

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 28 OCTOBER 1886

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LEGISLATIVE COUNCIL.

Thursday, 28 October, 1886.

Petition.—Divisional Boards Bill No. 2—consideration of Legislative Assembly's message of 26th October.

The PRESIDING CHAIRMAN took the chair at 4 o'clock.

PETITION.

The HON. F. H. HOLBERTON presented a petition, signed by upwards of 1,100 inhabitants of Toowoomba and Drayton, praying the House not to sanction the expenditure proposed to be incurred in constructing a railway from Rosewood to Warwick, and from Warwick to St. George, and moved that the petition be read.

Question put and passed, and petition read by the Clerk.

On motion of the HON. F. H. HOLBERTON, the petition was received.

DIVISIONAL BOARDS BILL No. 2.

CONSIDERATION OF THE LEGISLATIVE ASSEMBLY'S MESSAGE OF 26TH OCTOBER.

The POSTMASTER-GENERAL moved that the Presiding Chairman leave the chair, and the House resolve itself into a Committee of the Whole, to consider the message of the Legislative Assembly.

The Hon. G. KING said: Hon. gentlemen,—I rise to move, as an amendment, that the message from the Legislative Assembly be taken into consideration this day six months. Unfortunately I was not present when the House was in committee upon this Bill, and, as you are all aware, a good deal of discussion has taken place on the measure, and a great many alterations and changes have been made in the Bill. In perusing the discussions and debates upon the subject, I was struck with the necessity there is that still further consideration should be given to the Bill, and moreover I was impressed also with the view that there is no immediate necessity for the measure—that in fact the existing machinery is sufficient until more mature consideration can be given to this Bill. I shall not detain hon. members with any further remarks upon the subject, but will now move that all the words after the word “that” be omitted with the view of inserting instead thereof the words “the consideration of this message stand an Order of the Day for this day six months.”

The POSTMASTER-GENERAL said: Hon. gentlemen,—I think when so important a change of front is contemplated by any member of this House, such as is contained in the amendment proposed by the Hon. Mr. King, it is due to the Government that some notice should be given of it. Of course, I am not responsible for the absence of any notice of the amendment, but I think it is due to the country and to those who are entrusted with the administration of its affairs that some reasonable intimation should be given of such an intention as is expressed in the amendment moved by the Hon. Mr. King, even if it be the outcome of his own mind, and he is not acting in concert with any other member or members of this House. The hon. gentleman has attempted to support the adoption of the amendment on the ground that this Bill requires further consideration. Further consideration by whom? By the hon. gentleman himself, or by the whole of this Chamber, or a portion of it? The hon. gentleman has not shown that this Bill has not received great and grave consideration. As a matter of fact, the Bill has received the fullest consideration and the most patient treatment in order to make it as perfect a measure as possible. No one, so far as I am aware, has said before what the Hon. Mr. King has said, that this measure is not wanted, and that the present laws afford provisions and facilities for the working of local self-government that are not possible of amendment. The existing laws have been found to be very defective indeed, and cumbersome and difficult in the interpretation of some matters. It has also been found that they do not give full authority and power to local authorities in many matters in which it is desirable that they should possess full power. It is because of these defects, and also because it was considered extremely desirable and advantageous to local authorities to have the existing statutes codified and amended that this Bill was introduced, and has reached the stage in which it now appears before the House. In the Legislative Assembly there did not appear to be any ground for such action as the Hon. Mr. King has taken, otherwise some such step would no doubt have been taken in that Chamber. Hon. gentlemen will surely take cognisance of this truth that this Bill has been received with much favour, that it is greatly approved by those who represent the country, and who take a deep interest in local self-government; and that it is also very much approved by some hon. gentlemen in this Chamber. If the Hon. Mr. King would state specifically some tenable ground on which to found this amendment, it would be an advantage to those who disagree with him, as well as giving the keystone of

his action in the proposal he has made this afternoon. I respectfully submit that he has not made any statement to justify the action he has taken. Further consideration was the only statement he made in support of the amendment, and, as I have already said, the Bill has received most excellent consideration, full and patient, for a very considerable time, and the Government are naturally taken by surprise at this action, which, if successful, will prevent the Bill from becoming law, as the Bill is most urgently required in all parts of this colony that have local self-government. Perhaps, however, some more feasible and justifiable reason may be given by the hon. gentleman for the proposal he has made. Of course, it will be my duty to oppose it as stoutly as I can, and I trust those hon. gentlemen in this House who usually give the Government fair and reasonable support will stand fast against a step such as is proposed to be adopted by the Hon. Mr. King.

