Queensland

Parliamentary Debates
[Hansard]

Legislative Council

FRIDAY, 15 DECEMBER 1916

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LEGISLATIVE COUNCIL.

FRIDAY, 15 DECEMBER, 1916.

The PRESIDING CHAIRMAN (Hon. W F. Taylor) took the chair at half-past 2 o'clock.

DAYS OF SITTING.

PROPOSED MONDAY SITTING.

The SECRETARY FOR MINES (Hon W. Hamilton): I ask the permission of the House to move a motion without notice, namely—"That the Council, at its rising, do adjourn until 2 o'clock p.m. on Monday next." The reason for that is that I want to finish the business by this day week. If we can get along without having night sittings, I am only too pleased to do so, but I think we will need to have an extra sitting day to do it. We will then be able to clear up the business-sheet.

The PRESIDING CHAIRMAN: Is it the pleasure of the Council that this motion be put—"That the Council, at its rising, do adjourn until 2 o'clock p.m. on Monday next?"

HONOURABLE MEMBERS: Hear, hear!

HON. P. J. LEAHY: I do not rise for the purpose of opposing the motion, but I should not like to let it go as a mere matter of course. If we are to receive Bills from another place in the hope that they will be passed this session I do not know how we are going to pass them. If they were Bills that were in the remotest degree necessary for the welfare of the country there would not be the slightest objection to them. But what do we find? We find that in the closing days of the session all manner of wild-cat Bills have been introduced in another place which are not for the benefit of the country at all. If these Bills received the proper discussion that they ought to receive, then instead of occupying only four sittings they would require twenty sittings to do them justice. Is it a proper thing that Bills like this should be rushed through and submitted for our consideration in the last days of the session? We are being called upon now to do something that we have never been called upon to do before since I have been a member of this Chamber, and that is to sit on Monday. If the Minister could give us a reason for sitting an extra day there would be no objection to it.

The SECRETARY FOR MINES: I gave a reason.

HON. P. J. LEAHY: The reason the hon. member gave was that a number of Bills were coming from another place, and he wants to clear the business-sheet. If they had done their business in a proper manner in another place these Bills would not be rushed up to us at the tail-end of the session. It will take us all our time to deal with the business now before us. However, if hon. members wish to sit on Monday they can do so, but I will not allow the motion to go without a protest.

HON. F. T. BRENTNALL: I support the remarks made by the Hon. Mr. Leahy. I do not know how many times I have had to rise and object to a lot of business being rushed through in the last two weeks of the session. It is not fair to members on either side of the House. If members of this House undertake to do the country's work it is our duty to be here when we are needed. But would there be any necessity to meet an extra day if the right kind of work was submitted to us? Our opinions will differ as to what the right kind of work is, but we have brought before us a large number of highly contentious Bills, and they are rushed in at the very end of the session. We are placed in this position—that we have either to dispose of those Bills very summarily without proper and due consideration, or we must let them pass. Whatever we do it is not a good thing for the country. We are all here to act according to our own conscientious sense of duty to the country. I think we may take this for granted—that a lot of the Bills that will be rushed upon us next week will receive inadequate consideration. We shall be glad to get rid of them, and my opinion is that the Government are glad to get rid of them, too. Without wishing to be cynically suspicious, there may be something behind the action of the Government in rushing a lot of Bills on the attention of both Houses of Parliament within the last two weeks. How can we give attention to them and criticise them as we ought to do? It will look as if we are slumming our work if we let them go through without giving them some attention.

Hon. P. J. LEAHY: We ought not to let them go through.

HON. F. T. BRENTNALL: Three years ago one member of this Council, who is not present to-day, protested very strongly against this procedure of rushing Bills through at the end of the session. He said that if he were here in the following session and the same thing was done, he would refuse to pass the Bills at all as a protest. We do not want to do that. We do not want to obstruct the country's business, but if we have to give proper attention to the measures submitted to us, we must have time to do it. The responsibility rests upon the Government. Members have professional and commercial responsibilities, and I know that many members will be rushed with their commercial obligations next week, just as they are at this time every year. Members cannot be expected to leave their own business and come here to devote their time and attention as they have been asked to do of late.

Hon. W. H. CAMPBELL: I don't think much of those who are not here to-day.

HON. F. T. BRENTNALL: They ought to be here. I do not think anyone can accuse me of neglecting my duty so far as attending the Council is concerned. I know that I made arrangements for a meeting at 12 o'clock on Monday, not knowing that this motion was coming on.

Hon. P. J. LEAHY: I was going to Toowoomba.

HON. F. T. BRENTNALL: It is necessary that I should keep the engagement on Monday to make arrangements for the Christmas holidays. It is unfair to force a lot of highly contentious Bills on our attention just within a few days of the end of the session. Hon. gentlemen can decide what is the best course to take. These are the Bills which received our earnest and devoted consideration twelve months ago, and now they are back again, and we are asked to give time to the same line of business. If hon. members think it is fair, they can agree to the resolution.

HON. A. GIBSON: I shall not be able to be present myself on Monday, as our train service will not enable me to be down in time; but I am quite prepared to sit after 6 o'clock in the evening during the week.

The SECRETARY FOR MINES: If hon. members are prepared to sit after 6 o'clock, I will withdraw the motion.

Hon. P. J. LEAHY: It does not follow we shall sit every night after 6 o'clock, does it?

Hon. F. T. BRENTNALL: If reasonable Bills are brought in, we shall put them through without any difficulty.

Question put and negatived.

SUGAR WORKS ACTS AMENDMENT BILL.

RETURNED FROM ASSEMBLY.

The PRESIDING CHAIRMAN announced the receipt of a message from the Assembly agreeing to the amendment of the Council in this Bill.

MARSUPIAL BOARDS ACT AMENDMENT BILL.

MESSAGE FROM ASSEMBLY.

The PRESIDING CHAIRMAN announced the receipt from the Legislative Assembly of the following message:—

"Mr. Presiding Chairman,—

"The Legislative Assembly having had under consideration the Legislative Council's amendments in the Marsupial Boards Act Amendment Bill, beg now to intimate that they—

"Disagree to the amendment in clause 2 (now 3), paragraph (2), because the Marsupial Boards Act has for its object the destruction of marsupials, and the amendment constitutes a limitation of that object.

"Disagree to the amendment in clause 7 (now 8), because this amendment not only invades the privileges of the Legislative Assembly, but also ignores the rights of the Crown, the limit of £5,000 having been included in the Bill as recommended by message from His Excellency the Governor.

"Disagree to the amendments in clause 8 (now 9), because the rate of not less than fifteen shillings does not prevent a higher rate being paid, and it may be that a board may desire to pay more than twenty shillings for foxes; and

"Agree to the other amendments in the Bill.

"W. MCCORMACK,
"Speaker.

"Legislative Assembly Chamber,
"Brisbane, 15th December, 1916."

The message of the Assembly was ordered to be taken into consideration at a later hour of the day.

WAGES BILL.

THIRD READING.

On the motion of the SECRETARY FOR MINES, this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly by message in the usual form.

[*Hon. A. Gibson.*

CITY OF BRISBANE IMPROVEMENT BILL.

THIRD READING.

On the motion of the SECRETARY FOR MINES, this Bill was read a third time, passed, and ordered to be returned to the Legislative Assembly by message in the usual form.

CHILLAGOE AND ETHERIDGE RAILWAYS PURCHASE BILL.

SECOND READING.

The SECRETARY FOR MINES: In moving the second reading of this Bill, I may state at the outset that this is a Bill to authorise the acquirement of the Chillagoe and Etheridge Railways and other property.

Honourable gentlemen will pardon me if I read clause 2 of the measure, which is as follows:—

"The Chief Secretary of Queensland is hereby authorised and empowered, for and on behalf of and as the agent of the Government of Queensland, to enter into an agreement with the trustees for the debenture-holders of the Chillagoe Railway and Mines Limited, and that company and the New Chillagoe Railway and Mines Limited, and the Chillagoe Company Limited and the liquidator thereof, and Chillagoe Limited, or one or more of such corporations or persons, and any other necessary and proper parties or party, for the purchase by the Government of Queensland of the Mareeba to Chillagoe Railway constructed under the provisions of the Mareeba to Chillagoe Railway Act of 1897 and the Etheridge Railway constructed under the provisions of the Etheridge Railway Act of 1906 (but subject to the rights of certain debenture-holders in or over the said last-mentioned railway), and all or any of the railways, property, rights (legal and equitable), and assets of such corporations or persons or parties, or over which they or any of them have powers of sale or may exercise or become entitled to exercise powers of sale.

