Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 23 SEPTEMBER 1886

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QUEENSLAND

PARLIAMENTARY DEBATES.

LEGISLATIVE ASSEMBLY.

FOURTH SESSION OF THE NINTH PARLIAMENT

APPOINTED TO MEET

BRISBANE, ON THE THIRTEENTH DAY OF JULY, IN THE FIFTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA, IN THE YEAR OF OUR LORD 1886.

[VOLUME 2 OF 1886.]

LEGISLATIVE ASSEMBLY.

Thursday, 23 *September*, 1886.

Motion for Adjournment—Treasury returns.—Motion for Adjournment—appointments to Stock Conference—petition from residents of Jericho.—Motion for Adjournment—the Land Board.—Divisional Boards Bill No. 2—committee.—Message from the Legislative Council—Local Authorities (Joint Action) Bill.—Adjournment.

The SPEAKER took the chair at half-past 3 o clock.

MOTION FOR ADJOURNMENT.

Treasury Returns.

Mr. NELSON said: Mr. Speaker,—I will take this opportunity of asking the Treasurer a question with regard to the Treasury returns published in the *Gazette*. Next week I suppose we shall have one for the quarter now current, in which the revenue and expenditure for the quarter will be set forth. Is it possible, seeing that we are very much guided in our estimate of the expenditure of the country and have to depend largely in forming our opinions respecting the expenditure for the current year upon that of last year—would it not be possible to give us the expenditure for 1885-6 distinct from the expenditure that belongs to the current year, so as to give us a proper idea of what the expenditure of last year was? Last night the Chief Secretary quoted from figures with regard to the Defence Force, and showed that up to last evening there had been no extra expenditure on account of last year. Why cannot that be shown with regard to all the items? It would be extremely useful to hon. members, because, otherwise, we should not get it till next session. We do not get the Auditor-General's report, dealing with these matters, till the following session, when it is to a certain extent stale, and has to a large extent lost its usefulness. If we could get an extra return, showing the expenditure from the 1st July to the 30th September, it would be extremely useful in dealing with the Estimates for the present year. I move the adjournment of the House.

The COLONIAL TREASURER (Hon. J. R. Dickson) said: Mr. Speaker,—There will be no difficulty nor yet any necessary delay in furnishing the information the hon. member requires with regard to the expenditure during the three months ending on the 30th instant on account of the services of the preceding year, but it will not be published simultaneously with the usual Treasury returns in the *Gazette*, inasmuch as the vouchers have to be analysed, so that I shall not be able to furnish the information desired before the second or third week

in October. I will lay the returns on the table of the House some time during October, and as early as possible, so as to give the information he desires. I would point out, however, that it may perhaps confuse more hon. members than it will enlighten, inasmuch as, unless there is a corresponding return laid on the table, showing the expenditure during the three months, July, August, and September, 1885, to be deducted from the total amount of expenditure of the year ending 30th June, 1886, the total amount of expenditure for services for the year 1885-6 will not be ascertained. However, I shall have the return prepared in two parallel columns, one showing the expenditure for the three months ending the 30th instant, and the other showing the expenditure for the corresponding period of the preceding year. I take this opportunity of referring to a matter which occurred in Committee of Supply yesterday, wherein the hon. member for Toowoomba, Mr. Aland, complained of my not having fulfilled a promise regarding a return dealing with annuitants in the Civil Service, as represented in Table D of the Estimates. I was taken aback at the time and thought I was guilty of negligence, but now I feel sure that the hon. gentleman cannot have read his parliamentary papers very closely, or he would have found that on the 21st October, 1885, there was laid on the table of the House a paper relating to the Superannuation Fund giving fully the information which the hon. gentleman seeks, and which I was sorry to think I had neglected to furnish.

Mr. ALAND said: Mr. Speaker,—I think I ought to apologise to the Treasurer for having asked for this paper when it appears that it has already been furnished to hon. members. Certainly I am very much suprised that no hon. members seemed to be aware that that document was in existence. I wonder very much that the Colonial Treasurer himself did not at once get up and say that the document was in the hands of hon. members.

Mr. NORTON said: Mr. Speaker,—I think hon. members would know a great deal more about the papers than they do if more of them were distributed before the beginning of the session. I have called attention to this matter several times, and others have done the same.

The PREMIER: There were never so many distributed before the commencement of a session as this year.

Mr. NORTON: The number might have been doubled. What I complain of is that papers which could be distributed before the beginning of the session are not distributed till Parliament is sitting, when we cannot possibly find time to read them.

Mr. NELSON, in reply, said: Mr. Speaker,—I am quite satisfied with the promise the Treasurer has given. I do not think anybody is to blame for hon. members being misled by the Treasury returns not corresponding with the Auditor-General's report, because the Treasury accounts and those of the Auditor-General are for different periods. In making my calculations I was putting the expenditure of the first three months of the last financial year—belonging to the year previous to that—as against what was expended during the present three months belonging to the financial year ending the 30th June last. And assuming things were in a normal condition, one should balance the other for ordinary purposes. If it is the pleasure of the House, I will withdraw my motion.

The SPEAKER: If the hon. member for Cook wishes to speak, I will remind him that if the motion is withdrawn by the House now, the hon. member cannot move the adjournment of the House again.

The PREMIER: If it is negatived. If it is withdrawn it is not negatived.

The SPEAKER: Is it the pleasure of the House that the motion be withdrawn?

Mr. LUMLEY HILL said: Mr. Speaker,—I will take my chance. In explanation of the position I take up, my reason for wishing for a fresh adjournment is this: that I deprecate very much the practice that has crept up in this House of discussing two or three totally different matters under one motion for adjournment. I think it is quite enough for the House to have one matter under its consideration at a time. It very much distracts the attention of the House from a previous matter, of perhaps considerable importance, which might be before it. I further wish to have the right of reply. The question which I was going to ask the Colonial Secretary was with regard to an announcement—and I should like to know on that account if I shall have the right of reply to the Colonial Secretary if this motion is withdrawn? I should like to know, Mr. Speaker, if you are quite sure of your ruling? Because, otherwise, I shall have to anticipate any reply which the Colonial Secretary may have to make to me. I think I know pretty well what the reply will be, because I have been in communication with him before. I should like to make the matter the subject of a fresh motion for adjournment, and it would be well to have the point distinctly settled in this House.

The SPEAKER: The hon. member for Northern Downs has asked the permission of the House to withdraw his motion for adjournment. Under these circumstances, the hon. member for Cook can move the adjournment of the House immediately afterwards. If, however, the motion is negatived, the hon. member cannot do so unless some business intervenes. Is it the pleasure of the House that the motion be withdrawn?

Motion withdrawn accordingly.

MOTION FOR ADJOURNMENT.

Appointments to Stock Conference.—Petition from Residents of Jericho.

Mr. LUMLEY HILL said: Mr. Speaker,—I rise to ask the Colonial Secretary a question, and will conclude with the usual motion for adjournment. The question which I have to ask him is whether the report which I saw in the *Courier* of yesterday or the day before is true: that the Chief Inspector of Stock and another gentleman have been appointed to represent Queensland stockowners at a conference which is to be held in Sydney, with a view to regulate matters connected with the interchange of stock between the colonies, and also with a view of considering the removal of the prohibition of importing cattle or sheep from Europe? My object in referring to this is, that the opinions amongst stockowners are very much divided on the question. Very many gentlemen hold very different opinions about the advisability of removing the prohibition against importing stock from the old country. I am one of those myself who are strongly opposed to the removal of that prohibition, while the two gentlemen who are going down to Sydney to represent us, as we are told by the paper, are both—the Chief Inspector of Stock and the gentleman who accompanies him—known to be strong advocates of the removal of that prohibition. I do not wish to create a long

debate, and will state as briefly as I can my reason for opposing the removal of the prohibition. That is, that I wish to avoid the slightest possible chance of introducing fatal diseases here such as the "foot-and-mouth" disease. We know perfectly well that we introduced pleuro-pneumonia by importing cattle, and we know that we have introduced scab, and that New South Wales, a year or two ago, had a very narrow escape from being inundated again with scab. It is a most serious matter with stock-owners, and I cannot imagine anything that would produce such a havoc in the country as the foot-and-mouth disease breaking out. I believe that we have in the different colonies and amongst ourselves—in New South Wales, Victoria, South Australia, and New Zealand—all the different strains of blood that we require for breeding first-class stock of every description. By making judicious use of them — by judicious selection and culling, we can bring our flocks and herds to a quality that cannot be surpassed. I should like to know, therefore, from the Colonial Secretary, if there is any truth in this report that these gentlemen are to be sent down upon this errand, and to know whether it would not have been better to have sent two men who held different opinions from each other so that people who hold opposite views—and there are many of them in the colony—should be fairly represented? I beg to move the adjournment of the House.

The COLONIAL SECRETARY (Hon. B. B. Moreton) said: Mr. Speaker,—In reply to the hon. member who has just spoken, who has put a question to me as to whether it is true that the Chief Inspector of Stock and Mr. Wood, of Durundur, are going down to represent this colony in the conference at Sydney, I may say that it is true. The matter of the conference has been under consideration for a long time in the other colonies; I think it was in May last that it was proposed that there should be a conference of the general inspectors of stock only. Since that it has been proposed that there should be two representatives of stock-owners in the different colonies, and up to a short time ago it was an understood thing that there should be two representatives. I had up to that time spoken to Mr. Wood, a gentleman having a thorough practical knowledge of the stock of this colony, and asked if he would attend the conference. After he had accepted the position a communication came from the other colonies stating that many of them were anxious that only one representative of stock-owners should attend. That was only a day or two before the necessary arrangements were made for these two gentlemen to go. The objects of the conference are numerous, and the first on the list is certainly the question of the desirability, or otherwise, of removing the prohibition against importing stock into the colonies, of course bearing in mind that proper precautions should be taken as to quarantine should the prohibition be removed. Then comes the other question of mutual arrangements between the colonies for the passing of sheep and stock generally from one colony to the other, so that the hindrances to the travelling of sheep across the border of this colony and New South Wales and into the other colonies bordering upon this, should be made easier than they are at the present time — for instance, that instead of having two inspections of sheep on the border, to arrange that one should be sufficient. Then there are also other questions to be considered as to the several diseases of stock, and the best way of meeting them where they are found to exist; and further, the question of poisonous weeds will probably also come under discussion. It is evident, therefore, that the conference have a large scope for investigation. I may inform hon. members also that whatever may be the conclusions the conference come to, and whatever the propositions they may make, they will not be binding upon any colony unless the Government of that colony sanctions them. The hon. member states that we have high-class stock enough in the colony and should not run the danger of contaminating them, and that we should take every possible means for preventing the introduction of diseases in stock in the Australian colonies. There is no doubt about that; and I, for one, would be the last to think that should be done or to give any opportunity for the withdrawal of the prohibition without every precaution being taken against the introduction of disease by a sufficiently long quarantine. The question as to whether it should be withdrawn or not need not be discussed at the present time. I have my own opinions upon the matter, and I will, when the proper time comes, be able probably to say as much in favour of the withdrawal of the prohibition as the hon. member will be able to say in favour of retaining it. I may bring under the notice of the House that I think it is only a year ago since the prohibition upon imported stock was adopted in South Australia, and they had there an opportunity of introducing high-class stock when the other colonies were debarred from doing so. They have reaped the benefit of it by being able to get higher prices for their stock on account of having the newer blood of the high-class stock.

Mr. NORTON: Is that Tasmania or South Australia?

The COLONIAL SECRETARY: South Australia. I may mention that it was reported that some vessel was bringing stock to Tasmania and was lost on the voyage, but when I made inquiries from the Government of Tasmania I could not find that that was a correct statement, or that there were any cattle on board that vessel. I say nothing as to Mr. Wood's capabilities for the position he has accepted, as any hon. member who knows that gentleman will hardly question them.

Mr. LUMLEY HILL: Nobody can take exception to that.

The COLONIAL SECRETARY: Any hon. member who knows Mr. Wood will know that he is perfectly capable to undertake the duties of the position he has accepted. Not only that, but I am perfectly certain that he will not agree to anything that will be likely to endanger the stock of this colony, or agree to any quarantine not sufficiently long to prevent the possibility of the introduction of any disease into the colony.

Mr. MURPHY said: Mr. Speaker,—I quite agree with what has fallen from the hon. member for Cook. I think it right that both sides should be represented; that two gentlemen well known to hold the same views on this question should not be sent down to represent the stock-owners of this colony at the conference in Sydney, because the arguments of these men may have great influence in inducing the conference to agree to the removal of the prohibition against importing stock. We all know that if we once get this foot-and-mouth disease, which is really the disease we wish to prevent coming in, in the colony, an enormous loss will accrue to the stock-owners; and further, an enormous expense will fall upon the Treasuries of the different colonies in order to try and stamp it out again. We got pleuro-pneumonia in that way; by the importation of stock we got scab; and we will certainly get foot-and-mouth disease if we allow stock to be imported from England

and the Continent. I am going to take advantage of this motion to bring another matter before the House, a matter concerning a section of my constituents who consider, as I do, that they have suffered at the hands of the Colonial Secretary. It relates to petitions sent down from a section of my constituents inhabiting the town of Jericho, on the Central Railway. The first petition related to the withdrawal of a proclamation bringing this township under the Towns Police Act. This petition was signed by 115 people, and was presented, or sent to the Colonial Secretary. He acted upon this petition, withdrew the protection of that proclamation, and left the residents of a town inhabited by 600 people to wallow in their own mire. His action had the effect of allowing pistols and guns to be fired in the streets, to the injury of the people. Bullock teams are allowed to camp and unyoke in the streets, and anarchy is allowed to prevail through the whole township. The hon. gentleman did this without ever making inquiry into who signed the petition. Persons interested in the matter got up a counter-petition, which they forwarded to me, and which I took to the Minister. My petition was signed by nearly all the householders in that township, with the exception of a few interested persons—publicans who wished to get their license fees reduced. The people signing my petition were respectable householders resident in the town, and I guaranteed every signature to the petition. The other signature bore no guarantee whatever on the face of it. Well, sir, the Minister revoked the proclamation made, and refused to bring this town again under the Towns Police Act upon the petition I presented to him. In order to show how these petitions are got up, and how dangerous it is for a Minister to grant the prayer of such a petition without first making inquiries as to its *bona fides*, I sent a copy of the names attached to the one upon which the Colonial Secretary acted, up there to have it analysed, and this is the result: I sent the names to a man in the township upon whom I can thoroughly rely, and if I am making a false statement in the matter—if what I am now stating to the House is wrong—my constituents can bring me to book for it, because the people who inhabited the township of Jericho now inhabit the township of Barcaldine. They will therefore be able to "slate" me hereafter if I say anything contrary to facts, or anything of which they do not approve. The actual legitimate signatures to that petition, which contains 115, are 21. It contains the names of fourteen persons residing in other places, of sixty persons not holding property in the township of Jericho; seventeen who were unknown, swagmen on the road, and three boys. Some of these persons reside in the Alice township, twenty miles away; others are carriers and swagmen travelling on the road who have no interest whatever in the township of Jericho; so that, as I have said, there are really only twenty-one genuine signatures. Of course, the bringing of a township under the Towns Police Act is a matter that concerns householders only; it is for their benefit that it is done, and they only have an interest in the matter. It was in order to please these twenty-one people that the proclamation bringing the township of Jericho under the Towns Police Act was revoked, and that the rest of the people, as I said before, were subjected to all the nuisances and annoyances which occur in a township where there is no proper authority or cleanliness maintained.

The COLONIAL SECRETARY said: Mr. Speaker,—I do not know whether I have a right to say anything in this matter, having already spoken to the motion for adjournment.

The SPEAKER: With the permission of the House, the hon. member may speak again.

HONOURABLE MEMBERS: Hear, hear!

The COLONIAL SECRETARY: I regret that the hon. member did not take the same course as was adopted by the hon. member for Cook, Mr. Lumley Hill, and acquaint me with the fact that he was going to bring this matter before the House this afternoon, as had he done so I should then have had before me whatever papers on the subject are in the office, and would have been able to give him an explanation of the matter. As far as I remember the circumstances, the hon. member is quite correct in saying that I received a petition from Jericho, and that I acted upon it. It was a numerously signed petition, and I believed the signatures were *bonâ fide*. As the hon. member further says, another petition came forward afterwards—it was not so numerously signed—and I did not immediately take action upon it. With regard to the first petition, I made inquiries about the township of Jericho. I then believed—and I believe still—that it is not a place where the Towns Police Act should be in force, especially taking into consideration the fact that when the Divisional Boards Act is amended by the Bill which is now before the House, it will in many respects take the place of the Towns Police Act.

An HONOURABLE MEMBER: It would be time enough to revoke it then.

Mr. STEVENS: It will not restrict the use of firearms.

The COLONIAL SECRETARY: We were talking about that matter when discussing some of the clauses the other evening. However, I had no reason to believe that the signatures to the petition upon which I acted were not *bonâ fide*. I certainly have the statement of the hon. member that they were not; but up to the present time I had no reason to doubt their genuineness. I made inquiries from people who knew the town, and was told that there was no necessity for the Towns Police Act there. I am sorry to hear that, after the time it has been under that Act, it is such a place as the hon. member has described it. The fact of the Act having been in force there does not seem to have done any good at all.

Mr. LUMLEY HILL: The people are moving on.

