Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 13 NOVEMBER 1917

LEGISLATIVE ASSEMBLY.

TUESDAY, 13 NOVEMBER, 1917.

The SPEAKER (Hon. W. McCormack, *Cairns*) took the chair at half-past 3 o'clock.

AGRICULTURAL SETTLERS' RELIEF ACT AMENDMENT BILL—ROCKHAMPTON HARBOUR BOARD ACTS AMENDMENT BILL.

ASSENT.

The SPEAKER announced the receipt of messages from His Excellency the Deputy Governor, conveying his assent to these Bills.

QUESTIONS.

WORK AND EXPENSES OF JUDGES.

Mr. H. J. RYAN (*Cook*) asked the Minister representing the Attorney-General—

"1. The number of cases, civil and criminal, heard and determined, respectively, during the period 1st January, 1917, to 31st October, 1917, by—(i.) The Honourable the Chief Justice; (ii.) the Honourable Mr. Justice Real; (iii.) the Honourable Mr. Justice Chubb; (iv.) the Honourable Mr. Justice Shand; and (v.) the Honourable Mr. Justice Lukin?

"2. The number of chamber applications dealt with by each of the above-named judges during that period?

"3. The number of days of five hours each upon which each of these judges was engaged in court business during that period?

"4. The total duration of court vacations and holidays during that period?

"5. The total duration of court vacations and holidays during each year?

"6. The travelling expenses paid by the Government for each judge during the ten months, 1st January, 1917, to 31st October, 1917, indicating the daily rate of such expenses in relation to the time occupied by each judge on circuit?"

HON. J. A. FIHELLY (*Paddington*) replied—

"1 to 6. Four of the Supreme Court judges ask that the request for this information be made direct to them through the Attorney-General by letter. I would, therefore, ask that these questions be postponed until the Attorney-General returns."

ENLISTMENT OF PERSONS WITH LARGE INCOMES.

Mr. COLLINS (*Bowen*) asked the Treasurer—

"Will he ascertain—

"1. How many persons have enlisted out of the 385 mentioned in the State Income Tax Commissioner's latest report as having incomes above £3,000, and an aggregate income from property and personal exertion of £2,748,074?

"2. How many of the pastoralists have enlisted out of the 2,522 mentioned in the State Income Tax Commissioner's report as having an aggregate income from property and personal exertion of £4,084,531?

"3. Do these comprise persons who have failed to volunteer and who have voted for the conscription of those who have neither wealth nor property to defend?"

The TREASURER (Hon. E. G. Theodore, *Chillagoe*) replied—

"1, 2, and 3. There are no records in the Income Tax Office from which the required particulars can be compiled."

ENGINE-DRIVERS DOING FIREMEN'S WORK.

Mr. BERTRAM (*Maree*) asked the Secretary for Railways—

"In view of the fact that over 4,000 hours' overtime were worked by engine-drivers during the month of October, in the Roma Street and Woolloongabba yards, will he endeavour to have the work so arranged that men who have qualified for engine-driving, but who are doing firemen's work only, are given a share of engine-driving?"

The SECRETARY FOR RAILWAYS (Hon. J. H. Coyne, *Warrego*) replied—

"Yes."

ENLISTMENT OF PERSONS WITH LARGE ESTATES.

Mr. COLLINS asked the Treasurer—

"1. Is he aware that we have in Queensland 2,000 estates with an unimproved value of over £2,500 each, which in the aggregate amounts to £16,918,344 of unimproved value?

"2. Will he ascertain how many of the owners of the 2,000 estates have enlisted to defend their property and the Empire?"

The TREASURER replied—

"1. Yes.

"2. There are no records in the Land Tax Office from which the required particulars can be compiled. I suggest that the hon. member endeavour to obtain the information through a member of the Federal Parliament."

PAYMENT FOR WIRE NETTING.

Mr. POLLOCK (*Gregory*) asked the Secretary for Public Lands—

"1. Has the sum of £330, representing half the cost of wire netting and charges involved in connection with the erection of same in a netting fence between Gauntlet and Thylungra stations, been paid by Messrs. Philp, Forsyth (member for Murrumba), and Munro to the Government?

"2. If so, was the sum paid to the Government before or after the 1st day of November, the date on which I resurrected the matter by asking in this Chamber whether the amount had been paid?

"3. Can he give any reason as to why the papers had been marked away by the late Government, as though the matter were settled to the satisfaction of the Government?

"4. In view of the fact that the said sum was paid by Mr. Webster (owner of Gauntlet Station) to Philp, Forsyth, and Munro (owners of Thylungra), on the 2nd June, 1914, on the understanding

that it was to be paid direct to the Government, does it not appear as though the owners of Thylungra have attempted to defraud the Government?"

The SECRETARY FOR PUBLIC LANDS (Hon. J. M. Hunter. *Maranoa*) replied—

"1. Yes.

"2. After—viz., 2nd November.

"3. No.

"4. In the absence of any record of such an arrangement, no opinion can be expressed."

FEES OF ATTORNEY-GENERAL.

Mr. MORGAN (*Murilla*) asked the Assistant Minister for Justice—

"1. Will he place on the table of the House particulars of all fees received by or payable to the Attorney-General from any department or public source whatsoever from 1st July, 1916, to 1st November, 1917?

"2. Were any fees received by the Attorney-General from the Imperial Government during that term, and, if so, what amount?

"3. What fees were received by the Attorney-General out of party and party costs in actions in which the Government was engaged?"

HON. J. A. FIHELLY replied—

"1, 2, and 3. This information is not yet available, and I would ask that the questions be addressed to the Attorney-General"

PERSONAL EXPLANATION.

Mr. FORSYTH (*Murrumba*): I rise to a question of privilege, and ask the permission of the House to make a personal explanation with reference to the accusations of the hon. member for Gregory in his questions to-day.

The SPEAKER: Is it the pleasure of the House that the hon. member be allowed to make a personal explanation?

HONOURABLE MEMBERS: Hear, hear!

Mr. FORSYTH: With reference to the questions that have been answered by the Minister, the owners of Thylungra Station made application to the Government in 1910 for sufficient wire-netting to rabbit-fence the balance of the Thylungra holding, about 109 miles. This was given to us in 1910, 1911, and 1912 on the usual terms—that is, that you can either pay cash or 5 per cent. on the cost of the netting. The total cost to the Government was £2,453. The cost of erection, including carriage by team from Charleville to Thylungra, was £4,302, paid by us. The Government, for this total outlay of £6,757, held a lien on the lease, and no sale could have been made unless the new buyer undertook our obligations. All the time we were bound to keep the fence in repair, which has been done. At no time was any Minister approached about this netting. The application was made through the Department of Lands, in the usual way. When Mr. Webster paid for his portion of the cost of the netting fence, the Government were advised of this payment in the usual way by Messrs. Chambers, McNab, and McNab, Mr. Webster's solicitors, and no demand was made on us for the share of the netting, either by the late Government or the present Government. Had this been done, payment would have been made, though I think we were not bound to pay according to the sections of the Act, so long as we paid the interest and kept the fence in good order. However, but for the unfortunate drought of 1914-16, the whole of the amount of the capital and interest due for netting would have been paid long ere this. When the questions were first asked in the House and answered by the Minister, we paid the £330, without being asked to do so.

With regard to the other questions—that is, the main questions which have just been answered by the Minister, in view of the fact that the said sum of £1,045 was paid by Mr. Webster in May, 1914, I want the House to bear with me so that each hon. member will understand the wording of this question, and the reply which I am able to make to it. The hon. member for Gregory asked—

"In view of the fact that the said sum was paid by Mr. Webster (owner of Gauntlet Station) to Philp, Forsyth, and Munro (owners of Thylungra) on the 2nd June, 1914, on the understanding that it was to be paid direct to the Government, does it not appear as though the owners of Thylungra have attempted to defraud the Government?"

Now, the Government were only interested in the wire-netting, and to say that the whole of the cheque, amounting to £1,045, should have been paid over to the Government only shows the utter absurdity of the question asked.

The SPEAKER: Order! The hon. member rose to make a personal explanation, and I cannot permit him to make a speech. I hope he will confine himself to a personal explanation.

Mr. FORSYTH: I also want to clinch this argument by a letter which I have just received to-day from Messrs. Chambers, McNab, and McNab, in connection with this matter. I shall read it to the House, and any member may get a copy—

"Dear Sir,—Referring to the payment by us as solicitors for Mr. Charles Webster of the sum of £1,045 19s. 7d. to you on behalf of the lessees of Thylungra, in May, 1914, in connection with their claim for half-cost of rabbit-netting fence, we have to inform you that there was no understanding between Mr. Webster and the lessees of Thylungra that the said sum or any part thereof should be paid to the Government.

"The destination of the money was a matter of no concern to Mr. Webster, as the Government had no claim against him in connection therewith.

"Your truly,

"CHAMBERS, MCNAB, AND MCNAB."

I leave hon. members and the public to judge how the hon. member has been answered by the solicitors for Mr. Webster, who give a flat denial to the question he put.

BUNDABERG HARBOUR BOARD ACT AMENDMENT BILL.

INITIATION.

The TREASURER, in moving—

"That the House will, at its next sitting, resolve itself into a Committee

of the Whole to consider of the desirableness of introducing a Bill to amend the Bundaberg Harbour Board Act, 1895, in certain particulars,"

said: The Bill proposes to bring the constitution of the Bundaberg Harbour Board into line with the constitution of other harbour boards in Queensland, by extending the representation to certain shires whose districts are served by the Bundaberg Harbour Board, and by making the board elective on the same lines practically as the Cairns, Bowen, and a number of other recent harbour boards constituted by this Government.

HON. J. TOLMIE (*Toowoomba*): Do I understand the Treasurer to say that this Bill is introduced for the purpose of altering the franchise of the Bundaberg Harbour Board?

The TREASURER: The chief thing is to give representation to additional shires.

HON. J. TOLMIE: Under the present constitution the Bundaberg Harbour Board is composed of one member nominated by the Government, four members elected by those who pay harbour dues, and four nominated by the various shires, making altogether nine representatives.

The TREASURER: Yes.

HON. J. TOLMIE: Is it proposed to make an alteration in the constitution giving the Government more representation, or is it proposed to make the whole lot elective?

The TREASURER: They are all to be elected by the ratepayers.

Question put and passed.

CHILLAGOE AND ETHERIDGE RAILWAYS BILL.

INITIATION—MOTION THAT THE SPEAKER LEAVE THE CHAIR.

On the Order of the Day being called—

"Consideration in Committee of the desirableness of introducing a Bill to ratify and approve an agreement made between Charles Augustin Hanson and William Cotesworth Bond the trustees Chillagoe debentures, Edward Fancourt Mitchell the trustee Etheridge debentures, the Chillagoe Railway and Mines Limited, the New Chillagoe Railway and Mines Limited, the Chillagoe Company Limited, Cyrus Lennox Hewitt the liquidator of the Chillagoe Company Limited, Chillagoe Limited, and John Harry Coyne the Secretary for Railways of Queensland, providing for the acquirement by the State of the Chillagoe Railway and the Etheridge Railway and certain other property, and for other purposes incident thereto or consequent thereon,"

The SECRETARY FOR RAILWAYS (Hon. J. H. Coyne, *Warrego*): Mr. Speaker, —I beg to move that you do now leave the chair.

HON. J. TOLMIE: Before you leave the chair, Mr. Speaker, I think it is desirable that we should get some information as to what is contained in this extraordinarily long motion. The Secretary for Railways intimates that he desires to ratify an important agreement. We know nothing at all about that agreement.

The SPEAKER: Order! The motion is that I do now leave the chair.

HON. J. TOLMIE: You are asked to leave the chair for a specific purpose. It is not a general intimation for you to leave the chair, but you are asked to leave the chair in order that we should give consideration to a specific matter, and whilst we would be exceedingly delighted to give you the privilege of leaving the chair on 999 or 1,000 other occasions, on this particular motion there may be an objection to your leaving the chair.

The SPEAKER: Order! This is purely a formal motion.

HON. J. TOLMIE: That is a construction that I have never known to be put on such a motion before—that we cannot object to your leaving the chair. We object to your leaving the chair for this specific purpose, and surely you will not say I am wrong in taking up that attitude! Of course, if you do I must submit to your decision.

The SPEAKER: The hon. member is not wrong, but he knows this is usually purely a formal motion. He can secure all the information he desires in Committee.

HON. J. TOLMIE: I know we can secure the information in Committee, but am I not in order in discussing it at this stage?

The SPEAKER: Order! The hon. member will not be in order in discussing the motion at this stage.

HON. J. TOLMIE: I am going to discuss the motion "That you do now leave the chair." I do not want to discuss the other motion, because I will have an opportunity of doing that when you do leave the chair. I certainly object to your leaving the chair for this specific purpose unless the Secretary for Railways is in a position to give us information bearing upon the subject that will be under discussion in Committee. All I am objecting to at the present time is that we are asked to go into Committee to enter upon a discussion of certain business of which we know nothing—business of vast importance to the people of Queensland—and it is unreasonable that we should be asked to discuss it without information. That is a reason why we should pass on to some other business, and that you should remain in the chair until the Secretary for Railways is in a position to give us that information.

The SPEAKER: Order! I point out to the hon. member that it is impossible, under this motion, to get the information that he is seeking. The hon. member is merely obstructing business.

HON. J. TOLMIE: It is almost impossible to get that information! Would it not be a splendid thing to achieve the impossible? I do not want to be regarded as obstructing business, as I rose for the purpose of abstracting information in order that we might not lose time afterwards. If the Minister is prepared to give us the information when you leave the chair then a great deal of time is likely to be saved.

The SECRETARY FOR RAILWAYS: I will give you ample information.

HON. J. TOLMIE: I rose, at this stage, not for the purpose of obstructing the business of the House, but in order to get information.

Question put and passed.

COMMITTEE.

(*Mr. Bertram, Maree, in the chair.*)

The SECRETARY FOR RAILWAYS, in moving the motion as above, said the Bill was similar to the Validating Bill that was introduced in the House last session, with this difference: That on that occasion the Government were treating wholly with the debenture-holders, and it was not quite clear whether certain of the properties could be disposed of by the debenture-holders to the Government. In order to make the matter quite clear, and as there was just a chance that the moratorium could be exercised under the War Precautions Act, thus preventing the transfer of the properties from the debenture-holders to the Government, it was thought desirable to enter into an agreement with the whole of the companies concerned as well as with the debenture-holders. That had been done on this occasion. There was also another advantage in the present Bill as compared with the previous Bill. On the present occasion, instead of having to provide cash, as was proposed in the Bill of last year, the whole of the parties concerned were now agreeable to accept debentures.

Mr. MURPHY: What is the difference in price?

The SECRETARY FOR RAILWAYS: The difference in price was the difference between £450,000 cash and debentures to the value of £475,000 and £1,000 cash in addition. The amount provided for in the Bill was equivalent to the cash that was proposed to be paid under the Bill introduced last year. It was rather difficult to get that amount of cash, and the Government had now entered into an agreement with the companies concerned, and with the debenture-holders, to accept debentures extending to the year 1921.

Mr. MURPHY: Have all the companies agreed to come in?

The SECRETARY FOR RAILWAYS: Every company concerned was included in the Bill. Hon. members would agree that this was a very good proposal for the Government, seeing that the Government would get the Chillagoe Railway and 146 miles of the Etheridge Railway, both of which would be handed over immediately to the Govern-

[4 p.m.] ment. There was another provision to be added to the Bill which did not appear in the notice of motion, but which would be inserted by amendment. This provided that Chillagoe, Limited, would receive some assistance from the Government for the purpose of developing the Mount Mulligan Coal Mine. Chillagoe, Limited, were not too flush of money, and they wanted a bank guarantee from the Government to assist them to the extent of £90,000 to enable them to develop the coalmines at Mount Mulligan. Hon. members would see that provision when they got the Bill. The Bill was practically the agreement. The schedules attached to the Bill were really the whole Bill, and hon. members would see all the details when they had the Bill placed in their hands. Chillagoe Limited, with the assistance of the Government, would be able to develop the coalmines, and that would be a good thing for the Government and a good thing for the country. It was also provided that coal and coke required by the Government must be sold to the Government at a reasonable price, which would be fixed. The price fixed would be at a certain rate over and above the cost of production. Hon. members remembered the measure which came before the House last year. This was practically the same measure, with the exception that the whole of the companies involved were now included in the agreement.

Mr. MURPHY: The Bill last year provided for taking over the mines and machinery.

The SECRETARY FOR RAILWAYS: He had inserted an inventory in the schedule so that hon. members could see exactly what the Government were getting.

Mr. MURPHY: There were some things there last year that are not there now. Some sidings have been taken up.

The SECRETARY FOR RAILWAYS: A correct account of everything that was there had been kept up till the time the Government introduced the Bill last year, but when they could not come to an agreement last year the company were at liberty to do what they liked with their own property. He thought that the amount of stuff sent over the line was very trifling since last year.

The TREASURER: It was necessary to alter the resolution to make provision for the insertion of an amendment to cover a further agreement that had been entered into by the Government with Chillagoe, Limited. An agreement had been entered into between him, as Treasurer, and the Chillagoe, Limited, for the purpose of enabling the company to develop the leases at Mount Mulligan. That was part of the agreement struck between the Government, the debenture-holders of the Chillagoe Company, and also the Chillagoe Company itself. The Chillagoe Company, as was known probably by all members, had to withdraw from the attitude they took up last year when they resisted the agreement arrived at between the debenture-holders and the Government. They were now parties to the agreement, which enabled the Government to acquire the Chillagoe and Etheridge railways together with the smelters and mines. As a consideration for becoming a party to the agreement, the Chillagoe Company would receive a loan from the Government to enable them to establish coke works at Mount Mulligan and develop the Mount Mulligan coal district. The agreement, which would enable the Government to carry out its part of the undertaking, would be attached to the Bill. The Bill would be circulated amongst members, and they would have an opportunity of seeing it. He moved the omission of all the words after the word "property," on line ten of the motion, with a view of inserting the following words:—

> "and to ratify and approve an agreement made between Chillagoe Limited aforesaid and Edward Granville Theodore the Treasurer of Queensland, providing for an advance or guarantee by the Treasurer to an amount not exceeding £90,000 in favour of the said company for the purpose of further developing certain mines at Mount Mulligan, in the Etheridge district, held by or on behalf of the said company, and for other purposes incident thereto or consequent thereon."

This money was to be advanced for certain

purposes specified in the agreement. It would be advanced as the money was required, and expended from time to time.

Mr. FORSYTH: To be spent on the Mount Mulligan Mine?