"The expenditure authorised under the said agreement shall be as follows:—

(*a*) A sum not exceeding four hundred and fifty thousand pounds, together with interest thereon at the rate of four pounds per centum per annum from the thirtieth day of August, one thousand nine hundred and sixteen:

The agreement may provide that the aforesaid sum shall be paid by the purchaser and accepted by the vendors in and represented by Queensland Government debentures to such amount as is equal in actual value to the said sum, such debentures bearing such interest and having such currency as shall be agreed; and

(*b*) The proper cost, charges, and expenses of the trustees for the debenture-holders of the Chillagoe Railway and Mines, Limited, in connection with the sale and transfer of the said property to the Government of Queensland, to an amount not exceeding one thousand pounds.

"The agreement hereby authorised

may contain all such covenants, conditions, stipulations, terms, and provisions as the Chief Secretary deems necessary and proper in the public interest.

"For the purpose of raising the whole or any part of the purchase money or consideration under the said agreement, whether by the issue of debentures to the vendors or otherwise, the Governor in Council shall have the like powers as are conferred upon him by the Government Loan Act of 1914, and that Act shall apply in all respects as if the sum hereby authorised to be raised had been authorised to be raised by that Act and had been expressly mentioned therein.

"All sums of money which are required for giving effect to this Act are hereby appropriated for the purpose out of the consolidated revenue fund."

Hon. gentlemen will remember that in 1897 an Act was passed authorising Charles William Chapman and James Smith Reid of Melbourne, and John Moffat of Chillagoe, to construct and maintain a line of railway from Mareeba to Chillagoe connecting with the Cairns Railway. The preamble of this measure set out as follows:—

"Whereas it is expedient that the said Chapman, Reid, and Moffat should be authorised to construct and maintain such line of railway and branch lines and in consideration of their so constructing and maintaining the same should receive grants of leases of the mineral lands aforesaid not exceeding in the aggregate 2,000 acres in area for a term of fifty years from 1st January, 1898, subject to the annual rent of £1 for every acre thereof so leased."

Power was also given to the owners to fix the tolls and fares—provided that same should in no case exceed one and a-half times the amount payable under by-laws of the Commissioner for Railways. These leases were also deemed to be not subject to the provisions of the Mineral Lands Act of 1882 or Act amending or in substitution of same (which Act imposed on lessees certain working conditions). After the expiration of fifty years the Government could purchase the railway, the price to be fixed by agreement or arbitration, but such value was not to exceed in any case one and one-tenth times the actual cost of construction of the railway, of which cost the certificate of the Commissioner was deemed to be conclusive evidence.

The first portion of the line—56 miles in length—was opened as far as Lappa Junction on the 1st October, 1900, and the latter portion to Mungana—47 miles—on 2nd August, 1901. The actual cost of construction as shown by the Commissioner's certificate was £381,902. Since that certificate was given, additions to buildings, sidings, and rolling-stock have been made, and the total cost of same amounts to £48,844; so that the cost of the line at the present time stands at about £430,746. In October, 1915, the Commissioner for Railways, in reporting on the Chillagoe line, stated that to build a line then similar to the Chillagoe line would take about £498,902.

After this Chillagoe line was completed the company found themselves in difficulties, and approached the Government of the day to build a line to Etheridge. I will quote from a letter dated the 2nd March, 1904, from Mr. J. S. Reid to the Hon. A. J. Thynne, which read as follows:—

"I need scarcely say that any proposal to obtain more money for the sole purpose of further testing the mines would certainly fail, and without sufficient funds for this purpose the failure of the company, and a practical abandonment of Chillagoe seems almost equally certain. This would be little short of a national disaster, at once depriving some 3,000 or 4,000 people of a livelihood, to say nothing of the great loss it would entail not only on these directly concerned in the company, but also directly and indirectly on your State, and it should be averted if it possibly can be.

"There is but one way by which this might effectually be done, that is to get the railway extended to the Etheridge, if that is possible. If it is and can be accomplished, the whole position for all concerned—for those directly interested in the company, for its employees and others dependent upon it who are now likely shortly to be cast adrift, and for the State—would be immensely improved. At least that is the opinion of those who profess a knowledge of the extent and resources of the Etheridge goldfields, where it is believed a large population would certainly find profitable employment with railway and smelting facilities such as the proposed extension would at once afford. To find the money necessary for this important work is a big undertaking for a moribund company to enter upon, and it could not well be taken in hand at a much worse time than the present. But I believe it can be done, with the aid of reasonable Government assistance, provided such assistance is not trammelled with conditions likely to nullify its value."

Eventually the Etheridge Railway Act was passed in 1906. I may mention that the agreement entered into between the Minister for Railways (the Hon. D. F. Denham) and the Chillagoe Company appears as a Schedule to this Act. In this agreement it was provided that the cost of construction was not to exceed £450,000, and that the total cost of the railway shall be provided by the company with the assistance of the Government, such assistance to be as follows:—

"the payment by the Government during the currency of the agreement of a sum equal and amounting to 2½ per cent. per annum on such cost actually incurred (not exceeding £450,000) payable half-yearly by the purchase by the Government of the railway at the termination of fifteen years from the date hereof. The price to be paid by the Government shall be twenty-eight and four-seventh times the amount of the average annual net earnings (i.e., the excess of receipts over management, maintenance, and working expenses) of the line during the period of five years immediately preceding the date of the purchase of the line."

This railway was opened for traffic on the 5th February, 1911. The cost as certified by the Commissioner was £450,000. Under this agreement, therefore, the Queensland

Government have been paying £11,000 a year by way of interest, without corresponding benefit. I understand the total amount spent in interest amounts to £51,862 17s. 4d.

Subsequent to the Etheridge Act, the Government was again approached to build a line to Mount Mulligan, and in connection with the building of this line, I may quote from a letter from Mr. J. S. Reid to Mr. Denham, as follows—

"Under such circumstances it is needless to say that things cannot continue as they are at present, and unless the Mount Mulligan coal can be made available without delay, the only course open to the company will be such as Mr. Thynne will inform you of. There is nothing else for it. I trust, therefore, that you will give immediate and favourable consideration to the proposal he has to submit to you. . . . . Let me add in conclusion that it was mainly on the strength of your own personal and repeated assurances regarding the Mount Mulligan Railway that the company undertook and completed the purchase of the Einasleigh property, thus adding largely to the already very large outlay of capital expended by it in Queensland, so far without any return to its shareholders. I mention this because I think it should certainly be taken into consideration by you and by your Cabinet."

After further negotiations the Mount Mulligan line was constructed.

Various offers were subsequently made by the company to the Government for the purchase of the Chillagoe line. These offers were £1,200,000, then £900,000, then £800,000.

In respect of the first offer a proposal was made on the 26th May, 1913, in a letter from the Hon. A. J. Thynne to Hon. D. F. Denham. An extract of this letter is as follows:—

"I am requested by the chairman of directors of the Chillagoe Company to submit for your consideration the question of the purchase by the Government of the Chillagoe Railway from Mareeba to Almaden and Chillagoe.

"The company would be willing to sell the line at the present time to the Government instead of waiting to the end of the period of fifty years provided for by the Act of 1897.

"The net annual earnings of the line for the period of five years prior to the date of purchase to be ascertained by a statement made out by the company's accountants and audited by an accountant appointed for the Government.

"The purchase money to be twenty years' purchase on the basis of the net annual earnings for the preceding five years as so ascertained.

"Vendors to receive Government 4 per cent. debentures par in payment for the railway. This would leave a margin of at least 1 per cent. per annum to form a sinking fund to recoup the Government the price of the railway.

"One of the conditions of the sale to be that the Government shall either construct as a Government line an extension from Forsayth to the copper district in the neighbourhood of Gilberton, or provide for its construction by the company on terms similar to the Etheridge terms."

A further letter dated 14th October, 1913, was sent to the Hon. D. F. Denham by the Hon. A. J. Thynne, of which the following is an extract:—

"As I think you have been already told the Chillagoe line has returned a net annual average profit of over £62,500 during the past five years. At twenty years' purchase this would be £1,350,000, but I have no doubt that the company would accept £1,200,000 in 4 per cent. debentures at par."

A further proposal was made during 1915 that the Government should pay £950,000 in Queensland Government stock at 4½ per cent., £200,000 of the proceeds to be spent by the Chillagoe Company upon the development of their mines and the working of their smelters; the property to be transferred to the Government under the arrangement was the Chillagoe Railway from Mareeba to Chillagoe, costing £381,000 to build, and also their right to redeem the Etheridge Railway, over which there was a mortgage of £225,000. The Chillagoe Railway was to be estimated at £900,000 in the transaction and the equity of redemption in respect of the Etheridge Railway was to be estimated at £50,000. In October, 1915, the Cabinet decided to give authority to open up negotiations with regard to the taking over of the Chillagoe Railway at a reasonable price and on condition that at least £200,000 should be spent on development work in the district, and that the Etheridge Railway should also be taken over at a fair and equitable price without waiting for the time of purchase as set out in the Etheridge Act of 1906.

