

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 21 JULY 1875

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3. That the sum of £9,410 13s. 4d., standing to the credit of the Central district on account of aforesaid balances, be re-appropriated to the following purposes, viz.:—Bridge over Alligator Creek, £1,700; road, Springsure to Comet Railway Station, £1,000; road, Clermont to Comet Railway Station, £1,000; road, Clermont to Aramac, £1,000; roads round Rockhampton, £1,000; roads round Gladstone, £500; roads round St. Lawrence, £500; roads, bridges, and water supply, Central district, £2,710 13s. 4d.; total, £9,410 13s. 4d.

4. That the sum of £14,055 9s. 8d., standing to credit of Northern district on account of aforesaid balances, be re-appropriated to the following works, viz.:—Palmer Road, £4,000; new road, Townsville to Etheridge, £2,000; Etheridge roads, £1,000; Etheridge to Normanton, £1,000; Townsville roads, £1,000; Mackay roads, £1,000; Charters Towers roads, £1,000; Cooktown roads, £1,000; Cardwell and Herbert roads, £1,055 9s. 8d.; Ravenswood roads, £500; Bowen roads, £500; total, £14,055 9s. 8d.

being called,

The SPEAKER said: Before the motion is moved, I think it is a question for the House to consider whether such resolutions can be put at all. It appears to me that these votes are provided for by Act of Parliament, to be expended in a certain way; and it is a question for the House to determine whether the resolutions can be put, as they will have the effect of setting at naught the provisions of an Act of Parliament.

The COLONIAL TREASURER said he thought the honorable the Speaker was in error in stating that these sums had been provided by Act of Parliament. He believed the Act simply provided that a sum of £25,000, in each instance, should be used for roads and other works in the particular districts mentioned; and the schedule, showing how it was proposed the money should be appropriated, was simply laid on the table for the information of honorable members. He did not think, speaking from memory, that it formed any part of the Bill; and he might point out that this course had been taken on a previous occasion, when the sums were actually included in the Loan Act of 1866. A sum of £25,000 was voted for the construction of two lighthouses, one at Bustard Head and the other at Sandy Cape; and it was found that the money voted was more than sufficient for the purpose, and a resolution was passed in that House, re-appropriating the unexpended balance, £5,200, for the construction of another lighthouse; and that was a much stronger case than this, which merely proposed to re-appropriate the money to the same purpose for which it was voted in other portions of the same districts. There was no schedule whatever attached to the Loan Bill.

Mr. C. J. GRAHAM thought the resolutions were quite in order, because the case seemed to him to be much the same as when certain items were voted in the ordinary Estimates for certain purposes, and yet the Executive

LEGISLATIVE ASSEMBLY.

Wednesday, 21 July, 1875.

Infraction of Standing Order.—Unexpended Votes.

INFRACTION OF STANDING ORDER.

The SPEAKER: I think it my duty to call attention to a very frequent infraction of a rule of this House, which says:—

“No member shall read any newspaper, book, or letter in his place, unless addressing the Chair.”

UNEXPENDED VOTES.

On motion No. 1, Government business, standing in the name of the SECRETARY FOR PUBLIC WORKS:—

1. That the sums of £9,410 13s. 4d., being the amount of balances of various Loan Votes for works in the Central district, and the sum of £14,055 9s. 8d., being the balances of Loan Votes for the Northern district of the colony, might be re-appropriated with great benefit to the districts interested.

2. That the appropriation of these sums, as shown in the schedule to the Loan Estimate of 1872, be cancelled.

could, by Executive minute, without a resolution of the House, transfer the votes, or portions of the votes from the purpose of one subdivision to another; it was a mere subdivision of items. The works, as shown in the schedule, for the purposes of which the money was voted, were no longer desirable; it was appropriated for roads and bridges which were not wanted, and the proposed re-appropriation was for works urgently needed. The Loan Bill, as stated by the honorable the Colonial Treasurer, had no schedule in it; and the items were:—"Central division, £25,000; Northern division, £25,000." There were no further subdivisions, and, to his mind, it was even a question whether the Government were compelled to get a resolution to authorise the appropriation of this money. No doubt it was very desirable and satisfactory that it should come before the House and be approved of; and, he believed, this appropriation would be approved of by every member representing the Central and Northern districts, and, therefore, he hoped no obstacle would be thrown in the way of its passing.

