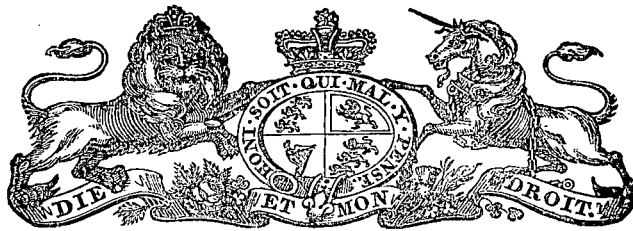


(No. 97.)



1879.

T A S M A N I A.

H O U S E O F A S S E M B L Y.

S O R E L L M U N I C I P A L I T Y :

C O R R E S P O N D E N C E.

Laid upon the Table by the Colonial Treasurer, February 3; and ordered by the House to be printed, February 6, 1880.

The Council is fully sensible that supplies for the present year not having been fully voted may be partially an excuse for the ordinary advance for the current year not having been forwarded *pro rata*; but it has good reason to complain of neglect in some quarter. The accounts for 1878 having been duly audited, still the Council is kept out of nearly £150 for 1878, and the proportionate advance, which, at this period of the year, should be £150 more for 1879.

From all appearances the Inspector of Police seems to be the immovable object in the way of speedy settlement.

Is he above his head—an irresponsible obstructionist?

The Municipal Council of Sorell anxiously awaits your reply, as it meets on Saturday, the 28th instant, and will deal with the matter salutarily.

I have, &c.

JNO. T. CORAM, *Warden.*

The Hon. the Colonial Treasurer, Hobart Town.

REFERRED to the Inspector of Police. The Colonial Treasurer proposes to make an advance on account of the current year of, say, One hundred Pounds, if the Inspector of Police sees no objection.

The subsidy account for the year 1878 reached the Treasury yesterday, and a bill for the balance due was sent on by last night's post for the signature of the Warden of Sorell.

D. LEWIS, *Colonial Treasurer.*
26. 6. 79.

THE Sorell account was received from the Auditor on the 31st May. Inquiry was made of the Warden on the 10th June relative to the item £8 7s., transport and conveyance of prisoners. It was then forwarded to the Auditor on the 20th June, returned by him and certified by the Inspector on the 24th June. There was therefore no delay in the Police Department beyond what was necessary for inquiry and consideration.

The remarks of the Warden about the Inspector seem intended to be offensive. It may be a misfortune for the Inspector that the Warden of Sorell should not approve of his conduct, and that the disapproval should be couched in such peculiar terms. The Inspector is unwilling to descend to recriminations with the Warden further than to observe that the Warden's unfortunate police experience is not of a character to entitle his opinion to very serious consideration.

The subsidy last year was £270.

JOHN SWAN, *Inspector of Police.*
1 July, 1879.

Colonial Treasury, 26th June, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 25th instant in reference to claims on account of Grant in Aid to your Municipality for the years 1878, 1879.

Your letter has been sent on to the Inspector of Police for his recommendation as to the amount of grants to be advanced for the service of the current year.

A bill made out for the balance due for the year 1878 was forwarded to you by last night's post, and has, no doubt, reached you before this.

I have, &c.

D. LEWIS, *Colonial Treasurer.*

The Warden, Sorell.

Municipal Chambers, Sorell, 26th June, 1879.

SIR,

I HEREWITH forward account duly signed for £107 15s. 7d., balance (qy.) of Grant in aid for Police Subsidy, Sorell, 1878, as the Municipality is in want of the money; but I do so under protest, as a final, because it is not a full settlement of the accounts; and, up to the present time, no intimation has been received by me why any item of police expenditure has been disallowed.

Moreover, there is not one item contained in the account, as they passed the Auditor, which has not been allowed by the Inspector of Police in previous years; and I respectfully submit it is unfair to the Municipality to cut out, without notice, items of necessary police expenditure which have been hitherto allowed as legitimate charges, without one word of explanation.