Another offer, I understand, of £800,000 was made.

These offers were not accepted, and eventually on 18th May, 1916, a letter was written to the Hon. A. J. Thynne as follows:—

"Sir,—With reference to your recent interviews on the subject of the purchase of the Chillagoe and Etheridge railways, I have the honour to inform you that it is not proposed to proceed further in this matter unless the purchasing price is considerably reduced."

To which he replied on the 29th May—

"Brisbane, 29th May, 1916.

"Sir,—I have the honour to acknowledge the receipt of your letter of 13th instant on the subject of the purchase of the Chillagoe and Etheridge railways, informing me that it was not proposed by the Government to proceed further in the matter unless the purchasing price is considerably reduced.

"A copy of your letter has been sent by me to the directors of the company, who have given to it their serious consideration.

"I am now instructed by them to intimate to you that as the company, in an earnest desire to meet the wishes of the Government and thus secure an early resumption of operations, had already largely reduced the price at which the Chillagoe Railway was placed under offer to the Government, which was below its real value, and having included its valuable interest in the Etheridge Railway

in that reduced offer and accepted the onerous condition of being bound to finance £150,000 for expenditure on the field, it can go no further and must now await the advent of peace to obtain the capital necessary for its purposes in another way.

"This decision has been arrived at with extreme regret, as it is recognised that it must mean indefinite delay in the resumption of operations, a great direct loss to the field in the loss of the present extraordinary prices for lead and copper, and great general loss to all concerned in the field, including the Government as well as the company.

"I have the honour to be, Sir,
"Your obedient servant,
"A. J. THYNNE."

Eventually negotiations were entered into with the Premier and the debenture-holders in England, and as the correspondence has already appeared in "Hansard," on pages 2498 to 2504, and I would also refer hon. gentlemen to "Hansard," page 2504, wherein is reprinted from the "Times" of 31st August last a report of the meeting of Chillagoe debenture-holders in London.

Hon. gentlemen may inquire what properties will be taken over by the Government if the agreement is made which the Bill seeks to authorise them to enter into.

There will be the Mareeba to Chillagoe Railway. Hon. gentlemen will remember that at the commencement of my speech I informed them that the actual cost of construction, as shown by the Commissioner's certificate was £381,902; that further additions amounting to £48,844 had been made, so that the cost of the line at the present time stands at about £430,746. There will also be the Etheridge Railway, subject to the debenture rights. There will also be freehold land: (*a*) the land covered by the Chillagoe Railway line amounting to 1,081 acres 1 rood 37 perches, also 120 acres at Einasleigh, and various mineral leases. I understand that the quantity of permanent way material on these 246 miles of railway exclusive of sidings is equal to 22,500 tons. At the present cost of rails the value of material is over £300,000. In addition to the permanent way material there is the value of the rolling stock, buildings, sidings, etc.

The question has been raised that the district has no copper. I would refer hon. gentlemen to the extracts from the report of Mr. Rodda, who was chief mining expert of the Chillagoe company. These extracts will be found in "Hansard," on page 2547. And I will take the liberty of referring hon. gentleman to them without wearying the House by reading them.

Hon. gentlemen will agree with me that the supply of copper for munitions is all important at the present juncture. It has been most unfortunate that by the actions of this company the copper-producing district of Chillagoe has been allowed to remain absolutely idle during the war, when all our energies should have been put forth to supply to the full extent this most essential product in munitions. This Government is most anxious that such properties should be worked in the Empire's cause.

This district is one of immense possibilities, and this Government is anxious that this State should be developed, and the completion of such proposal will, I am confident, lead to the smelters of Chillagoe again commencing operations, and in giving work to thousands, and to the immediate results of supplying copper and lead to the allies.

I need not mention the benefit also accruing to the State and the people of the North in that the lines shall be Government lines and not lines over which exorbitant rates may be charged. With the opening of these works I am sure an impetus will be given to trade in the North, and the success of the Government's venture when accomplished will assuredly be realised. With reference to the railway rates, the company were authorised by this Act to charge 50 per cent. more than the rates then ruling over Government lines. Since then the fares on the [3 p.m.] State railways have been reduced, whilst the rates on the company's railways have continued at the old level, with the result that people sending goods over the company's railways have to pay 80 per cent. more than they have to pay for the carriage of the same goods on the Government portion of the line.

I think the negotiations which have been carried on by the Premier and the information which has been submitted will put a different aspect on the question to that which hon. members have hitherto entertained. The price that was at first asked by the company was out of all proportion to the value of the property, but it has now been reduced to a point at which the Government feel justified in taking over the railways. I am sure that this will give a great impetus to mining all over the district. I was there a few months ago, and I found the whole district stagnant simply because the Chillagoe Company's works have been lying idle all this time. There is any amount of ore there to be treated if the works resume operations, but which it would not pay to send away for treatment. Government control of the railways will also give the owners of other mines in the district a chance of having their ore treated at the Chillagoe works at a reasonable rate. At present the people in every mining district where private railway concessions have been granted are handicapped through having to pay one and a-half times the rates of carriage charged on the Government railways. In order to assist mining, it would be a good thing if the Government acquired these railways and carried ore to the smelting works at the rate charged by them for the carriage of ore in other districts where the railways belong to the States. With these few remarks I beg to move—That the Bill be now read a second time.

HON. P. J. LEAHY: I beg to move the adjournment of the debate.

Question put and passed.

The resumption of the debate was made an Order of the Day for Tuesday next.

INCOME TAX ACT AMENDMENT BILL.

CONSIDERATION IN COMMITTEE OF ASSEMBLY'S MESSAGE.

(*Hon. A. A. Davey in the chair.*)

Clause 2—"*Amendment of section 7*"—

The SECRETARY FOR MINES moved—

"That the Committee do not insist on their amendment in clause 2, page 2, lines 21 and 22."

The question of the rights of the Council

Hon. W. Hamilton.]

to interfere with a money Bill, by either curtailing or amending it, had been discussed times out of number, but the question had arisen again. There was an attempt made to make an amendment in a money Bill, and he would like to quote from "May" on the subject. On page 574, "May," in dealing with the House of Lords and charges upon the people, said—

> "It is the undoubted and sole right of the Commons to direct, limit, and appoint in such Bills the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed or altered by the House of Lords.
>
> "The Commons' privileges and legislation by the Lords.—By the practice and usage based upon that resolution, the Lords are excluded, not only from the power of initiating or amending Bills dealing with public expenditure or revenue, but also from initiating public Bills which would create a charge upon the people by the imposition of local and other rates, or which deal with the administration or employment of those charges. Bills which thus infringe the privileges of the Commons, when received from the Lords, are either laid aside or postponed for six months.
>
> "It follows, accordingly, that the Lords may not amend the provisions in Bills which they receive from the Commons dealing with the abovementioned subjects, so as to alter, whether by increase or reduction, the amount of a rate or charge—its duration, mode of assessment, levy, collection, appropriation or management; or the persons who pay, receive, manage, or control it; or the limits within which it is leviable."

In 1885 the Council amended a money Bill, and the question was submitted to the Privy Council of whether the Council had any right to do so. This was the question submitted to the Privy Council on a petition from the Legislative Council and Legislative Assembly of Queensland concerning questions which had arisen between those two bodies with regard to their relative rights and powers—

> "1. Whether the Constitution Act of 1867 confers on the Legislative Council powers co-ordinate with those of the Legislative Assembly in the amendment of all Bills, including money Bills?
>
> "2. Whether the claims of the Legislative Assembly as set forth in their message of 12th November, 1885, are well founded?
>
> "Their Lordships agree humbly to report to Your Majesty as their opinion that the first of these questions should be answered in the negative, and the second in the affirmative.
>
> "Her Majesty having taken the said report into consideration was pleased by and with the advice of Her Privy Council to approve thereof. Whereof the Governor, Lieutenant-Governor, or Commander-in-Chief of the Colony of Queensland for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly."

Hon. P. J. LEAHY: You have not told us what we have done.

[*Hon. W. Hamilton.*

The SECRETARY FOR MINES: The hon. gentleman knew quite well that the Council amended the Income Tax Act Amendment Bill in a manner in which both "May" and the Privy Council said they were not entitled to do.

Hon. P. J. LEAHY: You have not shown us yet what we have done.