The TREASURER: Yes. The Chillagoe Company owned the Mount Mulligan Mine. The money was to be utilised for underground development and also for the establishment of a coking plant on the surface of the Mount Mulligan Mine. The agreement provided that coke and coal should be provided to the Government for Governmental uses in that district on certain conditions stipulated in the agreement. The agreement was a comprehensive one, and members would be in the position to judge of its utility and wisdom when the agreement was in their hands, which would be when the Minister moved that the Bill be printed and read a first time. He did not think hon. members could ask for more particulars than he had given at that stage. Full information would be given at a later stage of the discussion.

HON. J. TOLMIE: The information given by the Secretary for Railways and the Treasurer in regard to this Bill gave them an opportunity of coming to an understanding, but, notwithstanding that, it was not a motion that appealed to him, nor did he think it would appeal to most hon. members on the Opposition side. They were asked to ratify an agreement between the Secretary for Railways and a number of individuals who were associated with a number of mining interests up North. He had already drawn attention a number of times to the ease with which the Government broke up the planks of their platform. At one time members opposite would never have dreamt of entering into negotiations with a syndicate, but "familiarity breeds contempt." Why did the Government want to buy the Chillagoe Railway and Works? That was a question which a number of people in the street would be asking. The Government were finding it difficult to obtain money for any purpose whatsoever.

The SECRETARY FOR RAILWAYS: We do not need to find money for this.

HON. J. TOLMIE: The Government were finding paper currency, and were asking posterity to find the money to pay for it. The Government were not even finding one shilling for the purpose of taking over the railways from the syndicate, although they were asked to back a bill for Chillagoe Limited in connection with certain expenditure. Under the Bill they were asked to authorise the increase of the public debt to the extent of £700,000 for the purpose of acquiring the railways. Last time the matter was before the House it failed to pass, because it appeared there was an arrangement between the debenture-holders and the Government to leave the original shareholders out of the question altogether. The original shareholders were to be sacrificed in order that the debenture-holders might get their "pound of flesh." When a number of men lost money in connection with development work in the community, the loss should fall fairly evenly on all. It was not right that one person should bear all the loss, and another person should be allowed to go free. He could not understand why the Government should be a party to an arrangement of that kind. Many a time he had heard hon. gentlemen opposite rave against syndicates, and say that they were not to be trusted—not to be tolerated—and yet hon. members opposite now walked arm in arm with syndicates. It was clear to everybody that the ideas of the present-day Labour party must have materially changed from what they were some years ago. They were also asked to find the equivalent in cash to the extent of £90,000 to help certain activities on the Mount Mulligan coalfield. Whether those activities would bear fruit or not they did not know. It might result in a dead loss. What would the hon. member for Bowen say to an amount of £90,000 in hard cash belonging to the people of Queensland being distributed in that way?

The SECRETARY FOR RAILWAYS: It is merely a bank guarantee.

HON. J. TOLMIE: If he (Mr. Tolmie) backed a bill he never knew the time when he would have to pay it, and if the Government backed a bill a day of reckoning might come, and they would have to pay it. The Government knew that it would not come the next day, and therefore they had no consideration for those who succeeded them. That was a very improper position for any Government to take up. They had no right to hypothecate the funds of the Government for the future. They would have a further opportunity of discussing the measure at a further stage, when they would have the full Bill before them. However, he took this opportunity of declaring against the motion. He did not believe in the Government spending nearly £1,000,000 for the purpose of taking over railways when they would be a dead loss to the State. As a matter of fact, last year, when the measure was before them, it was called "The Chillagoe Electorate Preservation Bill."

The TREASURER: No.

HON. J. TOLMIE: Yes. The electors were fleeing from the district in such numbers that it was essentially necessary that some action should be taken. That was why it was necessary to pass that Bill—to keep them in the district. That was not the reason why a considerable amount of public money should be spent there. If the people could not find work in the district, it was the duty of the Government to find work elsewhere, where the State could develop along natural lines. They objected to paying out another £700,000, adding that amount to the public debt, and having that additional amount of interest to pay, because they could be certain the Treasurer would come down and use as a reason why the Government had so signally failed, next year—if they were there—that they had to pay another £30,000 or £35,000 interest in connection with this Bill. He wanted to emphasise the fact that it was bad business for the Government to stand behind a company that had failed, as the company in this district had failed—at the present time, at any rate, when there did not seem to be an opportunity of resuscitating the industries in Northern Queensland: and to spend £90,000 for that purpose. They were told that it required £5,000 to set an ironworks going. With £90,000 they could start eighteen of those valuable industries. They could see what the effect would be to start eighteen ironworks throughout various parts of the State and giving employment in the districts where,

they were told, there were the three essentials for the manufacture of pig iron in juxtaposition, and no great cost going to be put upon the people of the State; where they were told by the Premier himself they would be of such tremendous value to Queensland that all other ironworks were going to be eclipsed by the production proposed to take place in Queensland; and that the great shipbuilding yards of Europe would fall into disrepair on account of the fact that the building of the shipping of the world was to be transplanted to Queensland. He desired to point out that it was undesirable that they should incur an additional loan—even though it was a short-dated loan—of £700,000; making, with the other short-dated loans the Government were bringing forward, a million pounds that was to be added to the public debt of the State; that it was undesirable that a large section—and by far the more numerous section—of the people should be sacrificed to the debenture-holders.

The SECRETARY FOR RAILWAYS: They are entering into this agreement.

HON. J. TOLMIE: The debenture-holders were.

The SECRETARY FOR RAILWAYS: The shareholders, too; all the company.

HON. J. TOLMIE: If that were so, it was quite different from the situation last year. On top of that was £90,000 with which the Government proposed to back the company.

The TREASURER: We have ample security for it.

HON. J. TOLMIE: Taking into consideration all those factors, and seeing that they were being brought into close relation with syndicates, he certainly objected to the Minister for Railways shattering the planks of his party platform in that way.

The SECRETARY FOR RAILWAYS: I am building them up.

Mr. FOLEY: You needn't trouble about the platform.

HON. J. TOLMIE: The old-time supporter of the party thought that those planks were what the party stood for. That time had passed away, and it had no relation at all to the present party. He would have an opportunity of further discussing the Bill on its second reading.

Colonel RANKIN (*Burrum*): It seemed to him that the first question they had to ask themselves was whether this was going to be a paying proposition. They were asked by the Minister to add to their length of railways by some 200 odd miles.

The SECRETARY FOR RAILWAYS: More than that; 250 odd miles.

Colonel RANKIN: And they were asked to add to their public debt something in the region of £700,000. Perhaps under normal circumstances—under the circumstances which obtained prior to the advent of this Government, when their railways were running at a profit—there might possibly have been some justification for introducing a measure of this kind. But that was not the case under the present régime, where—even on the Minister's own showing—he proposed, with the length of line already operating, to bring in, at the end of the year, a further deficit of a million and a quarter—something in that neighbourhood—and it was very doubtful whether they should agree to the introduction of this measure at all. It seemed to him it was very much in the nature of an old friend with a new face. They had heard a good deal about that proposition before, and he did not know that it had improved at all on acquaintance. The Minister did not tell them whether the Chillagoe Railway, which was proposed to be taken over, was at present a paying proposition or a losing proposition.

The TREASURER: I believe the net profit on working and maintenance comes to about £12,000 to £15,000.

Colonel RANKIN: What about the interest?

The TREASURER: On maintenance and running costs it leaves a net profit of £12,000 to £15,000 at present.

Colonel RANKIN: How far would that go towards paying interest?

The TREASURER: The hon. member can work it out for himself.

Colonel RANKIN: It would not go anywhere near it.

The TREASURER: It would.

Colonel RANKIN: That was the information the Minister ought to have given them when introducing the Bill.

The TREASURER: We will give that information on the second reading.

Colonel RANKIN: That was in the future. They never got information at the time they should receive it.

The TREASURER: The proper time is on the second reading.

Colonel RANKIN: The present was the proper time for giving it. The Government were asking leave to introduce a Bill to purchase a certain length of line. As far as he could gather, the purchase of that line was going to turn out a failure.

The TREASURER: Would not it be better to wait until you get the agreement in your hand?

Colonel RANKIN: He did not know whether it would. Hon. members had things sprung on them, and it was only by taking these opportunities that they were able to get any information. They learned now that the line did not pay interest on the capital cost.

The TREASURER: What has the capital cost to do with it?

Colonel RANKIN: The capital had everything to do with it. They were going to saddle posterity with an additional £700,000—to bring the thing down to a nutshell.

The TREASURER: There is no suggestion of £700,000.

Colonel RANKIN: That was the cost.

The TREASURER: For the Chillagoe Railway?

Colonel RANKIN: Yes.

The TREASURER: The cost of purchase is £476,000.

Colonel RANKIN: And £225,000.

The TREASURER: You forget that there is the Etheridge Railway, which the Government will have to buy in 1921.

Colonel RANKIN: It was the same thing—the money had to be found by the people.

The SECRETARY FOR PUBLIC INSTRUCTION: Sometime.

Colonel RANKIN: That "sometime" was apparently what they had to face now, and that was why he found fault with the present Administration; they did not care twopence—they did not care a snap of the finger—how much money they spent—somebody else had to meet it. They brought in a proposition which, on the face of it, was not a payable proposition. They proposed to raise a loan for the purpose, and at the end of the year, when it did not pay, and they came down with a deficit—which assuredly they would do—they would want a further loan to pay the deficit. What an extraordinary method of financing! Then, again, with regard to the £90,000—which was part of the proposal—to be given to the Chillagoe people for the development of Mount Mulligan, what security had they for that? The Treasurer had not told them whether that £90,000 was to be advanced or was to be guaranteed. The Secretary for Railways seemed to think that if they gave an assurance to a bank they would never require to find the money. If the hon. member's experience in days gone by had been of that nature, they could rest pretty well assured—particularly in a speculation of this kind—that, sooner or later, they would have to find the money.

The SECRETARY FOR RAILWAYS: The bank takes our security.

Colonel RANKIN: What was the security?

The SECRETARY FOR RAILWAYS: The State.

Colonel RANKIN: How was the State security? They were giving that to some people practically for a gamble—a mining venture.

Mr. MURPHY: You misunderstand the Secretary for Railways. He says the State guarantees the bank.

Colonel RANKIN: That was exactly the same thing. What was the difference? The State guaranteed the bank and allowed the people to draw to the tune of £90,000. They could use whatever language they liked: that was what it amounted to. They did not know what the security was. If Mount Mulligan proved a failure, the whole thing would, like a bubble, go into thin air. As far as their experience of the Chillagoe district and the Chillagoe Company was concerned, he did not think it was such as to fill them with any degree of enthusiasm.

The SECRETARY FOR PUBLIC INSTRUCTION: The Mines Department says it is not likely to prove a failure.

Colonel RANKIN: They knew that the Mines Department, like many other departments—like the Education Department sometimes—(laughter)—made mistakes. The Minister for Education himself was not infallible; sometimes he made a mistake. They should be very careful in dealing with public money of this kind. He could quite understand that there might be urgency to get the Government to take this business over. It was a splendid way of shouldering an unpayable proposition—getting rid of it.

The SECRETARY FOR PUBLIC INSTRUCTION: They told us we were getting it too cheap.

Colonel RANKIN: Who?

The SECRETARY FOR PUBLIC INSTRUCTION: Those in the "other place."

Colonel RANKIN: Did the Minister expect the Chillagoe Company to tell him they were paying too much for it? It was one of those proposals that might very well be left alone.

The SECRETARY FOR PUBLIC INSTRUCTION: They said it was a confiscatory price.

Colonel RANKIN: Then, the Minister is all the more to blame because he is a party to confiscation.

The SECRETARY FOR PUBLIC INSTRUCTION: I do not agree that it is confiscation; I am not a party to confiscation. Do you think the price too low?

Colonel RANKIN: No. He thought the price was too high, with the information they had. He did not claim to have any great knowledge about the proposition; he was simply going on information before the Chamber.

The SECRETARY FOR PUBLIC INSTRUCTION: They asked £1,000,000 for it at first.

Colonel RANKIN: And now they were down to £500,000. Perhaps in another year they might be down to £100,000. Evidently it was not a proposition that improved with the years. He could not imagine the Minister for Education giving as a reason why they should buy the thing that it was offered some years ago for £1,000,000.

The SECRETARY FOR PUBLIC INSTRUCTION: I did not give that reason.

Colonel RANKIN: He was advancing it as a reason.

The SECRETARY FOR PUBLIC INSTRUCTION: It is an insolvent estate price.

Colonel RANKIN: At one time it was worth £1,000,000, and now it was worth less than half that.

The SECRETARY FOR PUBLIC INSTRUCTION: I think it is worth that; I think we are getting it cheap.

Colonel RANKIN: That might be. He was not quite sure that the Minister for Public Instruction was the man to give an expert opinion on this business. He knew the hon. gentleman was competent to deal with most things, but he had yet to learn that he was competent, as a railway expert, to value those things.

The SECRETARY FOR PUBLIC INSTRUCTION: I can assure you that, so far as I am aware, it has had most careful inquiry.

Colonel RANKIN: There seemed to be some division amongst the members of the Government about the matter. If the only reason they could adduce for taking over the line was that at one time in the distant past it was supposed to be worth twice [4.30 p.m.] what it was to-day, that was a reason which ought not to carry much weight with the Committee, or with the Treasurer himself. It seemed that they were simply releasing certain persons from their liabilities and saddling them on the community. A good deal was made by the Treasurer of the fact that there was an agreement that all the coal and coke required by the Government were to be supplied at a certain price. Was it a fixed price?

The TREASURER: No.

Colonel RANKIN: He thought that there again they were striking a very uncertain quantity.

The TREASURER: I shall be pleased to have your advice and opinion on that when we get to it.

Colonel RANKIN: He did not know that it would be of any value to the hon. gentleman, but it seemed to him a very loose form of agreement.

The TREASURER: It is very hard and fast.

Colonel RANKIN: It might be hard and fast, but apparently it was hard and fast from the point of view of the other side.

Mr. FORSYTH (*Murrumba*): It was a very large sum of money that the Government proposed to invest.

The TREASURER: And very large and valuable assets that we are getting.

Mr. FORSYTH: It was a most remarkable thing that a company that had been in existence for many years, and was well managed by men who had been brought up to mining all their days, had never been able to make it pay.

The TREASURER: Dear coal and coke and low prices for minerals were the causes.

Mr. FORSYTH: The shareholders never got a single penny of dividend, and unless they had arranged with debenture-holders to get portion of the money the Government were paying, he was afraid they would get nothing now. The Government would have to pay 4½ per cent. interest on £700,000.

The TREASURER: Of course, you must make allowance for the fact that we are liable to the Etheridge Company to pay 2½ per cent.

Mr. FORSYTH: He knew that. That 4½ per cent. was £30,000 a year, and would have to be paid whether the proposition paid or did not pay. He would like to know how the Minister thought that it was going to pay. The mine had not been paying, but the line did. Now it was not paying, for the simple reason that the mine was not working. The general impression was that the company had taken all the ore they could get.

The TREASURER: That district virtually has not been scratched yet.

Mr. FORSYTH: He scarcely thought it was a proposition they should tackle at the present time, involving the State in a huge liability, coupled with the guarantee of the £90,000 which the hon. member wanted to advance to the Mount Mulligan Company.

The TREASURER: It is necessary to get cheap coal and coke, and it can be got at Mount Mulligan.

Mr. FORSYTH: Even then he thought they would have a difficulty in making it pay. That was the general impression. He thought he had mentioned before that one person had told him that he did not think there was very much ore there.

The TREASURER: In 1914 copper was at £56 and lead at £15.

Mr. FORSYTH: They must bear in mind that they had to think of normal conditions, and when the war was over prices would come down again, and he very much doubted whether they would be able to make the proposition pay. For years the money that the company had got from the railway had kept them going, and unless they had the traffic on the railways how were they going to make it pay? Was it necessary to advance £90,000 so as to develop the property?

The TREASURER: It will only be advanced if it is necessary, for purposes specified in the agreement.

Mr. FORSYTH: It was quite possible that they would ask up to the whole amount, which was a huge sum of money. The Minister for Railways, the other night, made an estimate to the effect that the deficit on the railways this year would be £1,053,000, and this would very likely add to the burden. He would strongly advise the Government to get an expert to go up and get information. It was essential they should have the very best information they could get before they spent such a big sum as £790,000. How long were the debentures to be current?

The TREASURER: The new debentures are seven-year debentures.

Mr. FORSYTH: That was not a very long time, and at the end of that time the Government would have to pay in cash, unless they could make arrangements to renew them. The debenture-holders were almost sure to insist on getting cash. They wanted cash in the first instance. Their first offer was £450,000 cash, but now it had been increased to £475,000 on the basis of 4½ per cent., and there was no likelihood that they would want to renew. The position would be very much worse, and he was not at all anxious to see the thing go through. The Government were taking on an enormous liability, and prices were bound to go back with normal conditions.

The TREASURER: Normal conditions will be with copper at about £75 per ton.

Mr. FORSYTH: No; copper was often down to £50 a ton. A great many mines had to close down because they could not pay. If they could get an average of £80 to £100 they had a chance of making it pay.

The TREASURER: An American expert on copper says that the price will not be below £85 for ten years.

Mr. FORSYTH: At the same time there was no guarantee, and the Government were taking on a huge liability, and it was practically a gamble. At the present time, when the Treasurer knew how difficult it was to get money, he thought that to validate an agreement of that kind was not wise, and he sincerely hoped the Government would think over it again before asking the House to pass the measure.

The TREASURER: The alternative to this is to continue the stagnation in the Chillagoe and Etheridge and other districts perhaps for years.

Mr. FORSYTH: Of course he could quite understand in a way why the hon. member wanted to get it through. If they could make it pay, it would be a very good thing, but unless they worked the mines, the railway was not much good. They must also bear in mind that under the Chillagoe agreement the company charged practically 50 per cent. more than the normal rates on Government lines. He presumed that if the Government took over the line they would bring them down to normal rates.

Mr. MURPHY: Why should other districts pay 50 per cent. more when all these guarantees had been wiped out?

Mr. FORSYTH: He did not see why they should, but at the same time they could not get away from the fact that that would mean a very big reduction on the revenue usually received on the line. He quite agreed that the rates should be brought down to normal. The Treasurer, and also the Minister for Railways, must recognise that this would

be an enormous reduction on the freight they would receive, because the Government would not charge the 50 per cent. extra, but the normal rate.

The bell indicated that portion of the hon. member's time had expired.

Mr. FORSYTH: He very much doubted whether the mine would pay, and unless the mine paid the railway would not pay. The Chillagoe Company carried on the mine in order to assist the railways and make them pay. The Government were now taking up the work at which the best and most able men in Australia in connection with mining had failed, and he was under the impression that the Chillagoe mine would never pay.