I respectfully rely on the full balance being paid on further investigation.

I have, &c.

JNO. T. CORAM, *Warden.*

The Hon. the Colonial Treasurer, Hobart Town.

27th June, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 26th instant, in which you take exception to the amounts of Grant in Aid found to be due your Municipality for the service of the year 1878, upon the certificate of the Inspector of Police and Colonial Auditor.

This Department does not, in any case, decide what sum shall be included or excluded from the Subsidy Accounts, but will be glad to obtain the fullest information with regard to any amount you may consider has been improperly excluded from the account. I have, therefore, the honor to forward a copy of the Subsidy Account, as passed by the officers referred to, in order that you may be in a position to address me further on the subject if you think necessary.

I have, &c.

D. LEWIS, *Colonial Treasurer.*

The Warden, Sorell.

Municipal Chambers, Sorell, 1st July, 1879.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 27th ultimo, *re* Sorell Accounts, and to express the thanks of the Council for your prompt and liberal intimation that you will be glad to obtain the fullest information with regard to any amounts which they think have been improperly excluded from the Police Account by the Inspector of Police. Compliance with your request for the fullest information necessitates the following lengthy reply.

The first item improperly excluded is that of extra allowance on account of Forage for four mounted men, £24.

Hitherto the fixing of salaries and allowances has been left with the Municipal Council, and whilst they have not been excessive, have been invariably sanctioned by the Inspector of Police. Having received no intimation of any change in the usual practice, the Council, on the 29th day of June last, (when hay was £8 a ton), passed the following Resolution:—

“That, in compliance with the request of the Superintendent of Police that a temporary allowance be made to himself and Troopers, in consequence of the high price of forage, the sum of One Pound per month be granted to each, from the 1st day of July to the 31st day of December, and on account of their pay and forage allowance at the present time being low as compared with those of constables in other Municipalities.”

On this Resolution, (which the Council believed they had the power to pass under Section 23 of “The Police Regulation Act,” which distinctly states “That the Superintendent, Sub-Inspectors, Sergeants, and Constables appointed shall be paid such salaries, wages, and allowances, and at such periods as the Municipal Council from time to time appoints,”) the sum of £24 was paid for extra forage for four mounted men; but even that did not bring their pay and allowances above but rather under rates approved by the Inspector in other Municipalities. This will at once appear on reference to the Inspector’s last published Returns; and the Council imagined they were neither exceeding the limits of their powers nor the bounds of economy by passing such a resolution.

In the adjoining Municipality of Clarence it was found that the pay and forage of the Superintendent of Police was set down at £225 per annum; and the Council never supposed that the Inspector would object to the Superintendent of Police at Sorell having his salary and forage brought up to £176. They could not conceive it possible that the Inspector, having approved the higher charge in Clarence, would cut down the lower charge in Sorell. But this is what that officer has done.

In the Inspector's last published Returns the pay of Sergeants (unmounted) may be found at 6s. per day, and forage at £25 a year (*i.e.* a Mounted Sergeant's pay and forage, £134 10s. per annum); and the Council never expected to incur the Inspector's disapproval when they voted their Mounted Sergeant £126 per annum, or £8 a year less than the approved rate. Nor did they conceive, when they raised the two troopers' salaries and forage to £116 a year each, it would not be sanctioned by the Inspector; when, at the approved rate of 5s. a day for the man, and £25 a year for a horse, the amount would be £116 5s. The Council of Sorell, therefore, earnestly protest against the excision of the item of £24 for forage for police horses from the Police Accounts as unwarrantable and unjust.

The second item improperly excluded as a Police charge, is that of £8 7s.* for conveyance, (not escort), of prisoners and transport.

