

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

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**Legislative Assembly  
26<sup>th</sup> August 1863**

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Extracted from the third party account as published in the  
Courier 27<sup>th</sup> August 1863

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The SPEAKER took the chair at twenty-one minutes past three o'clock, and read the usual form of prayer.

**IPSWICH RECREATION GROUND.**

Mr. BLAKENEY asked the Minister for Lands—Whether the government will consent to lay on the table of this house the correspondence and other documents relative to the granting of the Public Park and Recreation Ground at Ipswich to trustees, and the opening of streets and roads through same, which were so ordered by a resolution of the late parliament on the 29th of April, in the present year.

The MINISTER for LANDS stated, in reply, that the government had no objection to lay the correspondence asked for, such as it was, upon the table of the house.

**PETITION.**

Dr. CHALLINOR presented a petition from Rockhampton, with reference to the land order system.

The petition was received, and referred to the committee sitting on immigration.

**ELECTIONS AND QUALIFICATIONS.**

Mr. LILLEY, as Chairman of the Committee of Elections and Qualifications, brought up the report on the late election for East Moreton, declaring that election to be null and void, and moved that the report be printed.

The motion was put and passed.

**ROCKHAMPTON RIVER FRONTAGE.**

Mr. DOUGLAS moved—"That it is inexpedient that the government should interfere with the control which the municipality of Rockhampton have hitherto exercised over the river frontage within the bounds of the municipality." He said he was not aware whether or not the motion he then introduced to the house would be classed by the ministry among what they choosed to term the paltry motions introduced by him. It appeared to him that, in consequence of the motives attributed to hon. members on his side of the house by the occupants of the ministerial benches, it was generally understood that any motion coming from them was not entitled to receive that consideration at the hands of the house which the merits of the case might justify. They had seen that the government had with impunity broken the resolutions come to by the house; it had been found that the government were prepared to set aside important trusts for which they had been held responsible; and it had been shown that the government had been prepared to set aside lands which had been set apart for public purposes. Upon being called upon to justify themselves, the only reason vouchsafed was that they were powerful enough to do what they wanted, and they accordingly did so. However, he would state his impression that should his motion be placed by the government in the category referred to above, it was very probable that it would not be passed; still, irrespective of that fact, he felt called upon in performing his duty to his constituents

to bring the motion forward. Some short time since, a resolution introduced by him, calling for certain returns with reference to the motion then before the house, had been passed, and yet those returns, although they were really anything but voluminous, had not yet been produced. Perhaps that fact might be accounted for when he remembered that the energies of the members of the government had lately been so much over-taxed. The only resource open to him he had adopted, and had had some documents which were in his possession printed, and handed round to hon. members. They were necessarily incomplete, but were all that he was in a position to produce. The Hon. members were well aware that the government had promised a lease of certain water frontage at Rockhampton to the Australasian Steam Navigation Company, and he must submit that the hon. Secretary for Lands had endeavoured to protect what he imagined to be the interests of the public as much as he could. The company had applied for a lease of twenty-one years, which had been refused, and other conditions had been insisted upon which he (Mr. Douglas) did not believe would be assented to by the company. However that might be, the municipality of Rockhampton believed that the government had, in the action taken in the matter, infringed upon their equitable rights. Although perhaps not exactly equitable in a legal point of view, there could not be the slightest doubt but that hopes had been held out by the government to the municipality which had not been fulfilled. There was a time when the Rockhampton people were regarded favorably by the hon. the Minister for Lands; but lately it appeared that some difference had existed between him and them. Last evening the hon. gentleman had classified them in a manner which he (Mr. D.) must decline to mention. However, he hoped that the breach was not irremediable; he believed that the municipality of Rockhampton was amenable, as was doubtless the hon. Minister for Lands, notwithstanding the observations of which he had lately been guilty. In reference to the documents, it would be found that in the year 1861, which was at a very early period of the existence of the town, a letter had been addressed by the government to the municipality, on account of an application received from Mr. John Palmer, asking for a lease of certain water frontage for the purpose of building a wharf. The letter virtually conceded to the corporation the power of refusing to grant the lease, and all that the municipality now claimed was that in the case of the A. S. N. Company, they should continue to hold the right granted by the previous concession. Now it was believed that by one of the latest documents issued, instructions had been received by the Surveyor-General to make arrangements for selling some portion of this water frontage, a proceeding which was considered by the people of Rockhampton to be very undesirable. The municipality of Rockhampton had all along been given to understand that the water frontage within the bounds of the municipality should be under their control, and it would be found that to a certain extent their rights in the matter were secured by the Municipalities Act itself. In common with many others, he must confess to having been much surprised to hear that it was under the consideration of the government to grant a lease to the A. S. N. Company of land which had been improved at a cost of some considerable amount by the municipality. No less a sum than £2985 had been spent on the wharves and approaches; and he must say that the money had been well and economically spent. He would only add that it was probable, if the lease was granted to the A. S. N. Company, other companies would make applications for similar leases, and he must maintain that if they were granted in the one case, they must be granted in the other. He should conclude by expressing a hope that the motion would pass.