The COLONIAL SECRETARY: As the hon. member for Cook says, the inhabitants are moving on from there, and it will soon be a deserted village.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said: Mr. Speaker,—This is a case of my petition being a genuine one and the other is no good at all. That may or may not be so, but I think it would be a very injurious thing indeed to apply the Towns Police Act to all moving townships on railway lines, because they only exist while the railway is in course of construction. It is a great hardship to many people to bring such places under the operation of that Act, and petitions can easily be got up for that purpose by a few interested persons. It would certainly have the effect of restricting the number of public-houses to a few respectable hotels, and that the majority of the inhabitants do not always desire. People prefer the £15 licenses, as the buildings erected at such places are very imperfectly constructed, and as they only stay there five or six months they cannot afford to put up expensive houses. The effect of restricting the licenses to a few persons would be that a number of shanties would be erected, and they would be carried on just as successfully as public-houses, and even more grog, and worse grog, would be sold than is now sold in places licensed as country public-houses.

I therefore do not think the Towns Police Act has any good effect in such localities, and Jericho has almost ceased to exist now. With respect to the matter brought up by the hon. member for Cook, Mr. Lumley Hill—namely, the appointment of two men to the proposed conference of stockowners—as my hon. colleague the Colonial Secretary, in replying to his remarks, pointed out, the Government will not be bound by the report or any recommendation of the conference. I am by no means a protectionist to such an extent that I desire to see imported stock entirely shut out of the colony, and leave it in the hands of a few stud stock-breeders. That is my opinion, and always has been. The danger of introducing disease is considerable, I admit; so is the danger of disease in introducing immigrants very considerable. We have, I think, had all the known diseases of any consequence in the colony, except the foot-and-mouth disease. We have not got that here. If the hon. member proposed to prohibit the importation of dogs to keep rabies out of the country that would be a very good thing indeed, as dogs are coming here in all shapes and forms. I am not a dog-fancier, and perhaps that may be the reason why I would like to see the prohibition extended to them. I feel satisfied, however, that reasonable precautions in introducing stock, careful inspection, and a sufficient period in quarantine, are all that is required to guard against the appearance of scab, pleuro, and other diseases. However, that is only my individual opinion. Perhaps some hon. members may change their views on receiving the report of the conference. I believe that New South Wales and Victoria are dead against the removal of the prohibition, because their stud stock-breeders have a monopoly, and the stockowners of the other colonies have to buy their stock from them. They will therefore stick to the prohibition as long as they can.

Mr. LUMLEY HILL, in reply, said: Mr. Speaker,—I see very plainly that it is the opinion of the Government that the prohibition on the importation of stock should be removed, and they have taken good care that their opinion will be given full expression by sending two men holding the same views, notwithstanding that a very large section of the community and of the stockowners are entirely opposed to the removal of the prohibition. As for Victoria or any other colony having a monopoly, I entirely deny it. South Australia produces very good stock indeed, and the prohibition was only put on there a year ago; New Zealand also has very good stock, and from those sources we can replenish our herds without running any risk; and what is the use of running risk when we can get cattle good enough without it? Neglect and carelessness are liable to occur in the best regulated families or Governments, and we have very recently had proof of that in New South Wales. A lot of sheep were imported from America, and passed through all the ordeal at the quarantine ground. Some minor precaution was neglected, because they had become careless by long safety, and the sheep were sent up country, somewhere near Narrabri. The disease was luckily discovered at once, or the whole of the sheep in Riverina might have become scabbed in a few months. A tremendous destruction of property would have taken place, and the country would have been put to great expense in recouping the owners. I take this opportunity of warning Mr. Gordon not to display too much interest in this question. It looks to me as if he wanted to make more work for himself, as if he did not get enough work for the pay which is allotted to him on the Estimates. By taking up a party position, he has on one occasion before aroused the animosity of the stockowners of the colony. He has to discharge his duty and earn the money he is paid, not to advocate his views. I think myself that as a Government official he has no right to express any views on the subject, either by rushing into print or by being sent to the conference. He would be much wiser to stay away from the conference, and let independent gentlemen go there, especially men who entertain different views; then the whole of the stockowners would be represented—now I claim they are not. Simply because two members of the Government believe in the removal of the prohibition, two men are sent down to advocate that. I say it is not at all fair, and I am not at all satisfied with the explanation that has been given by the Colonial Secretary. As to Mr. Wood personally, of course I have not the slightest exception to take. I do not know a man better qualified or more capable of representing the interests of the stockowners; but I differ from him on this point. It really is of very serious and vital importance to the whole of the stockowners of the colony; and I believe a public meeting will be called, when the stockowners will have an opportunity of showing what the majority of them do think. I withdraw the motion.

Mr. KELLETT said: Mr. Speaker,—I am sorry I was not here when the motion was moved, but I heard most part of the reply of the Minister for Lands. I concur in the view he takes, and I am also satisfied of the capability of the two gentlemen who have been chosen to represent the colony at the conference. I think Mr. Gordon, since he has been Inspector of Stock in Queensland, has shown the stockowners fairly that he is a very capable man in that position. I know that men who are importing stock say that in no colony is such care and attention paid to imported stock as is shown by Mr. Gordon. He was a stockowner himself in the colonies some thirty years ago, and has taken a great interest in it ever since; and few men are better up in the breeding and rearing of stock of all descriptions. I do not think if you picked from all Queensland you could get a more capable man to represent the colony at this conference. His opinion may differ from that of the hon. member for Cook; they have differed before, and I suppose they will differ again. The hon. member for Cook said that Mr. Gordon had the onus of the stockowners on his shoulders before, and he had better keep quiet. Now, I do not believe in that bouncing sort of business in this House; it is a very poor sort of business. The hon. member for Cook goes a little too far when he begins to slate public servants who have not failed in their duty. If he could point out where Mr. Gordon has not done his duty, or has not given satisfaction for the money paid him by the State, he would be justified; but if he cannot do that—and I am satisfied he cannot—then I think he goes entirely beyond what is fair criticism in this House on a Government officer. He said Mr. Gordon got into trouble with the stockowners: I believe he got into trouble with two—the hon. member himself and another friend of his, who is absent now and whom I shall not name. Those two men ran together at that time; one barked and the other barked. That was about the whole trouble Mr. Gordon got into with the stockowners. He has been a long time here; he is a good public servant, and I know he takes such an interest in his work that he would feel an expression of opinion given by hon. members in this House that he was not capable for his duty. As for the gentleman who is to be his colleague, Mr. Wood, I think that also is a very good appointment. He has taken a great interest in the breeding of stock; and he will listen very attentively to the views of stockowners from the other

colonies, weigh them carefully, and when he comes back not only give the Government his own opinion, but lay before them the views of other gentlemen interested in stock. Now, to give my own opinion for what it is worth, I believe in the importation of stock under proper quarantine restrictions. I do not think we should be at the mercy of a few stock-breeders either in Victoria or South Australia; we are not yet a protective colony, and I believe we should be able to go to the markets of the world for stock to improve our breeds. We have some very good stock in Queensland—cattle, horses, and sheep; but I think we should go on improving it. It would be to the advantage of the colony if our ports were opened, with proper restrictions for the protection of the stock. I am pleased to see that the Government, in their wisdom, have appointed two such very good men to attend the conference in New South Wales as those they have fixed upon.

Mr. LUMLEY HILL: I should like to say a word or two in explanation——

HONOURABLE MEMBERS: Spoken!

Mr. LUMLEY HILL: Surely I am in order, Mr. Speaker, in making an explanation?

The SPEAKER: The hon. member may only make a personal explanation with the permission of the House.

Mr. LUMLEY HILL: Have I the permission of the House?

HONOURABLE MEMBERS: No, no!

Mr. LUMLEY HILL: This is about the meanest thing I have seen for some time.

The SPEAKER: Is it the pleasure of the House that the motion be withdrawn?

Withdrawn accordingly.

MOTION FOR ADJOURNMENT.

THE LAND BOARD

Mr. DONALDSON said: Mr. Speaker,—There is a matter I should like to bring under the notice of the House, and in doing so I shall conclude with the usual motion. It is with reference to an article which appeared in last night's *Observer*. I will first read the article, and then make a few comments upon it. By doing so I shall be able to make the matter clearer than if I were to try to make an explanation by merely referring to the article without reading it.

Mr. LUMLEY HILL: Let it be taken as read.

Mr. DONALDSON: I also desire that the article shall appear in *Hansard*. It is a leading article, headed "The Use of a Board," and runs as follows:—

"At a time when the appointment of boards to perform various functions under Government was common in England, a celebrated wit proposed the conundrum, 'What is the use of a board?' Answer: 'To make a screen.' From the disclosures which were made in the Legislative Assembly last night it appears that boards in Queensland are used for the same purpose; that the Land Board, which professedly was originated with the object of relieving the administration of the public lands from that political pressure which can always be brought to bear upon a Minister, is in reality only a device for relieving that Minister from the responsibility of his actions whilst having still in his hands the power of dealing with the matters which were supposed to be placed under the control of the Land Board. The Land Board is Mr. Dutton's screen, behind which he can, whilst himself unseen, deal as he pleases with the subdivision of runs, valuation of improvements, etc. Or, to take an illustration from Queensland history, it may be said that he has taken a leaf out of the book of those whom he has denounced as the great enemies of the people and of settlement on the lands. They in times gone by secured large tracts of land by the employment of dummies. He puts his dummies on the Land Board instead of on the land, and exercises authority in their name in cases in which he is too modest to desire to take himself the credit for his actions.

"Perhaps Liberal Ministers are not to be judged as others, or to be expected to be subject to the same rules of conduct as their opponents. If so, it may be quite right for Mr. Dutton, having professed to create a non-political tribunal for dealing with all questions affecting the leasing of the land, to assume the position of a secret political dictator to that tribunal. It would not be right in any other Minister, of course, particularly if that Minister, in addition to being a member of the other party, were himself a squatter, and yet undertook to *advise* the Land Board as to the subdivision of squatters' runs and the valuation of squatters' improvements.

"We may ask whether, in the present state of the finances of the colony, we can afford to continue to pay the high price we are now paying for the maintenance of a screen of this kind. Formerly the Minister for Lands got £1,000 per annum: now he still gets the same, but the Land Board, taking the salaries and travelling expenses of its members and clerk, costs over £3,000 per annum. In fact, we have increased the expenditure on account of the Minister fourfold, in order to provide him with a screen. We do not see why the colony should go to so great an expense for such a purpose."

My reason for bringing the matter before the House is this: I suppose the members of the Land Board are really officers of this House.

The PREMIER: Hear, hear!

Mr. DONALDSON: They are not under the control of the Minister, and it is our duty here to inquire into their conduct; and if such charges can be substantiated as those which have been brought against the members of that board in this newspaper article, they are no longer fit for the position they occupy. The other evening, when the conduct of the Minister was under discussion, I did not hear any member bring any charge whatever against the members of the Land Board. It was not even inferred that they were in any way influenced by the actions of the Minister. Several hon. members, myself among the number, attacked the Minister for entering into details which we believed were beyond his jurisdiction; but we certainly — none of us — never for a moment imputed or believed that he tried to influence the board in the decisions they gave. As those gentlemen are officers of the House, Mr. Speaker, I think it is our duty to rigidly watch over their conduct in the administration of the affairs that come before them—that is, the land business of the colony. I myself always take a very great interest in the proceedings of the board, as it is an experiment that is being tried, and watch them closely to see whether it is working for good or for evil. Although the actions of the board may not on all occasions have given universal satisfaction, yet I am thoroughly satisfied that they have always acted independently of the Minister. I have no reason to think or believe the contrary, and I am aware that many of their decisions have been contrary to the Minister's opinion, at all events. I happen to know of several cases, not only with regard to the divisions of runs, but also with regard to the rentals of runs, where the opinion of the board and that of the Minister were certainly at variance. In fact no charge has been made, so far as I know, either inside or outside of the House against them, and I believe the writer of this article must have mistaken the discussion that took place here the other evening, because, although charges were made against the Minister, they had reference to his influencing the land commissioners, not the Land Board. I do not think I should be doing right if, seeing charges of this kind in a newspaper, I took no notice of them. I have taken the earliest opportunity of bringing the matter before the House. Charges

have been made against those officers of the House, and as I believe those officers are in the right it is my duty to clear them. I beg to move the adjournment of the House.

The MINISTER FOR LANDS said: Mr. Speaker,—Different people, of course, take different views of the importance to be attached to any newspaper comments.

Mr. LUMLEY HILL: Hear, hear!

The MINISTER FOR LANDS: For myself, I must say that although I read the article in question, and although it attacked me much more seriously than it did the board, it was to me a matter of perfect indifference. I am little inclined to take notice of any newspaper criticism —especially such a newspaper as the *Observer*— any more than I would of the slanderous abuse of any blackguard in the streets.

Mr. DONALDSON: But you are not in the same position as the Land Board.

The MINISTER FOR LANDS: I do not think the board will suffer from anything the *Observer* may say. That paper has been actuated by a malignant vindictiveness in its criticisms upon everything I have done since I have been in office. This brings up another matter discussed the other night in reference to criticisms of mine on the recommendations of the commissioners. Now, I want this House to understand distinctly that the commissioners are under me. I am responsible for the way in which they carry out their work; and where I see any defect in their recommendations, instead of sending the report back to the commissioners and requiring them to correct it, which would take sometimes as long as three months, I point out that defect in a memorandum to the Land Board The Land Board are perfectly independent of me or of anybody else in the country, and they can throw any criticism of mine or any description of the error to which it alludes, aside without any consideration whatever. It always goes down in the shape of a written memorandum attached to the commissioners' report, and consequently they are at perfect liberty to do what they like with it —to throw it aside or to accept it. I here speak of trivial errors or mistakes. Where the error is a trifling one I point it out to the board. If it is of some importance, I send it back to the commissioner and require him to explain and amend it. The other night an hon. member said that, when I pointed out an error and sent it along with the recommendation of the commissioners to the Land Board, I had no business to interfere with them at all.

HONOURABLE MEMBERS: No, no!

The MINISTER FOR LANDS: It was said here the other night by one or two hon. members. That is not the view I take of it. I mean to control these commissioners as long as I am in office; and I say if they do not carry on their work as I consider correctly, then they shall amend their way of doing it or clear out. Most distinctly and emphatically I say that. If they do not, as I consider, carry on their work in the way that I consider it ought to be carried out—thoroughly and fairly—they will have to cease to do that work or I will clear out of the office. But if I should simply be the means of passing on the recommendations of the commissioners to the Land Board, when I am responsible for the way they are doing their work, how am I to control their work if I do not look through their criticisms with care, and point out to the Land Board where the commissioners have, in my opinion, not made their recommendations according to the descriptions? In every case where the commissioners have gone through the country they describe it carefully throughout from end to end. And then in making their report they may make a recommendation not exactly in accordance with the descriptions they have given, and if they have made an error I point it out to the Land Board. The board can act on it or not as they choose. Where the error is serious or the division unfair I return the report to the commissioner and require him to explain the seeming discrepancy or amend it. In most cases they do that, or they justify their recommendations by some circumstances which are not apparent on the face of the report. I do not wish to explain anything further. I only wish the House to understand that as long as I am in the Lands Office the commissioners are under my control; they are under my direction, and I am responsible that they do their work. When that responsibility ceases I shall cease to be in the Lands Office. To say that I should influence the Land Board in any way is to say that the members of that board are totally unfit for the position they occupy. I do not care who the Minister may be, or what succeeding Ministry or Government there may be: if they put pressure on the board, and the board submit to that pressure in the smallest degree, then they are totally unfit for the position they hold. From what I know of these men, if I were to attempt to influence them in the smallest degree, or if anyone or any Government were to do that, they would resent it at once most emphatically. I am satisfied, from what I know of them, that they would not submit to it.

Mr. NORTON: I think everybody who is acquainted with the character of the two gentlemen who compose the Land Board will quite set aside any suspicion that they would be influenced by any Minister or anybody else. I believe that these two gentlemen are incapable of being improperly influenced by the Minister for Lands or by anyone else, and that they would be guided by the reports sent up to them and by nothing else. For my part, I have the very highest opinion of them. I cannot help thinking that the Minister for Lands, in doing what he has done, did what he thinks quite right. But I think it is a mistake, in sending up a commissioner's report to the Land Board, that he should send any comments upon it. I quite agree with the hon. gentleman as to the position the commissioners occupy under himself. They are under his control entirely, and when they send in a report he can send it back if he pleases. But when that report is made, if any corrections have to be made upon it they should be made by the commissioners and not by the Minister for Lands. When it becomes necessary to secure those corrections they should be got from the commissioners, even if it does delay the work for a month or two. I do not think it is desirable for that reason to have the report sent to the Land Board with a memorandum attached by the Minister. It is a criticism of the report of his own officer, which is equivalent to saying that the report is not correct, and that he calls the attention of the board to the fact that it is not correct. I do not think it is desirable that the Minister for Lands should so send up his views to the board. I do not accuse him in the least of desiring to prejudice the board in their actions. I do not think he means to do anything of the kind. I do believe that, in following the course he adopts, he thinks he does the proper thing. I am quite sure that so far as he himself is concerned it is not a very wise thing to do. It gives rise to remarks that might easily be avoided, and in other respects it is undesirable. I point out that although I believe the present board is incapable of being wrongly influenced, it is quite possible that there may be

other members on the board at another time, or another Minister in office who may desire to influence them, and who may be able to do so. Of course, men who are subject to that kind of influence are not fit to be on the board; but if they are there and are subject to influence, the harm is done. And that is where the evil is in making a precedent of that kind. I point out, when on the subject of commissioners' reports, that complaint has been made of alterations not only in the recommendations of the commissioners but of absolute alterations on the plans sent up for division. There was reference made to this some time ago, but the Minister for Lands denied having altered the plans. That was with reference to a Burdekin run. But I have heard of another case besides, where a commissioner inspected a run and made a report. After he sent it down to the Minister it was sent back to him, and he was instructed to report again. He was led to understand that he had not made a proper division. He inspected the run again and refused to alter the report he had made or his recommendation. But when the plans of that run went up to the Land Board, the division in the plans was not the division recommended by the commissioner. Now, that case was heard before the court held in the district in which it took place. The commissioner, on oath, stated he had refused to alter the recommendation he had made. The Land Board then, instead of approving the division sent up to them, approved of the one made by the commissioner, and which he had refused to alter. That is the case as put to me. I think there is an hon. gentleman in this House who can say something about it. I mention it now, because when such statements get abroad about the Land Board, and when the Minister for Lands makes an admission that he sends up a memorandum attached to commissioners' reports and points out what he considers to be defects in the reports, I think naturally a very great deal of scandal is likely to arise, and he is liable to be accused of trying to influence the Land Board by absolutely interfering with the work done by the commissioners after it has passed altogether out of the commissioners' hands.