The SECRETARY FOR MINES: He was trying to show hon. members what the Council had done, and he was quoting authorities much higher than the Hon. Mr. Leahy to show that the Council did wrong.

Hon. P. J. LEAHY: I don't profess to be an authority at all.

The SECRETARY FOR MINES: It was held by the Privy Council that the Legislative Council of Queensland had no power or authority to interfere with a money Bill or to amend it in any way. This question had cropped up on several occasions.

Hon. P. J. LEAHY: Did we not have all this last year?

The SECRETARY FOR MINES: They did not alter a money Bill last year.

Hon. P. J. LEAHY: We did.

The SECRETARY FOR MINES: No; there was a free conference on the Land Tax Bill, but the Council had no right to interfere with the Income Tax Act Amendment Bill. He asked the ruling of the Acting Chairman on the question.

* HON. P. J. LEAHY: The Minister had no right to ask for a ruling at that stage. He took it there was no point of order. If hon. members looked up "Hansard" for last year they would see that they devoted their time to considering certain amendments in the Land Tax Bill and Income Tax Bill, and the Council inserted more drastic amendments than they were making in the present Bill. The Council were not claiming anything contradictory to the dictum laid down by the Privy Council. They did not claim full co-ordinate powers with the Assembly in dealing with a money Bill. If the Assembly proposed to bring in an income tax of 5s. in the £1 the Council would not reduce it to 2s. 6d. in the £1, nor would they increase the amount.

The SECRETARY FOR MINES: You are interfering with the Income Tax Act by limiting the duration of the Act.

HON. P. J. LEAHY: All that the Council had done on this occasion was to simplify things in connection with the Bill. When the Bill came before the Council it provided for retrospective legislation. It provided that the provisions of the Bill should take effect from the 1st January, 1916. There were certain points of law involved between certain companies and the Government, and those matters were now engaging the attention of the court. The Government now came in and asked the Council to pass a Bill making the law retrospective. If they did that they were interfering with the judicial business of the country. The Legislative Council decided to make the Bill come into operation in January next. Was that doing something which the Privy Council said they should not do? He did not think it was. The Government were trying to quash their law

cases, which, undoubtedly, they would do if the Council passed the Bill in its present form.

The SECRETARY FOR MINES: In what way could the Government do that?

HON. P. J. LEAHY: He presumed the Minister knew the secrets of the Cabinet, and he knew that there were certain cases now before the court involving certain questions in connection with income tax. If they passed this Bill and allowed it to have retrospective operation, the Act would have the effect of settling those cases.

Hon. T. M. HALL: It would whitewash the Government.

HON. P. J. LEAHY: Other members in the Chamber knew that what he said was true, and it was just as well to let the public know what the Council were asked to do. They were asked to interfere with certain matters that were now before the courts of the country. If they were willing that that should be done, well and good, but he took it that the Council were not going to be a party to any Government interfering with the judicial operations of the country. Last year, undoubtedly, they did alter the operation of a money Bill, because they limited operations of the Land Tax Act to two years.

The SECRETARY FOR MINES: That was by consent of the Minister.

HON. P. J. LEAHY: The hon. gentleman was entirely wrong. They did nothing by the consent of the Minister. They passed certain amendments to the Income Tax Bill last year and certain amendments [3.30 p.m.] to the Land Tax Bill, and the whole question was fully thrashed out. The Bills went to the other place, and the other place sent them back to the Council just as they were doing now. After that conferences took place between the two Houses. He ought to know, because he was a member of the free conference on the Income Tax Bill, and also in connection with the Land Tax Bill. Certain amendments were come to between the managers on both sides. The Assembly struck every amendment of the Council out, but they immediately proceeded to insert some of the amendments which had been agreed upon, and which a few moments before they had struck out, and those amendments were to be found in the Income Tax Act at the present time. Up to this moment the Council had not done anything which differed in the slightest degree from the procedure they adopted last year. They were acting in entire conformity with what they did last year. He should like to touch upon the question of the duration which the Minister had mentioned.

The SECRETARY FOR MINES: You spoke of the duration.

HON. P. J. LEAHY: The practice he understood in the Imperial Parliament was that taxation measures were only passed for one year. They might have been passed for two years, but duration in that sense had a different meaning to the retrospective character of a measure.

The SECRETARY FOR MINES: The original Income Tax Act, which was made retrospective, dated from 1st January, the same as this.

HON. P. J. LEAHY: There were no law cases affected by that Bill.

The SECRETARY FOR MINES: The difference is that there is a Labour Government now and there was a Liberal Government then.

HON. P. J. LEAHY: They had the same right then as they had now. There was no question of law cases when the income tax was originally proposed as there was at the present time. What was of some importance was the question of the merits or demerits of the thing itself. It was pointed out by the Minister that the Government expected to get from this extra taxation something like £160,000; and, as an argument why they should pass the Bill, they were told that of that sum £100,000 was to be used for the purpose of settling returned soldiers on the land. He was quite sure that any vote for the purpose of settling returned soldiers on the land, or to be used in any other way for their benefit, was one that the Council would most willingly pass; but he thought it could be conclusively shown that, even if they deleted the retrospective provision of this Bill, there would be no difficulty in giving the soldiers the £100,000 which it was contemplated to give them under the Bill. That £100,000 was not going to be spent to-morrow, or next month, or next quarter. They could take it out of the money which would have to be raised next year.

The SECRETARY FOR MINES: We can only raise the money next year on this year's income.

HON. P. J. LEAHY: The hon. gentleman knew that the bulk of this money would not be spent until the end of next year.

The SECRETARY FOR MINES: They are coming back now in droves and batches.

HON. P. J. LEAHY: How long would it take to spend the £100,000, supposing they had it now? Did the hon. gentleman not know that there would be a large amount of money expended by the Federal Government, which would be available immediately, and that the amount raised under this measure would supplement the fund from the Federal Government? So far as the returned soldiers were concerned, he was satisfied that, if the Council insisted on the retrospective character of the Bill being taken away, there would be no difficulty in getting the amount in 1917. He was also aware that where there was a dispute between the two Houses on a matter such as this, in nearly all cases this Chamber had not insisted on their amendments; but there were a few cases last year in which they did insist; but, so far as his reading of "Hansard" and their "Journals" went, they had never yet in any of their messages to the Assembly admitted that they had not the right to amend money Bills. He did not know any case in history of the Chamber that they had not claimed the right to amend them. They undoubtedly did it last year when they had free conferences with the Assembly; so that, if there was any doubt as to whether they had the right to do it, that point was settled in their favour by the action of last year. As to whether they would insist upon their disagreement with the Assembly in this particular matter, he confessed that that question imposed on each member a very heavy responsibility. They should not act

rashly, because it was a serious responsibility. On the other hand they were asked to do something which would prevent the courts of the country from giving decisions which they were about to give.

The SECRETARY FOR MINES: This Bill does not affect any decision. It has no effect on any of the cases before the court.

HON. P. J. LEAHY: The lawyers of the House have been looking into the matter, and considered it did affect them. It might be a serious thing to insist on their amendments, and he hoped that all hon. members, having given full consideration to the matter, would express their opinion before they arrived at a final decision.

HON. A. G. C. HAWTHORN: The Bill was of such importance, and the questions raised as to their right to amend a Bill of this kind had been so adversely debated on this and other occasions, that he thought they ought not to rush the Bill through, and no harm would be done by adjourning it till next Tuesday. That would give time for full consideration. In view of the importance of the Bill and the apparent desire of the Government to get it through, he would suggest that course. He had not gone into the question of whether the pending cases would be affected by the measure or not. It had been said that they were going to be affected because the measure was going to be retrospective. He thought hon. members were not prepared to vote finally on the matter, and it would probably lead to better results if the question was adjourned till next Tuesday. He, therefore, moved—That the Acting Chairman leave the chair, report progress, and ask leave to sit again. He would like to know whether the Minister could give them any idea as to what they were going to do next week, as, presumably, they were going to adjourn next Friday. He did not think that any new legislation should be brought before the Chamber next week. They had passed a great number of Bills, and some very important legislation was now pending in another place. He did not think that at the fag end of the session they should be asked to go into matters so contentious as some of the Bills that were going through the other House at the present time. He thought it was time that the Council asserted itself. If they were going to be wiped out next year by a referendum, they might as well be like the swan, and have a dying song, and show that they were able to hold their end up as well as the Assembly.

HON. T. J. O'SHEA thought there was another reason why the debate should be adjourned till Tuesday. He was given to understand that some of the matters pending before the court at the present time might come up for decision that afternoon, and they might have a little light thrown on the matter in to-morrow morning's papers. He was, naturally, very averse to rushing any legislation through which had even the semblance of interfering with matters which were sub judice.