The TREASURER: There are other mineral deposits in the district that will be worked.

Mr. FORSYTH: When they got the Bill, perhaps they would be able to get some more information, but the points he had mentioned were those which occurred to him on the information supplied by the Minister for Railways and the Treasurer.

Mr. MURPHY (*Burke*): He supported this proposal last session and he intended to support it again on this occasion. So far as the Etheridge railway was concerned, under the agreement they had to take that line over within the next three or four years and pay £225,000 for it, so that in dealing with the proposal they had only to look at the money to be paid for the Chillagoe portion of the line. That railway passed through an immense mineral area. It was true that the Chillagoe Company had lost a large amount of money there.

Mr. COLLINS: Through bad management.

Mr. MURPHY: He was not going to say it was altogether bad management, because neither the hon. member nor he were really able to judge on the question of management just by taking a casual trip through the district.

Mr. COLLINS: I didn't take a casual trip. I stopped as much as a week and a fortnight at each place.

Mr. MURPHY: There might be immense treasures in that district, and the Chillagoe Company might have met with a calamity—which, he was sure, all the residents of North Queensland deplored—through bad management, but it seemed to him they had to realise that the Chillagoe Company had managers at some of their mines who came from other copper centres with a very big reputation and had passed all the examinations required to obtain a first-class manager's certificate. Under the old Chillagoe agreement they had to take over that line some day, and owing to the parlous financial condition in which the Chillagoe Company found itself to-day they were in a position to obtain the property for £475,000, and he thought the State would be very foolish if it did not accept the proposal. Reference had been made to the fact that the Chillagoe Company was enabled to make the railway pay because they were privileged to charge 50 per cent. more than was charged on the State railways. Why should the people of the Etheridge and Chillagoe—the people who were trying to develop that far-away portion of Queensland—have to pay 50 per cent. more freights and fares than people who lived in a better locality? (Hear, hear!) Why should the man who went to work at Kidston, or Percival, or any other part of the vast Etheridge electorate, or the vast Chillagoe district, have to pay 50 per cent. more freights and fares than the people who lived around Brisbane or in Toowoomba or Warwick, or any of those places where the conditions at large were much better than they were out in the Etheridge district.

Mr. O'SULLIVAN: That is why the railways do not pay too well.

Mr. MURPHY: The railways might not be paying too well on the Downs. As a matter of fact, the report of the Railway Commissioner showed that the railways were not paying too well anywhere, and the consolidated revenue had to provide a large amount of money to meet working expenses and interest. While he agreed that they should agree to take over the Chillagoe and Etheridge lines at this juncture, there was one objection he had to the amendment which had been submitted by the Treasurer. He would think that during the course of the negotiations with the various companies the Government should have attempted to take over the Mount Mulligan coalmine. They heard a great deal about establishing State coalmines in other parts of Queensland, and the Minister for Mines had been making very long and eulogistic references to the action of the Government in opening State coalmines in the Central district, on the Downs, and at Bowen. Why should the far Northern part of Queensland be deprived of this opportunity to obtain a State coalmine? (Hear, hear!) It was true the Minister for Railways had pointed out that the Government had made an agreement with the Chillagoe Company—the owners of the Mount Mulligan coalmine—that the State railways would be provided with coal at a specified price. But if those railways were to be profitable, it was the people who would be developing these mineral centres who ought to be protected. While the Mount Mulligan Company might be able to supply the State with coal at this specified price, it was the duty of the Cabinet to see that the people who went out there to develop the mineral resources of that part of the State were not left in the position where the Mount Mulligan Company might be able to make immense profits out of their labour, and out of the expenditure in the development of these mines. As far as the State was concerned, unless the Chillagoe smelters were re-opened there was no possibility of the Chillagoe line paying. What the Treasurer remarked recently was quite true—the depression of that part of Queensland was due to the fact that there was no opportunity of smelting ore. The Chillagoe smelters had been closed for a considerable time, consequently miners in that locality were not able to get smelting done, and therefore many mines had been closed down. While he would certainly support the Government in re-opening the Chillagoe smelters, and no doubt there would be considerable expense in fixing the smelters up——

The TREASURER: Except for the provision of working capital, not very much.

Mr. MURPHY: He thought the Treasurer would find it was more than he anticipated. The re-opening of the smelters at Chillagoe was necessary if there was to be profitable mining in that vast locality. So far as mining was concerned, he thought the Government—having now under the

agreement obtained possession of all the mines and machinery—might be able to enter into fair tributes with parties of working men. A decent tribute agreement and the re-opening of the smelters would result in the employment of a large number of men in the district, and the tribute system would prevent the State from making any big loss. The miners would accept their share of the risk.

The TREASURER: A very good suggestion, so far as all the small mines are concerned.

Mr. MURPHY: He thoroughly understood that a small party of miners could not re-open the Einasleigh mines. He was told it would take some thousands of pounds to re-open that mine, and by all account the mine was well worth re-opening. It seemed to him that the £90,000 which the Government was guaranteeing to the Chillagoe Company in connection with Mount Mulligan was the price of inducing all the companies to agree to this sale. Owing to the moratorium regulations the Government were unable to bring this proposal to a successful issue last year. Some of those companies were enabled to stop the agreement between the Government and the Chillagoe debenture-holders, and he took it that during the course of the negotiations the proposal was submitted to the Government that if the various companies agreed to the proposal between the debenture-holders and the Government, the Government would provide them with £90,000 to develop the Mount Mulligan coalfield.

The TREASURER: There was no arrangement, because there was excellent security.

Mr. MURPHY: He would have sooner seen the Government add to the debt of the State by debentures and absorb the Mount Mulligan coalmine.

The TREASURER: They wanted too high a price.

Mr. MURPHY: If it were possible for the Government to enter into the arrangement with the Mount Mulligan Company to provide mining companies and the public generally in that district with coal and coke at a specified price, it would have been a good thing for the State. (Hear, hear!) He regretted personally that the Chillagoe Company had met with disaster, but they had to take the position as it was. They had lost their money; the debenture-holders were prepared to sell at a given price, and the Government arranged to take it over at that price, but in consequence of the opposition of the various companies they were unable to get the Chillagoe proposal through the Legislative Council last session. Consequently, further negotiations were opened up, and an agreement had been entered into, and, notwithstanding the fact that it would add to the interest bill, he maintained the taking over of these lines by the Government would prove profitable to the State. Men could not go on and work out in the Etheridge and have to pay 50 per cent. railway rates more than they were paying in other places. One wanted to live in those places to understand precisely what this 50 per cent. extra meant. Dealing with the Railway Commissioner one could generally get some satisfaction: but when you were dealing with the Chillagoe Company——

The SECRETARY FOR RAILWAYS: You do not look for satisfaction.

Mr. MURPHY: You got plenty of satisfaction on the railways. The men were very courteous, but when it came to applying for a rebate, or differing from them as to the charge made for trucks or for carrying merchandise, they would find that the company scored pretty well every time. Consequently, notwithstanding the fact that this was going to largely increase the interest bill, he realised that a big district like that should be served by a State railway, and consequently, if it came to a vote, he was going to support it.

Mr. CORSER (*Burnett*): He did not rise altogether with the intention of opposing the suggestion that the State should acquire the railways in the Chillagoe and the Etheridge, but he did say that while it was possible for the Government to acquire this railway practically on their own terms within practically three and a-half years, he could not see why the present Government wanted to make this agreement, when they had from the Minister the idea that it was to acquire copper. He understood the Chillagoe railway had never paid a dividend, and the debenture-holders were pleased to get out of it. There were other State-owned railways built to mines which had paid dividends and had done a lot for
[5 p.m.] the State in the production of copper. Such a mine was situated in his electorate at Mount Perry. They had plenty of copper there, the smelters were there, and there was a State railway right up to the mouth of the pit. All this was waiting for further development. The mine had been advanced money by the State, and it was an easy matter for the State to acquire the whole thing. If it was copper they were after, they might do something towards producing copper from the fields that had shown they were valuable assets, and that had already paid diviends and proved themselves worthy by having a railway built to them. It would be a business proposition for the State to take over those mines and smelters.

Mr. COLLINS: You are a State socialist where your own electorate is concerned.

Mr. CORSER: He thought the hon. member for Bowen would agree with him in the matter of the State taking over Mount Perry. They had an established township there and all the means for the production of food for the people. Although they had a mine there, and a State railway built to it, they found the Government coming along with a proposal to ratify an agreement to acquire a railway to another field that had not done anything very much up to the present to warrant the Government taking it over. It had been a failure, as a matter of fact, and it would entail a certain amount of indebtedness on the people of the State to take it over. On the other hand, if the State took over Mount Perry it would cost only a few thousand pounds and it would be of assistance to the State and the Empire. They noticed that the Mount Perry people were advertising their machinery for sale. The Minister for Railways should take into consideration the claims of Mount Perry.

The SECRETARY FOR RAILWAYS: What in the name of goodness has this got to do with the Bill at all?

Mr. CORSER: It had a good amount to do with it.

The SECRETARY FOR RAILWAYS: You are a marvel.

Mr. CORSER: If the hon. gentleman was out to secure copper, he could not do better than go to Mount Perry. The market price of copper in America was used as an argument for taking over the Chillagoe mine, but the Government could be more profitably directed to Mount Perry, which already had a State railway constructed to it.

Mr. BEBBINGTON (*Drayton*): Unfortunately, copper proposals did not always turn out too well. The Premier said a lot about not sending men to the front but sending copper instead, but very little came of that. This was a proposal to spend a large amount of money in the Treasurer's electorate. He was not saying that there was anything strange in that, except that they had been trying to get on the right side of the Treasurer and the Government to take over the business. With regard to the guarantee of £90,000, everyone knew that it was always safer to take over the work and do it yourself than to lend the money or guarantee the amount.

The SECRETARY FOR RAILWAYS: We have got a mortgage over all their assets.

Mr. BEBBINGTON: Then the Government might be on the right side.

The SECRETARY FOR RAILWAYS: The assets are twice as valuable as what the Government are advancing.

Mr. BEBBINGTON: He would sooner lend the money out now than guarantee it.

The SECRETARY FOR RAILWAYS: It is better to have a proviso.

Mr. BEBBINGTON did not believe in lending money unless they had some say in the spending of it. He knew the directors of a company would refuse to give a guarantee unless they had something to do with the management and expenditure of the money.

Amendment (*Mr. Theodore's*) agreed to.

Original motion, as amended—That the Bill be introduced—put and passed.

The House resumed. The CHAIRMAN reported that the Committee had come to an amended resolution and it was agreed to.

FIRST READING.

The Bill was presented and read a first time and the second reading made an Order of the Day for to-morrow.

APPROPRIATION BILL, No. 3.

RETURNED FROM COUNCIL.

The SPEAKER announced the receipt of a message from the Legislative Council returning this Bill without amendment.

GOVERNMENT LOANS SINKING FUND TEMPORARY SUSPENSION BILL.

COMMITTEE.

(*Mr. Bertram, Maree, in the chair.*)

Clauses 1 and 2 put and passed.

The House resumed. The CHAIRMAN reported the Bill without amendment.

The third reading was made an Order of the Day for to-morrow.

STAMP ACT AMENDMENT BILL.

SECOND READING.

HON. J. A. FIHELLY (*Paddington*): In moving the second reading of this measure, I should refer, perhaps, to the recent reorganisation of the Stamps Department and its separation from the Titles Office. Some considerable time back it was found necessary, on account of the legal technical difficulties involved in the administration of the Stamps Department, to transfer it from the Treasury to the Attorney-General's Department, and it was associated with the subdepartment of Titles. However, as time progressed it was found that the administration was becoming somewhat careless, the petty evasions of duty were occurring every year, and a separation of the Stamps and Titles offices took place—from which date, I might state, the revenue has improved considerably. Under that old system we had four commissioners of stamps. I think the Under Secretary for the Treasury was one, the Registrar of the Supreme Court, and the Registrar of Titles. Under this Bill we propose to abolish those officers—who really were figureheads, and no more—and to concentrate the whole of the four under one commissioner, who will be subject to the direction, in certain cases, of the Ministerial head. I don't think that any objection will be found to the change. During the last few years it has been discovered that the other commissioners of stamps are really commissioners in an honorary capacity, and hear only the appeals of some people who objected to pay duty in regard to certain documents. I don't think—even in connection with the appeals—that many of them have been upheld. Now, this measure has been introduced mainly to remove irritation from trading and commercial centres. The Government does not hope at all to have any increase of revenue—at all events, any substantial increase. I don't think myself it will go beyond a couple of thousand pounds. I might say that I recognise as customs change and new industries spring up, and the times differ and so on, taxation of this description requires readjusting; that anomalies occur; that burdens want to be shifted here, eased somewhere else, and if necessary imposed elsewhere again. It was really with those ideas in my mind that I first discussed with the Stamp Commissioner the idea of having an amendment of the present statute; and that, in the main, was the first consideration of the Government in introducing this measure.

Mr. GUNN drew attention to the fact that there was no quorum in the House.

HON. J. A. FIHELLY: I don't blame members either, on a measure of this sort.

Quorum formed.

HON. J. A. FIHELLY: I stated, by way of interjection, that I had no objection to the absence of a quorum. In fact, with a mere quorum here, members will find a measure of this description very tedious indeed, and I don't know that the explanation can be made interesting.

Hon. J. TOLMIE: You can illuminate it.

HON. J. A. FIHELLY: Quite so. Like the Succession and Probate Bill, the Bill is purely one for Committee, and one can only outline the principal amendments proposed. The trading community approached me some time back with regard to agreements and

contracts, and they submitted a rather logical case, especially with respect to certain agreements which carried a minimum duty of 2s. 6d. The Bill will amend that particular section of the present Stamps Act and give an exemption up to £5. It will charge a fixed duty of 6d. per £20, with a maximum charge of 5s. That, I think, will be appreciated by the trading community. It really means that up to £5 there is no duty at all, and for £100 it will be 2s. 6d., with a maximum—no matter what value is mentioned in the contract or agreement note—of 5s.

Mr. VOWLES: It was 2s. 6d. before, no matter what the maximum.

HON. J. A. FIHELLY: That is not the point. The hon. member must recollect that the vast majority of these agreements are for sums of under £50. For £40 it is only 1s. There are various compensations. Although the new duty may appear to be excessive, it really meets with the approval of the whole of the mercantile community. Take hiring agreements, for instance. The ordinary hiring agreement carries a minimum duty of 2s. 6d. We all know that very few hiring agreements go over £40; and £40 will only carry a shilling. There are very few at all that go over £100; unless, of course, in a case of a lucky person here or there who can afford to buy a couple of hundred pounds' worth of furniture on time payment. I don't think that class is too plentiful. Ordinary agreements will carry a fixed duty of 5s. Receipts will be exempt up to £2, and over that again we revert to the fixed duty of 2d.

Mr. LAND: What about wages?

HON. J. A. FIHELLY: I was coming to wages subsequently; but perhaps the time is opportune now to say that wages and salaries up to £400 will be exempt. We have taken the £400 as the limit laid down by the Workers' Compensation Act. A workman in receipt of up to £400 is entitled to receive compensation under the Workers' Compensation Act. We have recognised now that any person in receipt of less than £400 is a workman, and his salary, or wages, need not bear a receipt stamp.

Mr. VOWLES: Members of Parliament will be exempt.

HON. J. A. FIHELLY: Members of Parliament were exempt until quite recently. Most of them were fortunate enough to have their salaries paid into the bank and a deposit slip was sufficient receipt for them. They really evaded taxation. The late Government altered that, and now we are altering that again; because all persons in receipt of less than £400 a year will be exempt. (Hear, hear!) Speaking of general receipts, we will raise the minimum from £1 to £2; and beyond that we will charge 2d. per £100 up to £500.

Mr. BEBBINGTON: You give relief to business men, don't you?

HON. J. A. FIHELLY: It will.

Mr. BEBBINGTON: I told you that the other night, and you denied it.

HON. J. A. FIHELLY: I understood the other day, when the member said it would be a relief to business men, that he was facetious. If he means it in earnest, I agree with him cordially. I am very glad to see that he recognises the many good features of the present Administration.

Hon. J. TOLMIE: What?

HON. J. A. FIHELLY: The many good features, I said, of the present Administration. Previously for £500 we had 6d. per cent.; and we are making it 3d. There is a substantial reduction on even the higher amount. Of course, in regard to duplicate receipts, to which I referred when introducing the Bill, we are asking the House to impose a salutary penalty for any breaches, now that the concession is given. Hitherto duplicate receipts have always had to carry stamp duty the same as if they were new and fresh receipts. We are arranging for the issue of duplicates without any stamp at all; but, to protect the revenue and to secure it against any evasion of duty, we are asking the House that a salutary penalty shall be imposed for any breaches of that particular section. Also we are making it obligatory for receipts to be obtained for any amounts that change hands over £2. The trading community, I think, will be very happy to fall in line with us there. Even for cash sales in the city, we shall demand stamped receipts.

Mr. VOWLES: Only on £2?

HON. J. A. FIHELLY: Yes.

Mr. VOWLES: Surely that is an imposition—that you must give a receipt for cash?

HON. J. A. FIHELLY: Well, if it is a fresh imposition, we are making it a light one.

Mr. VOWLES: Why should you make it for cash?

HON. J. A. FIHELLY: It is very easily got over by the bigger firms; and it is no trouble to the smaller firms. All dockets are in duplicate and the stamping of the duplicate will suffice.

Mr. BEBBINGTON: Don't you think 3d. on £100 is a bit light?

HON. J. A. FIHELLY: I don't think there is a great deal of revenue involved; and, as I stated earlier, the Government is not seeking, in this particular Bill, any increase in revenue.

Mr. BEBBINGTON: No; but you added it on to the land tax to make this less.

HON. J. A. FIHELLY: All it is intended to do is to remove irritation and to adjust anomalies.

Mr. BEBBINGTON: You put the land tax on to meet what you are taking off in this.

HON. J. A. FIHELLY: I could show the hon. member that his ideas in regard to the land tax are wrong; but I would be out of order, so I am not going to attempt that just now.

Mr. BEBBINGTON: You put on one tax to relieve another.

HON. J. A. FIHELLY: Although we are making it obligatory in cases where money changes hands, we are giving certain exemptions to charitable institutions and churches.

Colonel RANKIN: It will be very irksome to the ordinary trader.