Mr. NELSON said: Mr. Speaker,—There can be no doubt that the explanation of the Minister for Lands has taken the public generally by surprise, because it never was known or supposed that the Minister for Lands was to interfere in any shape or form with regard to the valuations made by the board. On the contrary, a distinct understanding was promulgated throughout the country that the board was to be an independent board, altogether apart from any political bias or any bias whatsoever that might be brought to bear upon it by a Minister of the Crown or any other person connected with politics. I am therefore rather surprised that the hon. gentleman states to us, and actually justifies the action which is now going on whereby he treats these commissioners as his servants——

The MINISTER FOR LANDS: Hear, hear!

Mr. NELSON: And arrogates to himself the right to review their work—their valuations and their reports—before they come before the board. I think that is doing entirely away with the benefits which were promised should accrue to us and the public in general from the establishment of the board, and is importing into that tribunal an element which was the very one we were desirous of getting rid of, and which was the great recommendation we had before us when we appointed this board to work the Land Act. I cannot now even see that the thing is justified, because when I look at the Act I see that the board is appointed by the Governor in Council, the commissioners also are appointed by the Governor in Council; so that there is little difference there except that the board is appointed under the Great Seal, if that is any difference. However, notwithstanding that, the 18th clause, which is the one that deals particularly with the question before us, goes on to say:—

> "Whenever it is necessary to determine the amount of any rent or compensation payable under this Act, or to determine any other amount required by this Act to be determined, the same shall be determined by the board, and the following rules shall be observed:—
>
> (1) The board shall require the commissioner to furnish them with a valuation and report of and respecting the land and improvements in respect whereof the rent or compensation is to be paid."

Does not that show that the board are in connection with the commissioners? When they want to get the valuation of any property they communicate directly, according to this, with the commissioners, and the commissioners reply directly to them. I cannot see how this clause of the Act can be read in any other way, and I think that the Minister for Lands is going altogether out of his way in getting these reports from the commissioners, and reviewing them previous to their being laid before the board. The boards are dependent, so far as their duties go in conserving the rights of the public, altogether upon the evidence that the commissioners furnish them with. The lessees may plead for themselves; but so far as the interests of the public are concerned, the commissioners are the witnesses, and it is from their evidence that the board arrive at a decision.

Mr. LUMLEY HILL said: Mr. Speaker,—I am quite in accord with the views of the Minister for Lands, that the hon. member for Warrego attached too much importance to the utterance of that scurrilous rag that is called the *Daily Observer*. But I consider that the boards themselves are evidently just as independent of any of its utterances as I am, or the Minister for Lands, or anybody else, because, although that paper may have some weight with a small portion of the most depraved part of the community who happen to have votes, it certainly never can have any weight with intelligent men. Therefore, the position of the Land Board is perfectly unassailable from that point of view—quite independent of it—and can afford to laugh at its utterances just as much as I do whenever I see it reviling myself, which is very often, I may say. However, it has had the effect of eliciting some very important information and disclosures as to the way in which this Land Act is administered, and I am very glad that it has. We are told by the Minister for Lands that sometimes he makes a memo. on what he considers to be a mistake in a commissioner's report, and sends it up with the report to the board, and at other times he actually sends what he considers to be an important mistake back to the commissioner, almost virtually directing him to alter it. I do not think that that was the intention of the Act at all, and I do not think for a moment that it was within the Act. I do not say that the Minister is capable of doing anything unfair, but I believe that this Act was particularly intended—so far as I can learn,—I was outside the House at the time—to remove the power of abuse by any unscrupulous Minister for Lands who may ever get into office. It was intended to entirely divest the administration of the lands of the State of any political influence altogether. That was the intention of it. I do not say that the present Minister for Lands would be the least likely to do such a thing; but a Minister for Lands might say to a

commissioner, "You value this fellow's improvements at double their value"; or, "You reduce his rent to one-half of the one who is next alongside of him who is a bitter opponent of ours." It seems now that the power is left entirely in the hands of the Minister, just as it was before; and I say this, and maintain it: that the commissioners ought to be under the Land Board, instead of being subject to any influence whatever from the Minister for Lands. The Land Board should be the judges of his conduct or of his mistakes, without any reference to the Minister for Lands. That is my opinion most distinctly. I do not see what is the use of the Act if it has not that effect; but I am perfectly certain that it was the intention of the House at that time, and I carefully watched the passing of the Act to free the administration of the Lands Office from all political influence whatever. As it is being administered now, it cannot claim to itself that merit. I take advantage of this fresh adjournment, also, to reply to the accusation which was imputed to me by the hon. member for Stanley of accusing a Civil servant of neglecting his duty, and of having taken advantage of my position here to make an attack upon him. I did not accuse him of that at all. What I accused him of was exceeding his duty occasionally; and one mistake is as bad as the other. I do not think it is the place of any Civil servant who is in the position that Mr. Gordon is, as Chief Inspector of Stock, to promulgate his views as to what the opinions of stockowners are, or to give his own opinions relative to the importation or non-importation of stock. I think he goes beyond his province when he does that, and if he goes beyond his province he deserves just as harsh criticism as if he does not do the duties committed to his charge. The hon. member again argued about imported cattle; but there is this danger, though all precautions are taken, that it is quite possible that imported cattle may have no outward sign of disease, such as foot-and-mouth disease, at the time they leave England, and they might never show it for six or even twelve months after they arrive here; it may lie dormant in their constitution, but their blood is tainted from generation to generation, and they are constitutionally inclined to such diseases as pleuro or foot-and-mouth disease. Any climatic change favourable to bringing it out may occur, and may bring it out any time after they leave Europe. We have no real knowledge on the subject, but I have a great fear that such may be the case, and that is why I say we should not run the risk.

Mr. MURPHY said: Mr. Speaker,—I have much pleasure in bearing my testimony also to the perfect confidence which the pastoral tenants have in the impartiality of Messrs. Deshon and Sword, and I am perfectly satisfied that the Government could not have made a better selection. That is not what the pastoral tenants are afraid of, but it is this interference by the Minister for Lands with the reports of the dividing commissioners. These commissioners are by their instructions bound to go over every individual block constituting a run. One run is composed, under the old Act, of a large number of separate runs, and these commissioners are by their instructions bound to go over each individual block, and give a minute description of it. They have to be so minute as to put down the soil of these blocks and the grass grown upon them; and yet, when their reports go in the Minister for Lands thinks his knowledge of all this country is so great that he can step in and alter those reports, or write a report upon a report. I think it was never intended that that should be done under the original Act. No doubt these commissioners are responsible to the Minister for what they do; but if they go so far wrong that they are lending themselves in any way to do anything unfair to the Government, then the Minister should get rid of them; but I do not think he has any right to alter these reports, and for this great reason: that these men are prepared to go into court and swear to the truth of every word they write in these reports. They have ultimately to do that—to swear that their reports are correct and true; and why should the Minister for Lands be allowed to alter these reports? He does not go into court and give evidence. If the pastoral tenants, who have runs to be divided, take my advice they will summon the Minister for Lands to attend the court. They will send him a subpœna and bring him into court, and put this question to him: "Have you sent any report upon the dividing commissioner's report to the board, and if so, what was the substance of it?" That is my advice to the pastoral tenants, to summon the Minister for Lands and make him know a little more about the country than he does at present by having to travel over it before he gives his evidence. To return to the matter of the importation of stock, I am also glad to bear my testimony to the efficiency of Mr. Gordon for the position he holds. I am a very large importer of stock and have been for years, and I can say, with the hon. member for Stanley, that there is no better man for his position in all the Australian colonies. He is thoroughly efficient, thoroughly understands his work, and is a splendid judge of stock, and I am very happy to have this opportunity of giving my testimony in his favour.

Mr. W. BROOKES said: Mr. Speaker,—I only rise to express an opinion upon the remarks which fell from the hon. member who leads the Opposition. They refer to the manner in which an office should be conducted. He has some experience and I have none, but I fancy he does not always practice what he preaches. In this matter of the commissioners and the Minister for Lands, there is every dread to my mind that there is something wrong when it is said that the commissioners are responsible to the Minister for Lands, and yet that he must not interfere with them in any way. That does not seem to me to be right. I have observed that those who have objected so strongly in this way are pastoral tenants of the Crown.

Mr. MURPHY: We are the only ones concerned. Who else could object?

Mr. W. BROOKES: I will say this now: that I very much respect the pastoral tenants of the Crown. They are very much alive to their own interests and know just exactly where the shoe pinches them. I must say that I think it would have been better for them if they had held their noise in this matter. What they say can have only one effect, and that is to induce a suspicion that they want to have more of their own way than what they have now. It seems to me perfectly right and just, if the commissioners are responsible to the Minister for Lands—and the Minister for Lands says they are his servants——

Mr. NELSON: No.

The PREMIER: So they are.

Mr. W. BROOKES: The pastoral tenants of the Crown object to that. Let the hon. member for Northern Downs say what he likes on the matter, the commissioners are either the servants of the Minister for Lands or they are not. The Minister for Lands says they are, and the member for Northern Downs says they are not; and I prefer the opinion of the Minister for Lands. I got up to say that I can see great danger would accrue from the acceptation of the doctrine that the Minister for Lands must do nothing with the work the commissioners send in to him. A

case is easily supposable—and it does not remove the possibility of it to say, as the hon. member for Barcoo has said, that the commissioners have to go into court and swear to the correctness of their reports. No doubt they have, and it is a very good job they have to do that, but it does not remove the necessity of the Minister for Lands reviewing and criticising their reports. It may well be, although they are possessed of an infinity of knowledge, that they are not above making a mistake.

Mr. MURPHY: It would appear that it is the Minister who possesses the infinity of knowledge.

Mr. W. BROOKES: The Minister for Lands may find out that mistake. I consider that the safety of the department is a great deal in the hands of the Minister for Lands, and that it conduces to the safety of the public and of the pastoral tenants of the Crown with them. It conduces to their safety and welfare that the Minister for Lands should hold in his hands the right of carefully scrutinising the reports sent in by the commissioners, and making such amendments, and improvements, and suggestions as occur to him before the reports are forwarded to the board.

Mr. NELSON: I object to the hon. member slandering me by calling me a pastoral tenant.

Mr. PALMER said: Mr. Speaker,—The conclusions that the hon. member who has just spoken has come to are quite in contravention of the 18th clause of the Act, which says that the commissioners shall make their report direct to the board; whereas the junior member for North Brisbane states that the Minister for Lands is perfectly entitled to overhaul their reports, alter or vary them, and put his own construction upon them before they go to the board. If any cloudiness or misconception has arisen in this controversy, the blame lies with the Minister for Lands for making the statement he did the other evening—a statement which has produced the report in the paper referred to by the hon. member for Warrego. The hon. gentleman admitted that the reports of the commissioners are revised by him, and stated that he gave his opinion on them to the board, giving as his reasons for doing so that he has had more experience as a squatter and pioneer than the members of the board have had, and contending that that gave him authority to revise those reports. By his action he has put the board, as it were, in a false position. I will just read a few words from the speech made by the hon. gentleman on the second reading of the now memorable Land Act of 1884. After referring to the position of the board as being the keystone of the fabric of his Act, he says:—

"The board, in most cases, will be empowered only to recommend a certain course to the Minister, who, in a great many instances, can only take action on their recommendation. But he may refuse to act upon the recommendation of the board, and in that case he will take upon himself a very much more serious responsibility than any Minister does now under the existing Act."

Those remarks are found at page 255 of the *Hansard* for 1884. According to them the board are empowered to recommend a certain course to the Minister, and the Minister himself acts on that recommendation, but previous to that recommendation the hon. gentleman has already passed his verdict upon the matter by giving the board his opinion. The hon. gentleman ought not to take any action until he has received the recommendation of the board, which is the particular function they were appointed to perform. Either the Minister has misconceived his position, or else he is to blame for all the controversy which has arisen about the matter. There is no blame whatever to be attached to the members of the board, nor do I think anybody entertains any other than a good opinion respecting them.

Mr. DONALDSON, in reply, said: Mr. Speaker,—I shall not detain the House long with the few remarks I have to make. I certainly do not agree with the Minister for Lands or the hon. member for Cook in speaking of the *Courier* and *Observer* in such a contemptible manner as they have done. They may be able to afford to do that, but I think it is our duty to try to protect the officers of this House, and certainly the members of the Land Board are that. The article, in my opinion, holds them up to ridicule and contempt. What would any member of this House think if the same remarks were made about him, and he was called a "dummy" or a "screen"? I am sure he would consider those very contemptible expressions to use towards him. Holding this view, I thought it was my duty to bring the matter before the House and get an expression of opinion upon it. I think every member of this House has the highest respect, as I have, for both members of the board, and I was very much pained, I may say, when I saw that article. I think it was an unfair and unnecessary comment, even upon the discussion we had here the other evening. Certainly it went much further than any remarks made in this House. That was my reason for bringing the matter before the House. I am not going to traverse all over the question, as it has already been discussed at considerable length. I have my opinion, and the Minister for Lands has his opinion, as to the proper way of dealing with the commissioners; and I do not know that we have made very much progress in that matter, but of this I am satisfied, that there will be a little more caution exercised in future than has been hitherto. With the permission of the House I will withdraw my motion.

The PREMIER: No, no! We have had three motions for adjournment already.

The SPEAKER: Is it the pleasure of the House that the motion be withdrawn?

The PREMIER: No!

Question—That the House do now adjourn—put and negatived.

DIVISIONAL BOARDS BILL No. 2.

COMMITTEE.

The PREMIER said: Mr. Speaker,—Before the Order of the Day for the House to go into committee to further consider the Divisional Boards Bill is called, I desire to communicate to the House that I have it in command from His Excellency the Administrator of the Government to inform the House that as it is proposed in committee to make certain amendments in the Bill which may have the effect of increasing or altering the amount of endowment appropriated from the consolidated revenue, His Excellency recommends the necessary appropriation to the House.

The House then went into committee to further consider the Bill in detail.

On clause 198—"What shall be rateable property"—

The PREMIER said there was only a verbal change in the clause from the existing Act, specifying more clearly than before the exemptions in the case of mines.

Clause put and passed.

On clause 199, as follows :—

"The board shall from time to time make a valuation of the annual value of all rateable land within the division, and the rates made by the board, for the purposes of this Act, shall be made upon such valuation, and every valuation shall remain in force until a fresh valuation has been made.

"Every valuation shall specify the particulars set forth in the Fourth Schedule to this Act."

The PREMIER said the point had been raised whether a fresh valuation of one property could be made without a fresh valuation of the whole property in the division. He could not see any difficulty in the matter, but if hon. members thought there was any doubt at all it would be very easy to remove it.

Mr. MELLOR said a question had arisen about another point. The boards were not compelled to make a valuation every year, and it was doubtful whether, if a man missed his chance of appealing when the valuation was made, he would have that chance the next year.

The PREMIER said he thought a man ought to have the chance of appealing every year. He might have omitted to appeal one year, though the land was assessed at too high a rate, or the land might have gone down in value. He proposed to move an amendment when they came to the clause about appeals. Perhaps it would be as well to amend the present clause so as to clear up all doubt, and he would therefore propose to insert after the words "every valuation," in the 1st paragraph, the words "of any land," and after the words "fresh valuation" the word "thereof."

Mr. PATTISON said that to give the right of appeal every year would necessitate a fresh valuation every year, and that would entail a vast expense on the boards.

The PREMIER : We have not come to that yet.

Amendment agreed to; and clause, as amended, put and passed.

On clause 200, as follows :—

"In every valuation of land the annual rateable value shall be computed as follows :—

"The annual value of the land shall be deemed to be a sum equal to two-thirds of the rent at which the same might reasonably be expected to let from year to year, on the assumption (if necessary to be made in any case) that such letting is allowed by law, and on the basis that all rates and taxes, except consumers' rates for water, gas, or other things actually supplied to the occupier, are payable by the owner.

"Provided as follows :—

(1) The annual value of rateable land which is improved or occupied shall be taken to be not less than five pounds per centum upon the fair capital value of the fee-simple thereof.