The Hon. F. T. GREGORY said: Hon. gentlemen,—I think this House need not go far—the Postmaster-General himself need not go far—to find reasons which would induce the Hon. Mr. King to bring forward his amendment. The measure, as he truly says, has been fully considered by the House, and it has been amended in such a way as is thought will be most beneficial to the country. A number of amendments have been made with the view of improving the working of the Bill, and some of these might be given way on if we went into committee. But there are some amendments made by this Chamber, which have been resisted so decidedly in the other branch of the Legislature that I cannot conceive that this House will be willing to consent to give them up. Those amendments have been passed by considerable majorities in this House after very careful and mature consideration, and now we are having them thrown back upon us with the evident determination of the other Chamber to enforce certain clauses, which are not only objectionable, but highly objectionable and prejudicial to the best interests of the country. Under these circumstances, I am not surprised at the Hon. Mr. King moving the amendment he has submitted to the House. For my part, I am always ready to discuss these matters on their merits, and leave it to the decision of the House whether the amendments shall be insisted upon or not. I cannot, however, see how the Postmaster-General is taken by surprise by the amendment. It is one which cannot embarrass him in any way. It is simply a question as to whether, with the arguments that have been adduced by both sides of the House, there is sufficient ground to think that the differences between the two branches of the Legislature are such as to justify the postponement of the further consideration of this measure until another session of Parliament. That is all it amounts to. If the amendment is agreed to it will give time, not only to individual members to consider the points at issue, but also for the people of the country to consider whether the opinions entertained by this Chamber are in accordance with the wishes of the ratepayers or taxpayers, who will be influenced and affected by the measure now under consideration. My own conviction is that unquestionably the constituencies generally—by the term “constituencies” I mean the taxpayers in the different divisions of the colony—are particularly hostile to at least two clauses as they originally stood in the Bill, and favourable to the amendments made in those clauses by this House. The clauses I refer to are clauses 52 and 252, as numbered in the Bill when it was received from the Legislative Assembly. There is, I believe, a considerable majority of the taxpayers who will endorse the amendment made in those

clauses by this House. The Postmaster-General will not defeat those amendments. That, at any rate, is my impression, and I think the course adopted by the Hon. Mr. King is one which will relieve the hon. gentleman of any further difficulty in the matter, and give time for consideration not only by this House, but also by the other House and the people.

The HON. W. HORATIO WILSON said: Hon. gentlemen,—I think if this amendment is carried in the form in which it has been proposed, that it will appear rather discourteous to the Legislative Assembly. The Hon. Mr. King, I understand, wishes that this matter shall be postponed for six months, and the question is whether that is the proper course to pursue, seeing that it is proposed upon a message that has come from the Legislative Assembly. Perhaps if some other course were taken there would be no necessity for adopting such an extreme course as the Hon. Mr. King has proposed. It is only in that view that I rise, hoping that some hon. gentleman may make a suggestion, and that the question will not be decided at once without further discussion.