A reference to the last Accounts, as published in the *Gazette* of the 1st and 8th October, 1878, will show that, in the Municipalities of Clarence, Richmond, Green Ponds, and Glenorchy, conveyance of prisoners, &c. appears as an item of Police Expenditure: and on what principle the Inspector should sanction such items as legitimate Police charges in those Municipalities in 1868, and disallowed them in the Municipality of Sorell in 1879, the Council is at a loss to understand.

The expenses were purely of a police character, and with one trifling exception, of extraordinary emergency. They were not ordinary escort expenses—£4 16s. was incurred in the pursuit and conveyance of Richard Copping, committed on a Coroner's Warrant for wilful murder, and whose immediate and costly removal from Bream Creek to Hobart Town (as he was supposed to be dying from gun-shot wounds) was a matter of urgent necessity, Sorell being without a hospital or a resident medical practitioner. £2 10s. was for the conveyance of Mary Hand (charged with an attempt to murder her own child) from Bream Creek to Hobart Town, where she was pronounced a lunatic; 6s. was for the conveyance of a dying man from Cornhill to the watch-house; 5s. for the conveyance of a sentenced girl, who could not walk to Hobart Town; and 10s. for the carriage of police uniform and parcels.

The Council very respectfully submit that all these items are purely items of Police (certainly not Municipal) expenditure; that similar items have heretofore been passed by the Inspector of Police as legitimate Police charges, without the slightest intimation of their future disallowance; and that they were paid in good faith by the Council, without the remotest idea that they would ever be repudiated by the Inspector of Police in the settlement of the year's accounts.

The Council therefore trust the Inspector of Police may be induced to reconsider his decision; and, should he ever be able to spare time to go over the Sorell Municipality (extending, as it does, from Sorell to Orielson, thence *via* Ringarooma, Weedy Hills, Bream Creek, and Ragged Tier, to Cape Bernier on the East Coast, thence to Forestier's and Tasman's Peninsula, returning to East Bay Neck, Carlton, and Forcett), he will find that, in so uninviting and rough a country, the cost of the Police is reduced as low as is consistent with efficiency; and this, the Council very respectfully but firmly submit, is all that the Parliamentary Resolutions of 1867† (from which he derives his passive, but potent, prerogative) requires.

Should the Inspector adhere to his present views, I have to request that you will lay this communication before the Executive Government, in order that Sorell, (which draws nothing from the Treasurer for Municipal purposes), may receive its full and just balance of Police Subsidy for 1878, and an equitable advance for 1879, with the least possible delay.

I have, &c.

JNO. T. CORAM, *Warden.*

The Honorable the Colonial Treasurer.

[Cheque, Number 120.]

TASMANIA.

[Voucher, Number 40.]

MUNICIPAL COUNCIL OF SORELL, *Mr.*

To EDWARD GARD.

May 12, 1878.	To Horse-hire for Police (on duty in Copping's case of Murder)	£	s.	d.
		0	10	0

Passed—JNO. T. CORAM, *Warden.*

* Vouchers hereto attached.

† NOTE.—The Parliamentary Resolutions of 1867 were passed to meet a peculiar exigency, of which the Councillors of Sorell retain a lively remembrance.

[Cheque, Number 118.]

TASMANIA.

[Voucher, Number 36.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To RICHARD HILL.

June, 1878. To Conveyance of Elizabeth Cowburn, a prisoner, from Sorell to Hobart Town £ s. d.
 0 5 0

Passed—JNO. T. CORAM, Warden.

[Cheque, Number 118.]

TASMANIA.

[Voucher, Number 37.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To JAMES WILLIAMS.

May 14, 1878. To special Conveyance of Prisoner, Richard Copping, from Bream Creek to Sorell £ s. d.
 1 10 0

Passed—JNO. T. CORAM, Warden.

[Cheque, Number 118.]

TASMANIA.

[Voucher, Number 38.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To O'MAY BROTHERS.