HON. J. A. FIHELLY: Well, the trading associations are quite agreeable to this arrangement. I have heard no complaints, but, in fact, only commendation. At the different deputations—and I have had the pleasure of receiving something like twelve deputations—they all asserted their pleasure at the proposals at present being incorporated in this Act. The exemptions I was referring to for charitable and religious purposes are really an elaboration of the policy of the Government in exempting all patriotic funds and similar funds in existence to-day

in Queensland; it is extending the policy of the Government to include religious and charitable institutions. The only religious payment really that will have to bear a duty stamp will be the stipend of the minister or the clergy. That is, I think, a fair thing, if they are getting over £400.

Colonel RANKIN: There is no duty on the offertory-box.

HON. J. A. FIHELLY: I think we will refer to the offertory-box in Committee. I stated the other night, in reply to the hon. member for Dalby, that the duty [5.30 p.m.] chargeable on documents dealing with articled clerks would be reduced to £2. On that matter I was misinformed by the officer who happened to be here at the moment. He was under a misapprehension. It remains at the same old figure—ten guineas; although the duty on articles of apprenticeship to learn a trade is reduced from £2 to 5s. Still, I am of opinion myself that £10 10s. is altogether too much to be paid as stamp duty by a young man who aspires to become a member of the lower branch of the legal profession, and, perhaps, in Committee—if members think it worth while—we might have a suitable amendment proposed, and the Government might see their way to accept a reduction.

Mr. BEBBINGTON: I suppose the lawyers did that to keep young men out.

HON. J. A. FIHELLY: The lawyers' union is a very close corporation; but I might inform the hon. member for Drayton that, although the Government gets ten guineas in Queensland, it gets about eighty guineas in England.

Mr. VOWLES: Why should it say, "Upon any instrument of apprenticeship to learn a profession"?

HON. J. A. FIHELLY: The hon. member will find that the articles of a solicitor are specially mentioned, and that the sum of £10 10s. is specified. I was about to inform the hon. member for Drayton that this £10 10s. is not the only charge with which the young lawyer is burdened. He is charged about £10 10s. for each examination, and a barrister is charged £52 10s. for his admission, so that only an affluent father can afford to see his son through the process of entering the legal profession.

Mr. BEBBINGTON: And then he might not be as good as the average farmer.

HON. J. A. FIHELLY: And then, perhaps, as the hon. member for Drayton interjects, those lawyers might not be half as good as the average farmer. I am quite sure that is not reflecting on any members on his own side or on any members of the House. Then, we are bringing into line the duties on conveyance, whether of freehold or leasehold, in so far as a run or station is concerned, and it will include the whole of the stock. Thus, instead of, as at the present time, only the lease being charged duty on a transfer of sale, duty will be charged on the whole possession, which is eminently a fair thing.

Mr. VOWLES: Why should you not charge it on the furniture on the same principle?

HON. J. A. FIHELLY: Well, if the furniture is sold, I do not see any argument against charging it. I cannot see any objection to a charge being made, when the goodwill of an hotel is sold, on the furniture. If a freehold is sold and the goods and chattels and stock and everything else with it, duty is charged on all fixtures, and why not on a leasehold? At the present time it is chargeable at ½ per cent., whereas the duty on freehold is ¾ per cent. We are proposing to make them equal at ¾ per cent.

The next point is the definition of "gift." It is very clearly defined, and will read in with the amendment that will come later in the Succession and Probate Duties Bill. Agreements for sale of property will be chargeable with conveyancing duty, as in England, but the transfer afterwards will be exempt. The conveyancing duty, I think, is at present 15s. per cent. The new duties will also include duties on declarations of trust, and the charge will be 10s. I do not think any objection can be taken to that, although previously they were exempt. In connection with declarations of trust, the difficulty has been to obtain sight of the documents. For the good administration of the office, it is very necessary that all these documents at some time or other, and especially when they are made, should come under the eyes of the Stamp Commissioner.

Powers of attorney, which are under seal at the present time, are charged 10s. We intend under the Bill to make powers of attorney, whether under seal or not, dutiable.

Mr. VOWLES: That would cover an ordinary letter.

HON. J. A. FIHELLY: It may, but, at the same time, 10s. is not an exorbitant fee, and it is a very good thing that such documents should sometimes be seen by the Commissioner. With regard to settlements, the old rate of duty was 5s. per £100. That is to be repealed, and a very comprehensive scale, similar to that in force in New South Wales, inserted. It will be on a graduated scale from ½ per cent. where the value does not exceed £1,000 up to £5 per cent. where the value exceeds £9,000.

In regard to bonds, all those instruments given to secure annuities will bear duty. The duty will be at the rate of 5s. for each £5, which means, of course, 5 per cent. There will only be one payment, and, although it may seem like a big charge, it only means, say, for an annuity of £200, a first and last charge of £10. When the bond is made to secure deferred annuities the duty will be 1s. for every £5.

We are dealing also with policies of insurance. The old schedule is repealed, and the duty is increased upon policies exceeding £500. It will be 1s. per £100 up to £1,000; 2s. now for every £100 over the £1,000. In so far as fire insurance policies are concerned, the duty is reduced to half what it was, from 1s. to 6d. per cent., but we are taxing it in another way, by a duty of 3d. per cent. upon every renewal. At the present time a person who insures his dwelling or business establishment pays duty only when the transaction is first effected. He pays 1s. per £100.

Mr. ROBERTS: He does not pay anything.

HON. J. A. FIHELLY: He might avoid it, but he ought to pay. He does not pay on renewals, but he pays on the original policy.

Mr. ROBERTS: Not in fire insurance.

HON. J. A. FIHELLY: The hon. member is wrong. On fire insurance the present rate is 1s. per cent. so far as the original transaction is concerned. We intend to make it

6d. per cent., but to have a renewal charge. At the present time renewals are not charged duty. The hon. member is confusing renewals with the original transaction.

Mr. ROBERTS: I say the insurance does not pay.

HON. J. A. FIHELLY: It carries a stamp duty. The company or the person who is insuring must pay. What is the use of quibbling over it? Perhaps the hon. member thinks it would be better to have some academic discussion as to whether the premium payer pays or the proprietary companies pay. I think that those who know anything of proprietary companies—that is, after our experience in fire insurance and workers' compensation insurance—knows that the premium payer does pay, just as the premium payer paid for the litigation in which the Government was concerned recently over the workers' compensation legislation passed by this Chamber.

Mr. BEBBINGTON: He knows what the premium is.

HON. J. A. FIHELLY: If the stamp duty were abolished to-morrow, the premium payer would or should get a corresponding reduction.

Mr. ROBERTS: He would not be in any different position.

HON. J. A. FIHELLY: The costs in the cases brought against the Government by the Australian Alliance Association Company, which the Government won after appeal to the Privy Council, were paid by the premium payers. That company certainly signed the cheques, but I know who paid for the litigation—the premium payers. They pay first and they pay last. At any rate, it is only a quibble to argue whether the original document, when stamped, is paid for by the insurer or the person insured. All I say is that it carries stamp duty at present to the extent of 1s. per £100, and there is no charge on renewal. We propose to alter that, as I have said.

There is little else in the measure requiring explanation. The Bill is really one for Committee, and I have outlined the chief principles. There are a few subsidiary items, such as the power the Government have taken for the production of documents. That is a very necessary power asked for by the Commissioner, and it is essential to the welfare of the department, and also to the revenue, that certain documents—joint stock company and other documents, for example—should be produced on the demand of the Commissioner. Then there will be no appeal. Instead of the Under Secretary to the Treasury and the Registrar of Titles and the Registrar of the Supreme Court being commissioners, there will be only one commissioner, and consequently it is useless having an appeal from one commissioner to several commissioners. There is really no necessity for it. I have covered the whole of the ground pretty well. I hope that the Bill itself is going to be of some benefit to the trading community, and that the concessions given by the Government will be appreciated, as I hope that the concessions will also be appreciated which are being given to those in receipt of salaries, and the further concessions respecting receipts generally, hiring and other agreements. The Bill is conceived in the very best possible spirit. The very fact that we do not want any extra revenue shows what the Government intend, and I hope that it is going to have a speedy passage through the House, and will be of benefit to the community generally. I formally move—That the Bill be now read a second time.

Mr. VOWLES (*Dalby*): I quite agree with the Minister that this is a Committee Bill. It is so disconnected and has no principle running through its clauses that it is almost impossible for one to deal with it in a general way. We can only deal with it paragraph by paragraph, and as each paragraph wants analysing and every detail of that paragraph wants sifting, I do not propose to go to any elaborate detail at this juncture, but I do propose at a later stage to give it further consideration. In introducing the measure the Minister told us that it was found necessary to reorganise the office of the Stamp Commissioner and the Commissioner for Succession Duty, and change its administration from the Treasurer to the Attorney-General. He said that there were heavy evasions under the old regime. He also told us that there were no longer to be four commissioners—who were really nominal for the purposes of appeal—and I think he told us that that appeal was not satisfactory and was to be abolished. The evasions he spoke of seemed to me to be rather remarkable, because I know the principle that is adopted in that department as to the valuation of property, and I suppose that cases in which there would be evasions would be in the valuation of land or goodwill or other property. Those matters are submitted by solicitors or valuators to the department, which is the most inquisitorial department we have, and has always been so. It is almost impossible to get any documents through it without requisitions. Later on, they are subject to the scrutiny of auditors, who come from the Treasury Department and go into detail with regard to valuations, and more particularly with respect to the goodwill of businesses, hotels, and leaseholds. At any rate, I am very doubtful whether an improvement has taken place.

Hon. J. A. FIHELLY: The revenue shows it.

Mr. VOWLES: I do not see how the revenue can show it in a department like that, because in the Stamp Department and the Succession Department, the prosperity is due to very curious causes, it depends very largely on the number of wealthy individuals who die in any one year.

Hon. J. A. FIHELLY: On old estates alone.

Mr. VOWLES: I know that as far as the present Government is concerned they have been very active so far as the compounding of duties is concerned, and the closing up of estates where life tenancies exist. They have been compounding duties and making revenue which will be to the detriment of future Governments when the time arrives when those duties would otherwise be paid. The power exists under the Act, and they have been very willing to compound duties.

Hon. J. A. FIHELLY: That is a gross exaggeration. Can you give any specific cases?

Mr. VOWLES: I will not say they are very great, but I do say they have compounded duties. I will give the hon. gentleman specific cases if he likes, because they have come under my own notice. We are told that the object of this legislation is to remove irritation. No doubt the Minister

has intended to remove irritation and to fall in with the views of the mercantile community in some respects, and no doubt it is a desirable thing that any man receiving a salary under £400 should be classed as a workman, and not have to pay these trifling duties, which are irritating, particularly to workmen in the country where stamps are not available. That is one irritating thing which has been removed, but I think workmen's wages have always been exempted. It was just a question of degree as to how it applied. That was one of the discretionary things, whether the Commissioner considered a man a workman or not. If a labourer came to the Commissioner, and it was open to question whether he was exempt or not, he always gave the man the benefit of the doubt, and there was no prosecution. According to the Bill, a man is a workman as long as his salary is less than £400 a year. It seems to me to be rather a fate that the man on £400 a year should be exempt. He has never to pay any duty at all for the upkeep of the State. However, the mercantile community are perfectly satisfied that that should be so.

Mr. LAND: A man with £400 a year has nothing left after paying for the upkeep of his family.

Mr. VOWLES: Supposing he happens to be a bachelor. He is certainly in a very different position to a man with a family of sixteen. I think the bachelor has nothing to complain of. Under the definition of "agreement," the 1904 Act says—

> "Agreement, or any memorandum of agreement, under hand only, and not otherwise specifically charged with any duty, whether the same be only evidence of a contract or obligatory upon the parties from its being a written instrument—2s. 6d.
>
> "Exemptions.
>
> "(1) Agreement or memorandum, the matter whereof is not of the value of £5.
>
> "(2) Agreement made between the Government and parties tendering for the performance of work and labour, or the supply of materials for use by the Government."

This Bill proposes to alter that, and to increase the minimum to £20, and the rate is then to be 6d. It is all very well for the hon. gentleman to say that the mercantile community of Brisbane, for instance the pawnbrokers and those interested in fire agreements, wish this exemption up to £20, but I do not know what the country people think about it. I do not see, because a certain section of the Brisbane people are going to be relieved of duty up to £20, that the people in the country should have their duty doubled.

Hon. J. A. FIHELLY: Previously there was a minimum of 2s. 6d.

Mr. VOWLES: It was also the maximum, and now that maximum is to be 100 per cent. higher.

Hon. J. A. FIHELLY: Very few agreements in the country are over £20.

Mr. VOWLES: With regard to articles of clerkship, the Minister gave me to understand that the fee had been decreased from 10 guineas to £2, and as far as the trade was concerned from £1 to 5s.

Hon. J. A. FIHELLY: I gave instructions on those lines.

Mr. VOWLES: The old schedule said—

> "Articles of clerkship whereby any person first becomes bound to serve as a clerk in order to his admission as a solicitor of the Supreme Court, ten guineas."

The new schedule, which is very misleading I might tell you, makes no reference to articles of clerkship, but says—

> "Apprenticeship, instrument of—
> To learn a profession, £2.
> To learn a trade, 5s."

I always thought it was a tremendous imposition on young men going in for a solicitor's profession. In addition, there is another fee for registration, and the unfortunate youth starting out as a lawyer has to pay about £25 to get the handsome sum of 5s. a week, and in addition there is a premium of about £200, and he has also to pay all his examination fees. He has to buy his books, and he finishes up by paying something like £50. So far as that is concerned, there is evidently a misunderstanding about it, and I sincerely trust it will be rectified. Why should a man who is going to be a doctor get his profession without any fee? Why should a surveyor, or a dentist, be placed in a different position to the man who is to be articled to a solicitor?

Hon. J. A. FIHELLY: There is a distinction from the point of view of intellect.

Mr. VOWLES: I am talking, not from the point of view of his intellect, but from the point of view of his pocket.

Hon. J. A. FIHELLY: That particular clause was drawn contrary to instructions.

Mr. VOWLES: In that case, I hope the hon. gentleman will have some amendment framed to see that that difficulty is met.

Hon. J. A. FIHELLY: Yes, I will. I would not mind wiping them all out.

Mr. VOWLES: I do not care if you do. If hon. members will look at the definition of a deed of gift and the definition of settlement—because we must certainly take the definition of deed of gift in conjunction with the definition of settlement in the Probate and Succession Duties Amending Bill—they will find that these terms are more comprehensive and embrace other matters than they previously did. The result is that they are so far-reaching that, if we are to have the articles or subject-matter which are mentioned in subsection (2), they are going to comprehend far more than at present, and they are going to simply prevent a man from making due provision for his family.

Hon. J. A. FIHELLY: In New Zealand, they have a fixed duty of 5 per cent. on every gift.

Mr. VOWLES: The position is this: In New Zealand you are in New Zealand. In Australia you are either in Queensland or in one of the other States, and if we are going to make the duties more comprehensive in Queensland we shall be working under different laws and the duties are entirely different. If a man has to pay on a £9,000 settlement a duty of £450 in one lump, and then he happens to die within three years, he, or his successors, will have to pay, not only that amount, but they will have to pay duty at a higher rate according to the gross value of the estate he left, which will be based on the capital value of his estate. The result is that when a man has personal

property, a man with money or assets which can be transferred from Queensland to New South Wales, it will be practically an inducement for him not to continue his business in Queensland, but to carry out his business in some other State where the duties at death and the transfer duties are less hard. Why should we consent to legislation the effect of which will be to induce people to take their capital out of Queensland? I know the hon. gentleman will smile at that as at some old story, but I know for a fact of a case in Toowoomba where a gentleman has sold £13,000 worth of machinery. It is Mr. Griffiths, who had a plant there that was employing 350 men a little while ago, but on account of industrial legislation here, wages awards, and all sorts of conditions put upon him, he now has only fifty men working in his mill, and he has sold his machinery, and it has been transferred from Queensland to New South Wales. What is going to be the future of Queensland under those conditions?

Hon. J. A. FIHELLY: It is a good job the Holman Government became National, or he would have been in another Labour State.

Mr. VOWLES: The same thing is happening all over the country, and in ninety-nine cases out of a hundred they will be seeking to get out and get their capital out of Queensland when they understand they are going to have to realise it under the hard conditions in Queensland, and there are better conditions in other States. In New Zealand what applies to one county applies to every county, but in Australia, one State has to compare with another, and we should try to make the conditions as easy as possible in Queensland.

Hon. J. A. FIHELLY: You are discussing the succession and probate duties.

Mr. VOWLES: I am discussing this legislation as a whole, because the hon. gentleman knows that stamp duty is the first thing payable. A man will have to pay on a £9,000 estate a duty of £450 where to-day he would pay the sum of 10s. What rate do they pay in New South Wales? They pay a nominal duty. Is a man going to keep his property in Queensland when he can go across the border and get so much better conditions? The introduction of principles such as these is not to the benefit of Queensland. Subsection (*c*) of the Bill in regard to the definition of a deed is as follows:—

> "Every deed or instrument whereby any person directly or indirectly conveys, transfers, or otherwise disposes of property to or for the benefit of any person connected with him by blood or marriage, in consideration or with the reservation of any benefit or advantage to or in favour of himself or any other person, whether by way of rent-charge, or life or any other estate or interest in the same or any other property, or by way of annuity or other payment or otherwise howsoever, and whether such benefit or advantage is charged on the property comprised in such deed or instrument or not; and, in assessing the duties payable in respect of such property, no deduction shall be made in respect of such benefit or advantage."

As far as that is concerned, the rent-charge is subject to duty when the successor leaves an annuity, and when an annuity fails in, not only do they charge duty on the annuity, but they charge duty on the remainder as well. There is no occasion why that should be attacked again. When a man leaves an estate, and he leaves a life interest or an annuity, the succession duty has to be paid on that annuity or life interest, as it may be, and as soon as it falls in and becomes part of the residue of the estate they turn round and charge again on that interest as a new succession. That is, we have got to pay on the two interests—on the life estate and on the remainder.

The next clause worthy of reference is clause 6, which deals with the appointment of officers. This clause amends section 9 of the principal Act, and under the principal Act it is provided that the Governor in Council may appoint officers to be called "inspectors of stamps." Under the principal Act, it is provided that any holder of an instrument chargeable with stamp duty who neglects to produce the same to the inspector shall be liable to a penalty of not less than £5 nor more than £50. We are going in for an inquisitorial practice here. We are going to employ a body of individuals whose particular duties will be to go round and harass the public, looking for information, digging up transactions, and generally destroying the harmony of the public, and making a general nuisance of themselves. That has been the effect of Labour legislation in Queensland since they have been in power.

[7 p.m.]

Hon. J. A. FIHELLY: Suppose we use the land tax inspector?