Mr. THOMPSON understood the way the last vote was taken, was this:—The sum was put in the Act, and the schedule of the amounts was placed on the table, so that the details there mentioned were not even a resolution of the House, and it was a question for the House whether the mere laying of the other schedule on the table, undissented from, would not be quite sufficient. He thought it was very desirable that they should let the resolutions go as they were; it was not in contravention of the Act, appropriating the loan, but simply an alteration of the schedule.

The SECRETARY FOR PUBLIC WORKS said he believed what had been said by the honorable members for Clermont and Bremer was perfectly correct. The money had been appropriated to certain works only by Executive action, and therefore it might be re-appropriated. The schedule having been laid upon the table, it would be taken as a kind of pledge that the money was to be expended in the manner there stated, and for that reason, he thought it was desirable that when an alteration was made it should be done with the consent of the House, and he had therefore brought forward the resolutions which he was now about to move. He could only say that in distributing the votes—

The SPEAKER: If the honorable gentleman is about to move the resolution, I may be allowed to point out what I consider to be the state of the law. I find, as the honorable the Colonial Treasurer says, the Loan Estimates of 1872 were taken in a lump; but I also find that the schedule is appended to that Act, and to my comprehension, it is as much a part of the Act as any other portion of it. Now with regard to the re-appropriation of a portion of the Loan Vote for lighthouses, the honorable Colonial Treasurer is not correct. It so happens that I find

this was the opinion of the Attorney-General of the day:—

"SIR,—I have the honor to acknowledge your letter of the 6th instant, submitting a case for my consideration at the request of the Auditor-General, and in reference thereto I beg to state that I am of opinion that the resolution of the Legislative Assembly passed on the 17th of January, 1872, does not amount to a legal appropriation of the £5,200 referred to. That sum is the unexpended balance of £25,000 borrowed under 'The Loan Act of 1866,' for erecting lighthouses at Sandy Cape and Bustard Head. This Act, like our other Loan Acts, directs (section 4) that the moneys borrowed shall be placed to the credit of the Consolidated Fund, to be applied for the several purposes for which the same shall have been raised, and shall be accounted for as if they had formed part of the current annual revenue of the colony. Any surplus, therefore, after the special purposes of the loan, or of any item of the loan, have been satisfied, remains as a portion of the Consolidated Fund, and can only be dealt with in the same way as any other portions of that fund; that is, it must be specially appropriated by Act of the Legislature. If the £25,000 had been really a general vote for lighthouses, as stated in the resolution, instead of a sum raised and specially appropriated to lighthouses at Sandy Cape and Bustard Head, I think the resolution would have been sufficient authority for carrying out the proposed works; but as matters stand, the works must pass both Houses in an Appropriation Bill before they can be undertaken, unless the Governor in Council, in anticipation of a subsequent Act of the Legislature, sees fit to order the necessary expenditure.

"I have, &c., &c.,

"JOHN BRAMSTON."

The SECRETARY FOR PUBLIC WORKS: Is it your ruling that the resolutions cannot properly be put?

The SPEAKER: Unless the House requests me to give a ruling I shall not do so. I believe it is the general desire that the resolutions should be put. Does the honorable gentleman ask my ruling?

The SECRETARY FOR PUBLIC WORKS: No; he did not wish it. He was about to say that if they were not in order, he would give notice to introduce a Bill; but as that course would be only increasing the work they had to get through this session, if no objection were taken, he thought it would be as well to proceed with the motion as it stood. He was about to say that in the proposed redistribution of this money, he had taken the advice of the officers of the Roads Department in the different districts, who were well acquainted with the works required, and it would be seen on reading over the appropriation proposed that a considerable amount was placed to the general votes, and would be applicable in most instances to one or more roads around particular centres of population. He begged to move the resolutions.