May 14, 1878. To special Conveyance of Prisoner, Richard Copping, in steamer, after dark, from
 Kangaroo Point to Hobart Town..... £ s. d.
 0 16 0

Passed—JNO. T. CORAM, Warden.

[Cheque, Number 92.]

TASMANIA.

[Voucher, Number 35.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To WILLIAM BESWICK.

May 10, 1878. To special Conveyance of Mary Hand from Sorell Gaol to Hobart Town for trial,—for
 wounding with intent to kill and murder,—at Supreme Court; and escort Constable
 (one day) £ s. d.
 1 0 0
 May 14, 1878. To special Conveyance of Richard Copping, a wounded prisoner, and escort Constable,
 from Sorell Gaol to Hobart Town for trial for murder (two days) 2 0 0

Passed—JNO. T. CORAM, Warden.—29. 6. '78.

£3 0 0

[Cheque, Number 120.]

TASMANIA.

[Voucher, Number 41.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To THOMAS BIDGOOD.

August 24, 1878. To Carting and fixing Tank for Watch-house £ s. d.
 0 6 0
 To Conveyance of John Smith from E. Marshall's to Watch-house..... 0 6 0

Passed—JNO. T. CORAM, Warden.

£0 12 0

[Cheque, Number 137.]

TASMANIA.

[Voucher, Number 42.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To THOMAS JENKINS.

May 8, 1878. To Conveyance of Mary Hand, a prisoner, from Bream Creek to Sorell £ s. d.
 1 10 0

Passed—JNO. T. CORAM, Warden.

[Cheque, Number 118.]

TASMANIA.

[Voucher, Number 39.]

MUNICIPAL COUNCIL OF SORELL, Dr.

To JOSIAH C. PRATT.

Sept. 30, 1878. To Conveyance of Police Parcels and Uniform from Hobart Town to Sorell..... £ s. d.
 0 10 0

Passed—JNO. T. CORAM, Warden.

REFERRED to the Inspector of Police for his Report with regard to the items disallowed in the
 Subsidy Accounts for the year 1878.

D. LEWIS, Colonial Treasurer.
 4.7.79.

Municipal Chambers, Sorell, 3rd October, 1879.

SIR,

IN your note of the 3rd September last you were pleased to inform me that you had just reminded the Inspector of Police that his reply was necessary in reference to my communication to you, dated so far back as 1st July, 1879, concerning the Sorell disputed Police Accounts; but as one month has elapsed since you reminded that officer that his reply was necessary, and I have heard nothing further of the matter, may I request that, as the Council meets on Tuesday next, and Parliament is now in Session, that you will favour me with the decision of the Government on what the Council considers a just and equitable claim; as also a further advance of Fifty pounds in aid of the Police for the current year.

I have, &c.

JNO. T. CORAM, *Warden.*

The Honorable the Colonial Treasurer, Hobart Town.

REFERRED to the Inspector of Police for his Report upon the objection taken by the Municipality of Sorell to the amount of Subsidy for 1878 being reduced by the disallowance of certain sums.

D. LEWIS, *Colonial Treasurer.*
4. 10. 79.

GRANT IN AID, SORELL, 1878.

7th October, 1879.

SIR,

IN reference to your request to be furnished with my reply regarding the claims for allowance by the Municipality of Sorell, I beg to say that I have fully explained my objections to the items in my letter to the Auditor of 20th June last, copy of which I furnish herewith.

The item for forage, passed by the Council, was at the rate of £12 per annum, in addition to the 1s. per diem or £30 5s. per annum,—this in a district where forage should be as cheap as in any part of the Colony.

If the Council of Sorell had been thus liberal with their own funds no objection could have been raised by me, but it was sought to make this amount a charge upon the General Revenue.

The injustice of the Government paying a special subsidy to Sorell, while the Police elsewhere were not receiving similar increase, appears to me apparent.