Mr. VOWLES: I have no doubt the hon. gentleman will do so when he has his house in order, but at present he has not got his house in order, so far as land taxation is concerned, and therefore he cannot do it. The officer who is an inspector under this Bill will have the power to inspect any particular document to see if there is any duty to be paid on it. He can go into the office of any merchant or business man and inquire into all the transactions in connection with his business if he thinks fit. It is not right that the Government should have this power. It will give the Government access to private documents under the guise of looking at them for the purpose of assessing them for duty. It places the Government in a better position than it might otherwise be in regard to private documents, and they can use them against the individual. I do not think the Government are justified in doing that. It will enable them to use the powers given here for political purposes, and generally for making political capital out of their opponents' business. I say that they should not have that power at all. Under the 1894 Act power is given to the Commissioner to authorise the production of documents to any individual, and if the individual refuses to produce those documents he can be prosecuted, and is liable to a penalty. That provision is contained in section 9 of the principal Act. How often has the Commissioner asked the court to impose a penalty on any individual for a breach of that section? If he has not done so, then why should the Minister turn round and include such an inquisitorial section in this Act? To all intents and purposes, the present legislation is sufficient for the purpose. Coming further on to the principle embodied

in clause 8, which amplifies section 16 of the principal Act, I might mention that section 16 states—

> "All the facts and circumstances affecting the liability of any instrument to duty for the amount of the duty with which any instrument is chargeable are to be fully set forth in the instrument; and every person who, with intent to defraud Her Majesty—
>
> (*a*) Executes any instrument in which all the said facts and circumstances are not fully and truly set forth; or
>
> (*b*) Being employed or concerned in or about the preparation of any instrument neglects or omits fully and truly to set forth therein all the said facts and circumstances:
>
> shall incur a penalty not exceeding fifty pounds."

That was very comprehensive.

Hon. J. A. FIHELLY: It was difficult to prove intent.

Mr. VOWLES: So far as intent is concerned, I think it is only right that it should be proved. Then, the Government propose to add two new paragraphs, which read as follows:—

> "(*c*) Being required to make and produce to the Commissioner a declaration under the Oaths Act of 1867, setting forth all the said facts and circumstances, makes a declaration, and neglects or omits fully and truly to set forth therein all the said facts and circumstances; or
>
> "(*d*) Makes any such declaration which is false in any particular."

Hon. J. A. FIHELLY: There is nothing arbitrary about that.

Mr. VOWLES: It may be so in some cases. Section 16 of our principal Act is identical with section 5 of the English Act, and that has worked all right up to the present time. I do not see why we should alter it here. The Government provide a penalty for any person who makes a declaration which is false in any particular. A man might not be in the position to give all the facts, and yet if he makes a declaration in good faith he is liable to a penalty for having made a declaration if it happens to prove to be false. Why should a man be placed in that position? It is not desirable to place anyone in that position. It is better to leave it as it stands at present, and as we find it in the English law. That was arrived at as the result of experience, and it has worked well. What has been good enough for England for years ought to be good enough for us. I do not know whether there were any cases under that section where application was made to the court for the prosecution of any person for not disclosing the whole of the information of or not giving the full information required under the existing law.

Hon. J. A. FIHELLY: You know you could not succeed if you did.

Mr. VOWLES: I think it is only a fair thing that you should prove intent to deprive the Government of revenue. If a man does a thing unwittingly, why should he be liable for a penalty? Why should he be liable under the Stamp Act for something that he is not liable for under the Criminal Code? Then, we come to clause 14, which is an amendment of section 46 of the principal Act. This relates to the stamping of foreign policy. It is provided here, in clause 14, that the following words shall be inserted in lieu of the words omitted from the principal Act:—

> "and such policy shall be deemed wholly absolutely void and inoperative, and no sum shall be recoverable thereunder, unless it is duly stamped within fourteen days after receipt thereof by any person or company in Queensland."

Why should a man be placed in such a position as that? A company might omit to stamp a policy and a man has no means of supervising it, because the stamps are always put on the policy by the company. If, by some oversight, they fail to put on the stamp duty then, after fourteen days, the man can be prosecuted, and he has no remedy against the company or anybody else, but has to pay a penalty, although it was no fault of his own.

Hon. J. A. FIHELLY: That is an oversight. At present there are many evasions.

Mr. VOWLES: Why should we place a genuine individual in such a position as that, when, through no fault of his own, he can be deprived of the whole of the benefits of his policy through some action over which he had no control at all?

Hon. J. A. FIHELLY: We will make it thirty days if you like.

Mr. VOWLES: It does not matter how many days you make it. Then, we come to clause 17, which makes provision for the composition of duty in respect of policies of insurance against accident. This is an addition to section 48 of the principal Act, and reads as follows:—

> "(1.) When, in the opinion of the Commissioner, any person granting policies of insurance against accident or other form of risk so carries on the business of such insurance as to render it impracticable or inexpedient to require that duty be charged and paid upon such policies, the Commissioner may enter into an agreement with that person in the prescribed form for the delivery to him, during any period mentioned in the agreement, of half-yearly accounts of all moneys received in respect of premiums on such policies."

That seems to me to be a contradictory principle of that contained in clause 14. I would like the Minister to direct his attention to those two clauses and see the effect of them. Coming now to clause 18, it is an addition to section 46 of the principal Act, and is a perfectly new principle so far as leasehold property in Queensland is concerned. Under the present law, the rate of duty is 10s. per £100 on pastoral leases and 15s. on ordinary freehold, but the ad valorem duty is only charged on the value of the lease. Removable chattels and stock do not pay any stamp duty at the present time. Under the Bill we are now considering, stock and improvements and everything else will have to pay duty. All stock and chattels comprised in any sale in future will have to be included in the purchase money and charged stamp duty at the rate of 15s. per cent., where previously the rate was only 6d. per £100. That sort of thing is only an inducement to men to sell their stock outside Queensland altogether in order to get the advantage in the difference in the stamp duty. Why should there be any distinction in the principle between the rate of duty charged to a

pastoral lessee and a grazing farmer when he sells his holding and the case of a householder who sells his house with plant and furniture?

Hon. J. A. FIHELLY: It does not apply to the grazing farmer.

Mr. VOWLES: It does apply to grazing selections and pastoral leases, as you will see on page 6, where it says—

> "A transfer of a pastoral lease or grazing selection shall for the purposes of this Act be deemed to comprise all live stock and other movable chattels."

Under this clause, if they have £1,000 worth of stock and movable chattels and £1,000 worth of leasehold, they have to pay duty on £2,000. It is not a right principle to introduce, because it is only hitting at the pastoralists and the big dealers in stock. I would remind the Minister that he gets his pound of flesh out of the sales of stock through the Income Tax Department. They have to pay income tax on the whole of the stock, whether they are income or not, so that the Government derive large sums of money in that direction. Then, clause 19 makes provision for the collection of duty in cases of property vested under the Act or purchased by statutory power. This clause provides for the insertion of a clause stating that after 1st January, 1918, when any property is vested by way of sale in any person, or any person is authorised to purchase property, or any property is vested by proclamation or other instrument made in pursuance of any Act in any constructing authority, such person or constructing authority shall, within two months of the date of vesting, produce a copy of the Act or some instrument relating to the vesting, to the Commissioner, who shall cause the same to be stamped. Why should the local authority or constructing authority be called upon to pay stamp duty on the transfer of a piece of land which is being handed over to the local or constructing authority for public purposes? Why should the ratepayers have to pay under those circumstances? Then, again, coming on to section 20, which is an amendment of section 50 of the principal Act. Section 50 goes to show the ad valorem duty to be calculated on the strength of the stock and security. Now, this is a section which is going to cause a tremendous lot of trouble. The amendment says—

> "Provided that where such consideration or part of such consideration consists of shares or debentures to be issued by a company or a contract to issue such shares or debentures, the face value of the shares or debentures shall be taken as the value of such consideration or part of the consideration."

Why should a new principle be involved by which he has to pay duty on something which is not issued, and on which he has not got the benefit? Is it not time enough for him to pay when he receives the value? That is the principle—he has to pay on the shares issued or a contract for the issue of such shares, and he will be charged duty not only on the amount he receives but on what he has to receive at some future date. In section 21 there is another principle to which I strongly object. It says—

> "Where in the opinion of the Commissioner the consideration in any transfer or conveyance does not represent the value of the property referred to or dealt with in such instrument, or the evidence of value is unsatisfactory, he may cause a valuation of the property to be made by some person appointed by him, and may assess the duty payable on the footing of such valuation.
>
> "The Commissioner may, having regard to the merits of the case, charge the whole or any part of the expenses of or incidental to the making of the valution to the person liable to pay the duty, and may recover the same from him as a debt due to His Majesty."

Now, the principle to which I object is that the Commissioner is put in a position that there is no appeal from his decision. I say that that should not be, particularly in regard to large estates where principles are involved, where values differ, and where large sums of money are at stake; there should in every instance be an appeal from the Commissioner's valuation. Section 22 says that subsections (4), (5), and (6) of section 53 are repealed; and it goes on to say—

> "Where a person having contracted for the purchase of any property, but not having obtained a conveyance or transfer thereof, contracts to sell the same to any other person, and the property is in consequence conveyed or transferred directly from the first vendor of the property to a subpurchaser, the conveyance or transfer shall, for the purposes of this Act, be deemed to be a conveyance or transfer on sale of the estate or interest in the property of each purchaser and subpurchaser of the property, and shall be chargeable with ad valorem duty in respect of the consideration moving from the purchaser and each such subpurchaser respectively."

Now, that is entirely new. At present a man buys a piece of land under an agreement of sale, and he does not register his transfer. He may buy a large area for the purpose of subdividing. Each contract of sale of a minor area of it, or the whole of it—as the case may be—is subject as an agreement to a stamp duty of 2s. 6d., and when the transfer is registered, ad valorem duty is paid upon the amount of purchase money that is payable in respect of either the whole of it or any part of it. There are plenty of agreements of sale at present extending back for many years, and the purchaser may have many more years to run before the purchase will be completed. Those documents are constantly changing hands. One man takes over the other man's sale under the agreement, by endorsement. Now, instead of the final purchaser having to pay—as he would under present conditions—at that time, duty on the document when the transfer is eventually signed, every subpurchaser who has any hand in it, whether in the past or the future, of those lands, will have to pay duty in addition. There may be cases in which three, four, and perhaps up to ten persons have had those properties under agreement; and the Crown, instead of receiving the one duty on the transfer of the land when it is eventually signed, will receive stamp duty from every individual subpurchase. Now, that is not right. That has never been the principle in the past, and I see no reason why it should be the principle in the future; for, be it remembered, the only duty that was chargeable was always paid—and that was a 2s. 6d. duty on the agreement—and the ad valorem duty is not payable until the

transfer takes place and the transfer is executed. And see how much further it goes. Look at subsection (5), which says—

> "No instrument of conveyance or transfer of any estate or interest in any property whatsoever shall be valid, either at law or in equity——"

They take away the powers of the court there as far as the individuals are concerned—

> "unless the name of the purchaser or transferee is written therein in ink at the time of the execution thereof."

Now, in dealing with scrip it is a common practice that blank scrip is transferred, and when it is delivered over it is registered in the books of the company. It will simply mean that no broker can take a blank transfer of scrip. He will have to disclose his principle in every instance, disclosing the whole of his business and who his customers are; and in the document, if the purchaser's name is not put in ink when it is signed there are no rights on either side—the whole thing is invalid and inoperative, and neither party can enforce it. Why should existing customers be disturbed in such a way as this? Why should a man's business be disclosed? It has never been customary in the past and has never been necessary; and why should it be necessary in the future? It says—

> "Any such instrument so made shall be wholly and absolutely void and inoperative, and shall in no case be made available by the insertion of a name or any other particulars afterwards."

That simply means that if the consideration is left out, if the purchaser's name is left out—no matter how bonâ fide a transaction it is—it can be repudiated on either side even after transfer, on the ground that the document was not complete—the particulars were not filled in when it changed hands.

Hon. J. A. FIHELLY: I think that is a very necessary provision.

Mr. VOWLES: I don't know; it has never been necessary in the past.

Hon. J. A. FIHELLY: It may change hands about ten times. They evade stamp duty in every land sale round the city.

Mr. VOWLES: I don't see how they can. Wherever there is a land sale the purchase of land has no title to it unless there is some writing. There must be a document in writing, and in order to make a document at all under the statute it is dutiable, and only to the extent of 2s. 6d. as an agreement.

Hon. J. A. FIHELLY: It is sold and resold.

Mr. VOWLES: That cannot be.

Hon. J. A. FIHELLY: I will give you a couple of illustrations later.

Mr. VOWLES: They cannot be legal transactions unless there is writing. If there is any writing, that constitutes an agreement, and it is dutiable at 2s. 6d. and no more. I admit it has happened with scrip transferred; it might not be stamped and restamped; but every time that goes in to the register of the company then it has to be stamped and new scrip issued.

Hon. J. A. FIHELLY: One old stamp is like the oyster in the oyster soup.

Mr. VOWLES: Probably it may be; but I don't think a reputable broker would carry on on those lines. Section 54 is repealed and the following section is inserted in lieu thereof:—

> "Any instrument, contract, or agreement"

amongst other things

> "solely of any goods, wares, or merchandise, shall be charged with the same ad valorem duty to be paid by purchase as if it were an actual conveyance on sale of the estate, interest, or property contracted or agreed to be sold."

Now, that opens up this question: that every transaction for the sale of anything practically which is movable, where it exceeds the sum of £2 in value, has to be subject to some form of duty. There can be no cash and deliver sales in the future; every transaction over £2 requires that the vendor shall give a receipt in accordance with the scale in the regulations. That has not been so in the past. As far as those dockets in shops were concerned, I could never understand why they should be free from duty, because they were an acknowledgment for money paid; but why should it happen that for the future all documents of transfer by delivery have to be stamped? If I buy a chair for a sum over £2 and pay cash, it is absolutely necessary that a receipt should be given; some document should be signed, and it must be dutiable. Now, getting down to section 32. It says—

> "In section seventy-seven of the principal Act, the words 'sixty days' are repealed, and the words 'six months' are inserted in lieu thereof."

That is the limitation section. Getting to the section on fees, I think I dealt to a great extent with a lot of them. I have pointed out that for ordinary leases it is double. There is evidently a misunderstanding with regard to the wording of the provision where the premium is reduced from £10 10s. to £2, because there is no such agreement except articles of clerkship. It would appear to me that another principle is brought in under the schedule, whether it is intended or not I don't know, but it seems to me that all duplicate documents have to be stamped as well as the originals—I don't mean with the impressed stamp; I don't know whether it is intended they have to be impressed or whether duty has to be paid in addition. There is one thing, too, I would like to point out to the Minister, and that is in subclause (4) of the schedule which says:—

> "The same duty on the value of such property and any amount paid or other consideration given for equality as on the amount or value of the consideration for a conveyance or transfer on sale."

I would like to know if that value means the actual value of the property or the value without any encumbrance taken off. It appears to me to be open to the construction that under the stamping of an exchange, gift, or partition of any property you will have to pay on the true value of the property as apart from the actual amount he would receive. While referring to the stamping of duplicates I would like to refer to the provision under "Declaration of Trust," which says:—

> "Deed or instrument of any kind whatsoever not described in this schedule, or any duplicate instrument under seal —10s.

Now, is it intended there to have a duplica-

tion of duty—the duplicate 10s. and the original 10s.? It would appear to me, on the face of it, that that is so. I would like to point out that in the new scale for policies of life insurance the increase is altogether unreasonable; £500 will cost 5s., whereas the charge on £600 is 12s., and on £1,000 it is £1, and for £1,050 it is liable to £2. Instead of increasing the rate it should be the intention or the duty of the Government and of Parliament to relieve the people who are trying to insure their lives—provident individuals who make provision for their wives and children; more particularly in view of the fact of the enormous premiums being paid at the present time as war risks by soldiers' [7.30 p.m.] representatives and others, and also by the Government in some instances. The Government should look at it in this way—that if those private individuals, or private institutions in many cases, were not paying these large sums in premiums, which are bringing in a certain amount of stamp duty, the Government will be faced with the proposition of having to look after the widows and orphans of those who are being insured. Yet, instead of encouraging people to go on insuring and saving the Government, we are imposing further taxation upon them. It may be small, but it is vexatious, and I understand the Minister to say that the object of the measure in the first instance was to do away with irritating taxation.

Hon. J. A. FIHELLY: Some people would say all taxation was irritating.

Mr. VOWLES: It is when you come to handle it in practice. The Minister says they do not expect to make much revenue out of it. Then, why worry the House with it? There may be some good in it, but there is a tremendous amount of bad. If the hon. member wants to get rid of these irritating little taxes, he can do it in a small Bill instead of bringing in a new Bill with new principles and fresh taxation at a time when the people cannot afford to make these additional disbursements, when they have large taxation in the form of State and Federal land tax, when they have additional super taxes looming up ahead, when we know we are going to be taxed up to the hilt in every direction. I do not mind if the taxation is going to fall on people who are trying to evade stamp duty and dodge taxation, but why should we heap coals upon the backs of those who are trying to play the game, who are trying to make the wheels of industry go round and make provision for their children in the future? Our duty should be to raise the necessary taxation to carry on the purposes of the State economically, and levy, as far as possible, equitably from all sections of the community, and on no account to penalise the provident people for doing their duty to themselves, their dependents, and the State.

Mr. FORSYTH: After the able speech of the hon. member for Dalby, who, being a lawyer, is able to go into all these matters in detail, I do not propose to say very much. I agree with the Minister that this is really a Committee Bill, but there are a great many items in which it might be compared with the old Act. The Minister has told us that he does not expect to get much revenue by the Bill, but, if that is true, as the hon. member for Dalby says, a great deal of irritation is likely to be caused, and so what is the use of bringing it in? It may be that the hon. member thinks certain anomalies in the old Stamp Act want altering. For instance, I think the change he is making with regard to receipts a good one. Under the old system we had to pay 1d. on receipts for amounts from £1 to £2, but under the Bill there will be nothing on any amount up to £2. The tax for £2 to £100 is to be 2d., and 2d. for every £100 or fraction of £100 up to £500. The duty on amounts exceeding £500 is for the first £500 at the rate for a receipt not exceeding £500, and 3d. for every £100 or fraction of £100 thereafter. I do not think myself that anybody objects to pay that tax.

Hon. J. A. FIHELLY: It is rather low after £500.

Mr. FORSYTH: I have no objections to it at all, but when you come to some of the other States you find that they are even lower. The "Year Book" for 1917 gives, in a very condensed form, a great deal of information in connection with the various Stamp Acts of the States of Australia. I notice that in New South Wales they only charge 2d. on every £2 or upwards, and that in South Australia the duty is the same. In Victoria the duty is also the same. In Tasmania the duty is 1d. from £2 to £5, 2d. for amounts over £5 and not exceeding £15, 3d. for amounts over £15 and not exceeding £25, and 4d. for amounts over £25. That certainly is not so good as the present Bill.

