Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 9 DECEMBER 1870

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LEGISLATIVE ASSEMBLY.

Friday, 9 *December*, 1870.

Brisbane and Ipswich Railway.—Commonage Bill.—Settled Pastoral Leases Bill.—Railway Construction Accounts.

BRISBANE AND IPSWICH RAILWAY.

Mr. BELL moved—

That the message from the Legislative Council, asking the concurrence of the Assembly in a resolution they had passed, appointing a Joint Select Committee to take evidence on the subject of the Brisbane and Ipswich Railway, be now taken into consideration.

The subject to which the message referred was one which had created much interest out of doors, as well as in the other chamber. There were three classes of persons in this community who held different views upon this question. Some objected to the construction of the line between Ipswich and Brisbane on political grounds; others objected to it on the ground that it would not prove a reproductive work; and others, again, opposed the undertaking as one which was not likely to be of general advantage to the colony. Now, the object contemplated by the mover of this resolution was to obtain evidence as to the chances of success which were likely to follow this extension—the amount of traffic existing on the present line of road, and the estimated increase of traffic upon completion of the line. The inquiry could not be productive of any evil results, even if it did not

produce any beneficial results. He thought it would have been better to have included the northern line in the scope of the inquiry; and if any honorable member would move an amendment to that effect, he would accept it. The committee was to consist of eight members; and he would, therefore, move that the following members—Messrs. Jordan, Johnston, O'Doherty, and Bell be appointed as members of the committee, and that the usual message be transmitted to the Legislative Council.

The SECRETARY FOR PUBLIC LANDS said the Government had, of course, no objection to obtain as much information on the subject as possible, and they would offer no opposition to the appointment of the committee. They could not, however, consent to it with the names the honorable member had mentioned. He noticed that, in the other chamber, three of the members appointed were gentlemen who had expressed their entire belief in the necessity of the railway. He thought the opinions of the country generally should be fairly represented, and he thought, also, that the Ministry should be represented on the committee. He did not want to increase his labors, but he thought the honorable member might have mentioned his name. He would offer no objection to the appointment of the committee, if the honorable member would accept the following names—Messrs. Bell, Johnston, Moreton, and the Secretary for Public Works.

Mr. Bell suggested that Dr. O'Doherty's name should be inserted in place of his own.

The question so amended was then put and passed, and Messrs. Johnston, Moreton, O'Doherty, and Walsh were appointed.

COMMONAGE BILL.

Mr. BELL moved the second reading of a Bill for the amendment of the Crown Lands Alienation Act of 1868, as regarded commonage. The Bill, he said, was a very short one, and applied only to the district of Dalby. In March, 1855, which was previous to Separation, the Government of New South Wales granted to the district of Dalby a commonage of eighty square miles; but under the provisions of the Land Act of 1868, the extent of the commonage had been reduced to about twenty square miles. Now, as Dalby was one of the principal railway termini, and as it was a general point of convergence for carriers from the north, the west, and the south portions of the colony, the extent of the commonage as reduced, under the Act of this colony in 1868, was found to be too small. Indeed, on account of the traffic to the district, it was found that a larger extent of commonage was required there than was required perhaps in any other district of the colony. The inhabitants of the district having heretofore been in the enjoyment of a large commonage, felt it a great hardship that the commonage should be reduced from eighty to twenty miles. The Bill would not affect Crown tenants to any extent. There was, he believed, only one Crown tenant whose leased land extended, and that but slightly, on the commonage as originally proclaimed; and as the land was fenced in, there would be no difficulty in respect to the provisions of the measure he now asked to have read a second time. He understood that the honorable the Minister for Public Works had made himself fully conversant with the provisions of the Bill, and that he was satisfied as to the necessity for its being passed into law.

The SECRETARY FOR PUBLIC LANDS said he wished to make a short explanation as to the necessity for this Bill. By the Lands Act of 1868, commonages were restricted in area. But, by the Act of New South Wales, previous to Separation, a larger amount of land was granted for commonage purposes to Dalby, than would have been granted under the Queensland Act of 1868. He might mention that the land asked to be reclaimed for commonage purposes by the Bill now before the House was useless to any one; and the object of the Bill, as he understood it, was to enable the Corporation of Dalby, notwithstanding the limitation provisions of the Act of 1868, to have the use of the common to the extent originally granted. The third clause of the Bill proposed that municipalities should have power to make regulations as regarded the management of their commons; and he must say that he considered the clause would be found to be a most useful one.