But this proviso does not apply to any land which, in the opinion of the court of petty sessions appointed to hear appeals from valuations, is fully improved—that is to say, upon which such improvements have been made as in the opinion of the court may reasonably be expected, having regard to the situation of the land and the nature of the improvements upon other lands in the same neighbourhood.

(2) The annual value of rateable land which is unimproved and unoccupied shall be taken to be not less than eight nor more than ten pounds per centum upon the fair capital value of the fee-simple thereof.

(3) In estimating the capital value—

(*a*) Rateable land held as a homestead selection under the Crown Lands Alienation Act of 1876 shall not, apart from any valuation which may be put on houses and buildings thereon, be estimated as of a capital value greater than the selection price thereof.

(*b*) Rateable land held as a conditional selection under the Crown Lands Alienation Act of 1878 shall not, during the first five years from the date of selection, be estimated as of a capital value greater than the selection price thereof.

(*c*) Rateable land held as an agricultural farm under the Crown Lands Act of 1884 shall not, during the first five years from the date of selection, be estimated as of a capital value greater than one-half of the purchasing price thereof, as fixed by the proclamation by which the land was declared open for selection.

And provided also—

(4) In estimating the annual or capital value of mines the surface of the land and the buildings erected thereon shall alone be taken into consideration, and all minerals and other things beneath the surface of the land, and all machinery necessarily used for the purpose of working the mine, shall not be reckoned.

(5) The annual value of rateable land held under lease or license from the Crown for pastoral purposes only, or as a grazing farm under the Crown Lands Act of 1884, shall be taken to be equal to the annual rent payable under the lease or license.

"But no rateable property shall, for the purposes of levying rates thereupon, be valued at an annual value of less than two pounds ten shillings."

The PREMIER said that clause probably raised the most difficult question in the Bill. A great many communications had been received by the Government from various boards, especially country boards, requesting that, if possible, what was called the tax on improvements might be removed; that was to say, in effect, that land should not be rated according to its improved value, but according to its value as land. But he had also received a deputation from one of the suburban boards pointing out that the scheme contained in the clause was objectionable to them from the opposite point of view. It would not enable them to raise enough money, whereas the country boards complained that the burden imposed would be a great deal too high. He was disposed to think that the best way of meeting the difficulty was by a method proposed in 1879—to deal with the two classes of land separately, with the town and suburban lands on one basis, and with country land on another basis. He believed the proposal in the clause was as good as could be got for town and suburban lands; the greater part of their value arose from the houses and improvements. With respect to country lands he had drawn up another scheme, which he expected would arrive from the Printing Office in a few moments. It was very similar to one he had proposed in 1879, but had lost sight of, which was only negatived by a majority of two after discussion in a very thin House. That proposal was for the capital value of country land to be estimated at the fair average value of unimproved land of the same quality in the same neighbourhood, and the annual value to be taken at 8 per cent. of the capital value. To ascertain the capital value of land—whether a farm under cultivation, or land used for grazing or any other purpose—it would be simply necessary to inquire what was the average value of land in a particular neighbourhood, if a man wanted to buy 100 or 50 acres. That would give the basis to go upon, and 8 per cent. upon that would be its annual value. There would not be any difficulty in ascertaining that, or in ascertaining the value of scrub land or ordinary pastoral land. A system of that kind would, he believed, give great satisfaction in the country districts. Whether that was the best mode to adopt was, of course, a question for discussion; and perhaps the best way of raising the question would be to propose the insertion of words in the clause, limiting the application of the part as far as the 2nd subsection to town and suburban lands only. It would be necessary first of all to determine the preliminary question whether all land should be rated on the same basis, or whether a distinction should be drawn between town and suburban lands and country lands. He proposed, therefore, to insert after the words "Provided as

follows," the words "I. With respect to town and suburban lands." When that was settled, the Committee could then go on to the question in detail.

Mr. PATTISON said the amendment would quite do away with any objection to the clause as it stood. The difficulty had suggested itself to the minds of many hon. members, and the Chief Secretary had offered an excellent solution of it. His own idea had been that they might have left the valuation a good deal as it stood in the Act now in force; but the amendment was certainly an improvement upon that, and he should support it, and he felt very much obliged to the Chief Secretary for having submitted it. There would be now very little difficulty in getting the Bill through committee.

Mr. FERGUSON said the amendment now proposed was exactly the same which had suggested itself to him after studying the clause during the last few days; only he would value country lands in a different way from that suggested by the Chief Secretary. It was certain that the same mode of assessing could not be applied to both town lands and country lands. But if the assessment was to be fixed at 8 per cent. on the capital value of country lands, many of them would be rated much too high—higher, in fact, than they were rated now. Five per cent. would be quite high enough. His idea was to rate all classes of land at what they were worth to the occupier. For instance, a grazing area of 5,000 acres might be worth 1s. an acre per year to the occupier, or £250 in all; and a 1s. rate on that would be £12 10s., or ¾d. an acre—which was more than the Government were charging for rent for pastoral lands in the country. Then, take an agricultural farm of 500 acres, the annual value of which to the occupier might be 5s. per acre—it might be more or less, but that was a fair average to take—or £125 a year. A 1s. rate on that would be £6 5s., or 3d. an acre—the price at which the Land Board were renting farms under the Crown. A similar farm near a large town might be worth 10s. an acre annually to the occupier, the 1s. rate upon which would amount to 6d. an acre. As he had said, whatever the land was worth to the occupier should be the rateable value. It would hardly be fair to rate a farm, say, six or seven miles out of Brisbane, on its capital value. A wealthy Brisbane merchant might go out and buy twenty or thirty acres alongside the farm because it happened to be a good building site; and as soon as he did so the divisional board stepped in and assessed the farm—which was used as a farm and nothing else—at the same rate as the adjoining property, which was held for quite a different purpose. That was how the present Act worked, and farmers were sometimes taxed in that way more than they were able to pay. If there was a site on that farm for building purposes a resident of Brisbane might come and offer so much for it as a building site. But the man might not want to sell his property but to keep it for ever for his family, and he might decline to sell. But because he did not sell, the divisional board imposed an enormous rate upon him. The hon. member for Oxley had told them that there was land in his district rated at 8s. 4d. an acre. That was something enormous. He held that if land for farming purposes was rated at 6d. or 7d. an acre it was rated too high.

HONOURABLE MEMBERS: Hear, hear!

Mr. FERGUSON said it would be well if a scheme could be got by which the country lands should be rated at what they were worth to the occupier as a grazing or agricultural farm. When they came to building sites fully improved they should deal with them according to the capital value of the fee-simple, but the rental should be the basis of valuation. Both municipalities and divisional boards adopted this plan: A man had an allotment for which he paid £2,000 or £3,000. He improved that, and put on it another £2,000 or £3,000. That sum was added to the capital value and he was rated at that rate. If he put another improvement costing £2,000 on it that was added, so that the rates were doubled on him. He ought only to pay according to the rental he received. Rental in towns or in suburbs should be the basis of valuation, but when they came to vacant land it should be the capital value of the fee-simple. He hoped the Government would bring in a Local Government Amendment Bill before long and amend it in that direction. The Municipalities Act required amending as much as the Divisional Boards Act did.

Mr. GRIMES said that the great difficulty in this question of valuation was the arranging a scheme that would apply equally to town and suburban land in each district of the colony. Of course they were legislating for the whole of the lands of the colony, because all of them except municipalities would be brought under this Bill. Certainly the amendment proposed by the Chief Secretary seemed to do away with the difficulty. But a question affecting his constituents a good deal was, what would be considered surburban lands?

The PREMIER: We propose to define that.

Mr. GRIMES said they could hardly discuss the matter until they saw the definition of suburban lands. He thought it was desirable to make a distinction between suburban and country lands; he did not see how they could get a fair valuation clause without it. Suburban lands required a different kind of road from what was required in the country districts. In the suburbs they looked for metalling and side-walks, and those were things not required in country districts. When those improvements were made farmers looked upon them as money thrown away, and did not, perhaps, look upon them in the light they should do as improving their property. But, so far as working their farms was concerned, they did not get the same advantage as those who held land suitable for building sites. He hoped they would be able to alter the valuation clause so that it would not press so very heavily upon farmers as it did at present.

The PREMIER said he could answer at once what suburban land was. It was defined in the Crown Lands Act, "Town lands—All Crown lands which have been heretofore or shall be hereafter proclaimed as such. Suburban lands—All Crown lands within a distance of two miles in a straight line from any town lands. Country lands—All Crown lands which are not town lands or suburban lands." That, of course, would do very well in most parts of the country. But in suburban divisions round here it would not be sufficient. Two miles from the nearest town lands would not take them outside the thickly settled suburbs in some places. But the Governor in Council should have power to include any other outlying lands as suburban lands. That was the provision proposed to be introduced.

Mr. ANNEAR said he had received several communications from divisional boards in his district in reference to this question, and he thought the Chief Secretary had arrived at a settlement of it by making the division he proposed to do—that was, rating country lands different from suburban lands. But he thought 8 per cent. too much. He should say 5 per cent. On a farm of the value of £500 that would be £25, and 5 per cent. would give 25s. a year as rates. That was quite sufficient. A great many

board officers had written to him to say that the rates should be struck on the value of the land when first obtained, but he thought it should be on the capital value of the land as they found it at the present time. The Chief Secretary had got over a great difficulty, because every member, he believed, had come to the full determination to oppose the Bill as it appeared. The hon. gentleman was to be commended on this as on many other occasions in relieving the House of very much useless discussion.

Mr. MELLOR endorsed in great measure the lines of the amendment proposed by the Chief Secretary. He himself had received communications from a great number of his constituents in reference to the rating clauses. The great objection to them was the valuation of improvements, and that appeared to him a very difficult matter to settle. What had been stated by the hon. member for Rockhampton seemed to him might lead to very great hardship on some suburban owners. The condition of all suburban lands was not alike. They knew that near Brisbane there were suburban lands where, if valued as building sites, the taxation would be excessive. If they could only make some distinction between those lands that were really used for farming purposes, and those used for building sites, it would not press so heavily on farmers. It had been stated that some land was rated as much as 8s. 4d. per acre every year. That was too great a rate to pay. That seemed to be a very high sum indeed, and in fact a person following an agricultural occupation could not pay it. Still, perhaps, there might be some isolated cases in which they might do so. Near towns farmers might make better use of their agricultural produce than they could in other places. The great difficulty that had appeared to his mind in reference to altering the rating clauses had been the revenue of boards. They knew very well that some boards in the colony had not been able, with the highest taxation they could put on, to get sufficient money for the purpose of making the roads under their control. He thought that that might be so arranged that they could put an equitable tax upon all alike. He never thought that it was fair for them to tax improvements. Say, for instance, a farmer was to go and clear a lot of scrub land. Immediately he had made that into a nice comfortable farm, of course, they taxed the improvements upon it. That was scarcely a fair basis to go upon. With regard to the valuation of land in the neighbourhood, the conditions of that might alter very much. They knew very well that lands in some neighbourhoods were very much better than in others, and a general rule would not apply to all; so that they would see that the difficulties they had to contend with in discussing and settling a fair valuation were great. He trusted that the Committee would come to some decision, which he believed they would be able to do, which would be satisfactory to all parties interested.

Mr. McMASTER said he thought hon. members would agree that the hon. Premier had assisted to get them out of the difficulty in that case, but he did not understand exactly the 1st subsection of the clause :—

"The annual value of rateable land which is improved or occupied shall be taken to be not less than five pounds per centum upon the fair capital value of the fee-simple thereof."

The difficulty he saw in that was that if a man took up a farm—a scrub farm—it would cost him £15 or £16 per acre to have it cleared. He cleared and cultivated that farm; but his neighbour had not touched his, probably; yet the former would be rated at the capital value of his farm according to the subsection, as he understood it.

The PREMIER : If it is suburban land.

Mr. McMASTER said, taking even country land, a cultivated farm was very much more valuable, in fee-simple, than a farm that had not been touched—that stood as nature left it. He knew that the capital value of some suburban farms under cultivation was something like £500 per acre, while the adjoining block was not worth £100 per acre because it was not cultivated or cleared—the timber might be felled and burnt off, but the stumps were there. Still it had never been cultivated, and therefore it was not so valuable as the other. Now, the land worth £500 per acre would be rated at double what the adjoining land was, which he thought was unfair. He considered that there should be a sliding scale for farms—that they should be valued at what a cultivated farm was annually worth. The 1st subsection said it was the capital value.

The PREMIER said the hon. gentleman did not follow the meaning of the clause. That was the law now. The minimum annual value was 5 per cent. upon the capital value, and there was no exception made in the case where property had been improved to a very great extent. So that, although 5 per cent. upon the capital value might be a great deal more than the rent that could be got for the land, 5 per cent. was nevertheless the minimum annual value. In other cases this minimum percentage might be a great deal more than a fair amount to charge as the annual value of the property; it might not be worth that. The proviso dealt with that matter. It did not apply to land which was unimproved. When a man had made the best use of his land the rateable value would be two-thirds of the amount he could let it for. He did not think any fairer rule than that could be laid down. It was quite impossible in any scheme of this sort to do perfect justice in every case. They must lay down the best general rules they could. There would be injustice done in some instances, perhaps, such as where they drew the line between country and suburban land. But they must draw the line in some particular spot, although men on one side would say, "Why should we be in a worse position than men only 100 yards from us?" That could not be helped, unless they adopted some other principle. If they took two principles, they would have to draw a line where one ceased and the other began.

Mr. KATES said he was very glad the hon. gentleman had drawn a distinction between suburban and country lands. The objection of the farmers had been that for every little improvement upon their farms they were taxed extra. If a farmer had one year put up a barn, he was taxed additionally upon his holding; if next year he put up an outhouse or a pigsty the value was at once raised again, while his neighbour who made no improvement whatever was not taxed extra. That tax upon improvements was a very sore point amongst farmers. His own opinion was that country lands should be classed into agricultural, first-class pastoral, and second-class pastoral; and then a maximum could be fixed upon each. He believed that the amendment introduced by the Premier would be received with considerable satisfaction, especially when it was understood that the tax upon improvements was to be done away with.

Mr. MELLOR said there was one question he would ask. He did not know whether they could not do without mentioning improvements even in that clause. Could not they take the lands alone upon their rateable value?

The PREMIER said some hon. gentlemen would like the principle of valuation of land to be the same all over, in the towns as well as in the country. But they must consider the

incomes of the boards. He knew of some boards the revenues of which would be seriously diminished by the proposal. People did not wish to diminish the incomes of the boards, but their own contributions to them. If they diminished their contributions, someone else would have to make larger contributions. They must not lose sight of that. They themselves did not want to pay, but wanted someone else to pay. That could not be done. In respect to defining the basis of the value of land irrespective of improvements, in town and suburban districts, he thought hon. members should take into consideration that the value of improvements there bore a very large proportion to the value of the property, and if they struck them out altogether they would get scarcely any rates. Suburban land, they might say, on an average was in blocks less than an acre, and what would an acre of land be worth there without improvements? They could get but a very small revenue from it indeed. They must take the improvements into account there. Whether the annual value was fixed at two-thirds, three-fourths, or five-sixths of the rental, he thought it was the proper basis. With respect to country lands, there should be a distinction made, and the difficulty was to fix upon the best general principle to go upon. The hon. member for Darling Downs suggested they should classify the land in three different kinds, but who was going to do it?

Mr. KATES: The board.

The PREMIER: Yes; but upon what principle was it to be done? He did not quite understand what the hon. member meant. Was it to classify the land into three or ten classes, each to pay a rate of 10 per cent., the same rate in proportion to their value; or was property of one kind to be rated at a higher rate than property of another kind? For instance, was agricultural land to be considered worth 10 per cent., and grazing land only worth 5 per cent. of the capital value; or were both to be taken as worth 10 per cent.

Mr. KATES: It would be better than taxing improvements.

The PREMIER said he did not propose to tax improvements. The proposal submitted did away with all taxing of improvements and taxed simply the value of the land. Everybody would pay on the same basis that unimproved lands paid on now — that was, the capital value of the land. The system to be adopted in estimating the value of the land would be, taking the fair value of unimproved land of the same quality in the neighbourhood. In fact, the tax now upon unimproved lands would be the basis of taxation for all the land surrounding.

Mr. FOXTON said he did not quite catch what the Chief Secretary said, and not having the proposed amendment, he did not know who was to be the authority to define what the class of country was—whether it was to be done by the Government or by the board.

The PREMIER said that was the difficulty, as he had pointed out. At present, of course, town lands were those included within the town boundaries, which everybody knew. Lands within two miles of that were suburban lands, and all the rest country lands. That was a definition which the Committee would probably accept with some provision for modifying it. In the case of land around Brisbane a two-mile limit would probably be too small, and it would probably be found desirable to extend it. Power might be given to the Governor in Council to do that on the recommendation of a board. That, he thought, would be a good rule to lay down, and he was not quite certain whether it was not also desirable to give power to diminish the boundary. About Brisbane two miles was certainly too short a radius, but in some places it might be rather too wide; but that was a matter for further consideration.

Mr. MELLOR said he did not see the difficulty the Premier spoke of in the way of classifying the land, as suggested by the hon. member for Darling Downs. The lands had already been classified as they had been selected. They were selected or sold as agricultural, or first or second class pastoral, though he could not say whether in all cases that would be found a fair valuation or classification of the lands. Some land that had been selected as second-class pastoral was said to be of more value than some classified as agricultural land; but he knew the practice had been, in throwing open land, to classify it as agricultural, first-class pastoral, or second-class pastoral.