The MINISTER for LANDS, in rising to oppose the motion, said, that, even if it were to be passed it would have no legal effect whatever. It was intended to set aside an Act of Parliament; but he could assure the hon. member that it was not the intention of the government to set the law at defiance in the manner proposed. Both the propositions of the hon. gentleman were untenable. In the first place, he had endeavoured to show that the municipality of Rockhampton had a legal right to the disposal of the water frontage; and, secondly, that the government had by making a concession virtually acceded that right. He (the Minister for Lands), however, denied that such was the case, or that one iota of evidence had been brought forward in support of the arguments used. Certainly there was no provision in the Municipal Act at present in force in the colony which could justify such a conclusion. The principal corporation of the colony had never made such an extraordinary demand to the government, although on the banks of the river at Brisbane there was a deal of land not yet alienated. The hon. member had referred to a letter which had been received by the municipality concerning the lease granted to Mr. Palmer; but he

(the Minister for Lands) certainly failed to perceive that thereby power was granted to the corporation to manage and control the whole of the water frontage at Rockhampton. He remembered that when he visited Rockhampton it was pointed out to him that, in consequence of the heat of the climate, it would be desirable that no buildings should be erected on the banks of the river, in order that the full benefit of the sea breeze should be received by the inhabitants of the town. He at once saw the necessity of acting upon the suggestion, and it had been made an express stipulation, when the lease asked for by the A. S. N. Company had received consideration, not only that it could only be granted for five instead of twenty-one years, but that no buildings should be erected on the wharf, and if any were required they must be erected on the opposite side of the street. He must maintain that the corporation were decidedly mistaken if they imagined that they possessed any vested title whatever to the water frontages. It never had been the intention of the government to sell the land, and in his opinion the present motion being brought forward was just a confirmation of his belief that if the hon. member for Rockhampton or his constituents were in want of a grievance they could very speedily manufacture one. If any inconvenience had resulted to the municipality in consequence of the granting the proposed lease, it had been his intention to recommend to the Executive that the whole of the rent during the term of lease should be handed over to the corporation, and that upon its expiry the frontage should be given to them. But it appeared that even that did not satisfy them; they wished to establish a monopoly which would considerably affect the public, and desired to extort dues on wharf accommodation which had never cost them a penny. The government was bound to do all they could to resist such a course of action on the part of any corporation in the colony, especially one that was not able to keep itself together. However, he believed that the motion was merely intended by the hon. member as a flash in the pan, and that he knew as well as anybody that the corporation had no right nor title whatever to what they claimed. Besides, a resolution of that house was not law—it could not put aside an Act of Parliament. If the hon. member had seriously intended anything he should have introduced a bill. Believing that the house would not permit any undue interference with the authority of the Executive, he thought that the motion could not be received.

Dr. CHALLINOR opposed the motion.

Mr. DOUGLAS, in reply, stated that the hon. the Secretary for Lands had glossed over the real point at issue, by not having shown clearly why, if certain authority was given by the government to the Rockhampton Municipality in the case of Mr. Palmer, that authority should be removed in the case of the A. S. N. Company. He must meet the hon. member's assertion, that the municipality had spent no money upon the wharf, by a flat contradiction. He (Mr. Douglas) could assure the house that very nearly £3000 had been spent on the wharves and their approaches, and could assert that the money had been well spent. He felt bound to press the motion to a division, as neither himself, nor could he believe that hon. members were satisfied with the explanation of the hon. Minister for Lands. It was evidently a case which urgently called for the consideration and interference of that house.

The house then divided on the motion with the following result:—

Ayes, 8.		Noes, 13.	
Mr. Pugh		Mr. Herbert	
Groom		Moffatt	
Stephens		Royds	
Raff		Wienholt	
Blakeney		Sandeman	
Mackenzie		Coxen	
Douglas	} Tellers.	Edwards	
Lilley	}	Cribb	
		Challinor	
		M'Lean	
		Taylor	
		Pring	} Tellers.
		Macalister	}

### THE SOUTH SEA ISLANDERS.

Mr. PUGH moved that the papers laid upon the table of this house by the Colonial Secretary, on the 21st instant, relative to the South Sea Islanders, recently introduced, be printed. He might state his motive for moving that the returns be printed, in order that the public might be equally satisfied with himself as to the Christian feeling and spirit evinced by Captain Towns with regard to the treatment of these South Sea Islanders.