HON. F. T. BRENTNALL: Another point which they should consider in the meantime, if they were going to adjourn until some day next week, was whether they were being asked to pay income tax twice over this year.

Hon. A. G. C. HAWTHORN: No; you are being asked to pay a little more.

HON. F. T. BRENTNALL: They objected to being made to pay over again from the beginning of this year.

Hon. A. G. C. HAWTHORN: You have only paid income tax to 31st December, 1915.

HON. T. M. HALL: One point which seemed to have been overlooked by hon. members who have spoken—he did not know whether it had been noticed in the daily Press—was that at the Conference between the Prime Minister of the Commonwealth and the Premiers of the States, it was stated that the Federal Government were making full provision for the repatriation of the soldiers, and the States were not expected to make any provision at all.

Hon. A. G. C. HAWTHORN: This is only a "gag" in any case.

HON. T. M. HALL: It was just as well to expose any "gag" of the kind, because it was calculated to create the impression that hon. members were not friendly towards the men who had done so much for the country. It was just as well that it should be shown to the public that it was a farce and a piece of hypocrisy to object to a most important amendment on the ground that the Bill made provision for the repatriation of the soldiers. As to the question concerning the right of the Council to amend an Income Tax Bill, he was one of the Council's managers at the Free Conference on the Income Tax Bill of last session, and on that occasion it would be remembered the Council made an amendment reducing the balance to be carried forward to profit and loss from 7½ to 2½ per cent. That disposed of the argument that they had not the power or the right to amend such Bills. Hon. members should claim the right to express their views on this matter, and, if the other House did not see fit to confer with them and to come to some amicable arrangement, the only course open to them was to cast the Bill out, and they could do that on the third reading, if necessary. (Hear, hear!)

HON. F. T. BRENTNALL: He would like to ask the Minister to explain the real meaning of subclause (4) of clause 2, which read:—

> "The first period for which assessments of income shall be made under the principal Act as amended by subsections one, two, and three of this section shall commence on the first day of January, one thousand nine hundred and sixteen."

Was he such an awful fool as not to understand what that meant?

The ACTING CHAIRMAN: I would point out to the hon. member that this discussion is hardly in order. It would have been perfectly in order before the present motion was put, but the question now before the Committee is—That I do now leave the chair. There will be an opportunity for the hon. member to obtain the information he seeks when the debate is resumed on Tuesday next.

HON. F. T. BRENTNALL: He simply rose to ask hon. members to give their attention to the point he had raised between now and the date to which the consideration of the Assembly's message was to be postponed.

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported progress, and the report was adopted. The Committee obtained leave to sit again on Tuesday next.

VALUATION OF LAND BILL.

SECOND READING.

The SECRETARY FOR MINES (Hon. W. Hamilton)—This Bill is to make better provision for determining land values, and for fixing, assessing, and determining in certain cases rates, taxes, fees, contributions, loans, and compensation on the basis of values so determined, and for purposes consequent thereon or incidental thereto.

The principles of this measure are not novel. In New Zealand, I understand, there has been a Land Valuation Department since 1908, and recently the New South Wales Parliament have passed a Valuation of Land Act. This Act is, to a certain extent, modelled on the lines of the New South Wales Act No. 2, of 1916. The question of the introduction of such legislation has been the subject of resolutions of two Premiers' Conferences, and the conference of this year, which was held in Adelaide, and at which the State was represented by the hon. the Acting Premier and Treasurer, affirmed the principle.

The value of such a department may be summarised, briefly, as follows. It will benefit local authorities and the various Government departments in arriving at valuations. It will save landowners a great deal of worry, trouble, and expense in the compiling of the various returns required for taxation purposes. It will prevent needless duplication in the work of land valuation. And it will serve as a ready index of land valuations to those persons who require same. It is well known that there is a great variety of methods in arriving at valuations, and this would apply particularly to local authority valuations, and no doubt local authorities will welcome the Bill, which will aim at uniformity and accuracy in regard to land valuation.

I would now turn briefly to the provisions of the measure. The Governor-in-Council has power to appoint a valuer-general who shall hold office for seven years: The Governor-in-Council, on the recommendation of the Public Service Board, may appoint such official valuers and other officers as may be deemed necessary. Secrecy must be maintained by all officers of that department.

Clause 6 provides that as soon as practicable after the commencement of the Bill, the valuer-general shall cause to be made a valuation of the unimproved and improved value of all lands other than lands of the Crown, and of such lands of the Crown as he thinks proper to value. Such value may also include the unimproved and improved value of the estates and interests of all owners, including the interests of lessors and lessees in any such lands.

I may mention that the term "improved value of land" is defined as meaning—

> "The capital sum which the fee-simple of the land, with all improvements thereon, might be expected to realise, if offered for sale on such reasonable terms and conditions as a bonâ fide seller would require."

And the "unimproved value of land" is defined as meaning—

> "The capital sum which the fee-simple of the land might be expected to realise if offered for sale on such reasonable terms and conditions as a bonâ fide seller would require, after deducting the value of the improvements, if any."

And the term "value of improvements" is also defined as meaning—

> "The added value which the improvements give to the land at the date of valuation, irrespective of the cost of the improvements: Provided that the added value shall in no case exceed the amount that should reasonably be involved in bringing the unimproved value of the land to its improved value as at the date of valuation."

To enable the valuer-general to make a valuation, every owner of land is required to send to him a full statement of the lands held by him, and in case the owner is an absentee or is a corporation, the manager, secretary, or agent of such owner shall be responsible as if he were the owner. Forms will be prescribed setting out certain questions as to area, portions, use of land owned, and such returns shall also be verified by declaration. There will be a penalty imposed on the owner or person responsible for neglect of sending in, or making false statement in, such returns.

Provision will also be made for the preparation of a "valuation roll" for each district. I may state that a "district" is defined as meaning—

> "A valuation district for the purposes of this Act: each area of a local authority is a valuation district, and according as changes in the boundaries of such areas are made, identical changes shall be deemed to be made in the boundaries of the districts."

This valuation roll shall contain particulars as are set out in clause 8, such as the name and address of owner, situation and description of land, nature of improvements, unimproved value and improved value, etc. And power will be given to the valuer-general to make amendments and adjustments in such roll when necessary. A valuation or alteration will be deemed to be made when the entry has been made on the roll and initialled or signed by the valuer-general or by an official valuer. A new valuation may be made at any time with respect to any parcel of land or portion or the whole of a district, and an owner on payment of a prescribed fee may require the valuer-general to make a new valuation of his land.

When there are more owners than one, the sum of the improved and unimproved values of the estate and interest of the owners shall not be less than the amounts at which the improved and unimproved value respectively would be estimated if held by one owner in fee-simple. There is a clause No. 13 dealing with lessor's and lessee's interests. Several parcels of land owned by the same person but not of the same class of tenure, or are separately let to different persons, shall be separately valued; where part of a parcel of land which has been sold, conveyed, or resumed, fresh valuations shall be made of the part sold or conveyed, and of the part remaining.

The valuer-general shall give to each owner notice of all valuations stating a time within which to lodge objection. Any rating or taxing author may within the prescribed time object to any valuation, and

shall at the same time give notice of the objection to every owner liable for rates and taxes payable in respect of such land. Clause 20 specifies the only grounds upon which objection may be taken under the Act; these are—

> "(*a*) That the values assigned are too high or too low;
>
> "(*b*) That the interests held by various persons in the land have not been correctly apportioned;
>
> "(*c*) That the apportionment of the valuations is not correct;
>
> "(*d*) That lands which should be included in one valuation have been valued separately;
>
> "(*e*) That lands which should be valued separately have been included in one valuation;
>
> "(*f*) That the person named in the notice is not the owner, occupier, or lessee of the land."

Objections shall be heard by a valuation court, which shall consist of a District Court judge; his powers are set out in clause 23; the decision of the court shall be final.

Rates and taxes must, however, be paid notwithstanding an objection has been lodged. The foregoing provisions shall come into operation on the 1st January, 1917. Part III.—"Use of Valuations"—which will be now considered, will come into operation on a date to be proclaimed by the Governor in Council.

This part shall only apply to the following rating or taxing authorities, namely—

> "Local authority, Metropolitan Water and Sewerage Board, Registrar of Titles, Commissioners of Stamps, Commissioner of Taxes."

Such provision may be extended to other rating or taxing authorities by the Governor in Council by proclamation in the "Gazette."

It is provided that the unimproved value determined under this Act shall be deemed to be—

> "(*a*) The unimproved capital value for the purposes of the Local Authorities Acts;
>
> "(*b*) The unimproved value for the purposes of the Land Tax Act."

And the "improved value" so determined shall be deemed the improved capital value for the purposes of the Land Tax Act.