Mr. GROOM said, of course, the Committee must understand, in dealing with those clauses, that they would not only affect the suburban lands around the city of Brisbane, but the Bill applied to the whole of the lands of the colony. He took the case of the board of which he happened to be a member himself, and hon. members in discussing that matter should take into consideration their own particular divisions and the circumstances of them; because it struck him that if they were not very careful possibly an injustice might be done to the holders of small improved properties, and that also the larger proprietors might be placed in a very awkward position so far as regarded the value of their lands. In the division he represented one part was occupied almost entirely by small homestead selectors having selections of from 80 to 100 acres each, the majority of them having 80 acres, but they also had in the same division a large freehold containing 100,000 acres. What were they to do with that? Was it to be assessed at the fair annual rental value of it, and if so who was to decide the annual value of such a freehold with improvements such as fencing, wool-sheds, head-station, and lucerne paddocks? That was a difficulty that struck him. He was inclined rather to the opinion held by the hon. member for Darling Downs, and had been for some time, and thought that a classification of land could be adopted. The lands could be divided into three classes—first, second, and third—drawing a distinction between improved and unimproved lands. There was also this difficuity in connection with that, that land unimproved in a particular locality might be of a very considerable value, although there were no improvements upon it. They knew that persons bought land for purposes of speculation and waited until their more enterprising neighbours put up large buildings or made other substantial improvements on their property; the property of the persons who bought land for speculation was necessarily increased in value by the action of their enterprising neighbours; and if that land was to be put in the category of unimproved land the boards would get comparatively no rent from it. That was a great difficulty in municipalities, and the same difficulty occurred in many divisions. He would like the Premier to suggest how the taxation would apply, not to the small freeholders of 80 acres he had mentioned—as there would not be much difficulty with them—but how would it apply to properties of very considerable value, such as the freehold of 100,000 acres he had referred to? The board of which he was a member was not singular in that respect, because on the Darling Downs there were some properties of 60,000, 70,000, and 90,000 acres, and that the annual rental value of those should be fixed by some

competent authority was very desirable. They should consider the Bill as not dealing particularly with the divisions around Brisbane but with the whole colony. The Premier just informed him that there was an amendment before the Committee dealing with what he had referred to. He was not aware of that, and was dealing with the clause as it appeared in the Bill.

The PREMIER said the hon. gentleman had not come into the Committee, after leaving the chair, when he proposed the amendment before the Committee. He proposed to insert the words "with respect to town land and suburban land" after line 13, paragraph 1. So that all that followed would only relate to town and suburban land. It was his intention to introduce an entirely different definition as to country lands, irrespective of the value of improvements altogether.

Amendment agreed to.

The PREMIER said that hon. members would now understand that the next paragraph down to line 48 related to town land and suburban land entirely, and he thought himself that the definition and the principle proposed for rating town and suburban land could not be much improved upon. He had no amendment to propose, therefore, until they got to the 47th line. If no hon. member desired to propose any amendment on the method of rating town and suburban lands, he would proceed to move the omission of the 48th line for the purpose of inserting a provision relating to country lands.

Mr. GRIMES said that before the Premier moved that amendment he must say that he thought the 2nd paragraph of subsection 1 of the clause would work very badly. He looked upon it as a provision that would cause any amount of litigation and heart-burnings amongst the people. There was no doubt that there were those who would take advantage of it, but other ratepayers would not trouble to take advantage of it; the better class of ratepayers would not. As he had said on the second reading, many would not attend the police court to prove their claims, but would rather let the thing go and pay the increased rate—sooner than attend the court and waste their time. He thought it would be better if they were to leave that clause out altogether; and for the sake of opening a discussion he would move the omission of the 2nd paragraph of subsection 1 of the 200th clause.

Mr. MELLOR said he did not know whether it was correct or not, but he thought before that was dealt with they should have some definition of what town and suburban lands were.

Mr. FERGUSON said hon. members ought to know whether if that were omitted it would apply to town and suburban lands.

The PREMIER: That is proposed.

Mr. FERGUSON said that ought never to be omitted, as it was the principal part as far as it referred to town allotments. If buildings were erected on allotments the valuation should be made on the rental; but if that paragraph were struck out boards would be able to rate on the capital value of all properties.

The PREMIER said he had not an opportunity of answering the hon. member for Oxley on the second reading of the Bill. The hon. member suggested a difficulty in the way of litigation. They could leave out the words "in the opinion of the court of petty sessions appointed to hear appeals from valuations," and further on in the paragraph, the words "in the opinion of the court." That would not make any difference in the meaning of the clause. It was a question of fact whether a property was fully improved or not, and the ultimate judges of that were, of course, the court of petty sessions, which was to hear appeals. Scientifically, it would be better to leave out the words. The paragraph would then read:—

"But this proviso does not apply to any land which is fully improved—that is to say, upon which such improvements have been made as may reasonably be expected, having regard to the situation of the land," etc.

The ultimate judges of that would, as he had said, be the court of petty sessions, and it did not make any difference whether they left the words out or not. He would rather see them omitted. It would, however, make no difference in the practical working of the provision whether they were omitted or retained. He thought it would be a great mistake to omit the whole paragraph. Last year when a Bill to amend the Local Government Act was under consideration, the one thing that commended itself to every member of the Committee was the provision that where land had been improved to such an extent that it really would not bring in 5 per cent. on the capital value, the person who had incurred all that expenditure should not be burdened with a rate of 5 per cent. on the capital value of the property.

Mr. BUCKLAND said he quite agreed with the remarks made by the hon. member for Oxley, but he thought it would be as well to pass the clause with the amendment suggested by the Premier. It would then read:—

"But this proviso does not apply to any land which is fully improved—that is to say, upon which such improvements have been made as may reasonably be expected, having regard to the situation of the land and the nature of the improvemonts upon other lands in the same neighbourhood."

Mr. McMASTER asked to whom was the appeal to be made?

The PREMIER: To the court of petty sessions.

Mr. McMASTER: If the words "court of petty sessions" were left out?

The PREMIER: It means just the same.

Mr. McMASTER said he saw a very great difficulty with regard to country lands if the appeal was to be made to a court of petty sessions.

The PREMIER: This does not apply to country lands.

Mr. PATTISON said the omission of the words was an alteration without a difference. The appeal must be made to the court of petty sessions, and he therefore preferred the clause as it stood. It would not do to excise the words. The provision would be exactly the same if they were struck out, but he would prefer that they were retained.

Mr. FERGUSON said if a ratepayer thought that his property was fully improved, and that it had been valued too high, he would appeal to the court of petty sessions and bring forward evidence to prove that it was fully improved, and the court would then decide accordingly. That was the way the clause would work.

Mr. ANNEAR said he would like to know whether machinery, both in suburban and country lands, would be considered an improvement, and be liable to be taxed?

The PREMIER said it would depend upon what sort of improvements were on the land. Take the case of a saw-mill—that would generally be improved land. He thought a board would generally consider land with a saw-mill on it very fully improved land. It would be curious if they did not. But they could not lay down an absolute rule in the matter: a saw-mill might be a very small thing in the corner of

a block of 5,000 acres ; that would not be fully improved land. As he had said, they could lay down no absolute rule on the subject.

Mr. ANNEAR : Would a sugar-mill be considered as fully improved land ?

The PREMIER said he would say that land with a sugar-mill was very fully improved. The provision would apply in a case of that sort, and two-thirds of the fair rent would be the annual value, irrespective of the capital value of the land.

Mr. PATTISON said that saw-mills were considered improvements by the Lands Department. They were regarded as substantial improvements in complying with the conditions of the Land Act.

Mr. ADAMS asked if mining machinery were taxed ?

The PREMIER : That is exempted altogether.

Mr. ADAMS said that the machinery of a sugar-mill or a saw-mill was absolutely necessary to perform the work for which it was used, just as a carpenter's tools were necessary to perform his work. He thought sugar machinery ought to be exempt the same as mining machinery.

Mr. MELLOR said he thought there would be great difficulty in determining what lands were fully improved. If a very large building were put on an allotment of land, that would be considered fully improved ; then if a house only costing half as much were put on the adjoining allotment, that would not be fully improved.

The PREMIER said a definition was given of what it meant—such improvements "as in the opinion of the court may reasonably be expected, having regard to the situation of the land and the nature of the improvements upon other lands in the same neighbourhood." He hoped the hon. member for Oxley would not press his amendment.

Mr. GRIMES said the difficulty was what was to be considered fully improved property.

The PREMIER : There is the definition.

Mr. GRIMES said it was left altogether to the opinion of the court. They would have to hear evidence ; and it would be much easier for the valuator to bring forward his evidence than for an ordinary farmer to show that his land was fully improved. However, he saw the opinion of the Committee was against him, and he would withdraw his amendment.

Amendment, by leave, withdrawn.

Mr. PATTISON said he thought it would be better to declare that land would be fully improved when such improvements were put on as were sufficient for the purposes for which it was ordinarily used. If it were intended for grazing purposes, it would be fully improved when it was fenced ; if for agricultural purposes, the improvements would be different.

Mr. GRIMES said in that case a man holding a piece of land for speculative purposes would say he was using it for a paddock, and it would then go as fully improved land.

The PREMIER said the neighbourhood would be taken into account. If a man chose to keep a vacant paddock in the middle of a lot of valuable occupied land, he would have to pay 5 per cent.

Mr. PATTISON said it was not necessary in order that land might be fully improved that there should be a terrace of houses on it. Well, carrying out that principle, it was fully improved when you erected the improvements necessary for your own purposes.

Mr. ADAMS said he would like more information. He supposed country lands would be, say, four or five miles from a town, or where population was not very thick. Now, a plantation had to be fenced before a crop could be grown, and it was then fully improved without machinery at all. When they took into consideration that the machinery might cost £50,000 to £70,000, or even £100,000, it would be very hard on the owner to tax that sum. It was not spent for his own benefit, but for that of the whole country side. He would like to know whether it was intended that that machinery should be taxed.

Mr. FOXTON said he did not like the expression "fully improved." The hon. member for Blackall seemed to think that when sufficient improvements were put on land to suit the convenience of the owner for his own purposes, it was fully improved ; and the hon. member had instanced grazing lands as being fully improved when they were fenced. Now, that would not be so, unless the improvements on the adjacent lands were of a similar character. Take the case of a man who had a bark humpy in the middle of a rich neighbourhood surrounded by large houses ; his improvements were different from those around him, and his land would not be fully improved under the clause. He did not like the expression "fully improved," and he would suggest that if any amendment were made it should read something like this : "But this proviso does not apply to any land upon which such improvements have been made as in the opinion of the court may reasonably be expected." It struck him the expression "fully improved" was likely to be misleading.

The PREMIER : Say "reasonably improved," "entirely improved "—anything you like.

Mr. McMASTER said he did not see how the court was to arrive at the value of the improvements. The gentlemen who sat in the petty sessions court might be excellent lawyers, but they had not time to go and see the improvements. They had to judge according to the evidence before them, and no doubt the valuator would make his case as good as he could. He would put a case to the Committee. Suppose two men in the suburbs of Brisbane bought two adjoining allotments of an acre each, the one built a house of six or eight rooms costing £1,000 or £1,200, and the other put up a house of sawn slabs. The house put up by the poorer man answered his purpose ; but would it be considered as not a full improvement because it was not equal to the other ? It might contain six or eight rooms, and fully answer his purpose for the time being, though it was not so expensively put up as the adjoining house. What would the court say in that case ?

The PREMIER said no definition could be absolutely perfect. Those were questions of fact. They could not make an Act of Parliament to deal with every piece of land in the colony, and lay down a rule applicable to each. They could only lay down a general rule, and leave the determination in each particular case to the common sense of the justices, who had very much more difficult questions to decide every day. The particular category in which any land should be classed could not be laid down in an Act of Parliament.

Mr. STEVENS said the court would take into consideration, not only the neighbouring improvements, but the situation of the land, and that would have a great deal to do with determining whether the land was fully improved or not. The case referred to by the hon. member for Blackall, of a man fencing in an acre of land in the centre of a township, and saying that it

was fully improved for the grazing purposes for which he used it, would be disposed of in accordance, not with what it was used for, but with its surroundings.

Mr. SHERIDAN suggested that the word "fully" should be omitted, as it would lead to a great deal of misunderstanding. The word "improved" by itself would answer every purpose.

Mr. FERGUSON said that, as the portion of the clause under discussion applied only to suburban land which would be near the court of petty sessions, any difficulty about the improvements could be easily adjusted.

The PREMIER said that if the word "fully" was to be omitted, the best substitute for it would be "fairly." But it did not make much difference what word was used, because the definition followed.

Mr. SHERIDAN said he was of opinion that the word "fairly" would meet all requirements.

Mr. BUCKLAND pointed out that under the Act of 1882 unimproved lands were subject to double rating, or up to 10 per cent., and that the boards considered all land to be unimproved which was not fenced.

Mr. GRIMES said they had already made provision for improved land, and now they were providing for "fairly" improved land. There could be very little difference between the two, although the difference between the rateable values was very great.

Mr. FOXTON suggested that, in order to throw upon the court as little trouble as possible in deciding questions of that sort, it would be a good plan to make a sliding scale of improvements. By that means a man who had put a larger proportion of improvements on his land with respect to its value as unimproved land would be rated a less sum for the total value than the man who had put up a smaller proportion of improvements on land the unimproved value of which was the same.

The PREMIER said it would be quite possible to devise a scheme of that kind, but they ought to have some compassion on the men who would have to administer the Act, not all of whom might be capable of understanding the scheme. He would now draw the attention of hon. members to the percentage on annual value, "not less than 8 per cent. nor more than 10 per cent." It had been suggested to him that boards should have discretionary powers—that the rate should not be a fixed one, but should range from 5 per cent. to 10 per cent. Arguments might be used in favour of giving a large margin to boards, but some notorious instances were known of unimproved land having been valued ridiculously below its real value. He called attention to that before moving the next amendment.

Mr. FERGUSON said the percentage should be fixed, whether at 5 per cent., 8 per cent., or 10 per cent. The boards had quite enough margin in striking the rates—from 4d. up to 1s. in the £1. In his opinion 5 per cent. would be high enough for country lands. His experience led him to believe that if a margin was allowed in the percentage the boards would adopt the highest percentage, and strike the highest rate. The Committee should fix either the percentage to be charged or the rate to be fixed—one or the other.

Mr. PATTISON thought it should be left to the discretion of the board. From 5 to 8 per cent. would be a very fair thing. It was not right to fix it at 5 or at 8. There was no use for boards existing unless they had some decent revenue, and a less rate than 1s. would give them scarcely any revenue at all. No doubt the ratepayers would soon put the board out if it oppressed them. He took it that the ratepayers wished the board to raise sufficient revenue to carry out the necessary works of the division, but not beyond that.

Mr. FERGUSON said that 5 per cent. was the maximum and minimum in the principal Act.

The PREMIER: No; 5 per cent. was the maximum and minimum on improved land, but on unimproved land it was exactly the same as here—8 to 10 per cent.

Mr. FERGUSON: In country lands they should be all alike.

The PREMIER said he had asked members to address themselves to the second proviso, because it ought to be consistent with what they intended to do with country lands. He called attention to the fact that the margin was between 8 and 10 per cent., and he did not know whether hon. members would desire to reduce that margin or extend it. He had heard no particular complaints about it, and he himself had no amendment to propose. As hon. members had no amendments, he would pass on to the 3rd paragraph, and propose the omission of the 48th line. A good deal more than that would have to come out, but this was a convenient place to introduce the amendment he now proposed—namely, to omit "In estimating the capital value," and insert a new paragraph—

> (2) With respect to country land—
> The capital value of country land shall be estimated at the fair average value of unimproved land of the same quality in the same neighbourhood, and the annual value shall be taken to be £8 per centum upon the capital value,

Mr. GROOM entirely concurred with that amendment, because he was particularly desired by a board in which he was interested to object to the rating as proposed in regard to homesteads. There was a rule in his district that every subdivision should control its own revenue. They had one subdivision composed entirely of homesteads, and, as a matter of course, the roads were numerous, while the demand for wells during the late drought were such that the board could not comply with. Urgent cases had been dealt with, but many deserving cases had not be attended to for want of funds. The subdivision where the homestead selectors were located was just now heavily in debt; while the other subdivision, which comprised larger freeholds, had not only £1,000 standing at fixed deposit in the bank, but also a good round sum to credit of current account. That arose from the mode of valuation. The selectors were ready to pay more, but the board could not go beyond the sum fixed by the Act. The amendment proposed by the Chief Secretary would relieve them of the difficulty, for instead of raising £200 or £300, they would be able by the amendment to raise four times that amount. And they would be able to carry out much-needed improvements which they could not otherwise do.

Mr. NELSON liked the clause very much, and thought it a great improvement on the Act. But some margin ought to be allowed for calculating the annual value, because the profits arising from land differed in different localities. He proposed as an amendment that after the words "the annual value shall be taken to be" the words "not less than five per cent. nor more than" be inserted.