Hon. J. A. FIHELLY: Ours is simplicity itself.

Mr. FORSYTH: It is simple, and yet it is not half so simple as the Acts in New South Wales, South Australia, and Victoria.

Hon. J. A. FIHELLY: They only introduced that in New South Wales about four years ago. They had no stamp taxation at all before that.

Mr. FORSYTH: I am not raising objections, because, after all, it does not come to a great deal, but it is very much simpler in those other States.

Hon. J. A. FIHELLY: There is quite a big population in New South Wales, you know.

Mr. FORSYTH: That argument applies all round. In Western Australia the duty on receipts is 1d. on amounts between £2 and £50, and 2d. on amounts of £50 and less than £100, and 3d. for every £100 or fraction thereof. On the sale of property, under the old Act, the duty is 7s. 6d. on £50 and under, and where it exceeds £50, for each £100 or part thereof 15s., and for the conveyance of transfer property of any kind not described, 10s., the same as in the proposed Bill. In New South Wales, where the property does not exceed £50, the duty is 5s., and where it exceeds £50 and does not exceed £100, 10s.; and for each £100 or part thereof, 10s. So that in New South Wales the duty is less than in Queensland. In Tasmania, on the transfer of land, the duty is 10s. on every £50 or part thereof, deducting the first £50, and in Victoria the same. Then I find that in this Bill the duty on life policies, where the sum insured does not exceed £100, is 1s., and where it exceeds £100 up to £500, for every full sum of £100 and also every fractional part of £100, it is also 1s. Where it exceeds £500 and does not exceed £1,000, for every full sum of £100 and any fraction of £100 the duty is

2s. Where the sum insured exceeds £1,000, for every full sum of £100 or fractional part of £1,000, the duty is £1. I think that the hon. member will find that both in New South Wales and Western Australia life insurance policies are exempt. I do not know whether there is any charge in the other States or not. I think it is a very good thing that they should be exempt, because we must bear in mind that a life policy is not the sort of thing from which people make money.

Hon. J. A. FIHELLY: It is all right with mutual societies but not with private societies.

Mr. FORSYTH: The Australian Mutual Provident is a mutual society, the premier life society in the whole of Australia, and makes people thrifty so that they have something to fall back on, and people in New South Wales have evidently recognised that it has done an enormous amount of good, because it does not charge any duty upon policies.

The TREASURER: The only profits are made by the directors.

Mr. FORSYTH: I do not know that any of them get much. Life policies are not taken out for the sake of making money, but for the sake of leaving something to relatives after death.

Hon. J. A. FIHELLY: I would favour it if there were no private companies.

Mr. FORSYTH: Where they pay dividends, I am quite willing to agree that they should be charged, but in connection with the Australian Mutual Provident Society we all know that no profits are divided, all the profits belong to the policy-holders, and that is a very good thing indeed, and we should do our level best to get people to insure their lives, so as to provide some source of income for their wives or families when they die. I think it would be very much better if we did not charge any duty at all in regard to mutual societies. The Minister appears to think that this Bill will not bring in much revenue, although he says it will alter the incidence. Now, the hon. member for Dalby, who is a lawyer, and has studied the matter as a matter of business, has shown how the Bill will bring in extra taxation. For instance, deeds of settlement only pay 10s. now; but we find that after this they will be called upon to pay according to a scale running up as high as 5 per cent. As was clearly pointed out by the hon. member for Dalby, on an amount of £9,000 you would have to pay 5 per cent., and that would be £450. If it was exceeding £5,000, and not exceeding £6,000, it would be 3 per cent. If it did not exceed £1,000 it was ½ per cent., and exceeding £1,000, but not exceeding £2,000, 1 per cent., and so on. Under the old Act any one could make a deed of gift or settlement, and had to pay only 10s.; so surely the hon. gentleman must see that he must expect a considerable amount of revenue. There is no doubt that settlements, or deeds of gift, are things that will always occur in spite of this Bill. My impression is that the amount will be very considerable. In New South Wales the rates are very much the same as in this Bill. In Victoria it is very much better. It goes from 1 per cent. on £1,000 to 4 per cent. on up to £100,000 and 5 per cent. over £100,000. Under this Bill we pay 5 per cent. on a maximum of £9,000, so you will see that in Victoria it is certainly much more liberal than the Bill now before the House. In Western Australia deeds of gift are at half rates of the duties on estates of deceased persons, which go up to 10 per cent., so that half rates on deeds of gift of over £20,000 go up to 5 per cent. In Tasmania a deed of gift not exceeding £100 is charged 7s. 6d., and for every additional £50, 7s. 6d. In South Australia £500 to £700 is 1½ per cent., £700 to £1,000 2 per cent., going up to £200,000, and half rates are charged if the person taking the deed is a child under twenty-one, or the widow. These are items that the hon. member must realise, when the Bill comes into operation, if it does come into operation, will be the means of bringing in a considerable amount of revenue. The hon. member for Dalby made reference to the fact that, in connection with the sale of a station or otherwise, the charge under ordinary conditions was only so far as the lease and improvements were concerned, but under clause 18 of this Bill the principle is laid down that—

> "(*a*) A transfer of a pastoral lease or grazing selection shall for the purposes of this Act be deemed to comprise all livestock and other movable chattels included with the sale of such holding, notwithstanding that the same are not included in the instrument of the transfer of such holding, but pass upon or by delivery, and notwithstanding that the same are not at the date of the execution of the said instrument upon such holding."

And that is notwithstanding that the stock may not be included in the transfer. This appears to me a very drastic measure. If the hon. gentleman thinks that this Act will be passed as it is now, on the transfer of a station, which must be a very valuable property, and the stock also, which might be a very valuable property also, he must get a very large amount of revenue, as against what he would get now.

Hon. J. A. FIHELLY: I am afraid there will not be. I am rather pessimistic about that passing the Upper House.

Mr. FORSYTH: I know nothing about what the Upper House will do with the Bill, but when the hon. member tells us he does not expect an extra revenue I think he will be mistaken.

Hon. J. A. FIHELLY: We are giving away a lot.

Mr. FORSYTH: You are giving away very little indeed. All these little things—1s. and 2s. 6d—the various items appearing in the Bill and the schedule, are not a great deal. They may be something, but there is not a great deal of money, and on the transfer of a station which will run up to £50,000 or £100,000 under the ordinary condition of things, they would only have to pay on the lease and the improvements, and it would not include the stock at all. As a matter of fact, the stock possibly will be infinitely more valuable than the lease and the improvements, and yet the hon. gentleman tells us the Bill is not expected to bring in much revenue. The hon. gentleman must know there are a considerable number of transfers, not only of stations but other properties, being made every day, and this Bill will be the means of bringing in a considerable amount of revenue, and as far as I

can judge, I think the hon. gentleman must be satisfied there will be a considerable amount of revenue derived. In connection with the statement made by the hon. member for Dalby in regard to valuations of property, I think the Minister must realise that it is only a fair thing that if the Commissioner and the valuator cannot agree, there should be some appeal. I quite agree with the hon. member for Dalby that there should be some appeal in a case like that. Under the Act you cannot even go to arbitration, and I think some change should be made so that a fair deal will be given to the parties who are having a dispute in regard to valuation, and the Commissioner will not have the drastic power of saying what the valuation is and there is no appeal. I think the hon. gentleman will be satisfied when we come to the Committee stage that this amendment should be made. In regard to apprenticeship, I think the proposal to reduce the fees is a very good one.

Hon. J. A. FIHELLY: I think we will cut them down still further.

Mr. FORSYTH: For a young man to have to pay ten guineas, and then another fifteen guineas, is a very big item. I notice on page 13 there is a principle in connection with the sale of property where the amount or value of the consideration does not exceed £50 the duty is 7s. 6d., where it exceeds £50 and does not exceed £100, 15s.; and for every £100 or fraction of a hundred the duty is 15s. While in some cases there have been amounts reduced, yet taking it all round, I think the Bill must bring in a considerable amount of revenue.

Hon. J. A. FIHELLY: You were talking about an appeal. There is an appeal provided for in section 24 of the principal Act.

Mr. FORSYTH: I know the hon. member for Dalby made a strong point in regard to that. To whom is the appeal?

Hon. J. A. FIHELLY: The court.

Mr. FORSYTH: If there is an appeal court I think it is only right, and I am very glad that the hon. member says there is an appeal. I think this is a Bill more for consideration in Committee, and I have not the slightest doubt that those who know a good deal about it will have a few amendments to suggest that will make the Bill more reasonable, so far as the charges are concerned, in some respects, and I hope the Minister will be agreeable to accept some amendments.

Mr. BEBBINGTON (*Drayton*): I wish to say a few words on this Bill before it goes through. So far as the reduction of stamps on apprenticeships is concerned, I think we want to make them as free as we can. The young man wants to learn, and I do not see why we should put anything in his way whatever.

Hon. J. A. FIHELLY: We will cut them out altogether.

Mr. BEBBINGTON: I think it would be a good thing myself. I have compared the old stamp charges and the new, and there is very little change, except the ordinary general receipt. As I told the Minister the other evening—and I am glad he admits it now—this is a Queen street Bill. It has evidently been brought up at the wish of the business people of Brisbane. The Minister, the other evening, posed as an authority on learning and different things, and with all the hon gentleman's learning I do not think he knows even how to grow a pumpkin or a turnip. I do not believe the hon. gentleman's education would enable him to do such a simple thing as that. A young man is educated to run up a few lines of figures and to answer a few questions put to him at an examination, and we are told he is educated, but when you compare those young men with the men we have in the country districts, who can practically do anything they turn their hands to, those young men are very ignorant in comparison to men like that, who can add so much to the production of the State. I will just read what the Minister said when I accused him of this being a Queen street Bill, and relieving the storekeepers and others in Brisbane, especially the large merchants. This is what he said—

> "Mr. Bebbington: You admit this will be a big relief to the business man?
>
> "Hon. J. A. FIHELLY: I confess that if the hon. member does not translate what he says I cannot understand it.
>
> "Mr. Bebbington: You don't want to; that is all about it.
>
> "Hon. J. A. FIHELLY: I know that if the hon. member for Drayton would pay a little attention to the measure and use the same insight as has his leader, the member for Albert, this House would be much better off.
>
> "Mr. Bebbington: Haven't you relieved the cities of taxation under this Bill?
>
> "Hon. J. A. FIHELLY: That is pure undiluted nonsense."

I am glad he admits now that he was wrong. The hon. member went on—

> "The hon. member seems to have an obsession; he seems to regard everybody in the city as a burglar. He regards everybody outside his limited scope of vision as a bushranger of some sort.
>
> "Mr. Bebbington: So you are; what else are you?"

Hon. J. A. FIHELLY: Read on! Read on!

The CHAIRMAN: Order! Order!

Mr. BEBBINGTON: That is a common thing. (Laughter.) We are told by writers and men to-day who are travelling in Palestine that it is no disgrace to do anything wrong with the allies, but it is a big disgrace to be found out. The Minister did not mind relieving the merchants of these immense sums of money and putting on a land tax to make up for it, but he got very wild when he was found out; and when I showed him what he was doing he denied he was relieving the city business men and putting on a land tax to make up the deficiency. I am glad that he was wrong and that I was correct, and in the future I hope he will boast less of his education. He is a young man yet, and he will find there are a lot of things he does not know. There is another thing which I object to. Under the old Act, if a man gave a receipt for a sum of money from £1 up to £2, he [3 p.m.] had to pay 1d. stamp duty, but under this Bill he will pay nothing on a receipt under £2. We know that thousands of transactions take place in the big firms in amounts from £1 to £2, and the amount of stamp duty there must run into thousands of pounds every year. The Minister is relieving them of that duty in the

future. Every Bill introduced into this House adds additional taxation on to the producers. The man on the land has to foot the bill every time. On the other hand, the Minister relieves taxation on the middlemen and business men. We have heard members opposite condemn the middlemen, trusts, and combines, and all those sorts of things, yet those are the very persons who have been relieved of taxation this session, and this Bill proposes to relieve them still further. A man getting £8 a week or £400 a year will not have to put a stamp on his receipt for wages when this Bill becomes law. It is said that it is an irritating tax. If a man gets £400 a year he can easily afford to be irritated. I would like to be irritated that way myself, and I am sure I would not grumble very much at it. I know many men in the country almost poverty-stricken owing to droughts, and taxation put on to them by the present Government. Yet, there is no reduction in taxation for them. But, because a man getting £400 a year becomes irritated when he is asked to put a stamp on his receipt, he is relieved of that taxation. Look at the big firms, like T. C. Beirne and Co., and Finney, Isles, and Co., who will be relieved of taxation under the proposal to remit the stamp duty on all amounts from £1 to £2. The Stamp Commissioner knows that a large sum was received from those persons on those amounts. The man on the land, struggling hard against the seasons, against mortgages, and everything else, has to pay the extra taxation every time, while the burden is lifted off the man in the city, and all done by a Labour Government. On all amounts from £2 to £50 the Government propose a stamp duty of 2d. Under the old Act it was 3d. on amounts of £50. So there is a reduction there of 50 per cent., which the big business man will get the benefit of. Under the old Act, a man who gave a receipt for £100 had to put a stamp duty of 6d. on it. Under the present Bill the amount is fixed at 2d. Why should a man grumble at paying 6d. stamp duty if he receives £100. I know I would not grumble. Then, under the old Act, a man giving a receipt for £500 had to pay 2s. 6d. stamp duty, but under this Bill he will only have to pay 3d.

Hon. J. A. FIHELLY: No, 10d.

Mr. BEBBINGTON: I say he will only have to pay 3d. Is that a fair thing to ask a man giving a receipt for £500 to pay 3d.?

Hon. J. A. FIHELLY: He pays 10d.

Mr. BEBBINGTON: If a worker buys £2 worth of goods he has to pay 2d. stamp duty, but the rich man buying £500 worth will have to pay 3d.

Hon. J. A. FIHELLY: You are wrong.

Mr. BEBBINGTON: I am right. He only pays 3d. The worker has to pay 1d. in the £1, and if a man buying £500 worth paid at the same rate he would pay £2 1s. 8d. stamp duty.

Hon. J. A. FIHELLY: It is 2d. per £100 up to £500, when it becomes 3d. per £100. Incidentally, I may say that merchants never previously paid stamp duty on cash sales, but they will pay under this Bill.

Mr. BEBBINGTON: Under the Denham Government, there were deputations every year to the Government from the merchants asking for a remission of the stamp duty, but the Government said, "We cannot see our way to do it. If we take those taxes off the merchants we must put them on to some one else, and that will mean putting them on to the producer and we will not do that." Under the present Bill, it is the merchants who are relieved and the taxes imposed on the producers. We find the merchants are being relieved to the extent of thousands of pounds. What was the action of this Government towards the men on the land as soon as they came into power? The Government seized their produce at half the cost of production.

The SPEAKER: Order! The hon. member will not be in order in introducing that subject.

Mr. BEBBINGTON: I think that when extra burdens are being put on the man on the land that we have a right to point them out, and we have the right to show where those burdens should be placed on another class of people. We find that the rich are being relieved of taxation. What must be the opinion of men in the country when they see these things? It will mean that the men in the country will make all their children go in for scholarships, get away from the land, and go into the city where people do well. It is in the city that people have short hours to work and get big wages, and where men getting £400 a year are not asked to put a stamp on to their wages receipt. Last year there were only sixty candidates at the University and this year there are 160. The reason for that is that the country people want to come and live in the city.

Mr. MCPHAIL: Don't you believe in higher education?

Mr. BEBBINGTON: Yes, but the people in the country have as much right to it as the people in the city. The Government are making it impossible for the man in the country to get education, and are making it impossible for men to live in the country. The Government are removing the teachers from the country.

The SPEAKER: Order! Order!

Mr. BEBBINGTON: When these burdens are placed upon us we have a right to make them known.

The SPEAKER: The hon. member can only make them known if they have any reference to the Bill before the House.

Mr. BEBBINGTON: When we see the rich man being relieved of taxation we have a right to point out that the men in the country should also be relieved. However, I will have another opportunity of dealing with the question when the Bill gets into Committee. The hon. member for Dalby dealt fully with the measure, and he showed that the actions of the Government are telling so much on the people in the country that they will be willing to sell out at 30 per cent. less than what they gave for their properties.

HON. J. TOLMIE: I am sure we listened with great pleasure to the criticism of this measure given by the hon. member for Dalby. The Minister in charge of the Bill has told us that it is exceedingly technical. That is quite apparent by the way in which the Bill has been introduced. The Minister certainly never gave us as full information as he could have done, but he certainly has not the same intimate knowledge of this subject as the hon. member for Dalby. It is a good thing for this House that we have

had the benefit of the criticisms of the hon. member for Dalby. He puts the Bill in the right light before the public, and if we left it to the Minister and his explanation it would not be placed in the right light at all. The Minister said that it was not a revenue-producing Bill. We have only to look at every line to find that the whole scheme laid down by the Government is one to extract revenue from the people of the State. It is quite true that in some of the minor matters they decided to lose a penny here and a penny somewhere else. But that is only done with a view, perhaps, to throwing dust in the eyes of the community so that they can go before the public and tell them that on the storekeepers' cash sales there has been a reduction in the stamp duty.

Hon. J. A FIHELLY: The stamp duty on cash sales is a fresh imposition.

HON. J. TOLMIE: When it comes to dealing with the transactions of the producer—the man who is doing so much for the benefit of the community—then the taxation becomes hard and unjust. (Hear, hear!) I am not going to deal with the Bill, clause by clause until I have a fuller acquaintance with it. None of us have that knowledge which comes with practical experience as shown by the hon. member for Dalby. I ask the Assistant Minister for Justice to allow an officer of his department to be placed at the disposal of the Opposition to enable us to frame amendments in connection with this Bill. Now, I find that the Minister for Justice has not given that assistance which is essential, and I hope that the hon. gentleman will be able to make some amendments which are desirable.

Hon. J. A. FIHELLY: I think he will puzzle you all the more.