The HON. W. F. TAYLOR said: Hon. gentlemen,—When this Divisional Boards Bill was passing through committee, I must admit that I did not pay that attention to it that possibly I should have done. The matter does not concern me personally to any very great extent, and I was under the impression, until this Bill came before the House, that the divisional boards throughout the colony were working very well under the existing Acts. However, on going through the many clauses of this Divisional Boards Bill it struck me at once that it was a very great improvement on the chaotic mass of legislation upon the subject that exists at the present time; and that the Bill, if passed, would facilitate divisional boards in the conduct of their business and have the effect of making matters work much more smoothly and pleasantly in the carrying out of improvements in various divisions where they are highly necessary. Amongst other facilities, it would give an opportunity of rating property which up to the present time, in my estimation, has not been sufficiently rated. I refer to the unimproved lands of this colony, more especially unimproved freeholds. Speaking from my own personal experience on the subject, I may say that, during a residence of over six years on the Darling Downs, it struck me many times that one great hindrance to settlement is the manner in which land there is locked up. Some of the very best land on the Darling Downs has been for a great many years entirely closed to settlement. It has been alienated from the Crown, and the present holders, with one exception, are decidedly averse to anything like close settlement—anything like utilising the land or devoting it to its proper purpose. A great portion of it is good arable land; in fact, the best agricultural land in the country, and it is now lying barren and unutilised, and it is likely to continue to do so for years to come—until population increases to such an extent that the demand for land will become so great that enormous sums will be paid for it. A great portion of the land I refer to was secured at a merely nominal figure—10s. or £1 an acre; and I know from my own knowledge that £5 an acre was refused six years ago, and that, too, for land by no means the best for agricultural purposes. That land is locked up to this day, and it very likely will continue to remain so. I put it to hon. gentlemen if this is a proper state of affairs—if the settlement of the country is to be retarded in this manner by these large tracts of country being allowed to lie idle; and whether some means cannot be adopted in order to make

these lands contribute a fair proportion to the revenue of the district. Up to the present time they have contributed nothing like a fair proportion to the revenue. Improvements have been carefully kept off the land, and it is now in the same state that it was when it was first handed over to the present proprietors, so that if they will not sell, if they will not attempt to utilise the land themselves by putting it to its proper use—that is agriculture—if they will not do that, at any rate they should be compelled to contribute a fair share to the expenses of maintaining roads and other works throughout the district in a proper manner. With one exception, as I said before, I know no person who has attempted to settle or utilise the land that he holds. That exception is the Hon. Mr. Macansh, a gentleman who has offered a very good example, and one which I think it would be very wise for other gentlemen similarly situated to follow. But it appears that instead of following that example those gentlemen who hold large tracts of country—beautiful agricultural land—are still as averse to settlement as they were ten or fifteen years ago, when they first acquired the land. We have had presented to us to-day a petition from residents of Toowoomba urging that a certain railway should not be constructed; and one argument used against the construction of that railway is the fact that we have to import such large quantities of breadstuffs, corn, potatoes—in fact nearly all the articles with ordinary diet; and the reason set forth in the petition for that condition of affairs is that the railway freights are so high that it does not pay farmers to grow these things and send them to Brisbane. To my mind that is neither more nor less than simply absurd. The real reason is that there is no land open for settlement; that it is locked up, lying fallow, and likely to remain so until some means are adopted to make the owners of that land either utilise it or sell it. That is the real reason, and until some such means are adopted our railways will not pay, because there will not be sufficient settlement on the country to make them pay. I regret that such extreme action as this has been taken, as it will virtually shelve the Bill, which I think is a very fair one. It is one that meets the requirements of many divisional boards; it simplifies and renders easy of understanding various crude and imperfect clauses in the existing laws upon the subject, and if passed I feel certain that it would facilitate the business of the country very materially. I therefore hope hon. gentlemen will consider the matter seriously, and make up their minds to give the Bill further consideration at the present time.