The PREMIER said that before the amendment was put from the chair he would suggest that if that was to be the margin it would be more logical to make unimproved land in towns the basis. That would agree with the last paragraph which was between 8 and 10 per cent. It would put the improved land on the same

basis as the unimproved. At present unimproved land paid from 8 to 10 per cent. It was a great relief to occupiers of improved land that they should only pay the same rate as unimproved land. He did not think they should pay less. It would be better if the amendment read "not less than eight and not more than ten."

Mr. NELSON would like to make the Bill as logical as possible, and he would be happy to accept the suggestion and insert after the word "be" "not less than eight nor more than."

Mr. PATTISON said it did not matter much whether they put in eight or ten as the percentage, for boards would make the rate according to what they calculated would be necessary to carry out the works of the year. He saw no harm in the amendment.

Question—That the words proposed to be omitted be so omitted—put and passed.

Mr. NELSON moved that the words "not less than" be inserted after the word "be."

Mr. MELLOR said he hardly liked the amendment. It seemed to him that it was placing improved land on the same level as unimproved.

Mr. KATES said he thought the amendment was a good one because it would recoup the boards, who would naturally lose a good deal by being deprived of the taxation upon improvements. The boards would be able to recoup themselves, and could go as high as 8 per cent. to assist their funds. He should certainly support the amendment.

The HON. J. M. MACROSSAN said he was not going to give an opinion as to what the amendment would do. But he would ask the Premier if he had considered the question of a land tax, and how that would be affected by the proposed amendment? It might be the intention of the Government next year, or the year after, or at some future time, to impose a land-tax, and he was afraid that this would stand in the way of it very much. This really was a land-tax, only it was a land-tax for local purposes. Would the country stand two land-taxes—a land-tax for local purposes, and a land-tax for general purposes? He was inclined to doubt it; but it was a very important matter to consider, and one that they must come to. It was a very reasonable supposition, seeing that a large amount of money from the public revenue had been expended upon the land, to say that they should get something out of the land as well as for local improvements. He wanted the Premier to tell him whether he had really considered the question or not, because he regarded it in the shape of a land-tax. It could be regarded in no other light than that, seeing that it was a general tax upon land, improved as well as unimproved.

The PREMIER said that on the second reading of the Bill he gave a reason why they did not introduce a land-tax in the Bill. He thought a land-tax inevitable in the not very distant future, and the sooner they accustomed themselves to look it in the face the better. He had been of that opinion for a long time. On the whole hon. members had better adopt the system he proposed with regard to country lands. He was disposed to think it was fairer on the whole, notwithstanding that objection, which he admitted was a very serious one.

Mr. WHITE said he did not see that it could be called a land-tax. It was a rate for the purpose of making roads. Instead of taxing the bone and sinew of the people who improved the country lands, they proposed to rate the lands themselves to make improvements that were necessary to make all the lands valuable. It was not a tax, but simply rating land to make its own improvements. It would be quite competent for the Government to levy a tax for revenue afterwards; but this had nothing to do with a land-tax, as they generally supposed it to be.

Mr. ADAMS said he merely wished to point out that possibly 10 per cent. was not too much. If a board did not require so much they could go lower, and if they wanted more it could go as high as 10 per cent. It would be all that was necessary if the minimum were reduced to 5 per cent., because if a board did not require more than 5 per cent. upon improved lands it could then tax at 5 per cent. But at present if a board did not want more than 5 per cent., and the minimum was placed at 8 per cent., the public would be taxed when taxation to that extent was not required at all. If the Premier would make it not less than 5 per cent. and not more than 10 per cent. it would be sufficient.

The PREMIER said he thought that the limits of 8 per cent. and 10 per cent. were the best, for the reason that they were analogous to those they had fixed in the case of unoccupied lands in town and suburban lands. He did not see why improved lands in the country should be taxed on a lower basis than unimproved lands in the town.

Mr. FOXTON said he would point out that in very many boards there would be both town and country lands to be assessed—perhaps in nearly every board in the colony—and unless they made the annual values uniform they would run the risk of having a number of suburban men who might be upon the board taxing the country lands at a higher rate than they would tax themselves, and *vice versâ*. Such a thing, he was sure, would lead to a very speedy amendment of the Bill.

Mr. NELSON said he would like a little explanation of the 1st paragraph of the 200th clause, which said that the annual value of the land should be deemed to be a sum equal to two-thirds of the rent at which the same might reasonably be expected to let from year to year. Would that apply to the case under discussion?

The PREMIER: It does not apply to country land at all.

Mr. ISAMBERT said many people in the various divisional boards had claimed that it would be better that the rates should be levied on the acreage basis, especially in country lands, and he knew that the Premier had been occupied very earnestly in trying to solve the question The hon. gentleman had, he thought, gone as near to solving the question as possible; still he thought it would be more desirable if practicable to levy a tax according to acreage. The land could be classified into three classes according to quality, and then when the board knew what rates they required all they would have to do would be to divide the number of acres into the amount of the rates they would require. It was the duty of the Committee to discuss the matter fairly, so that it could not be said that it had not received due consideration.

Question—That the words proposed to be inserted be so inserted—put and passed.

On the motion of Mr. NELSON, the new paragraph was further amended by the insertion of the words "nor more than ten" after the word "eight."

The PREMIER said the hon. member for Rosewood suggested that a tax upon acreage would be better. A tax upon acreage would be impracticable for the reason that the land was of such different value. They could not possibly ask a man having 100 acres of comparatively valueless land to pay twice as much as a man having fifty acres of land of more than twice the

value. That would be obviously unfair. There must be some ratio between the value of land and the amount of the tax to be paid in respect of it. As to classification, some hon. members said there should be three classes of land, but under that clause the board might classify the land into fifty classes if there were fifty values of land, or as many classes as the circumstances required.

New paragraph, as amended, put and passed.

Mr. NELSON said he proposed to add a proviso to the clause as amended. It was a proviso contained in the Land Act of 1884,—one of the best provisoes contained in that Act, and one that had met with approval from all sections of the community dealing with land. The proviso he would move was as follows :—

> Provided that in determining the capital value of land regard shall be had to—
>
> (*a*) The qualities of the land;
>
> (*b*) The distance of the land from railway or water carriage;
>
> (*c*) The natural supply of the water, and the facilities for the storage or raising of water.

He might mention that he did not think it absolutely necessary to put that in; but as a direction to courts of petty sessions and appraisers it would be extremely useful for their guidance, and would also, he thought, save a good many disputes.

Mr. GROOM said he confessed that he did not like the amendment. He was afraid it would complicate matters very much. He perceived it would have a tendency to reduce the revenue of the boards, and to obtain a minimum of revenue was certainly not their object. The provision was very well in the Land Act, but those clauses in the Land Act had been inserted to deal with the lands in the interior. But when they came to deal with improved properties—a great many of them bordering on towns—he thought the case was different altogether. On the Darling Downs, with railways running to Warwick, to Dalby, a branch line to Crow's Nest, another to Beauaraba, and other branch lines being contemplated—where the whole of the lands were in the neighbourhood of a railway—there would be a great loss of revenue to the divisional boards. Of course, in the distant interior, where the lands were far away from a railway, it would not matter. Although it appeared in the Land Act, he did not think it would be applicable in levying taxes for local purposes. So far from being of use to the courts of petty sessions it would increase their difficulty, and he thought the clause as it stood was preferable. As it was, the matter was very simple. It lay entirely with the divisional boards whether they would impose a tax of 8 or 10 per cent., and he did not think the amendment would be of assistance to the appraisers or valuators of the divisions, nor would it be of any use whatever to the courts of petty sessions when called upon to revise the valuations. A considerable amount of diffculty would crop up, and they should not put that power contained in the proposed amendment in the hands of any valuator. Under the Land Act they employed experts to decide the value of lands, and they also appointed an independent board to revise the reports of those experts, particularly with regard to lands a considerable distance from water or where there was difficulty in getting water. That would be all very well in appraising the grass value of a run, but to his mind it was totally inapplicable in assessing the value of properties for raising money for local purposes. He did not agree with the proposal, because, so far from being an advantage, it would rather be an encumbrance to the working of the clause.

The PREMIER said his fear was that the valuing officers of the board would take that as their only guide. He found that some country benches took provisions in other Acts, which were inserted for their guidance, as the only things which should guide them, and the consequence was that they overlooked everything else.

Mr. MELLOR said the amendment was similar to what was done, he thought, by the hon. member's own board. In computing the capital value of the land they should take into account its situation. The principle was the same with the exception of the water question. He believed that if something of that sort were given as a guide to divisional boards the valuators would be assisted.

Mr. WHITE said he could not support that amendment, as it would prove a difficulty to the valuator, and though he might be a very competent man it would import an element of dissatisfaction among the people. Those who resided near a railway would be rated the same as those who lived far away, but under the amendment the man who lived at some distance would have the roads made for him. Under the present subsection they were rated equally, and that could not be otherwise than satisfactory; but the amendment would cause a great amount of dissatisfaction, and a difficulty to the valuer himself in his efforts to give satisfaction. He would not be able to do so, and therefore he (Mr. White) was bound to oppose the amendment.

Mr. GROOM said he would show from the Local Government Act of 1878 how the magistrates acted with these governing provisions, and he was sure every member of the Committee who had been a mayor or alderman would agree with what he was now going to say. The rating clause of the Act of 1878 read :—

> "In every such valuation the property rateable shall be computed at its net annual value—that is to say, at the rent at which the same might reasonably be expected to let from year to year free of all usual tenants' rates and taxes, and deducting therefrom the probable annual average cost of insurance and other expenses (if any) necessary to maintain such property in a state to command such rent."

Now, everyone would naturally think the municipal council in valuing their property would make the necessary reduction for taxes, insurance, and so on, but then came in the proviso—

> "Provided that no rateable property should be computed as of an annual value of less than eight pounds per centum upon the fair capital value of the fee-simple thereof."

In every appeal which had come before the bench of magistrates they had utterly ignored the first portion of the section. They always ruled that the proviso contained the intention of Parliament, whereas the intention of Parliament was that there should be a reasonable deduction from the annual rental for insurance and wear and tear of property, say to the extent of one-third of the rent. He could mention cases where the annual rental of property was £50 or £60, and the taxation had been increased to £150 and even £200, utterly ignoring the rent. It was no use appealing to the court of petty sessions, because you were always met by that proviso in the Local Government Act. He would impress upon hon. members, especially in regard to the divisional boards, that the simpler and more easily understood the provisions were made the more easily they would be administered, and the better it would be for those who had charge of the Act. For that reason he could not concur in the amendments the hon. member proposed to insert in the admirable clause proposed by the Chief Secretary. They would only be a drag on a very useful

section, which at present was so clear and plain that the courts of petty sessions could not but understand it.

Mr. NELSON said that argument seemed to him to be in favour of the amendment. The contention was that the clause was so plain that the justices and the appraisers could not misunderstand it, but the very fact that the hon. member for Stanley did not understand it was quite enough to make them think that the ordinary appraiser would not. The hon. member evidently thought that when the clause spoke of land of the same quality in the same neighbourhood it meant that all the land in the division was to be reckoned at the same rate, which was not the case at all. Some divisions were very large ; the one he was connected with comprised over 5,000 square miles, and it would not be just at all to assess all that at the same rate. Surely the hon. member for Stanley did not mean to advocate that a farmer with a frontage on Laidley Creek was to pay no more than a man who had a farm a mile or two back in the ridges, where he had to provide water and all necessaries for his farm. The appraiser would take all that into account, and also the distance from the railway, and the accessibility of the situation. The amendments did not contain anything that was not in the clause ; they were simply directory ; and so far from confusing the valuers, he was sure they would be of great assistance. He wanted to have the valuations made on a uniform principle—the principle laid down in the Land Act, which was as near perfection as could be.

Mr. WHITE said the clause was so clear that he could not see why they should make it more intricate. If the hon. member for Northern Downs had been a lawyer he would have suspected a motive.

An HONOURABLE MEMBER : He is a squatter.

Mr. WHITE said the House was certainly blessed through not being injured by the lawyer element at all. The lawyers in the House were men whose equals could hardly be found as decent upright men, who did not attempt to benefit their class at all ; but the hon. member for Northern Downs wanted to throw in a bone of contention. He (Mr. White) certainly did not think that poor land would be rated the same as rich land ; he supposed there would be at least three classes of land. The clause was so simple at present that he did not see how it could be improved.

Amendment put and negatived.

The PREMIER said subsection (*a*) now required consideration. As it stood, half-a-crown an acre would be the maximum capital value of a homestead, which of course would be absurd. In fact, he did not see any necessity for that or the next two subsections ; the rating would be the same as for unoccupied land. He proposed, therefore, to omit paragraphs (*a*), (*b*), and (*c*).

Amendment agreed to.

The PREMIER said he proposed to make a re-arrangement of the rest of the clause, so as to make it read consecutively, and deal separately with the question of mines. He moved that paragraph 5 be inserted after "and provided also." It would be necessary also to substitute "provided that" for "and provided also."

Mr. McWHANNELL asked whether it was intended to levy the rate on houses and buildings?

The PREMIER replied that it was only intended to levy the rate on the land.

Mr. McWHANNELL said that in some pastoral districts it was the practice to assess not only houses and buildings, but also improvements, such as dams, wells, and fencing, although the board with whom he was connected only assessed houses and buildings. He doubted whether some of the boards would be able to raise sufficient revenue from land alone, because the highest rate they could levy was only 1s. in the £1.

The PREMIER said he was not aware that the pastoral tenants were particularly anxious to pay a contribution on their improvements. If they desired to do so, it could, no doubt, easily be arranged.

Amendment put and agreed to.

The clause, as printed, was further amended, on the motion of the PREMIER, by the insertion of the words "III. With respect to mines," the substitution of the Roman numerals "IV." for "But" in the last paragraph, and the substitution of the word "land" for "property" in the same line.

The PREMIER said that before moving the insertion of an additional paragraph distinguishing between town and suburban lands and country lands, he might state that one of the suggestions made to him since the Bill was printed was that the minimum rate payable by anybody should be 10s. That, of course, meant that no property should be valued at less than £10. He did not intend himself to move an amendment to that effect.

Mr. MELLOR said he hoped some alteration would be made in the clause in that direction. It was the rule in his division that no ratepayer should pay less than 5s. Smaller sums would hardly pay for the collection.

Mr. GROOM said he agreed with the hon. member for Gympie. It was hardly worth while sending a collector to collect half-a-crown. He proposed to amend the clause by the omission of the words "two pounds ten shillings," with the view of inserting the words "five pounds."

Mr. GRIMES said it would come rather heavily on men who had a number of small allotments in separate places, if they had to pay a rate of 5s. on every separate property.

Mr. FOOTE could not support the hon. gentleman in his amendment. It would fall most oppressively on the poor man, and the poor man only. He had a regard for poor property owners. Many a working man had worked very hard, saved a great deal, and lived very economically in order to possess himself of a piece of land, and this amendment would fall most oppresively on him.

Mr. PATTISON supported the clause as it stood. They knew very well that there were many townships which had been surveyed on the Peak Downs—such as Yaamba, Woodville, and Princhester—which were once thriving and now had scarcely a house. The land round there had been selected some years ago, and in places like those it would be hard to pay 5s. per annum instead of 2s. 6d.

Mr. BUCKLAND could not agree with the amendment. It would fall very heavily on the working man. Two shillings and sixpence was a high rate for many of the allotments sold in the neighbourhood of Brisbane, Ipswich, and other towns.

Mr. FERGUSON said that to rate an allotment at 5s. would mean that the allotment was worth £80. Now, a large number of allotments had been bought for £20 and £25, and 5s. would be a rate far beyond the value of a large percentage of the allotments in the suburbs of towns.

The PREMIER said the hon. gentleman was quite right. Take a property worth £31; 8 per cent. on that would be £2 10s. The minimum only applied to property of less than £30 capital value, when 2s. 6d. was the rate. By the amendment, property worth less than £30 would be rated at 5s.

Mr. NORTON said the amendment would affect the very poor man who had his little selection and could not afford to pay a high rate. But it would also affect land-jobbers who took a wonderful interest in the poor man. It would be a mistake to pass the amendment. There were many objections to it.

The COLONIAL TREASURER did not think they should unduly increase the valuations of divisional boards for the purpose of enlarging their claims on the Treasury. Hon. gentlemen complained of the small amount which divisional boards received from allotments, and that it was not worth while to send out the notices. But they must take into consideration that they received £2 for each £1 endowment, so that at present 7s. 6d. for each allotment and not 2s. 6d. only was received by the boards. But he looked upon the amendment in another light. There were a large number of small properties—for there were speculators amongst the working classes as well as amongst more wealthy classes—and he did not see why those small allotments should be saddled with unduly heavy taxation. He trusted the amendment would not be carried.

Mr. McMASTER thought that 2s. 6d. was quite enough for a working man to pay who had struggled to buy his allotment and build a house. Sometimes a working man had difficulty in finding the 2s. 6d.

Mr. GROOM was not surprised to hear the remarks made on this matter, nor was he surprised more particularly at the position taken by the Treasurer. There were two reasons for that, one of which he would not name, the other was that the hon. gentleman had an eye to the Treasury. The opposition to the amendment he was afraid arose more from a fear of retarding the sale of 16-perch allotments than from a desire to benefit the small ratepayers. As his amendment was not acceptable to a large number of hon. gentlemen, he would, with permission of the Committee, withdraw it.

Amendment withdrawn.