HON. J. TOLMIE: We will put up with that. This Bill, despite what has been said by the Minister, is for the purpose of producing additional taxation. There is scarcely a piece of legislation that has been introduced into this Chamber by the Government sitting now on the front Treasury benches that has not concealed somewhere in its provisions a means of extracting additional taxation from the people. It might be by means of a license, or in any other way; but if it is possible to introduce finance into the Bill to help the Government, then the Government have done it. Here, on this occasion, they have brought down their taxation proposals, of which this is one, and they are endeavouring to take from the taxpayers of Queensland an inordinate degree of taxation. The two major Bills were introduced for that purpose; it was so self-evident that there could be no denying it; and here, in order to cover up as much as possible their actions, the Minister in charge of the Bill comes down with it and tells us it is not for taxation. Yet there is evidence, I say, in almost every line, of where there is an increase of taxation—an increase in the amount of the fees charged which in the ultimate will bring in a considerably larger amount of money than has been brought in through stamp taxation and succession duties up to the present time. The Minister has told us that he does not think it will exceed £2,000. I did not think for one moment that the Government would attempt to bring in legislation of this kind, harassing and irritating as it must be to the man who is receiving £500 salary! Has not the hon. member for Drayton pointed out that instead of removing the irritation you are increasing it in all directions, and the irritation that you would remove is such a reduction that we could bear with the greatest degree of complacency. I think that the framing of this Bill has been the product of the mind of the Secretary for Agriculture, who is so ready to excuse the hon. gentleman in charge of the Bill, and come to his assistance.

The SECRETARY FOR AGRICULTURE: Why this unprovoked attack upon me?

Hon. J. A. FIHELLY: What has the Minister for Public Instruction done?

HON. J. TOLMIE: I don't know what he has done; he is inquiring whether there is a war on, I think. (Laughter.) Now let us deal with some of the provisions that are wrapped up in this Bill. Although to some extent they may appear to be matters of details, yet they are matters of details which, to my mind, are so large that they can be regarded as principles. The question of the deed of grant has been fully discussed by the hon. member for Dalby, and also by the hon. member for Murrumba. At the present time a father, or a husband, who is desirous of making a settlement on a member of his family, that will relieve them from want, is able to do so at a very small expenditure; and do you not think it is the duty of a parent or a husband—the head of a family—to make some provision for those who are dependent upon him; and do you think it is the duty of the Government of this State to intervene between him and the provision he makes for those dependents? Nevertheless the State does interfere. I will give you a case in point. If a father makes a deed of grant to his son, passing him over property to the amount of £10,000, he will have to pay—as was pointed out—£500 straight away in taxation; and if the parent should die within three years of making that deed of gift to his son, then there is additional succession duty to be paid. What the amount of the succession duty will be I am not prepared to say, on £10,000; but it will be a large sum. On the contrary, if that father were to sell that £10,000 worth of property to his son, all the duty he would be called upon to pay would be ¾ per cent. or £75. That is the difference between dealing with one's own family and dealing with a stranger. He could sell to a stranger and pay £75 taxation just the same as he could sell to his son and pay £75; but if he gives that property to his wife, his daughter or his son, he has to pay £500; and should he unfortunately die before the expiration of three years, succession duty would have to be paid on top of that.

Hon. J. A FIHELLY: The duty is paid in one case and there is an exemption granted in the next.

HON. J. TOLMIE: If he pays on the deed he is exempted?

Hon. J. A. FIHELLY: There is no double payment.

HON. J. TOLMIE: He pays succession duty if he should die within three years.

Hon. J. A. FIHELLY: The other is exempt; the other he has given in is calculated, and the payment will be made.

HON. J. TOLMIE: I fail to follow the hon. gentleman.

Hon. J. A. FIHELLY: It will be considered as part of the payment of succession duty.

HON. J. TOLMIE: The payment of 5 per cent.?

Hon. J. A. FIHELLY: The full allowance will be made of the amount paid; in estimating succession duty the remission of the amount already paid will be granted.

HON. J. TOLMIE: It does not say so.

Hon. J. A. FIHELLY: It does say so.

HON. J. TOLMIE: If the hon. gentleman can find it in the Bill, well and good; but I cannot, and persons possessing a greater degree of competency and knowledge than I do in regard to that measure cannot find it. However, in Committee we will be very pleased if the hon. gentleman will show it; but that is how it appears at the present time. Then we come to a consideration of another clause in relation to inspectors. What is the present situation in regard to that? Under the existing Act an inspector is defined to be a person appointed by the Governor in Council to inspect documents and instruments chargeable with stamp duty. Under the proposed amendment he is given practically a general search warrant and can go into any persons counting-house—into his office—and search all the papers that he finds there and read them. I wonder whether the general public will stand the Commissioner doing things of that kind—if there will not be a revolt. We are fast degenerating; we are getting back to the time of James I., when taxation was so rife in the land and there was so much interference with every person in the conduct of his public and private business that the people could stand it no longer and a revolt took place. Is not that the case in regard to the situation now? Whenever it is possible for this Government to appoint an inspector to interfere and poke his nose into the private affairs of the citizens of the State, that inspector has been appointed; and here is another interference in that direction. An inspector is appointed, not for the purpose of making a discovery of what the man's commercial transactions are, but if you read the clause in the Bill—clause 5 I think contains the principle that I am speaking about now—therein you will find that it is laid down there—

> "Any inspector, upon receiving a general or special authority in writing in that behalf from the Commissioner, may require any person to produce to him for inspection all or any instruments, documents, or writings relating to all or any business transactions in the possession or under the power or control of such person.
>
> "Any person who refuses or neglects to comply with any such requisition shall be liable to a penalty of not less than five pounds nor more than fifty pounds."

Hon. J. A. FIHELLY: Terrible!

HON. J. TOLMIE: "Terrible," says the hon. gentleman. If that inspector enters his private office and opens his desks and makes search through his private papers, would he not regard it as terrible then in quite a different tone of voice from that in which he utters the word "terrible" now? He would be one of the very first to resent such an intrusion upon his rights and liberties. Yet we are here legalising conditions of this kind. Then I want to make passing reference to another principle that is contained in this Bill. You will find it, I think, in clause 14, if my memory serves me correctly, where it appears to me there is an interference on the part of the Government with a view to forcing all persons who are insured, or about to be insured, to insure in the Government office only. That clause states—

> "The proviso in section forty-six of the principal Act is repealed, and the following words inserted in lieu thereof:—
>
> "and such policy shall be deemed wholly absolutely void and inoperative, and no sum shall be recoverable thereunder, unless it is duly stamped within fourteen days after receipt thereof by any person or company in Queensland.'"

At the present time, if I desire to insure with a foreign company——

Mr. COLLINS: What! A foreign company?

HON. J. TOLMIE: By "foreign company" I mean it may be a company in one of our allied countries; I mean a company outside Australia. Surely the hon. gentleman can quite understand what the meaning of "foreign" is in relation to a home company. Suppose I were to insure with one of the New York mutual life associations, and my policy came along and was not registered within fourteen days. All the premium I had paid, and everything in connection with that policy, would be lost simply because of some delay on the part of the office here. In the original Act the registration is within thirty days, and surely it is not too long?

Hon. J. A. FIHELLY: Well, we will make it thirty days.

HON. J. TOLMIE: Well, there is some sense in that.

Hon. J. A. FIHELLY: It is not necessary, but we will humour you on that matter.

HON. J. TOLMIE: If he makes that alteration, then I fail to see why there should be this amending clause at all, because the whole lot of it is wrapped up in that provision. But to the casual reader, and even to the one who gives close attention to it, there is this desire to hamper the work of outside companies in order to force them to insure with the State insurance company.

Hon. J. A. FIHELLY: Oh, nonsense!

HON. J. TOLMIE: It may be nonsense, but that is the construction that is open to it under the provision we have here; and I am quite at liberty to draw the inference that may be drawn from the way in which this clause is framed. To any person thinking the matter over at all it must appear to him that this is one of the ways in which the Government is trying to bring pressure to bear to support their local company.

Hon. J. A. FIHELLY: The State insurance company cannot do all the business offering.

HON. J. TOLMIE: Then, there is a new provision in this Bill—a provision, I think, introduced into the Bill this time. Hon. members will find it wrapped up in clause 18. It is one of very great importance, and ought not to be lightly passed over. That section imposes a duty on the sale of all live stock and chattels. This is the first time that such a provison has [8.30 p.m.] been introduced into the law in Queensland; and, as pointed out by the hon. member for Dalby in a very forcible and clear manner, it will operate in a way quite different from that in which

the hon. member in charge of the Bill thinks it will. Instead of leading to business being transacted in the State, live stock and other articles may be taken over the border and sold so as to bring about an evasion of this iniquitous tax.

Hon. J. A. FIHELLY: There is not nearly so much stock passing over the border since the embargo.

HON. J. TOLMIE: That was one of the illegal ways the Government had of obtaining taxation, but I was under the impression that they had removed it. Then, section 22 must be viewed with a considerable amount of alarm, and so must section 23, which is an amendment of section 54 of the principal Act. It provides—

> "Any instrument, contract, or agreement—
>
> (*a*) For the sale of any equitable estate or interest in any property whatsoever;
>
> shall be charged with the same ad valorem duty to be paid by the purchaser as if it were an actual conveyance on sale of the estate, interest, or property contracted or agreed to be sold."

If I engage to purchase a house from a person at the present time, I am not called upon to pay the stamp duty until the transaction is completed, but here the very entering into negotiations imposes a stamp duty equivalent to that which is paid on the completion of the purchase. It may be that I am unable to carry out the contract after a year or two, but, nevertheless, I am called upon to pay the stamp duty. Why that should be the case I do not know, unless it is for the purpose of getting additional revenue. I ask the hon. member whether that is not one of the means by which additional revenue is to be obtained?

Hon. J. A. FIHELLY: I will tell you that there are a lot of evasions under that section.

HON. J. TOLMIE: There cannot be evasions under that at present. So soon as a contract is fulfilled the duty has to be paid. The only evasion would be if he failed to pay it; but then no contract would have been completed

The SECRETARY FOR PUBLIC LANDS: You are an innocent young man.

HON. J. TOLMIE: If the Minister for Public Instruction were there he would rise in his place and defend the action of the Government, which the Secretary for Public Lands was either unable or unwilling to do.

Hon. J. A. FIHELLY: Do you know that if a man is unable to complete a purchase he gets a refund of the money?

HON. J. TOLMIE: He does not do so. If the hon. member will only read it out to me I shall be very pleased.

Hon. J. A. FIHELLY: Subsection (6) of section 54—

> "Provided also that the ad valorem duty shall not be claimed——"

and so on.

HON. J. TOLMIE: There is no such clause in the Bill. Does not this measure repeal the principal Act by implication, if not directly? The Bill says that the contract is subject to duty immediately upon the person entering into it, whereas under existing conditions one has to wait until the contract is fully carried out. The expert of the Government in this matter thoroughly understands his work. Probably not a man in Australia is more conversant with the Stamp Act than the gentleman who is charged with the work in Queensland. I give him that credit because he deserves it. He has intimated to the Minister in charge of the Bill that somewhere in the principal Act there is a provision overruling what is set down here to be a matter of fact. I am not dealing with the principal Act, but with the Bill before us, and I can only argue on the contents of this Bill, and there it is distinctly set forth as I have said. If the hon. member can show me in the copy of the Bill I hold in my hand any such provision——

Hon. J. A. FIHELLY: You have not got a copy of the Act in your hand. Do you not know that the Bill is an amending Bill?

HON. J. TOLMIE: I can only deal with the provisions of the measure before me, and it clearly and distinctly lays it down that a tradesman who desires to purchase his home has to pay 15s. per cent. conveyancing duty immediately on agreeing to purchase, whereas if he wants to purchase a whole train load of whisky all that he would have to pay would be 5s.

There are only one or two other points with which I am going to deal. One is in relation to friendly societies and societies registered under the Building Societies Act. There is a desire on the part of those running these institutions that they should be dealt with in a more liberal spirit than that in which the Government propose to deal with them. When the Building Societies Act was framed the object was to induce thrift, and every encouragement was held out to the thrifty persons to economise, to save, and to invest, because it was felt that by that means capital would be built up that would be essentially useful to the community, and how that is being realised we recognise to-day, when the Federal Government have been able to get £100,000,000 from the people of Australia for the purposes of carrying on this great war. If there had not been that economy, if the many thousands of working men throughout Australia had not the spirit of thriftiness, we would not be in the position to-day of being able to stand on our own basis in regard to carrying on the war. Those who framed the Building Societies Act had that splendid idea in mind —to train up the people of Queensland in habits of thriftiness. All that we have to do is to look at the homes that belong to the people of this State, to look at their savings bank accounts, in order to realise to some extent how that habit has grown up, and how beneficial it is. It had been fostered for over twenty years before it was discovered that the transactions of such societies were liable to taxation, and they have had to pay the tax the last two or three years. Now that a new Stamp Act is being framed, there is an opportunity for the Government—if they have any desire to help these men who are practising economy, who are doing so much to build up the State—to return to the conditions that prevailed before 1914 or 1915 —I am not quite sure of the date when the discovery was made. But when it was made, the building societies were fortunate in having a Government who were sympathetic; otherwise they might have been called upon to pay all the arrears. The Government overlooked that, and had the opportunity presented itself of altering the Act, no doubt they would have done so. All that the societies ask is that they shall be put upon

the same level as other companies or institutions doing a similar kind of business. They ask, in regard to their fixed deposits, that there shall be no stamp duty. I had the opportunity and the pleasure of introducing a deputation to the Minister in charge of the Bill this morning. It showed the tendency of the mind of the Government, as evidenced by the Minister himself. He saw the iniquity of charging 5s. stamp duty on deposits paid in by building societies and allowing other institutions to go free, but he also saw the possibility of making those other societies pay 5s. That is not the purpose for which the deputation waited upon him. They did not want to place extra burdens upon other people. What they wanted was to be relieved of their own, and it was no consolation to them to find that, because of their deputation, they had saddled other institutions with it. Then, they asked to be placed in exactly the same position as the Workers' Dwellings Board, so that mortgages to and by them should be exempt just the same as mortgages to and by the Workers' Dwellings Board, and the Minister saw no reason why he should not tax the Workers' Dwellings Board. But we did not go there for the purpose of asking the Minister to put on any extra taxation under the Workers' Dwellings Board. What we wanted was relief from taxation, to do away with some of this irritation that the hon. gentleman said was harassing the minds of the people, and which, it must have been clear to him, listening to members of that deputation, was deep-seated in their minds. But the hon. member could only see his way to put on the screw and extort something more from the taxpayer's pocket. In the reign of King John I do not know what he would have given for such a chancellor as the hon. gentleman, who is able to impose taxation like the Assistant Minister for Justice. The third point on which they desired to obtain relief was one abundantly clear to the Minister himself, and I think, from the hon. member's remarks, an alteration will be effected in that direction. At the present time, if it becomes easier for the borrower to pay back a portion of his money, and he does so, he is taxed on the amount he pays, and then, when the final payment is made, he pays the full amount of stamp duty that is laid down under the Act. That is, he has to pay double the amount of taxation duty.

Hon. J. A. FIHELLY: That is right; under the Act passed by your Government.

HON. J. TOLMIE: It was not under the Act passed by my Government. This Stamp Act was passed in 1886.

Hon. J. A. FIHELLY: Why didn't you repeal it?

HON. J. TOLMIE: We could not repeal all legislation in one year. We could not revise the whole of the statutes. We had to await an opportunity for repeal, and now that the opportunity presents itself, here comes the chance for the Government to make this alteration. There was no necessity to repeal up to 1914, and after 1914 we had not much opportunity for dealing with the matter, but had we been there longer it would have been done. The possibility is that next year we may have to take over this matter and deal more sympathetically and more leniently with those men who are practising economy.

The SECRETARY FOR PUBLIC LANDS: No hope, you are an optimist.

HON. J. TOLMIE: I am much better being an optimist than a pessimist, like the hon. member. Clause 34 of this Bill, contains the provision dealing with regulations, and it is there or thereabouts we have to look for the danger in legislation introduced by hon. gentlemen opposite. If we get through the general principles of the Bill without making a discovery, it frequently happens that when we come to deal with the regulation we find there the means of putting in the Bill not what was the intention of the House when the Bill was passing. There is a pernicious principle introduced into that regulation which we find has been introduced into other regulations of the Government. It says that section 83 of the principal Act is repealed, and the following section is inserted in lieu thereof, and there is a section containing some five or six clauses and subclauses. Then we come to a modest two lines stowed away most carefully in such a way probably that it is passed by. "All such regulations shall be laid before both Houses of Parliament as soon as may be after the making thereof." That is not the one I meant to refer to. The previous paragraph is as follows:—

> "All such regulations shall be published in the 'Gazette,' and thereupon shall have the same effect as if they were enacted in this Act, and shall not be questioned in any proceedings whatsoever."

The crux of the position is in the last line. No regulation, no matter how iniquitous, which is framed by the Government, and passed by the Governor in Council, which is practically the Ministry, shall be questioned in any proceedings whatsoever. They may be intra vires, or they may be ultra vires.

Hon. J. A. FIHELLY: They must be approved by both Houses.

HON. J. TOLMIE: For the sake of argument, a regulation is laid on the table of the House the day before the session closes, and, because no action is taken, they become part of the statute law, and cannot be questioned even in the Full Court of the State; they cannot be questioned by the High Court of Parliament, no matter how ultra vires they may be, or how injurious they may be to the development of the State. They have been laid on the table of the House, and no action has been taken by hon. members who, perhaps, have not even given the matter a thought.

Hon. J. A. FIHELLY: You are barking up the wrong tree.

HON. J. TOLMIE: I am barking up the right tree, and I am trying to show that there must be an alteration so that no Cabinet can be put in the position of making regulations overriding the will of Parliament itself. That is the failure of the present Government, and it is going to be the failure of our democratic Government here in Australia if we are going to let a coterie of members take away the functions that belong not to the individual member, but the functions that belong to Parliament itself. If we are going to allow the will of Parliament to be flouted as is done by legislation such as this, then Parliament is going to fail as an exponent of the will of the people. Now, that must be altered. We should have nothing in our legislation to say

that any regulations published in the "Gazette" shall have the same effect as if enacted in this Act, and shall not be questioned in any proceedings whatsoever.

The SPEAKER: The hon. member's time has expired.

HON. J. TOLMIE: I am very sorry my time is exhausted.

Hon. J. A. FIHELLY: Will I move an extension for you?

HON. J. TOLMIE: I thank you, Mr. Speaker, for allowing me to speak for a few minutes longer than my forty minutes.

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 tomorrow.

SUCCESSION AND PROBATE DUTIES ACT AMENDMENT BILL.

SECOND READING.

HON. J. A. FIHELLY: This is another Bill which will probably be interesting to the Opposition, as well as to those who take an interest in the taxation proposals of the Government.

Hon. J. TOLMIE: Will you allow an adjournment of the debate to be moved after you have moved the second reading?

HON. J. A. FIHELLY: The Closer Settlement Bill, to be considered in Committee, is the next item on the paper.

Hon. J. TOLMIE: We can take that.