Mr. MILLS said, he did not rise for the purpose of offering any opposition to the resolutions, but he was extremely anxious to

get some information from the honorable the Minister for Works, as to whether there were any unexpended balances due to the Southern district? The roads in some portions of that district were in a most deplorable condition; and, as the Engineer of Roads, Mr. Byerley, was now in town, after having made a tour in the Western district, he thought the honorable the Minister for Works should give some information to the House on the subject. He believed a great deal of money was being absolutely wasted on these roads. He was not taking the honorable the Minister for Works by a side wind, because he had gone to him quietly and pointed out that, in one instance, men had been employed ever since Christmas last a little outside Dalby in cutting a water-table which drained about three miles of country, into a place that had become a perfect swamp about a mile in length. It was between two fences, and the consequence was, that the whole of the traffic of the Western district was put a stop to. It was utterly impossible to get a team through it; in fact it was difficult to get through on horseback; and he thought after he had drawn attention to the matter, the honorable the Secretary for Works might very fairly have taken some steps to inquire into it. He did not ask him to take his (Mr. Miles') *ipse dixit* in respect to it, but he thought he ought to have called upon Mr. Byerley, particularly as he was in that locality, to report upon it. The honorable gentleman, he had no doubt, would get up by-and-bye and say he had done so; but he knew, because he was a passenger in the train with Mr. Byerley, that that gentleman passed through the quagmire referred to after daylight, and that he arrived in Dalby about ten or eleven o'clock the same night, five or six hours after the usual time, owing to the state of the roads, and he started for Brisbane the first thing next morning, and had no opportunity of seeing it. He had no desire to obstruct the Central and Northern districts from receiving what they were entitled to; but he could not help thinking that the honorable the Minister for Works was particularly anxious to give his whole time and attention to those districts, and that the Southern division should go entirely uncared for. And that was not the only road that was in that condition; the road to Stanthorpe was also impassable, and he had not the slightest hesitation in saying that while such men as the present foremen of works were employed, it would be well for the House to consider whether money should be thrown away into bog-holes. He believed if the Government were to endeavor to select more incompetent or more useless men to take charge of the expenditure of that money, they could not find them; and he felt aggrieved that he should have to point this out, but he thought it his duty to bring it before the House in the hope that the Government would take some action in the matter. The whole of the roads in the western part of the

southern portion of the colony were in a most wretched state; in fact, he could say that during the whole of his experience he had never seen them in such a deplorable condition. On the Condamine the bridges were broken, planks gone, rails broken down; and he had been repeatedly called upon by his constituents to endeavor to get something done, and he had appealed to the honorable the Minister for Works, but it went in one ear and out at the other. He thought it would be well if the House refused to vote a single sixpence to be expended on roads until there was somebody appointed competent to see that the money was properly expended. He trusted the honorable gentleman would pay a little more attention to this department, because it was a most important one. He did not know whether the inhabitants of Dalby and that locality had been in communication with the honorable the Minister for Lands or not, but he knew that a few days ago he was asked by some of them if they could make use of a piece of land along the telegraph line, and he recommended them to apply to the Minister for Lands, as he (Mr. Miles) was unable to give any opinion on the subject.

MR. MOREHEAD said he had no wish to detain the House by going into any long tirade about the state of the roads, but he would confine his remarks to the resolution before the House. With reference to the sum proposed to be expended he quite agreed with the distribution, but he would point out that some provision should be made for the main road between Springsure and Tambo, which was one of the principal thoroughfares from Rockhampton to the West; and he had thought the honorable the Minister for Works would have obtained sufficient information to justify him in placing a sum of money to be added to the general vote. He would further point out the necessity which existed to provide water storage in portions of the western district where there was no water for long distances, and no one had better knowledge of it than the honorable the Minister for Works himself. He believed it was an omission on the part of that honorable gentleman, and he hoped he would see the necessity for taking a large portion of the £2,710 and applying it in the manner he had indicated.

