Mr. O'SULLIVAN proposed that all the words between "and also" and "hard labor" should be expunged, as he considered that there should not be imprisonment as well as a penalty.

The SECRETARY for LANDS would not offer any objection to the amendment, the object of having imprisonment as well was because the penalty would not in some cases be sufficient punishment.

Mr. TAYLOR wanted to know whether it was ever the case that a man was both fined and imprisoned. He thought it should be left to the discretion of the magistrates.

Mr. WARRY was of opinion that if a fine of £5 for the first offence, and £50 for the second offence were inflicted, a man would soon give up sly grog selling.

Mr. R. CRIBB thought that there should not be two punishments for one offence. He thought that the two sums mentioned in the bill were very high, and he did not like to trust magistrates with too much power, as, after all, they were only human beings. (Laughter.)

Mr. FERRETT had watched the working of the old Act, and had also had experience in sly-grog selling. (Oh, oh.) He had seen "bumboats," as they were called, in the interior, and had seen parties come in the immediate neighborhood of a shearing shed, to the great annoyance of the employer. He had endeavored to persuade them to move on, and had represented to them the fine they were liable to; but the answer was, "Oh, it's only £30—we can pay that as often as we like." He mentioned that to prove that a fine of £30 was not sufficient punishment.

The SECRETARY for LANDS thought the great object of punishment was to deter, and when that was accomplished it was sufficient. He objected to two punishments, but for the second offence he was inclined to alter the clause so as to make the punishment imprisonment.

Mr. GROOM said that, from his own private knowledge, there was more sly-grog selling in large towns than in country places. He knew of cases where men had gone to a shop, and got a bottle of grog for the purpose of giving information; that would be a hard case, and he could not agree with imprisonment being the punishment in such a case.

Mr. JONES thought that trivial cases might arise in which £30 would be too high a fine, and therefore he would propose that magistrates should have the power of fining a person not more than £30, and less if they thought there were extenuating circumstances about the case. He moved that instead of the word "of" in the 12th line, the words "a sum not exceeding" should be inserted.

Mr. TAYLOR opposed the amendment. He understood the bill was for the protection of publicans, and yet hon. members were doing all they could to encourage sly grog selling. As regarded the paltry case of one bottle, which was referred to, he thought that a grocer would not be caught in a trap unless he was in the habit of selling single bottles.

Mr. R. CRIBB thought that when laws were made too stringent they defeated their own purpose. He was of opinion that the amendment would prevent sly-grog selling more than if heavy penalties were imposed.

Mr. WARRY quite agreed with the hon. member, and found it accorded with his experience as a magistrate. There were cases no doubt, when, from kindness, a storekeeper had given away grog, and had been brought up and fined for so doing; but on the other hand, there were bumboat

cases, such as had been referred to, and therefore he thought that a discretion should be left to magistrates.

After a few verbal amendments in clause 3, it was proposed by the MINISTER for LANDS and WORKS, by way of an amendment, that on the second offence for sly-grog selling, magistrates should have power to imprison as well as to fine.

The house divided with the following result:—

Ayes.	Noes.
Mr. Herbert	Mr. R. Cribb
Macalister	O'Sullivan
Moffatt	B. Cribb
Lilley	Forbes
Edmondstone	Warry
Boyd	Jones
Ferrett	
Taylor	
Haly	
Groom	
Bell	
Coxen	
Richards	

Mr. R. CRIBB proposed that, by way of amendment, a proviso be inserted to the effect that no offence be considered a second one till after first conviction.

The motion was negative without a division.

Mr. CRIBB moved, by way of further amendment, that instead of two gallons, any wholesale spirit dealer be empowered to sell one gallon of spirits.

Mr. GROOM could not support the amendment, as, if they struck out the word two, and inserted the new one, they might do away with retail dealers altogether.

Mr. TAYLOR was glad to see that the clause provided that people were only permitted to sell two gallons of one particular kind of grog.

Mr. WARRY could not see if he wanted to buy one gallon of brandy, and one of rum that he should be compelled to buy two gallons of rum.

Mr. JONES supported the motion of Mr. Cribb holding that the law as it at present stood was universally evaded, gentlemen under the general cognomen of "Pickles" being able to get what grog they pleased, and in as small quantities as they desired.

After a few remarks from Mr. GROOM, Mr. WARRY, and Mr. CRIBB,

Mr. EDMONDSTONE thought it would be a great injury to the publican to pass the amendment. They might as well withdraw the publicans' licenses altogether as to damage their business to such an extent that their occupation would be rendered unproductive.

Mr. CRIBB, with permission of the committee, withdrew his amendment.

Mr. FORBES moved a further amendment on clause 3, to the effect that any club, or the parliamentary refreshment room, be exempted from the operation of the act.

Mr. TAYLOR would like to have the question settled as to whether an auctioneer could be allowed to sell spirits without being chargeable with sly-grog selling.

The COLONIAL SECRETARY considered that as an auctioneer did not sell on his own account, but only on commission, he might sell under his auctioneer's license without being liable to a charge of sly-grog selling.

Clause 3 was then passed.

On the motion of the SECRETARY for LANDS, clauses 4 and 5 were passed without opposition.

On clause 6 being moved by the SECRETARY for LANDS,

Mr. TAYLOR said he thought it an injustice to publicans that steamboat proprietors were allowed to sell grog to shore people.

The SECRETARY for LANDS said if that were done the parties were liable to prosecution.

The clause was then passed without amendment.

Mr. O'SULLIVAN would move as an amendment in clause 7, that the words, "two justices in petty sessions" in the first line of the clause should be omitted, with the view of inserting the words "any one justice."

Mr. TAYLOR thought leaving out the words "in petty sessions" would answer all the purposes of the hon. member.

Mr. O'SULLIVAN did not think so.

The amendment was then put and carried, and the clause as amended was passed.

In clause 8, Mr. FORBES moved as an amendment that the words "any licensed auctioneer" in the 9th line be omitted.

Messrs. GROOM and TAYLOR opposed the amendment.

Mr. LILLEY supported it.

The amendment was then withdrawn and the clause was passed.

Clauses 9, 10, 11, 12, and 13 passed without amendment.

The SECRETARY for LANDS proposed as an amendment in clause 14 that the words "such notice to contain grounds of opposition to such application."

Carried.

Mr. O'SULLIVAN proposed that the word "one" should be inserted in place of the word "three" in the ninth line.

The COLONIAL SECRETARY opposed the amendment, which was supported by Messrs. WARRY, R. CRIBB, and LILLEY.

The amendment was put and carried, and the clause as amended was passed.

Clauses 15, 16, and 17 were then passed.

In clause 18, Mr. O'SULLIVAN proposed that in the fourteenth line the word "thirty" should be struck out, and the following words be inserted: "Twenty pounds for every license issued in a corporate town, fifteen for a woodside inn, and thirty where written permission is given for billiards or bagatelle to be played on the premises."

Mr. JONES moved, as a further amendment, that the chairman do leave the chair, and report progress, and ask leave to sit again on Tuesday next.

The amendment was put and carried, and the chairman left the chair, and reported progress, and asked leave to sit again on Tuesday next.

ADJOURNMENT.

On the motion of the COLONIAL SECRETARY, the house then adjourned, at a quarter past nine o'clock, until three o'clock on Tuesday next.