It is no pertinent argument to say that the total pay and allowances of the Sorell police, with the increase for forage, did not exceed that of some other places. I was dealing with the question of forage alone. If the pay of the police at Sorell is less than elsewhere, that is no fault of mine. It is my duty under the Resolution of Parliament to guard the public funds against extravagance, not against economy.

A special exception has been made to the law, which says that no charge for escort of prisoners can be made against the Government by Municipalities in cases where women were conveyed. This was in consequence of an order issued by the Attorney-General that women should not be marched through the country.

Ferryage has also been allowed to Glenorchy, Clarence, and Richmond. I cannot discover how this irregularity commenced; but in 1878 I sought from the Government an authoritative interpretation of the meaning of the term cost of the Police, and, in obedience to instructions then received, the intention of the Resolution to confine the subsidy to the cost of Police is now strictly observed.

Such charges as those claimed for conveyance do not appear in Sorell accounts for 1874–5, or 1876 or 1877; so I do not know how similar items have been passed by me for the Sorell Municipality.

The Honorable the Colonial Secretary issued a circular to the effect that the Government would not sanction the use of the Railway for conveyance of prisoners excepting at Municipal expense: it would therefore be inconsistent to suppose that the charges would be passed where other modes of conveyance were used. The question of the necessity for employing a cart in the cases referred to has not been questioned by me.

I do not agree with the Council in considering that these items “are certainly not Municipal.”

I have, &c.

JOHN SWAN, *Inspector of Police.*

The Hon. the Colonial Treasurer.

Colonial Treasury, Hobart Town, 13th October, 1879.

SIR,

I HAVE the honor to forward herewith the report made by the Inspector of Police upon the Subsidy Account for the year 1878 as finally adjusted upon the certificate of that officer; and you will observe that he adheres to the opinion that the items objected to by him should not be included in the Subsidy Account as part of the cost of Police chargeable to the Grant in Aid.

I have, &c.

D. LEWIS.

The Warden, Sorell.

Municipal Chambers, Sorell, January 6th, 1880.

SIR,

I AM desired by the Municipal Council of Sorell to bring under your notice the enclosed correspondence between your predecessor and myself in regard to the transference by the Inspector of Police of two items (the one of £8 7s. for the special conveyance of prisoners, unable to walk, to the Hobart Town Gaol, and the other of £24 for police forage) from the Police to the Municipal Account, in the month of June last, contrary to all precedent, and, the Council believes, contrary to the intention of the Parliamentary resolutions of 1867, without a single word of explanation until it was wrung from that officer, after much trouble and the lapse of four months, by the Hon. the Colonial Treasurer of the day.

The Council regard the explanation of the Inspector of Police, dated 7th October, 1879, as no satisfactory answer to my communication of the 1st July, forwarded to your predecessor on the intimation contained in his letter of the 27th June, that he "would be glad to obtain the fullest information with regard to any amount that I might consider had been improperly excluded from the accounts."

The Inspector's reply is based on misconception. He assumes that the mounted Police at Sorell had been voted £12 a year for forage in addition to 1s. per diem previously; and from this assumption, for he could draw it from nothing else, he deduces the conclusion that their forage would be £30 5s. per annum, with the following remark:—"This in a district where forage should be as cheap as in any part of the Colony."

The Inspector could never have scrutinised, or if he had, he must have forgotten all about the Sorell vouchers, or he would not have reasoned so fallaciously, or wound up his conclusions with what I can only regard as a rhetorical flourish about cheap hay. No policeman at Sorell has ever been allowed 1s. a day for forage. Such an item finds no place in the vouchers, and I am at a loss to conceive where the Inspector got the idea. The Superintendent is paid £170, the mounted Sergeant £120, and the Troopers £110 salary, in a lump sum, for finding their horses, keeping them, and doing their duty; and it was only because they were paid so low, as compared with the Police in other places, and the price of hay was so high, that the Council allowed them, not £12 for the year, but £6, and then only for 1879.