The HON. A. J. THYNNE said: Hon. gentlemen,—I had no idea before coming into the Chamber this afternoon, or before the Order of the Day was called, that the amendment which has been moved by the Hon. Mr. King would be brought before the House. But I could not help feeling some satisfaction at hearing the hon. gentleman move the amendment he did. In the first place, I must say that I have not at any time felt satisfied with the consideration which this measure has received in this House. I think the method adopted in bringing it before the House was one not calculated to insure that careful consideration which a Bill of such great importance ought to receive. The committal of the Bill was brought on almost immediately after the second reading, and before hon. gentlemen had had an opportunity of giving careful consideration to it or to the amendments which they wished to introduce. I, for one, was unable to devote sufficient time to it to satisfy myself respecting its provisions and to prepare amendments which I should like to have made. But, putting aside the question of

amendments in the Bill itself, I think there are some vital questions in it which demand further consideration, not merely from individual members in this Council, or members of either branch of the Legislature, but from the public in general. I think that the provisions with regard to rating are such that there is some danger of some divisional boards finding themselves in a very short time almost in a state of bankruptcy. Their calculations for revenue are so much upset, or would be by the new system of rating which has been introduced in this Bill, that it would take them a year or two to place themselves again in a sound financial position. I think anything that would endanger the existence of any divisional boards in that way should receive most careful consideration before it is passed into law. I observed that the Hon. Dr. Taylor stated he was in favour of the Bill because he believed it would have a tendency to what is called "bursting-up the big estates." I fail to see in what way a Divisional Boards Bill can have, or is calculated to have, that effect. Another thing I fail to see is that the consideration of the Divisional Boards Bill is the proper time to introduce a discussion of that character. If large freehold estates are to be taxed, the proper and legitimate way of taxing them is by a tax that will bring revenue into the Treasury of the colony and not into the coffers of local bodies, who are more or less under the influence of the people resident in the division. I think, too, from what I have heard from many members of divisional boards outside this House, that they themselves would like to have some considerable time for reconsidering the whole measure, and suggesting improvements which would prevent any difficulties in the management of these bodies. While, however, I say there are some vital dangers in this measure, at the same time I regret very much that some clauses in it cannot be brought into force; because I admit that while there are some elements of danger in the Bill, there are also some elements of very great good in it; but there being some good in it is not, I think, sufficient to justify the House in passing the measure, if the majority of hon. members think that it is one which requires further careful consideration.

The HON. J. TAYLOR said: Hon. gentlemen,—I am quite sure that the Hon. Dr. Taylor is not a large possessor of land, and that he does not know much about farming in Queensland, or he would not have made such a speech as he made this afternoon. He said that the reason why we are obliged to import nearly all our grain, bran, etc., is because there is no land available to grow these things. I say there is plenty of land everywhere, and that is not the reason at all. To show what it is, I will quote the case of a large farm at Yandilla belonging to Gore and Co. It was put under wheat, and the crop is now so bad with rust that it has to be turned into hay. Yet the hon. member says it is want of land. I say it is not; climatic causes are the great drawback to farming in this colony. The hon. gentleman likewise stated that the great landholders pay no rates, comparatively speaking. I say they pay very heavy rates. I myself pay nearly £200 a year on one property. That is a pretty considerable sum, and it is for property that is not fit to grow grain. Then the hon. gentleman alluded to one great estate, that of the Hon. Mr. Macansh, near Warwick, which he bought for a mere trifle, and demanded an enormous price for. I have heard that he offered it at a reasonable price. And yet we are told that there is no good land for people to select, and that is the cause of having to import agricultural produce to the extent we do. It is all nonsense. I shall vote

for the amendment; I think it a very good amendment, because it will give the country time to express an opinion about the Bill.

Question—That the words proposed to be omitted stand part of the question—put, and the House divided:—

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The Hons. T. Macdonald-Paterson, W. H. Wilson, D. F. Roberts, H. C. Wood, W. Pettigrew, J. Swan, F. H. Holberton, W. F. Taylor, and J. C. Heussler.

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The Hons. F. T. Gregory, G. King, J. D. Macansh, A. H. Wilson, W. F. Lambert, J. Taylor, P. Macpherson, W. Forrest, A. J. Thynne, J. C. Smyth, W. G. Power, F. H. Hart, and E. B. Forrest.

Resolved in the negative.

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

Question—That the consideration of the message of the Legislative Assembly stand an Order of the Day for this day six months—put and passed.

The House adjourned at five minutes to 5 o'clock.