As to the payment of stamp, or succession or probate duties, or the transfer of real property, the duty shall be paid according to the valuation made under the Act on certificate of valuer-general when such fees or duties payable are dependent upon the value of land. However, where in any instrument the consideration stated as the value of the property exceeds the value shown in the certificate of the valuer-general, duty shall be assessed on the larger sum. A certificate of valuation furnished by the valuer-general may be accepted for the purposes of the Real Property Act as a valuation made by a sworn appraiser. And the valuation appearing in the valuation rolls may be used for the purpose of loans and investments on mortgage of land by or on behalf of the Queensland Government Savings Bank, and any other public office or department. Fresh valuations may be made in case of applications for loans.

Hon. gentlemen will see that such a valuation bureau will be very useful when it is shown, as I have briefly pointed out above, to what purposes it will apply. It will prevent duplication considerably in respect of Government departmental administration at all events, and be of considerable advantage to landowners, solicitors, and others and taxpayers generally.

There is a clause, No. 30, dealing with valuation for resumption purposes. The valuer-general shall, as soon after as is reasonably practicable after the commencement of the Act, and at least once in every three years, furnish valuation lists to rating or taxing authorities; he shall also furnish supplementary lists, and there is also provision that it shall not be lawful for any such authority, without written consent of the valuer-general, to make alteration in the lists, except as to change of ownership or occupancy, or as to postal address of owners or occupiers.

Clause 37 is important, prescribing that the valuation lists are to be used as the basis of its rate or tax of the rating or taxing authority, and the value therein shall be deemed to be the values fixed or determined by a valuation or assessment duly made under the Acts relating to the rate or tax. As regards "suburban farm" land, however, there is a special proviso. The Bill provides that—

> "whenever it is shown to the satisfaction of the valuer-general that any suburban farm land is being put to the best use, and that the tax levied on the basis of the unimproved value would impose an unjust proportion of taxation upon the owner or occupier, the valuer-general, in the valuation list, shall declare and set forth two values, viz.—
>
> > The unimproved value.
> >
> > The producing value of the land, which shall be based on the annual or rental value of lands used for purposes of food production in the same district, and which he deems to be a fair value for the purposes of such local rate or land tax.
>
> "And the producing value of the land so declared shall be used by the rating or taxing authority as the basis of such rate or tax."

The Bill also contains the usual machinery provisions as regards service of notice, the requiring of certain information and returns to be furnished when required, the notification of change of ownership, the power of entry of official valuer or valuer-general and the duties of the owners or occupiers in respect of answering questions or giving information. There will be a penalty on persons refusing to give information. Copies of entries may be supplied by the valuer-general on payment of fees in respect of entries on the valuation rolls.

Wide power of making regulations to give effect to the Act is also provided for.

In conclusion, gentlemen, this Bill is by no means in the nature of a party measure, and is one which I am sure will commend itself to hon. gentlemen, who know full well the vexation and trouble and delays in the

present system of complying with the various taxation and rating Acts. This bureau will simplify matters considerably, and no doubt will be welcomed by local authorities, Government departments, and all those concerned with land valuation, rating, and taxation. I may mention that in New Zealand the matter formed the subject of a Royal Commission, and this Government have benefited by the report of that commission and by the experience of New Zealand.

I have pleasure in moving—That the Bill be now read a second time.

HON. T. M. HALL: I beg to move the adjournment of the debate.

Question put and passed.

The resumption of the debate was made an Order of the Day for Tuesday next.

RABBIT ACT AMENDMENT BILL.

CONSIDERATION IN COMMITTEE OF ASSEMBLY'S MESSAGE.

(*Hon. A. A. Davey in the chair.*)

The SECRETARY FOR MINES moved—That the Committee do not insist on the insertion of new clause 4. The reasons given by the Assembly for disagreeing with the Council's amendment were that a board was already authorised under the Rabbit Act to take measures for preventing the incursion or migration of rabbits, and the issue of permits or licenses for the destruction of rabbits was considered unnecessary.

[4 p.m.]

HON. W. H. CAMPBELL: He understood that at present the Minister alone had power to grant permits for the destruction of rabbits, but the Council considered that he should only have that power in conjunction with the local rabbit boards. The Central Rabbit Board was being abolished, and the local boards wanted to have the same say in granting permits as the Minister had. That was the effect of the amendment that was inserted by the Council.

The SECRETARY FOR MINES: The local rabbit boards did not have power at the present time to consult with the Minister on the matter of issuing permits for the destruction of rabbits.

Hon. W. H. CAMPBELL: But we want to give them that power.

The SECRETARY FOR MINES: The Minister did not think it advisable to give the local boards that power, because they were too far removed from headquarters. The duty of the local boards was to prevent the incursion of rabbits, to erect border fences, and levy assessments.

Hon. W. H. CAMPBELL: Why should they not have the power to issue permits?

The SECRETARY FOR MINES: But they never did have that power.

Hon. W. H. CAMPBELL: The Central Board had that power.

The SECRETARY FOR MINES: The Central Board had power to consult with the Minister, but the Central Board hardly met more than once a year. The Minister was willing to confer all the consultative powers held by the Central Board on the district boards. He was quite willing to do that, because he could get more assistance and better information from the district boards than from the Central Board, because the members of the Central Board were never out of Brisbane. The Minister, however, was against conferring the power on the country boards to say when permits should be issued. The Minister now had the power to issue permits, and he did not want that power taken out of his hands. They knew that works had been established at Yelarbon, on the Goondiwindi Railway, for treating rabbits. That was the only district where permits were likely to be issued. They were not likely to be issued at Cunnamulla, because they could not have refrigerating works there. At present, supplies of rabbits could be sent to Toowoomba and Warwick and other places from Yelarbon. It was only right that the people should have the advantage of getting cheap food. Some people did not like to eat rabbits, but others liked them, and they had a right to have them. The Central Board had no power to stop the Minister from issuing permits, and none of the district boards should have that power either.

HON. A. G. C. HAWTHORN: If the position were as the Minister stated, then there was all the more reason for their insisting on their amendment. If the Minister for Public Lands could flout everybody like that, then they should insist on their amendment to make him consult with the local boards. He (Mr. Hawthorn) had read through the report of the Select Committee appointed in connection with the Bill, and the opinion seemed to be that for years the pastoralists of Queensland and Australia thought it was not advisable to allow rabbits to be made a commercial asset. There was not a single pastoralist who thought it was advisable. It was stated that it would lead to an increase in the number of rabbits if men were engaged in making a living out of them. The Minister for Mines said that refrigerating works were established at Yelarbon, on the Goondiwindi line, and the same sort of refrigerating works could be erected at Cunnamulla or elsewhere at no great expense if the principle of allowing rabbits to be sold as food were agreed to.

The question of cost would not stop them putting up refrigerating chambers there, and, seeing that the consensus of opinion in the report was to the effect that it was not advisable to allow sale and traffic of rabbits in Queensland, the best thing to do would be to insist on their amendment. It was shown that the rabbit fences had been most effective. They had spent hundreds of thousands of pounds on them, and they had practically stopped the advance of the rabbits northwards. Under the present system the rabbits could be kept in check, especially as in times of drought, millions of them died. Members who had had experience of the rabbit question were unanimous in their opinion that it was inadvisable to make the traffic in rabbits a commercial business. Unless there was some good reason given to the contrary, he should insist on the amendment of the Council.

HON. A. H. PARNELL: As a member of the Select Committee he thought that the Minister was not quite accurate in the statement that he made. The Central Board could not be called together unless the Secretary for Public Lands summoned them, and he had not called the board together for over twelve months.

HON. A. G. C. HAWTHORN: And then blamed the board.

The SECRETARY FOR MINES: The Government of which the hon. member was a member ignored the board. The late Mr. Bell, who was a colleague of the Hon. Mr. Hawthorn, absolutely refused to meet them.

HON. A. H. PARNELL: It was not correct to say that the gentlemen who were on the Central Board did not understand the question, because many of them were old pastoralists who had been in the West many years ago when rabbits were very thick. Every witness before the committee stated that when the rabbits were caught in traps they commenced to squeal and drove the other rabbits away from that area into another place, and declared that trapping had done no good. It was shown that nobody where the rabbits were caught ever consumed them.

The SECRETARY FOR MINES: I know different to that.

HON. A. H. PARNELL: That was the evidence adduced before the Select Committee, and any hon. gentleman who had gone fully into the report would insist on the Council's amendment.