In regard to the item £7 8s. for conveyance of prisoners, when the peculiar circumstances (as detailed in my letters of July 1st) which necessitated their special conveyance are considered, and when it is remembered that similar items have heretofore been invariably passed without question under the head of "Police Expenditure," I cannot understand how they can, under the 29th section of the "Police Regulation Act," be struck out and made Municipal charges, until the words "escort" and "conveyance" shall mean one and the same thing.

The Council have unanimously passed the following resolution, with the request that you will, if not as Colonial Treasurer, as Premier, lay the whole of the correspondence in your office on the matter before the Executive Government at your earliest convenience, in order that the decision of the Inspector of Police may be reviewed and this vexed question settled:—

(Resolution referred to.)

Resolved—"That the Municipal Council of Sorell cannot concur in the opinion of the Inspector of Police that the sum of £24 paid to the Superintendent and Troopers for forage, and £8 4s. for special conveyance of prisoners unable to walk, should be borne by the Municipal Fund, as they conceive neither the one nor the other to be for Municipal, but purely for Police, purposes. The Council also regret that the Inspector of Police should not, four months ago, when he objected to the items, have furnished the Council with his reasons, now for the first time communicated, for striking them out, as it would have saved much misunderstanding and prevented unpleasant correspondence. The Council, feeling assured that the objections of the Inspector are based on a misunderstanding of all the circumstances under which the expenses were incurred, and feeling assured that he would not intentionally place on the shoulders of the ratepayers a burden which they should not, in equity, be called to bear, request the Warden to seek a

review of the case, in order that the disputed amounts may be settled, which may be easily done, more especially as the only difference of opinion between the Inspector and the Council is, as it now appears, that the principal item in dispute would have been passed had it appeared as 'pay' instead of forage."

I should have addressed you at an earlier date had not your time been so fully engrossed, since your accession to office, in more important affairs than that which I have now brought under your notice.

I have, &c.

JNO. T. CORAM, *Warden.*

The Hon. the Colonial Treasurer.

REFERRED to the Inspector of Police for his observations.

W. R. GIBLIN, *Colonial Treasurer.*
8. 1. 80.

Office of Inspector of Police, 30th January, 1880.

SIR,

I HAVE few remarks to make upon the letter of the Warden of Sorell, forwarded for my observations, that could be anything but repetition of the objections I had already advanced against the items at issue being charged against Police subsidy.

An undesirable tone has been imparted to this correspondence through a letter addressed to the Colonial Treasurer by the Warden of Sorell, containing some remarks in reference to the Inspector which were gratuitously discourteous. It was pointed out that the assumption that the delay in the settlement of accounts was due to inaction in this department was erroneous. When the letter referred to was written, the Warden had no knowledge of the character of the objections taken by me, nor could he have even known that I had objected.

The accounts could not be passed by the Auditor without my certificate that each item charged against Police was properly so charged. The Treasury would pay on the assurance of the Colonial Auditor that the accounts were correct, and of the Inspector that the claims against the general revenue were just.

If my decision was objected to, and an appeal to the Executive desired, I now submit, as I then pointed out, that the Honorable the Colonial Secretary should have been applied to.

In the year ending 30th June, 1875, the pay of the Sorell troopers was raised from 5s. per diem without uniform to 6s. per diem with uniform. At that time no Police in Tasmania, Municipal or Territorial, received so high a rate as 6s. for constables, excepting Launceston. The Territorial pay was 5s., with a deduction of 4d. for uniform. The Sorell mounted men get the 1s. per diem extra because they had to keep horses, and received no other forage allowance. I should not have been justified in passing the increased amount on any other grounds.

The resolution of the Sorell Council was not communicated to me by that body: had it been, I should have demurred to the assertion that the item would have been passed if it had appeared as pay instead of forage.

I have, &c.

JOHN SWAN, *Inspector of Police.*

The Honorable the Colonial Treasurer.