The PREMIER said he proposed to insert a proviso defining town lands, suburban lands, and country lands. These were defined in the Crown Lands Act of 1884, but he proposed to extend that so that on the recommendation of the board the Governor in Council might declare by proclamation suburban lands to be country lands. That was when the Government and the board both agreed to extend the meaning of suburban lands. But he thought that in regard to some of the country parts, there ought to be power not only to extend but to reduce the limits of suburban lands, for in many country townships suburban lands were only such in name. He proposed the clause as follows:—

"All land which is town land, or suburban land, within the meaning of the Crown Lands Act of 1884 shall be deemed to be town land, or suburban land, and all other land shall be country land for the purposes of this section. Provided that the Governor in Council, on the recommendation of the board, may by proclamation declare any suburban land to be country land, or any country land in the vicinity of towns to by suburban land, and such land shall thereupon be deemed to be suburban or country land, as the case may be."

Amendment put.

Mr. FERGUSON asked how the amendment would apply to allotments which had been sold by the Government as town lands at a pretty high figure? He knew of a township on the Dawson River, where the land was sold about twenty years ago at as high a price as £25 per half-acre allotment, and he was silly enough to invest £100 there himself. At the present time they were worth about £1 each, and there had never been a stick erected in the place. The road had been shifted and a town surveyed eight or ten miles further down the river, while the original town was part of a run or station, and worth about £1 per acre, and in some places not more than 5s. per acre Would those be classed as town allotments?

The PREMIER said such allotments would only pay 5 per cent. instead of 8 per cent. He did not think any cases of that sort would arise.

Amendment agreed to.

Clause, as amended, put and passed.

Clauses 201 to 203, inclusive, passed as printed.

On clause 204—

"For the purpose of valuing land held under pastoral lease or license from the Crown the chairman may send or cause to be sent by messenger or registered post letter to the latest known residence of the ratepayer a schedule describing the land and such ratepayer shall be required to fill in the same with a true and correct statement of the rent payable by him to the Crown in respect of all land held by him within the district and to return it within sixty days to the clerk.

"The board may employ a valuer at the expense of any ratepayer who fails to make such return within the time above specified, and the land may be valued irrespective of the annual rent thereof.

"A ratepayer who being called upon as aforesaid makes a wilfully incorrect return of the rent of any land shall be deemed to have committed an offence against this Act."

Mr. PATTISON said it appeared to him that the greater part of the clause was unnecessary, inasmuch as, to arrive at the amount of rate, the *Government Gazette* would decide that question. It would not be necessary to apply to the lessee. The *Gazette* notice would be sufficient.

Mr. McWHANNELL said he would point out that the clause was inserted at his request in the Act of 1882, and it met a great many cases in the interior. It not only applied to pastoral leases but to other rateable properties, pre-emptive purchases and others. In nearly all the districts out there, at least in the one he represented, the rates were collected by schedule. They never employed valuators, because the members of the board had sufficient knowledge of all the freehold property or improvements in the district, and could check anyone sending in schedules with the greatest of ease, from their knowledge of the improvements on the runs. Of course, rating improvements was now done away with, and there would be only pastoral leases and freehold lands to value, and that could be obtained from the *Gazette*.

The PREMIER said they must know who was the holder of the land. He understood the hon. member to say that the system was very convenient. There might be a great many blocks of country in the same neighbourhood held by the same person as mortgagee, or by the same bank as mortgagee, and the person who would really be called upon to pay the rates would be the mortgagor. He thought the clause would be very useful in cases of that sort. The hon. member had said that it had been found a very great convenience.

Mr. McWHANNELL: Yes.

The PREMIER said it had better stand in the Bill.

Clause put and passed.

On clause 205, as follows :—

"Notice of every valuation, and of the amount thereof, and of the particulars required to be stated in the two last columns of the said Fourth Schedule, under the heading 'Annual Value,' shall be given to the owner of the land, or, if the owner is not known, then such notice shall be given to the occupier"—

The PREMIER said he intended to amend the clause by requiring notice of valuation to be given annually, for reasons mentioned that afternoon. He proposed to insert after the word "given," in the 4th line, the words, "shall in each year, and before any rate is levied by the board for that year." The board should send out notices first, and the rates could be made out afterwards.

Mr. GRIMES said that before the amendment was put he wished to call attention to one matter. The clause provided that the notice should be given to the owner; but the occupier was the person who was liable in the first instance for the rate, and it might happen that the notice sent to the owner might not get into the occupier's hands until long after the time when he would have the privilege of appealing against the rate. He would suggest that the occupier should be supplied with the notice first, and, if necessary, the owner also; the occupier should certainly have a notice given to him.

The PREMIER said there was a great deal in that. If the valuator sent the notice to the occupier he might take no interest in it, and throw the paper away, as the owner was responsible. He was disposed to think it would be better to send it to both. That amendment, however, would come after the one he had moved.

Mr. FOXTON pointed out that in clause 220, which re-enacted a portion of the present Act, unless there was an agreement to the contrary, the occupier might take the amount paid in rates from the amount of the rent he paid to the owner.

Mr. GRIMES said the owner might be away from the district, and the valuation would not come to the knowledge of the occupier until the time for appeal had passed.

Mr. MELLOR said there might be something in giving the ratepayers the privilege of appeal, but there was this to be said: that the valuer might be away, and the board would have very great difficulty in sustaining the valuation. Some of the boards had divisions to deal with of very great extent, and the amendment might have the effect of making them every year make a fresh valuation.

The PREMIER said he did not think so. They need not make a separate valuation, but only give a fresh notice. The old valuation might stand, but each man must get notice of what he would have to pay. A valuation might pass unchallenged for one year, but there was no reason why a man, because he did not appeal one year, should not have an opportunity of appealing the next year.

Amendment agreed to.

The PREMIER said he proposed to further amend the clause by inserting the words "and occupier" after the word "owner" in the 4th line of the clause.

Mr. MELLOR said he thought that was unnecessary. If one party got the notice of valuation it would be sufficient. There would be great difficulty in sending out the notices to both parties.

The COLONIAL TREASURER said he did not think there was any great hardship in it. It was desirable that the owner or the person interested in the land should have an opportunity of reviewing the valuation made by the board. In many cases the notices sent out got mislaid and the time for appeal passed over. He thought it unfair that the owner or occupier should not have an opportunity of revising the valuation during the next year, or protecting himself in case he deemed he was excessively rated.

Mr. FERGUSON said it was often the case that the owner had to pay the rates, and when the occupier got the notice he was interested in it and took notice of it, and the consequence was that the owner knew nothing about it until the time for appeal was over, and he had then no chance of appealing against the valuator until the next year. If both got the notice, in case the owner paid the rates he would be able to appeal, and if the occupier paid them he could appeal.

Amendment agreed to.

The PREMIER said it had been suggested that the ratepayers should at the same time get a notice of the time for appeal, and that might be found convenient. He moved the omission of all the words after the word "land" to the end of the clause, with a view of inserting the following :—

Such notice shall also specify that the person to whom it is given may appeal against the valuation on giving notice of his intention so to do to the board within one month after the notice is received by him and not less than seven days before the appeal is to be heard.

Amendment agreed to; and clause, as amended, put and passed.

On clause 206, as follows :—

"If any person thinks himself aggrieved on the ground of incorrectness in the valuation of any land, he may, at any time within one month after he has received notice of such valuation, appeal against such valuation to the justices in such court of petty sessions as the Governor in Council may appoint, or if none is so appointed, to the court of petty sessions held nearest to the land; but no such appeal shall be entertained unless seven days' notice in writing of the appeal is given by the appellant to the board.

"The board may, by advertisement in one or more newspapers generally circulating in the district, appoint a day, not being less than one month after the delivery of the notices of the valuations, for hearing appeals against valuations.

"On the day so appointed, or any later day to which the justices adjourn the hearing, or if no day is so appointed by the board, on such day as the justices shall appoint, the justices present shall hear and determine all appeals against valuations on the ground of incorrectness, but shall not entertain any other objection, and shall have power to amend any valuation appealed against, and their decision shall be final upon all questions of fact determined by them."

The PREMIER proposed the insertion after the word "may," in the 1st paragraph, of the words "in any year."

Amendment agreed to.

Mr. BUCKLAND said he thought the appellant should be required to send notice of appeal to the court as well as to the board. The clerk had to send the notice now.

The PREMIER: Why should he not?

Mr. BUCKLAND said it threw a large amount of work on the board that should fall on the appellant. He would not press the point.

Clause, as amended, put and passed.

On clause 207, as follows :—

"If on the hearing of an appeal any question of law arises as to the principle upon which a valuation should be made, or as to the admission or rejection of evidence, the justices shall state and record their decision upon such question, and if either party is dissatisfied with the decision, such party may appeal therefrom to the Supreme Court.

"Such appeal shall be in the form of a special case, to be agreed upon by the parties, and if they cannot agree, the justices shall settle the special case, and such special case, when so agreed on or settled, shall be transmitted by the appellant to the Supreme Court, and shall be set down for argument in the same manner as special cases in actions in that court.

"The court shall hear and adjudicate upon any such special case, and may make such order as to costs as to the court shall seem fit."

Mr. BROWN said the mode of appeal provided for was a very costly one. The case would generally involve only a few pounds, and any owner would submit to a very heavy rate indeed rather than appeal to the Supreme Court. He thought they might provide for a less costly appeal to the district court.

The PREMIER said the appeal could only be on a question of law—of the interpretation of the Act. It would be no use going to the district court; what would be wanted would be an authoritative interpretation of the law. It might be a very long time before a district court would be held in the neighbourhood, and then perhaps there would be no one to argue the point. There could be no appeal on a point of fact; the only question would be as to the interpretation of the Act, and its application to the facts of the case.

Mr. BROWN said he thought a district court judge would be competent to decide a question of law. He objected to the Supreme Court simply on the ground of cost. If the board and the appellant both had to pay counsel, the cost would be out of all proportion to the amount at stake.

Clause put and passed.

On clause 208, as follows :—

"A justice shall not be disqualified from adjudicating in any case of an appeal against a valuation solely by reason of his being the owner or occupier of rateable land in the district."

Mr. PATTISON said they had had instances in his district where such cases as that had been grossly abused in the past. He knew of an instance in his own division where a large landowner, who was also a justice of the peace, wrote to the other landowner magistrates in the division requesting them to appeal against the valuations made by the board, saying that he would sit upon their cases and that they were to return the compliment to him. He was the chairman of the Gogango Board at that time and wrote a letter to the Government about it, asking whether they thought that such a man was fit to be on the Commission of the Peace, but to that letter from the Gogango Divisional Board no reply was sent. What had occurred there was likely to occur again; and it was a dangerous power to give to justices in sparsely populated districts, especially when the justices themselves might hold all the land in the district. He would mention the name of the justice to whom he referred; it was Mr. O. C. Beardmore, of Tooloomba. That was the gentleman who wrote the letter to his brother magistrates, who, to their credit be it said, treated his request with contempt. Magistrates were obtained all the way from Rockhampton, and it took them three journeys before the matter was finally settled.

The PREMIER said that without some provision of that kind it would often be absolutely impossible to get a bench together in some of the divisions. In many cases it would be found that all the justices in a division were owners or occupiers of land.

Mr. PATTISON said that in the case to which he referred the police magistrate cheerfully undertook the duty.

The PREMIER: Is he not a ratepayer?

Mr. PATTISON: Not of the divisional board.

The PREMIER said the hon. member was thinking only of the division of Gogango, which surrounded a municipalitiy. In most divisions it would be found that the police magistrate was a ratepayer.

Mr. PATTISON said the abuse having arisen in his own district, he felt that it was his duty to call attention to it.

Mr. NORTON asked whether the magistrate referred to by the hon. member for Blackall had been removed from the Commission of the Peace?

The PREMIER: I do not know. I never heard of the case before.

Mr. NORTON: To whom was the hon. member's letter sent?

Mr. PATTISON: I sent it to the Colonial Secretary, but I think it was before the date of the present Government.

Clause put and passed.

On clause 209, as follows :—

"The board shall once at least in every year, and may from time to time as they see fit, in manner hereinafter mentioned, make and levy rates, to be called 'general rates,' equally upon all rateable land within the district.

"No such rates made in any one year shall exceed the amount of one shilling in the pound of the annual value of such land, as estimated under the provisions of this Act, or be less than fourpence in the pound of such value.

"The board of every newly constituted division shall, within six months after its constitution, make one such rate of not less than sixpence in the pound of such annual value.

"Provided that if the board has, at the beginning of any year, to the credit of the divisional fund, sufficient money to defray all the probable and reasonable expenses of the board for that year, the Governor in Council may excuse the board from making any such rate during that year, or may direct that the maximum amount of any rate to be made during that year shall not be more than an amount to be specified by the Governor in Council."

The words "they see fit," in the 2nd line, were, on the motion of the PREMIER, altered to "it sees fit."

Mr. MELLOR said that where a division was divided into subdivisions it might happen that some of the subdivisions might require less money than others, and suggested that differential rates should be permitted. As the clause stood, the general rate was to be levied equally upon all rateable land within the district.

The PREMIER said the suggestion was a good one, and it was pointed out to him some time ago by a gentleman from the hon. member's district. It would perhaps best be carried out by inserting the following proviso after the 2nd paragraph of the clause :—

Provided that when a division is subdivided the amount of the rate made and levied on the rateable land in the several subdivisions need not be the same, but every rate made and levied in respect of each subdivision shall be levied equally on all rateable land within the subdivision.

Clause, as amended, put and passed.

On clause 210, as follows :—

"Except as herein otherwise provided, every rate which the board is by this Act authorised to levy shall be levied upon the occupier of every rateable property within the division, or if there is no occupier, then upon the owner, other than Her Majesty, of the rateable property. And such rates shall be payable at such times and in such parts or instalments as the board may appoint"—

The PREMIER moved the insertion, in the 3rd line, of the words "parcel of" after the word "every."

Mr. NELSON asked if the meaning of that was that every piece of land was to be rated separately? Suppose a man had 100 different parcels of land in one block, did the clause

mean that every one of them must be entered in the rate-book? Many of them might only be separated by a road. That was very undesirable, and would cause great expense.

The PREMIER said he only meant it as a verbal amendment. They used the word "land" everywhere else, and not "property"; they could not say "every rateable land." He did not know any other word for it than "parcel."

Mr. NELSON proposed that instead of "occupation of every rateable property" it should be "occupier of all rateable land."

The PREMIER said "every occupier of rateable land" was better. In a case where several pieces of land were held together and had been subdivided, of course they would be regarded as one rateable property nevertheless.

Amendment withdrawn.

The PREMIER proposed that the words "occupier of every rateable property" be omitted, with the view of inserting "every occupier of rateable land."

Amendment put and agreed to.

The PREMIER moved that the word "property," in the 5th line of clause, be omitted, with the view of inserting "land."

Amendment put and agreed to; clause, as amended, put and passed.

On clause 211—"Rates to be made for particular periods"—

The PREMIER moved the omission of the words "they otherwise have," with the view of inserting "the board otherwise has."

Amendment put and agreed to; clause, as amended, put and passed.

Clause 212 passed as printed.

On clause 213, as follows:—

"For defraying the expenses incurred in the execution of a work for the special benefit of any particular part of the division, the board may—

(*a*) By resolution distinctly define such part; and

(*b*) Make and levy a rate, herein called a 'separate rate,' equally upon all rateable property situated within such part."

Mr. McMASTER said he was not quite clear whether the clause had any reference to clause 214, which dealt with rates levied for the purposes of drainage and sewerage, while the clause before them dealt with rates levied for defraying the expense of works in certain parts of the division. There might be works necessary to be carried out in certain parts of a division that might be of great benefit to the whole division, and yet it might be a very great hardship if the rate were levied upon the property that was immediately benefited thereby. In fact, he knew of a work now going on, and it would be utterly impossible to carry it out and pay back the loan and interest if the rate were only levied in the part that was immediately benefited. He was not sure if clause 214 would cover that.

The PREMIER said the provisions of the Bill did not allow any special rate to be made over the whole division, except for the purposes of sewerage and drainage, and watering and lighting. The intention was that 1s. in the £1 should be the maximum amount of rates over the whole division, and if any additional amount were put on it should be for the special purposes of sewerage, drainage, watering, or lighting. If they had 1s. in the £1 for general rates, and 1s. for special rates for drainage and sewerage, and 1s. for other special rates, and something more for loan rates, the people would very soon cry out.

Mr. McMASTER said he meant that a drain might be constructed upon one portion of a division which would necessitate a large expenditure, while it was a benefit to the whole district. Under clause 213, would that particular division have to pay the whole of the rates rendered necessary to repay the loan?

The PREMIER said clause 215 provided that a special rate might be a separate rate or might be levied over the whole division.

Mr. FERGUSON asked if a board passed a resolution in accordance with this clause, and a certain division or part of a division was rated to carry out such work, would the Government pay the endowment upon it?

Mr. McMASTER: Not if it is loan money.

The PREMIER said that clause 241, which dealt with the subject of endowments, said that an endowment should be payable only upon general rates, or sewerage or drainage rates, whether special or separate.

Clause put and passed.

Clauses 214 to 216, inclusive, passed as printed.

On clause 217, as follows:—

"The board shall keep a separate and distinct account of—

(1) All moneys received in respect of every separate or special rate levied under this Act, and of all moneys received by the board by way of endowment upon such rates respectively, so that the amounts so received shall be credited to the same accounts as the rates in respect of which they were respectively received; and

(2) Of all moneys disbursed in respect of the purposes for which such rates are levied;

and shall apply the moneys standing to the credit of such account for the purposes for which such rates are levied and no other."