* HON. P. J. LEAHY quite endorsed what the Hon. Mr. Parnell had said as to the Minister not being correct in the remarks he made with regard to the Central Board. He was a member of the Select Committee which took evidence on this matter, and it was clearly stated by some of the members and the secretary of the Central Board that they had not refused to attend meetings—that the only reason they did not attend was that they were not invited to attend; so the fault did not lie with them but with the Minister. The Secretary for Mines stated that at one time there was some friction between the late Hon. J. T. Bell and the Central Rabbit Board, but he did not understand that Mr. Bell had expressed the opinion that the Central Board was useless. The trouble might have related to the personnel of the board, but that was beside the question. The important point was whether it was desirable to retain the Central Board or not. If they insisted on the amendment, and hon. members in another place had not sense enough to give way and take their view of things, the Bill would be lost. The consequence would be that the Central Board would still be there. Was it not best to insist on the amendment even if it would wreck the Bill? If the Central Board continued to exist, would that be any worse than the Bill? When there was a new Government, the Central Board would be there ready to do their duty.

The SECRETARY FOR MINES: You are looking a long way ahead.

HON. P. J. LEAHY: Seventeen months was not a very long time.

The SECRETARY FOR MINES: It may be seventeen years.

HON. P. J. LEAHY: Someone said that "Coming events cast their shadows before." There were a lot of shadows cast now, and more would be cast in the early future. The evidence given before the committee was very conclusive, and he knew the Minister would bear him out, because he was impressed with the evidence.

The SECRETARY FOR MINES: I was not.

HON. P. J. LEAHY: The Minister was the only member, then, who was not impressed with the evidence. The Minister certainly gave him the impression from his appearance that he was impressed. The evidence was overwhelmingly to the effect that it was a mistake to have anything to do with the trapping of rabbits for food. They had evidence to that effect from Queensland and New South Wales from thoroughly competent men, and, unless the Minister was prepared to say that they did not tell the truth, or were wilfully perverse, or did not know their business, he could not understand his attitude. The best thing they could do was to insist on the amendment, even if it meant the wrecking of the Bill.

The SECRETARY FOR MINES: When he said that he was not impressed by the evidence given before the Select Committee, it was not because he doubted the veracity of the witnesses, but because they were giving evidence of conditions other than those which applied in Queensland. In the other States they were trapping rabbits for human consumption, in places which were within easy reach of the railway to Sydney, Melbourne, or Adelaide, and where they could put the rabbits in crates on the railway, and send them to cold stores in the cities six or seven hours after they were caught. They said that in New South Wales the Government only allowed the trapping of rabbits on main roads and Government reserves, so their experience was circumscribed. They did not say that the trapping had taken place on the pastoral holdings, and that such trapping had caused the rabbits to spread; they admitted that trapping had only taken place on public roads and reserves. They only trapped for human consumption when they were within easy reach of one of the capital cities. If they were not allowed to trap there were thousands of people who used rabbits for consumption who would have to go without them. It was a pretty big industry in some places, and provided food for thousands of people in large cities.

Hon. P. J. LEAHY: Not in Queensland.

The SECRETARY FOR MINES: In New South Wales. He had seen himself how things were in New South Wales. Those who gave evidence with regard to Queensland had not seen any trapping here; they could only speak about what somebody else had told them. If they threw the Bill out, or insisted on the amendment, it would not stop the Minister from issuing permits.

HON. P. J. LEAHY thought the Minister had proved his (Mr. Leahy's) contention. All his arguments had been directed to the fact that the conditions in New South Wales were different to those here. If the witnesses knew that rabbits were trapped on reserves and roads, and near freezing works where everything was favourable for converting them into a marketable asset, if, knowing that, they were opposed to trapping, how much more strongly must they be opposed to trapping here where there was no possibility except in one or two places of making use of them for commercial purposes?

HON. W. H. CAMPBELL asked what the objection of the Minister for Lands was to working in co-operation with the district boards?

The SECRETARY FOR MINES: Simply because they would not allow him to give permits.

HON. W. H. CAMPBELL: Station managers and selectors were members of the boards, and he did not see what objection there could be to the Minister working with them.

* HON. B. FAHEY: The Minister said a while ago that practically the district boards were not necessary.

The SECRETARY FOR MINES: I said they were subject to headquarters.

HON. B. FAHEY: If the hon. gentleman said headquarters were too far away from the scene of the acts and operations he would be more correct. That was where the district boards would come into operation and be useful. They ought to take advantage of the experience of graziers in New South Wales, but the Minister was not inclined to go on experience. His whole argument was that the Secretary for Lands must be either Cæsar or nothing. According to the hon. gentleman's statement, the Minister must not be thwarted; the Minister was to be empowered to override the law and issue permits and licenses, whether the law allowed it or not. It should be stated in the Bill whether the Minister should be allowed to issue a license or not. The trappers in New South Wales were the very people who defeated the operations of the Act there, because they did not want to be deprived of their means of a profitable livelihood. That was what the people of Queensland should protect themselves against. In Brisbane they knew very little about the habits of the rabbits in Queensland. The hands of the Minister should be tied by the Act, as well as those of any other subject, and he should not be allowed to override the law.

The SECRETARY FOR MINES: He is not asking to be allowed to override the law.

Mr. FAHEY: The Minister asked why he should be prevented from issuing permits. If the Act provided that permits [4.30 p.m.] were only to be issued under certain conditions, if those conditions were not complied with by the Minister, and he issued a license himself contrary to the conditions of the Act, and the licensee acted upon that license, he was liable to be prosecuted and stopped. Why should the Minister be allowed to do as he liked, irrespective of the law?

The SECRETARY FOR MINES: The Minister is not asking to be allowed to do as he likes.

Hon. P. J. LEAHY: How can a Minister do anything wrong?

HON. B. FAHEY: Present Ministers were not allowed to do right.

The SECRETARY FOR MINES: I know what the country boards are. We would be foolish to put this power in their hands.

HON. B. FAHEY: They should have a good Rabbit Act, and that Act should not be interfered with at the will or the caprice of a Minister. The Act should limit his authority, and he was very glad to find that the Central Rabbit Board was not yet abolished, and he hoped it would not be abolished. He would do everything in his power to limit the power of the Minister by law in his administration of the Act.

HON. W. H. CAMPBELL: If the Bill were rejected, they would leave the power in the hands of the Minister under the principal Act.

Hon. P. J. LEAHY: But we shall not wipe out the Central Board if the Bill is rejected.

Question—That the Committee do not insist on new clause 4—put and negatived.

HON. P. J. LEAHY moved—

"That the Committee do insist on the insertion of new clause 4, because the local boards are in a better position than the Minister without their assistance to decide on the granting or refusal of permits."

Question put and passed.

New clause 5—"*Amendment of section 51*"—

The SECRETARY FOR MINES moved—

"That the Committee do not insist on the insertion of new clause 5."

HON. W. H. CAMPBELL: The clause was consequential on new clause 4, on which they had just insisted.

Question put and negatived.

HON. P. J. LEAHY moved—

"That the Committee insist on the insertion of new clause 5 for the reasons given in connection with new clause 4."

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported that the Committee insisted on their amendments in the Bill, and the report was adopted. The Bill was ordered to be returned to the Assembly with the following message:—

"Mr. Speaker,—

"The Legislative Council having had under consideration the message of the Legislative Assembly of date 14th December, relative to the Rabbit Act Amendment Bill, beg now to intimate that they—

"Insist on the insertion of new clauses 4 and 5, because the local boards are in a better position than the Minister without their assistance to decide on the granting or refusal of permits.

"W. F. TAYLOR,
"Presiding Chairman.

"Legislative Council Chamber,
"Brisbane, 15th December, 1916."

FISH SUPPLY BILL.

CONSIDERATION IN COMMITTEE OF ASSEMBLY'S MESSAGE, No. 3.

(*Hon. A. A. Davey in the chair.*)

The ACTING CHAIRMAN: The question now before the Committee is—

"That the Committee agree to the amendments proposed by the Legislative Assembly on the Council's amendment in clause 5, after line 39."

The SECRETARY FOR MINES: I ask leave to withdraw that motion.

Motion, by leave, withdrawn.

The SECRETARY FOR MINES moved—

"That the Committee agree to the Legislative Assembly's amendment on the Legislative Council's amendment after the word 'markets,' and agree to so much of the Assembly's other amendment on the Council's amendment which omits all the words after 'licensee' where it first occurs, but disagree to the words proposed to be inserted in lieu thereof, and offer in their place the following words: 'or to prejudice the

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lessee or licensee in his right and title to, or interest in, any lease or licensed oyster bank held by him.' "

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported that the Committee had agreed to one of the Assembly's amendments on the Council's amendment, and agreed to the other, with an amendment. The report was adopted. The Bill was ordered to be returned to the Legislative Assembly with the following message:—

"Mr. Speaker,—

"The Legislative Council, having had under consideration the message of the Legislative Assembly of date 12th December, relative to the Fish Supply Bill, beg now to intimate that they—

"Agree to the Legislative Assembly's amendment on the Council's amendment in clause 5 after the word 'markets,' and agree to so much of the Assembly's other amendment on the Council's amendment which omits all the words after 'licensee' where it first occurs, but disagree to the words proposed to be inserted in lieu thereof, and offer in their place the following words:—' or to prejudice the lessee or licensee in his right and title to, or interest in, any lease or licensed oyster bank held by him';

"In which further amendment they invite the concurrence of the Legislative Assembly.