MR. J. SCOTT said he was very glad to see this money expended in the way proposed—the improvement of roads. The honorable member for Carnarvon had said the roads in the Western district were very bad, and they must be very bad indeed if they were as bad as they were in the Central district. All traffic there had been stopped for months, and really, unless something were done to prevent the evil, he did not see where it was to end, or how traffic was to be carried on at all. He would read a short extract from a letter he received two months ago, from a person in one of the towns in the interior, and, as a great deal of rain had fallen since, the roads had become in even a worse condi-

tion than they were then. It was to the following effect :—

"People up the country are literally starving; no flour at Springsure for weeks past. I have no tea, no tobacco; and, although there is a public-house where I am writing, there has not been a drop of grog for six days."

That, he thought, indicated very strongly the state the roads must be in; because he had heard it stated, some time ago, that however bad the roads were, people succeeded in getting grog up. It went on to say :—

"I have still two bags of flour left, but it won't last long; all the hungry beggars in the district are coming to see me to get a feed; the roads are still too soft for heavy loads;—all the fault of the railway not being pushed on a little faster. We want some Yankees here; they build lines at the rate of 3 miles a day; our engineers, 3 miles in 6 months."

He had received letters since that, to the effect that drays had been on the road from Rockhampton since last February, and had not arrived at Springsure yet; and he could not conceive that any roads in the Southern district could be worse than they were in the Central district.

The SECRETARY FOR PUBLIC WORKS said, in answer to the remarks of the honorable member for the Mitchell, he might state that this appropriation for the Central district was made on the recommendation of Mr. Jardine, the Engineer of Roads; and as much of it as possible would be put to the general vote. There was a good sum standing to the general account for water supply; and if the engineer represented that expenditure for that purpose was required between Springsure and Tambo, he should be glad to authorise whatever was necessary. With reference to the statements of the honorable member for Carnarvon, he had to say that there was a balance to the credit of the Wide Bay and Burnett district; but he had not proposed to re-appropriate it, because it only amounted to about £250, which stood at present to the general vote for the survey of roads; and that was as useful a purpose as it could be put to. There were balances also for the Southern division, which could be used for works at present in progress, without being re-appropriated. He should be happy to show the honorable member for Carnarvon the list of balances at his office; he had not got it in the House; the amount was about £5,000. With reference to the observations of the honorable gentleman about the roads near Dalby and Stanthorpe, he must say the road beyond Dalby was undoubtedly almost in an impassable state at the present time; but it was on a black soil plain, between fences, and it was very hard to know what to do with such a road. It would be impassable if left alone; and if they attempted to form it, by throwing up the earth to the centre, it was also impassable; and, although a heavy coat of metal would probably remedy the evil, it was well

known there was no metal in the district. The Engineer of Roads had gone to the locality with a view to finding another road, of a firmer kind, and, on his recommendation, application had been made to the proprietors of the Bon Accord estate, where the soil was of a more sandy nature, for permission to make a road through it. As to the foremen of works in the Dalby and Warwick districts, he could only say they were the oldest officers in the department, and they bore a high reputation in the department and amongst the population where they had been working for so many years. He believed, if it were possible to make the roads passable, they would have done it; but, with the heavy rainfall that had taken place since February last, it was impossible to improve them, especially the black soil roads on the Downs, which, before the railway was made, were the terror of carriers; and they had not yet got the railway past the black soil near Dalby, and that accounted for the state of the roads there at the present time.

Mr. BELL said he should not be doing his duty if he did not make some reference to the road near Dalby, and to endorse everything the honorable member for Carnarvon had said—not that he had heard exactly what that honorable member did say, but he was sure it would be perfectly correct, and he was perfectly prepared to endorse it. He knew the state of the road referred to, over which nearly the whole of the traffic to the westward passed, was a great public inconvenience. It was in the worst of all positions that a road could be in—in a half-finished state, and if it were finished, the construction was bad from beginning to end, and he hoped this debate might have the effect of drawing the attention of the Minister for Works to the necessity of something being done with that road, in which his constituents were particularly interested.

Question put and passed.