The PREMIER said an amendment had been inserted, authorising boards to make differential rates for different subdivisions, which would necessitate their keeping special accounts for such subdivisions. He therefore proposed to insert after the word "Act," in the 3rd line, the words, "and also when the amount of the general rates levied in respect of the several subdivisions of a subdivided division is not the same, of all moneys received in respect of the general rates levied in respect of such subdivision."

Mr. PATTISON said that was the custom now as he understood it. Special accounts were kept for each subdivision. It was the practice now with many boards.

The PREMIER said it was the practice of most boards; but in cases of that sort it ought to be the law that the boards should do it. It would be unfair to one subdivision to be rated at 1s. in the £1 if its rates were taken and spent in another subdivision which was only rated at 4d. in the £1. It would make a very laudable practice law.

Mr. PATTISON said he took it that, in large divisions, which were separated into three or four, separate accounts would have to be kept for each division.

The COLONIAL SECRETARY said he could refer to a divisional board in which that was not done, and where a very satisfactory state of things was carried on.

Mr. NELSON said the only point that struck him in regard to the amendment was whether that was the proper place to bring it in. They were on a clause dealing with special and separate rates, but in the amendment they were dealing with general rates, and there would be some confusion.

The PREMIER said they were so much like separate rates that he thought it was a very convenient place to put it in. They were really special and separate rates, which were differential rates. It would be convenient to put it in there, but it might also be convenient to put it in a separate clause afterwards.

Mr. NELSON: You will have to alter the heading.

The PREMIER said it would be convenient to insert the amendment in that clause.

Amendment agreed to.

Clause, as amended, put and passed.

On clause 218, as follows:—

"If at any time the revenue derived from special or separate rates made or levied in respect of any work or improvement carried out by means of money raised by loan is insufficient to provide the interest upon the money so raised, the board may, and, if required by the Governor in Council, shall from time to time cause a special rate of sufficient amount to be levied equally upon all rateable property in the division, or the part of the division specially benefited by such work or improvement, and the proceeds of such rate shall be devoted solely to the payment of such interest, and the limit hereby imposed upon the amount of special rates shall not apply in respect of a special rate so levied"—

The PREMIER said the word "interest" in the 4th line was wrong; it should be "instalments." He moved the omission of the word "interest," with the view of inserting the words "annual instalments payable under the Local Works Loans Act of 1880."

Amendment agreed to.

On the motion of the PREMIER, the clause was further amended by the insertion of the word "loan" after the word "special" in the 6th line, by the substitution of the word "instalments" for the word "interest" in the 9th line, and by the insertion of the word "loan" after the word "special" in the last line of the clause.

Clause, as amended, put and passed.

Clause 219—"Enforcement of such rate by Treasurer," and clause 220—"Rate levied upon occupier, recoverable from owner"—put and passed.

On clause 221, as follows:—

"If any person, liable to pay any rates under the provisions of this Act, fails to pay the same for the space of sixty days after demand thereof made in writing by the clerk or any duly authorised collector, or by post letter sent to the latest known address of such person, or by advertisement in some newspaper generally circulating in the district, the chairman may issue his warrant for levying the amount with costs, according to the scale in the Sixth Schedule to this Act, by distress and sale of the goods and chattels found on the premises in respect of which such rate is due.

"Or, instead of providing by distress and sale, the board may, if it thinks fit, recover any rates in arrear from either the occupier or the owner at the option of the board, by complaint of the chairman before any two justices, or by action in any court of competent jurisdiction."

Mr. GRIMES said there was no provision made for the recovery of costs by the board. The board might take proceedings, but they had to do so at their own expense whether they gained the case or not.

The PREMIER said that was provided for by the Justices Act, and by the Justices Act in force now. The bench had the power to grant costs, and they could not do more than give them that power.

Mr. NELSON said there was an anomaly in the clause. By the first part of it the chairman, on his own motion, might issue his warrant for levying the amount with costs, and in the second part a milder course was adopted, and it required a resolution of the board. He thought the word "providing" in the second part must be a mistake.

The PREMIER said it was a misprint. He moved that the word "providing" be omitted, and the word "proceeding" inserted.

Amendment agreed to.

The PREMIER said, with respect to the other point, he did not think it should be left entirely to the chairman to decide whether the rates should be recovered from the occupier or owner; that was a matter for the exercise of the option of the board. Of course, the chairman sued in the name of the board.

Mr. NELSON said he did not know that justices were always correct, but they ruled that the chairman was not competent to sue without a resolution of the board, whereas the first part of the clause gave the chairman, without any reference to the board whatever, power to issue his warrant, which was a much more obnoxious proceeding than that provided in the second part of the clause. His only object was that it should be made clear that the chairman might sue without any resolution of the board.

The PREMIER said it was not desirable that the chairman should exercise the option, and that could only be done by resolution.

Mr. NELSON said the bench ruled that the chairman had no right to sue unless the board first passed a resolution authorising him to sue.

The PREMIER: They have to pass a resolution to decide whom he shall sue.

Mr. NELSON said the chairman could issue a warrant without reference to the board.

The PREMIER said that was the summary way. Someone must sign the warrant, and the chairman was the proper person to do it. If it came to bringing the case before a court, the question arose who was to be sued—the occupier or owner? That had to be determined by the board. Of course they might strike that out and leave the matter entirely to the chairman's decision, but so long as it was at the option of the board who was to be proceeded against, they must have a resolution.

Mr. ADAMS said he would remind hon. members that in some cases it was necessary to act promptly. He had twice been a mayor under the Local Government Act, and during his term of office there were several cases where tenants were about to leave premises while they were heavily in debt for rates. He had in those cases to issue his warrant instanter, or they would have cleared out, and the landlord would have had to pay the rates. Therefore the first part of the clause did not give the chairman too much power. He knew it was the usual thing, where it was possible, that a resolution should be arrived at by the council or board before extreme measures were resorted to.

Mr. SALKELD said that under the clause there was no power compelling the board to treat all ratepayers who were in arrears alike. He remembered being a member of a municipality where he found a great number of ratepayers were in arrears, and no steps had been taken by the council to enforce payment in some cases. The mayor's contention was that he signed all the writs laid before him, and that left the officers to say who was to be sued and who was not. There should be some provision compelling a board to treat all ratepayers alike. Some willingly and readily paid their just dues; others would not pay at all until they were compelled to. There should be some time fixed after which unpaid rates should be recovered—

say the end of the year, or the first quarter of the next year. Of course, in cases of unoccupied land, the limit was fixed at four years. Where there was anything to levy upon he thought that after a certain time the board should be compelled to take steps in order to recover, and to treat everybody alike.

Mr. PATTISON said that objection could be easily met by inserting "shall" instead of "may," but he did not think it was worth while doing so. He could scarcely see the necessity of the latter part of the clause at all. The first part gave the chairman power to issue his warrant, and that should be sufficient. He could conceive of no case where the chairman should have to ask the consent of his board to bring the matter before two justices. The first part of the clause met all requirements.

Mr. MELLOR said he remembered a case in the divisional board in which he was a member, when an order was given to sue all the ratepayers in arrears. The solicitor issued the notices, and it was found that there were a great many absentees from whom nothing could be recovered at all. Consequently they went to a lot of expense, and did not recover any rates.

Mr. McMASTER said that under the Local Government Act power was given to the mayor to issue his writ. He had known cases in Brisbane where the landlord had come to the town hall and requested that the bailiffs should be immediately put in upon his tenant, who was suspected of wanting to clear away without paying the rates. The difficulty mentioned by the hon. member for Ipswich could be got over if it was provided that any member of the board might bring forward a resolution authorising the mayor to issue his writ. Certainly cases might arise where immediate action was necessary.

Mr. NELSON said he presumed the Committee was satisfied with the clause as it stood, but he did not care for it in its present shape. He wished, however, to bring another matter before the Committee. A great deal of annoyance had been caused in his district in regard to whether the suing should take place in the petty debts court or court of petty sessions. In the one case the police were supposed to serve the summonses, and in the other the bailiff of the petty debts court did it. The police, he believed, had received instructions from the Commissioner that in no case were they to serve summonses for rates, and if that was to be the practice it would be better to say that cases for the recovery of rates should be brought before the court of petty debts.

The PREMIER said he did not think the police should be called upon to serve summonses. The difficulty, if there was one, might be got over by saying only "a court of competent jurisdiction." It could be put that way.

Mr. NELSON: Then the police would not serve the summonses?

The PREMIER said he did not see why a purely civil matter like that should be in the hands of the police.

Clause, as amended, put and passed.

Clauses 222 and 223 passed, with verbal amendments.

Clauses 224 to 230, inclusive, passed as printed.

On clause 231, as follows:—

"The board may from time to time amend any rate-book by inserting therein the name of any person claiming and entitled to have his name inserted therein as owner or occupier, or by inserting the name of any person who ought to have been rated, or by striking out the name of any person who ought not to have been rated, or by raising or reducing the sum at which any person has been rated, if such person has been underrated or overrated, or by making such other amendments therein as will make such rate conformable to this Act, and no such amendment shall be held to avoid the rate; but no alteration or amendment in such rate-book shall be valid unless the same is initialled by the chairman at a meeting of the board, with the date of such alteration or amendment.

"Provided that every person aggrieved by any such alteration shall have the same right of appeal therefrom as he would have from a valuation, and every person with respect to whom rates are altered shall be entitled to receive thirty days' notice of such alteration before the rate shall be payable by him."

The words "and shall" were inserted after the word "may" in the 1st line, and "or liable," after the word "entitled" in the 2nd line.

Mr. GRIMES said it would create a great deal of confusion if the rate-book was to be amended by raising or reducing the sum at which any person had been rated.

The PREMIER said there must be a power to amend the rate-book. A man might sell his property, and the name of the succeeding owner must be inserted, or a fresh valuation of a property might be made, and that must also be shown in the rate-book. The clause simply enabled the rate-book to be made up in accordance with the facts. Without it, an entirely fresh rate-book would have to be made out every year.

Mr. McMASTER said the clause spoke about raising or reducing rates. Annoyance and dissatisfaction had been given by a board reducing the rates of its own members and raising those of some of their disagreeable neighbours. That had occurred not a hundred miles from Brisbane.

The PREMIER said the clause had nothing whatever to do with raising or reducing rates. A board did not reduce the rates, although it might reduce the valuation, and when they did that they must alter the rate-book to show it. The clause merely provided that the rate-book should correspond with the valuation. What would be the use of a rate-book showing one thing and the valuation another? If a wrong name appeared in the rate-book it should be struck out and the right name inserted. There could not be two names with respect to the same property unless the parties were joint occupiers. The name of one occupier might appear in the rate-book at the beginning of the year, and before that rate-book was destroyed there might be half-a-dozen occupiers of the property whose names should be placed on the rate-book.

Mr. GRIMES said it was the reduction of rates to which he had referred. He knew of a case where a person appealed to a board, saying the rate was excessive, and had it reduced. He looked upon the clause as giving power to the board to alter the rate.

The PREMIER said that was exactly what they had power to do. By the 199th clause they could alter the valuations from time to time as might be necessary.

Mr. GRIMES said that was the general valuation, but he was speaking of a special case after the annual valuation was made.

The PREMIER said they always had that power.

Mr. GRIMES said that with such a power they might alter the rate-book up till the end of the year, or till all the rates were paid.

The PREMIER: So they can. Why should they not?

Mr. GRIMES said he could not understand how they could conduct their business if that power was allowed.

Mr. ADAMS said he knew that where a property changed owners the name of the purchaser was put on the rate-book. It was certain

that the board had power to alter the rate, but the 2nd paragraph of the clause provided the same right of appeal from any alteration in the rate-book as from a valuation, and that the party should receive thirty days' notice of the alteration before the rate should be payable by him.

The PREMIER said that if a board by accident made an unreasonable valuation, and people gave notice of appeal, the board, knowing that their valuation could not be supported, should be allowed to correct their mistake.

Mr. MELLOR said that after a board had fixed its valuation by clause 199, that valuation was to remain in force until a fresh valuation was made. Had that anything to do with the clause under discussion?

Mr. BUCKLAND said he did not like the part of the clause which gave the board power to raise or reduce valuations after appeals had been heard. That was a power that did not at present exist.

The PREMIER said it did. The clause did not make the slightest change. It only gave power to correct mistakes.

Mr. McMASTER said he could understand corrections being made before the valuations went to the appeal court; but what was the use afterwards? If a board had the power to reduce rates, any person who had a friend on the board could get his rates reduced. He knew of a case in which the owner of a property snapped his fingers at the valuator, and told him there was no use in putting an extra value on his property as he would have it reduced by the board.

The PREMIER said that if the power were not given, and one mistake were made in a rate-book in which rates on 500 valuations were entered, a new rate-book would have to be made in order to correct the mistake. What did it matter when the change was made? Power should be given to make corrections in the rate-book whenever necessary; otherwise a fresh one would have to be made up. No provision could be made for a fixed interval between any two valuations, and power must be given to amend the rate-book when the fresh valuation was made.

Mr. MELLOR said he did not think the clause referred to a supplementary valuation.

The PREMIER said it made provision for giving effect to a supplementary valuation by giving power to have it inserted in the rate-book, which was the record of the valuation.

Mr. MELLOR said a person might sell a portion of his property and there might be a reduction of rates. Could the rate-book be amended in that case?

Mr. PATTISON said it was well known that alterations were made when necessary. If power were not given to correct errors they would have to stay on the rate-book for ever.

The COLONIAL TREASURER said one would think the clause was a new principle just introduced, whereas the provision was to be found in the 197th clause of the Local Government Act. He knew of many cases in which trouble and expense had been saved through boards being able to alter the rate when they found that they had made an untenable valuation.

Mr. GRIMES said he knew the provision was in the old Act, but it was abused. An individual, after failing to put in an appearance at the appeal court, went to the board and had the valuation of his property reduced.

The PREMIER: What harm was there in that?

Mr. GRIMES said it would be open for anybody at any time of the year to go to the board if any of the members were friends of his, and have the valuation of the valuer set aside. That might be done after the valuation was confirmed by the appeal court, and then it could be altered in the rate-book. He did not think that power should be given.

Mr. PATTISON said that altering the valuation in the rate-book had the effect of saving an appeal in many cases.

Clause put and passed.

Clauses 232 and 233 put and passed.

On clause 234—"Notice to be given before taking possession"—

Mr. NELSON said that referring back to clause 186, regarding noxious weeds, it was there stated that—

> "Any reasonable expense so incurred by the board in extirpating and destroying any such weed or plant shall be a charge upon the land on which it existed and shall be recoverable—
>
> (*a*) If the land is a public reserve, from the trustees or other persons in charge thereof, or if there is no such persons in charge, then from the Treasurer."

Then it went on to say—

> "In the same manner as by this Act rates due and in arrear may be recovered from the occupiers or owners of rateable land."

Would this clause enable a board, supposing they had kept clear the noxious weeds, and had not been able to recover the amount of expense from the Treasurer, to lease the reserve?

The PREMIER: Not in the case of Crown lands, but in the case of private lands. It will not authorise them to deal with Crown lands.

Mr. NELSON: Why?

The PREMIER: Because the land does not belong to the Treasurer. The Crown is the owner, and the Crown is not liable. The Treasurer has to apply to Parliament for the money.

Mr. NELSON: It says in the 186th clause that it shall be recovered from the Treasurer.

The PREMIER: Yes, but there is nothing to make the owner liable.

Clause put and passed.

Clause 235 put and passed.

On clause 236—"Terms of lease"—

Mr. ADAMS said that on the second reading of the Bill he had pointed out to the Chief Secretary that the board might take possession and have the power of leasing the land for a term not exceeding seven years; and he had also pointed out that isolated places where people allowed their rates to get into arrears were just the places where they could not get anyone to lease land for seven years. If the lease were extended to fourteen years, it would make people more anxious to pay their rates. He moved that the word "seven" be omitted with the view of inserting "fourteen."

The PREMIER said that this was a matter which had been fully considered by the Government. Seven years was quite long enough in the circumstances of the colony. The matter had been considered several times, and he could not see his way to accept the amendment.

Mr. ADAMS could only say that, after an experience of twenty-one years, this was the only clause of the whole Act that required to be amended. He had been requested to get it altered, and if the Local Government Act was going to be amended he should endeavour to get it done. It had been the bane of municipalities, and it would be a bane to the boards.

Amendment put and negatived; and clause put and passed.

Clauses 237 to 239 put and passed.

On the motion of the PREMIER, the CHAIRMAN left the chair, reported progress, and obtained leave to sit again to-morrow.

MESSAGE FROM THE LEGISLATIVE COUNCIL.

LOCAL AUTHORITIES (JOINT ACTION) BILL.

The SPEAKER informed the House that he had received a message from the Legislative Council returning the Local Authorities (Joint Action) Bill with schedule of amendments.

On the motion of the PREMIER, it was agreed to take the message of the Legislative Council into consideration in committee to-morrow.

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that the House do now adjourn. We propose to take to-morrow the amendments of the Council in the Local Authorities (Joint Action) Bill, the Quarantine Bill in committee, and then to go on with the Divisional Boards Bill. There are only two or three debatable clauses.

The House adjourned at ten minutes to 11 o'clock.