"W. F. TAYLOR,

"Presiding Chairman.

"Legislative Council Chamber,

"Brisbane, 15th December, 1916."

MARSUPIAL BOARDS ACT AMENDMENT BILL.

CONSIDERATION IN COMMITTEE OF ASSEMBLY'S MESSAGE.

(*Hon. A. A. Davey in the chair.*)

Clause 2—"*Amendment of section* 19—*Who may destroy animals*"—

The SECRETARY FOR MINES moved—That the Committee do not insist on that part of their amendment in clause 2 (now 3), which inserts lines 13 to 17.

HON. W. H. CAMPBELL: The Minister's motion referred to an amendment made by the Committee prohibiting more than one scalper on 40,000 acres. Apparently, the Government had objected to that. Bonâ fide settlers would keep sufficient men [5 p.m.] on their holdings to keep down the dingoes, and what was wanted was to get at the people who would not do that. By insisting on the amendment, they might wreck the prospect of doing so. They had no desire to do that, and wished the Bill to pass so that they could bring about the extinction of the dingo.

Question put and passed.

Clause 8—"*Amendment of section* 29—*Amounts of endowment*"—

The SECRETARY FOR MINES moved—That the Committee do not insist on their amendment in clause 7 (now 8).

HON. P. J. LEAHY: The Council would have to insist on this amendment. There was no necessity to argue the question, and he would ask hon. members to negative the motion, and he would move another one.

Question put and negatived.

HON. P. J. LEAHY moved—That the Committee insist on their amendment in clause 7 (now 8), because they think the endowment should not be a fixed amount, but should be in the discretion of the Minister.

Question put and passed.

On clause 9—"*Amendment of section* 31—*Rate of bonus*"—

The SECRETARY FOR MINES moved—That the Committee do not insist on their amendment in clause 8 (now 9). The amendment fixed the bonus on scalps at £1.

Question put and passed.

The Council resumed. The ACTING CHAIRMAN reported that the Committee insisted on their amendment in clause 7 (now 8), and did not insist on the other amendments in the Bill to which the Assembly had disagreed. The report was adopted. The Bill was ordered to be returned to the Assembly with a message intimating that the Council insisted on their amendment in clause 7 (now 8), because they thought the endowment should not be a fixed amount, but should be in the discretion of the Minister; and did not insist on the other amendments in the Bill to which the Assembly had disagreed.

DENTAL ACT AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR MINES (Hon. W. Hamilton): One of the objects of this Bill is to grant relief to many deserving persons who have been suffering since 1902 (the date of the passing of the principal Act) certain disabilities owing to their not being able to register under the provisions of that Act. I understand that numbers have suffered owing to the restrictions in that Act, and that dentists have come forward and applied for relief in such cases. Other amendments are also made. I will turn to the provisions of the Bill, which is more in the nature of a Committee one. In the first place, provision is made for the definition of an "operative assistant," who is defined as a person who practises in dentistry as an assistant to a dentist. And there will be a new definition of "dentistry" as meaning—

"The performance for fee, salary, or other reward, or for expectation of fee, salary, or other reward, of any operation upon the natural teeth and their associate parts of a human subject, or the construction or adjustment of artificial teeth for a human subject: The term does not include the mechanical construction by an artisan of artificial dentures or other devices for registered dentists."

Clause 5 is important and will give relief in the cases of hardship mentioned above. It provides that any person who for a period of three years prior to 1st August, 1916, has practised dentistry in Queensland on his own account without being registered as a dentist, may for three years after such date continue to so practise. On registration of his name in accordance with subsection (3) (which will be mentioned later) such person shall continue to have the same rights and

privileges which he possessed immediately before 1st August, 1916, but so far only as the practice of dentistry is concerned, moreover he shall not take or use or have attached or exhibited at his place of business or any premises the word "dentist" or "dental practitioner" or "dental surgeon" or "surgeon dentist," or any other word or sign implying or tending to the belief that he is registered as a dentist. If before the expiration of three years he passes the final qualifying examination of the board (but in the practical subjects and tests only) he shall be entitled to be registered as a dentist under this Act. And any person who has served as a pupil or apprentice for a period of not less than three years with a dentist registered in Queensland or in any other State of the Commonwealth and who was on 1st August, 1916, bonâ fide engaged as an operative assistant to a registered dentist in practice in Queensland, may, for three years after the said date, work for any such dentist in such employment, and if he furnishes satisfactory evidence to the board of having during the last-mentioned three years continuously pursued a course of study and training in surgical and mechanical dentistry for twelve months, and before the expiration of such three years, passes the final qualifying examination of the board, he shall be entitled to be registered as a dentist.

An employer, however, shall not permit such assistant to act as manager of any branch practice, or to practise dentistry unless a registered dentist is actually and bonâ fide in charge of the premises. To come under the above provisions a person must register his name before 1st February, 1917, and satisfy the board that he has so practised or has served and has studied for the required period and that he is of good character.

A power was given under the Act of 1902 for an appeal from the board in case of refusal to register to the Minister, who could dismiss the appeal or order the board to register such person. This section will be repealed by this amending Bill.

An annual license fee of £1 1s. shall be payable by every registered dentist to the board. On refusal of the board to register a person or the erasure of the name from the register by the board, the board if required by such person shall state in writing the reason, and such person may appeal to the Supreme Court, which appeal will be in the nature of a rehearing.

A new clause will also be substituted for section 20 of the principal Act dealing with prohibition of unregistered persons assuming the title of dentist. The clause as now proposed will serve as a protection to the public. There is, however, a proviso that the section shall not prohibit any person from extracting teeth at any place more than 5 miles from the place of business of the nearest practising dentist.

A further clause is inserted permitting reciprocity with other States. I understand that hitherto no dentist in Queensland could go to another State of the Commonwealth nor could the other dentists who had not taken a University degree come here. It is only those who have taken a degree who can come to Queensland or who can go from here to the other States, and as there is no chair of dentistry in Queensland it is impossible for a Queensland dentist to go South.

However, a clause has been inserted, the object of which is to provide that, where any State recognises the registration of a Queensland dentist, it shall have a right to have its dentists recognised under the Queensland Act.

I beg to move—That the Bill be now read a second time.

HON. E. W. H. FOWLES: I would ask the Minister whether the rights of any pupils in dentistry who may be serving at the front at the present time are conserved by this Bill?

The SECRETARY FOR MINES: Yes.

Hon. T. M. HALL: We can insert a provision doing so in Committee, if necessary.

Question—That the Bill be now read a second time—put and passed.

The consideration of the Bill in Committee was made an Order of the Day for Tuesday next.

SUGAR EXPERIMENT STATIONS ACT AMENDMENT BILL.

PRESENTATION OF REPORT OF SELECT COMMITTEE.

HON. A. HINCHCLIFFE presented the report of the Select Committee on this Bill, and moved that it be printed.

Question put and passed.

The SECRETARY FOR MINES: When the third reading of the Sugar Experiment Stations Act Amendment Bill [5.30 p.m.] was proposed on the last occasion the Bill was referred to a Select Committee. I would ask leave to move, without notice, that the third reading of the Bill stand an Order of the Day for Tuesday next.

The PRESIDING CHAIRMAN: Is it the pleasure of the Council that the motion be put without notice.

HONOURABLE MEMBERS: Hear, hear!

Question—That the third reading of the Sugar Experiment Stations Act Amendment Bill stand an Order of the Day for Tuesday next—put and passed.

ADJOURNMENT.

The SECRETARY FOR MINES: I beg to move—That the Council do now adjourn. The first business on Tuesday will be the consideration in Committee of the Assembly's message on the Income Tax Act Amendment Bill, then the resumption of the second reading of the Constitution Act of 1867 Amendment Bill, then the adoption of the report of the Select Committee on the Sugar Experiment Stations Act Amendment Bill, to be followed by the third reading of that Bill. After that we will take the resumption of the debate on the second reading of the Valuation of Land Bill.

Question put and passed.

The Council adjourned at twenty-eight minutes to 6 o'clock.