The motion, that the Bill be read a second time, was then agreed to; and the Bill having passed through committee, the third reading was made an order of the day for Tuesday next.

SETTLED PASTORAL LEASES BILL.

Mr. BELL moved the second reading of a Bill to authorise and regulate the subdivision of Pastoral Leases in the Settled Districts of the Colony. The object of the Bill would, he thought, commend itself to most honorable members. The general opinion of most of the inhabitants of the colony was opposed to large holdings, whether leasehold or freehold. Now, the object of this Bill was to enable Crown lessees within the settled districts to subdivide their runs. Under the provisions of the Lands Alienation Act of 1868, the Crown lessees were required to consolidate their runs; but some did so and others did not do so. Now, it was found that it would be beneficial to give the powers he asked for by this Bill; and he might state that, owing to what he believed to be an oversight in the passing of the Act of 1868, there was now no law existing on the subject. Before the passing of the Land Act of 1868, the Governor had power to subdivide runs, but no such power now existed. The Bill he now asked the House to agree to proposed that the Governor

should have power to subdivide runs; and that all expenses in connection with such subdivision should be borne by the Crown lessee asking for such subdivision. With those few remarks, he would move the second reading of the Bill.

Mr. LILLEY said he thought that a measure of the kind now before the House required very careful consideration. He had not had time to examine the Bill, and, therefore, while he would assent to the second reading, it must be understood that he did so with a reservation. The Bill was of such a nature that it would require careful scrutiny, in order that the rights of the public, under the Act of 1868, should be protected.

The SECRETARY FOR PUBLIC LANDS said that he had perused the Bill, and he did not see that, generally, it could be objected to by any honorable member. He thought that, with some amendments, it would be found to be a very useful measure. It was his intention to propose the insertion, in committee, of a clause which he believed would secure the rights of the public, under the Act of 1868. The Bill, he thought, required some amendment; and the clause he intended to have inserted would, he believed, meet the view of the honorable member for Fortitude Valley. The object of it would be to provide that nothing in the Bill should defeat or interfere with the right of resumption on a resolution of both branches of the Legislature, as provided by the tenth section of the Lands Alienation Act of 1868.

The motion that the Bill be read a second time was then agreed to.

RAILWAY CONSTRUCTION ACCOUNTS.

Mr. STEPHENS moved—

1. That, in the opinion of this House, the accounts for construction of the railways from Ipswich to Toowoomba, Toowoomba to Dalby, Gowrie Junction to Warwick, and Rockhampton to Westwood, should be closed with the expenditure of the sums voted in the Loan Bill of December, 1870.

2. That all further expenditure for, or on account of, the above railways, in excess of the amounts voted in the Estimates-in-Chief, should be placed on the Supplementary Estimates, to be submitted to this House in detail.

He thought that, if those resolutions were carried, they would be found to have a very valuable effect, inasmuch as, he believed, they would check unnecessary expenditure in connection with the railways. As the subject referred to in the resolutions was so fully discussed a few evenings ago, he would not now detain the House by making any further remarks upon it; and would, therefore, content himself with moving the resolutions.

The SECRETARY FOR PUBLIC WORKS said that he and the other members of the Ministry fully concurred with the object of the honorable member for South Brisbane in this matter. He would, however, suggest that the word "Supplementary," in the second resolution, should be struck out. If it were retained, the Government would not be at liberty to make payments from whichever Estimates they might find it most convenient to do so.

Mr. STEPHENS said he thought the resolution was correctly worded. It was well known that the Estimates-in-Chief were always passed during the year before the year for which they were required. But it was not so in the case of the Supplementary Estimates. It should also be remembered that it had been stated by way of argument, in a former debate, that if there was a landslip on the railway, the Government would consider themselves bound to repair it; and then ask the House to vote, in the Supplementary Estimates, an amount sufficient to cover the expense. Now, by retaining the motion in its present form, any such necessity was provided for. However, what he chiefly desired was, that the principle embodied in the motion should be acknowledged.

The motion was then agreed to, and the House adjourned.