Mr. LILLEY seconded the motion.

The COLONIAL SECRETARY expressed his willingness to assent to the motion, and stated that he objected to all immigration of the sort, believing that the best and cheapest kind of labor for the colony was that afforded at a dear rate by Englishmen and Irishmen.

Mr. PUGH having replied, the motion was put and passed.

### IMMIGRATION DEPOTS.

Mr. GROOM moved—"That this house will, on the 25th instant, 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 the supplementary estimates of 1863, the sum of £2000, and on the supplementary estimates of 1864 the sum of £5000 for the establishment of immigration depots, and the conveyance of immigrants into the interior." He might state that his object in placing the motion on the paper was more for the purpose of having the question discussed than for carrying the motion. All the representations which had been made to the government on the subject had been courteously listened to, whilst the difficulties in the way had been pointed out. He might state that although perhaps in the towns on the seaboard labor might be to a certain extent at a discount, yet in the towns in the interior of the colony the price of labor was as high, if not higher, than it was two years ago. He might instance the towns of Toowoomba, Warwick, and Dalby, where all the immigrants who had been sent at various times had met with engagements. He had made no reference in the resolutions to any particular towns, thinking that perhaps it would be better that point should be left at the discretion of the government.

The COLONIAL SECRETARY had no intention of dealing with the motion at the present, seeing that the matter was, or would be, under the consideration of the committee then sitting on immigration. He thought, however, that the sums mentioned were much too high, and that the towns where they should be sent ought to be charged with some of the expense, instead of the whole amount being charged to the general revenue. He could not deal generally with the question then, but he hoped that in the course of a few days, when the report of the Immigration

Committee was brought up, it would be found that some plan to effect the desired purpose had been adopted by the committee.

Mr. RAFF would suggest to the hon. member for Drayton and Toowoomba the desirability of withdrawing his motion for a day or two until the report of the committee was brought up. He thought, however, that employers of labor from the interior did not find extreme difficulty in obtaining the amount they required in Ipswich or Brisbane.

Mr. TAYLOR thought the question was one of extreme difficulty, and required a deal of consideration. He would, however, ask why the Northern people should have the advantage that they did over the inland towns—by the government paying the passage of the immigrants to the North, and refusing to pay their passages to the interior.

Mr. DOUGLAS thought it would be as well that the actual cost of conveyance should be paid by the employers. He must remark though, that the cost of conveyance to the North was much less than the amount required to carry immigrants even as far as Toowoomba.

Mr. MACKENZIE considered that the most preferable plan that could be adopted was one of co-operation between the employer and the government.

Mr. M'LEAN, as a member of the Immigration Committee, did not think that it would be proper for him to vote on the question.

Mr. PUGH saw no analogy between the conveyance of immigrants to the Northern Ports and into the interior. When the immigrants arrived at any of the ports it was necessary for the employer to incur the cost of conveying them to his station.

Mr. WIENHOLT said that although there was plenty of labor about Brisbane, it was not to be obtained in his part of the country for love or money.

After a few words from Dr. CHALLINOR,

Mr. GROOM replied briefly, and called attention to a letter from Mr. Jordan, which had appeared in the daily papers, to the effect that the news which had been received as to the existence of distress was tending to decrease immigration. He (Mr. Groom) had, however, succeeded in drawing the attention of the house to the subject, and would by leave withdraw the motion.

Mr. PUGH moved that the returns laid upon the table by the hon. the Treasurer, relative to the Julia Percy and Era, be printed.

Mr. LILLEY seconded the motion, which was put and passed.

### QUEENSLAND BANK BILL.

The house went into committee for consideration of the above bill.

The various clauses of the bill were passed without amendment, and the house resumed.

The report of the committee was adopted, and the third reading of the bill was made an order of the day for Friday next.

### COMMERCIAL BANK BILL.

The house went into committee for the consideration of the above bill.

The various clauses of the bill were passed without amendment, and the house resumed.

The report of the committee was adopted, and the third reading of the bill was made an order of the day for Friday next.

### COMPANIES BILL.

The house went into committee for the consideration of the above bill.

The various clauses were passed without amendment, and the house resumed.

The report of the committee was received, and the third reading of the bill was made an order of the day for to-morrow (this day).

## ADJOURNMENT.

On the motion of the COLONIAL SECRETARY, the house adjourned at six o'clock, until three o'clock this day (Thursday).