HON. J. A. FIHELLY: Very well. This Bill, although like the previous one, requires a good deal of technical knowledge, yet it is different to the last in so far as we expect to get an increased revenue if it is passed into the law of the State. For many years our succession and probate duties have been ridiculously low. I think I may safely make comparisons with other States, and for the benefit of members in their subsequent deliberations I shall give a comparative analysis, or synopsis, of the duties operating in the different States and the duty now operating here, and the duties to be enacted here. In Queensland we have not troubled for many years to amend our legislation in regard to probate or succession duties. The duties have remained unaltered. Other States and other countries have recognised that the wealth created in a country is always a good revenue-producing medium when the accumulator of the wealth dies. There is no State at all that has hesitated to tax that wealth.

Colonel RANKIN: It is not a good inducement for thrift.

HON. J. A. FIHELLY: I do not know from what point of view the hon. member is arguing, but I do not think it can be rationally contended in this Chamber that the huge accumulations of wealth should not be substantially taxed on the death of the person who accumulated the wealth, for the benefit of the country where the wealth is accumulated. (Hear, hear!) I do not wish, at this stage, to have an academic debate on that, and I do not know that it is any inducement to thrift for a man to pay a very small amount of taxation on what his father leaves. The general experience of the wealthy people I have discussed wealth with is that sons are more or less spendthrifts, and it is not a bad thing to take some of it away. However, the hon. member for Burrum and I will have an opportunity later on in Committee in discussing the principles of thrift. The Bill will materially increase the duties and bring them up to what may be termed a reasonable standard. The increased duties levied by the State are probably the most important feature of the Bill. The second part in importance is that where we give relief to widows and children who come into estates of under £500 per annum, and the other important part is where we are providing for a defect in the old Act which gave no machinery for the collection of certain duties enacted in the existing legislation. There are subsidiary points, such as the matter of gifts, the matter of insurance policies, or an assignment of assurance policies, joint deposits, which I mentioned the other day where the words "and/or" are mentioned, where either individual can operate on the account—John Smith and Jane Smith, and John Smith or Jane Smith, where it can be contended subsequently that no duty is payable on the account. I understand that an estate of £20,000 on fixed deposit paid no duty because one of the joint depositors contended that no succession could be shown. We will also make provision for firms outside the

[9 p.m.] State who hold shares in Queensland companies paying duty. Something will be done also in connection with absentees. Firstly, I think it will help the leader of the Opposition in his subsequent deliberation if I give a comparison of the different rates operating in the various States, including the rate in Queensland at the present time, and the rate proposed to be imposed. The rates are as follows:—

COMPARATIVE SCHEDULE DEATH DUTIES FOR WIDOW AND CHILDREN.

Value of Estate.	Queensland.		S. Australia.	Victoria.	New South Wales.	New Zealand.
	Old.	New.				
	%	%	%	%	%	%
Under £1,000	1	1	1	1	Exempt	1
,, £2,000	1½	1½	1½	1½	1	2
,, £2,500	1½	1½	4	3⅛	1	2½
,, £5,000	2	3½	4½	4	1¼	3½
,, £10,000	3	5½	6½	5	5	5
,, £15,000	4	6	7½	5⅝	6	6
,, £20,000	4	6⅝	9	6	6⅝	6⅝
,, £50,000	5	9⅓	10	7⅝	8⅝	8⅝
,, £80,000	5	11	12	9	11	11
,, £100,000	5	12	12	10	12	12
,, £150,000	5	15	13	10	15	15
Over £200,000	5	15	17½	10	15	15

OTHER RELATIVES.

Value of Estate.	Queensland.		S. Australia.	Victoria.	New South Wales.	New Zealand.
	Old.	New.				
	%	%	%	%	%	%
Under £1,000	2	3	4	3⅜	Exempt	1
,, £2,000	3	4½	5	4⅝	2	2
,, £2,500	3	4⅝	6⅞	4⅝	2	2½
,, £5,000	4	5⅝	7½	6¼	2½	3½
,, £10,000	6	8	9	6¾	4½	5
,, £15,000	8	9	10	8½	6	6⅜
,, £20,000	8	10	12	9½	6⅜	6⅜
,, £50,000	10	14	14	10	8⅜	8⅜
,, £80,000	10	15	17½	10	10⅜	10
,, £100,000	10	15	17½	10	12	12
,, £150,000	10	15	17½	10	15	15
Over £200,000	10	15	17½	10	15	15

STRANGERS IN BLOOD.

Value of Estate.	Queensland. Old.	Queensland. New.	S. Australia.	Victoria.	New South Wales.	New Zealand.
	%	%	%	%	%	%
Under £1,000	4	4	10	3⅔	Exempt	1
,, £2,000	6	6	10	4⅔	2	2
,, £2,500	6	6	10	4⅔	2	2½
,, £5,000	8	7⅓	10	5⅓	2½	3½
,, £10,000	10	10⅔	10	6⅔	4⅓	5
,, £15,000	10	12	15	8⅔	6	6
,, £20,000	10	13⅓	15	9⅓	6⅔	6⅔
,, £50,000	10	18⅔	20	10	8⅔	8⅔
,, £80,000	10	20	20	10	10⅔	10⅔
,, £100,000	10	20	20	10	12	12
,, £150,000	10	20	20	10	15	15
Over £200,000	10	20	20	10	15	15

In New Zealand there is also a super tax in the way of succession duty.

Where a widow receives more than £20,000, an addltional 2 per cent. is charged on the whole.

Where a child or grandchild receives more than £5,000, an additional 2 per cent. on the whole.

If the husband is the successor, a further 2 per cent. is charged on the whole.

Relatives pay an additional 5 to 10 per cent. according to degree.

Strangers in blood an additional 10 per cent.

Hon. J. TOLMIE: The rate you propose on £10,000 is nearly double what it was under the old Act.

HON. J. A. FIHELLY: It is not a matter whether it is nearly double or not. The question is whether the rate on £10,000 at present is sufficient, or whether the rate we propose in this Bill is extortionate? In the Tory State of Victoria, the rate is 5⅔ per cent., in New South Wales 5 per cent., and in the Tory State of South Australia 7 per cent.

Hon. J. TOLMIE: South Australia a Tory State!

HON. J. A. FIHELLY: Yes. The Peake Government are in power there. It has been a Tory State ever since the war. If they had to make both ends meet, they would quickly repeal some of their legislation. In some of the Conservative States they seem to be fairly rational in matters of probate taxation, and they recognise that a duty of over 5 per cent. is necessary on estates over £10,000. We are only charging 5 per cent. for the lineal issue. It is not so low as that in any other part of the world. Our rate on £40,000 was too low altogether.

Colonel RANKIN: The State has not suffered much by it.

HON. J. A. FIHELLY: The State has suffered by the carelessness in regard to this legislation. I remember hearing a member of the Opposition say the other night that owing to the Commonwealth and State legislation if a man died three times he would not have enough left to live on. (Laughter.) A man living in Adelaide had a property in Queensland worth £100,000 when he died, but we did not get a shilling duty on that estate, because we had no means of collecting it. These men have a peculiar means of evading duty, and the department have no remedy. Then our rates on £100,000 or over are relatively small in Queensland and great in the other States. It is reasonable that we should bring our tables up to that or within range of the other States. I have comparative tables here, and if hon. members wish it I will have them published in "Hansard" so that members can see the figures and make comparison for themselves.

Hon. J. TOLMIE: I think it will be a good thing to have them printed.

HON. J. A. FIHELLY: Then I can take it for granted that I have permission to publish these tables in "Hansard." (Hear, hear!) Clause 3 of this Bill amends section 10 of the original Act. The experience of our department shows that wealthy citizens—it applies only to wealthy citizens, because the moderately well-to-do do not bother about seeking expedients for evading the payment of succession and probate duty—that wealthy people, selfishly anxious to enjoy the benefits of the wealth during their lifetime, seek devious ways of evading the duty after their death.

Hon. J. G. APPEL: How can they do it after they are dead?

HON. J. A. FIHELLY: The hon. member forgets that I was speaking in a broad sense. The trouble is made while the men live. (Laughter.) The hon. gentleman did not hear my previous statement as coming from a member of the Opposition that a man who died three times would have nothing left to live on. (Laughter.) However, we know that wealthy people are anxious to see that as little as possible is taken out of their estates to pay duties after they are dead, and they attempt many strange devices to ride a coach and four through our Acts of Parliament. I can give an illustration of what I refer to by quoting a gentleman who constituted his property into a company with 60,000 shares. He gave his family 50,000 shares and kept 10,000 for himself. The company paid no dividend. He was appointed managing director himself and his salary consisted of all the revenue from his property. Obviously, if the Government is earnest in securing the duties from the estates of deceased persons, we must introduce legislation to stop practices of that description. There are other means and other ways quite as ingenious and quite as successful that are practised by the wealthy people. The poorer people do not bother, because they have not got a legal adviser to instruct them, or they are not so burdened with the good things of the earth as to bother much about it. In New Zealand, in order to secure a proper revenue from gifts given during the lifetime of the individual they fixed the duty at 5 per cent. If the person who made the gift dies within a certain time, duty is charged under the Act there, but a refund is made of the amount of 5 per cent. paid on the gift. The practice here will be similar. In regard to life insurance policies, very often the whole of a policy is assigned to some individual during the life of the person who took out the policy. A policy entails succession duty on the estate of the person in whose name the policy was taken out. Quite recently the English court decided that because the person to whom the policy was assigned had actually paid one or two premiums no succession duty was payable. We make it definite that succession duty shall be paid proportionately on the premiums actually paid by the deceased person. The department will take into account the premiums paid by the person to whom the policy was assigned, but it will also take into account the premiums paid by the deceased person and succession will be reckoned pro rata. That is a reasonable proposition, and in order to see that it is successfully fulfilled companies will have to make a quarterly return. That will not be a

hardship. These are the days of making returns. (Laughter.) One return more or less of this description will not be noticeable. Subclause (10 *c*) of clause 4 is rather an important one. The leader of the Opposition referred to it in a fragmentary way, but mixed it up with the Stamp Act. It provides that where a firm, carrying on business in some country other than Queensland, is the registered holder of shares or other interests in a company incorporated in Queensland such firm shall be deemed to be carrying on business in Queensland, in so far as it relates to the shares or other interests in such company held by the firm. It is provided that upon the death of any member of the firm duty shall be paid in Queensland on the value of the shares or interests so held in proportion to the interests held by the deceased in the firm.

Hon. J. TOLMIE: You make Queensland his domicile.

HON. J. A FIHELLY: Yes, according to his actual holding in the particular company. I stated the other night that Mr. D'Arcy recently died in England, and if he had been a big shareholder in the Mount Morgan Company at the time of his death the Queensland revenue would have scarcely benefited by it at all. There is something wrong about that, because those are the people who ought to contribute to the good government of the State.

Hon. J. TOLMIE: Yes, good government.

HON. J. A. FIHELLY: It is our own government that I am referring to. (Laughter.) Absentees who made their wealth out of the State should be made to contribute something to the revenue. Clause 5 is a consequential amendment of section 11 rendered necessary by the Stamp Act of 1894 being repealed. Clause 6 is really a machinery clause. Clause 7 refers to probate or administration, which must be taken out; subject, of course, to certain exemptions which I will explain in Committee. It repeals clause 12 of the principal Act. Clause 7 is the clause that deals with the tables quoted by me a few minutes ago. It is scarcely necessary to elaborate upon those. They do comprise really the most important part of the Bill, because they level up all round. Briefly—just to refer to them again—there is a partial exemption for the widow on estates of under £2,500. On estates of over £2,500 there is a settled rate which I quoted—there is an increase of half for other relatives and for strangers in blood, double. Clause 10 makes provision for the Mines and Lands Departments to hold over the registration of certain documents if they find it necessary—if they find any defects in the documents; if they find those documents should have been before the Registrar of Titles or the Commissioner of Stamps they can hold them over and withhold or suspend registration until they have been submitted to the Commissioner of Stamps for his examination. That clause really makes the Lands and Mines Departments two very important and necessary arms of the Stamps Department; necessary, of course, particularly in this legislation. Clause 12 gives power to reopen estate affairs where the whole of the facts have not been disclosed—a very important and necessary amendment. The Commissioner of Stamps now will have power to reopen any estate, notwithstanding that it may have been closed for some considerable time, if the particulars are not correct—if they are not as alleged. Clauses 13, 14, and 15 are merely machinery clauses. Clause 17 amends section 2 and provides a special table for shares on a branch register outside Queensland for a company incorporated here. Further explanation of that I think had better remain for the Committee; as also the following subsection dealing with property held in Queensland by persons domiciled abroad.

Mr. FORSYTH: There will be duplication of duties.

HON. J. A. FIHELLY: There will be no duplication or triplication of duties.

Mr. FORSYTH: There is no doubt of it.

HON. J. A. FIHELLY: You will find there is not.

Mr. FORSYTH: I pay duty in Queensland, New South Wales, and Victoria.

HON. J. A. FIHELLY: It is only fair if you hold property in Queensland that you should pay in Queensland; and it is only fair if you hold it in New South Wales that you should pay in New South Wales.

Mr. FORSYTH: I know of a case of the head office being in Melbourne and the company carrying on operations in New South Wales.

HON. J. A. FIHELLY: Well, he paid through not getting proper advice from his solicitor. Persons who are domiciled abroad and hold property here, ought to pay. Probably the hon. member knows that three of our largest stations in Queensland—probably three of the largest stations in the world—are owned by practically foreign companies. When I say "foreign" I mean companies in Great Britain and Europe. For taxation or revenue purposes we are in very poor straits when it comes to dealing with them. That, of course, is wrong. We are making provision so that the people who are domiciled abroad should pay duty, no matter whether they pay on the property held here or pro ratâ according to the shares being held by them. It is an eminently reasonable proposition, as the others are. In clause 20 we amend section 11 of the Act. Between clauses 17 and 20 there is little worth taking notice of outside of what I have already dealt with. Clause 20 remained a dead letter for a considerable time. Really since the Act was passed, no duty has been collected upon the deaths of members of foreign companies owing to the fact that no schedule of duties was provided. The schedule is there; this schedule is a transcript of the New South Wales section and gives us now the machinery to collect the duties which have been lost to the State through a technical fault of the existing legislation. It is quite obvious to any person who reads the present Act that it was intended by the Legislature that duty should be collected upon such properties—upon such wealth, but no machinery was provided for the actual collection of it. I don't think there is anything more worth stressing during the second reading. The Act is a comprehensive and radical change. If members will confine themselves to the alteration in the rates, I think they will find plenty of food for consideration, for some little time at least. Beyond that, we have many technical alterations: and that is why I arranged that a synopsis should be prepared for the benefit of members. The synopsis, I am sure, will help them in following the various amendments outside the table. I will just mention, before I sit down, that it will not be difficult for members even

unacquainted with the technicalities of probate and succession for them with the material they have in their hand to follow the debate right through Committee. I formally move—That the Bill be read a second time.

HON. J. TOLMIE: 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 to-morrow.

CLOSER SETTLEMENT ACT AMENDMENT BILL.

COMMITTEE.

(*Mr. Bertram, Maree, in the chair.*)

Clause 1—"*Short title*"—put and passed.

On clause 2—"*Opening land for perpetual lease selection*"—

HON. J. TOLMIE moved—That on page 2, line 7, the words "only for selection as perpetual lease" be omitted with the view of inserting "in the first place as agricultural farms or unconditional selections." His reason for doing that was that certain persons had applied for those lands as agricultural farms. The Minister in charge of the Bill, when moving the second reading, pointed out that measure was introduced for the purpose of amending the law. In the passing of the principal Act a mistake was made—he admitted it was a mistake—by which the Government were seeking to profit by offering all those lands under leasehold tenure. Under the existing law certain persons applied for land on Jimbour and Inkerman. The Commissioners granted the applications, but when it came before the Land Court for confirmation the Land Court pointed out that under the existing conditions the selections could not be confirmed. Now, those persons were anxious to obtain a freehold of those lands, and the amendment was moved with the object of securing to them freehold of those selections.

The SECRETARY FOR PUBLIC LANDS: How do you know?

HON. J. TOLMIE: He knew they were anxious; it did not require a Sherlock Holmes to make discoveries like that. The very fact that they were making application for the freehold of the land and were putting down their money for it, was a fair indication that they wanted the land, and wanted it under the freehold tenure. There were other sugar lands to be obtained in different parts of Queensland if they wanted the leasehold tenure, and they could have gone and obtained it. But they did not; they wanted a section of the Inkerman lands as freehold, so that they would be just in exactly the same position as their neighbours round about them were. That was why they made application. That was why the selectors on Jimbour made application. But it was laid down by the court that it could not be granted; and the Minister made provision in another part of the Bill that the option might be exercised by those booby selectors to take up the land if they felt so disposed, as agricultural farms, under the leasehold tenure. Now, they wanted to give those men the opportunity of taking up freehold if they desired, and they did not want to go beyond the men who made application for it.

The SECRETARY FOR PUBLIC LANDS: He was sure the leader of the Opposition did not expect that he would accept this amendment. He referred to the desire of a few selectors who were anxious to obtain holdings on Jimbour. There was one selector on Jimbour and five or six at Inkerman.

Mr. COLLINS: Four at Inkerman.

The SECRETARY FOR PUBLIC LANDS: Altogether he thought there were six who were applying for land on those estates since the passing of the Act.

Hon. J. TOLMIE: And you won't give it to them.

The SECRETARY FOR PUBLIC LANDS: If there was anything in the contention of the hon. gentleman that because the State had adopted the lease policy as far as their Crown lands were concerned, and the only avenue left for them to obtain lands under the freehold tenure was to apply for lands that were repurchased, one would have expected there would have been a tremendous rush for those repurchased estates; instead of which they found there were somewhere about six persons.

Hon. J. TOLMIE: Is that the biggest rush you have had since you have been there?

The SECRETARY FOR PUBLIC LANDS: No. If that craving for freehold tenure was of the character the hon. member stated, they would have the whole of the repurchased estates taken up, but the reverse had been the case. Not only those who had taken up selections were asking to be allowed to convert, but a number of intending selectors had intimated their preference [9.30 p.m.] for leasehold tenure for the simple reason that they had not sufficient capital to enable them to purchase freeholds. By adopting the Bill they were making it possible for a larger percentage of the people to go upon the land. Men with very small capital could select land who could not dream of paying high prices for the freehold. For that reason he was unable to accept the amendment.

Mr. VOWLES: The idea of the amendment was to give those who had already signified their intention of selecting under agricultural tenure the opportunity of continuing that tenure. So far as Jimbour was concerned, in at least one case with which he was thoroughly conversant a selector had paid his deposit of one-tenth with the intention of selecting an agricultural farm. His application was accepted by the Commissioner's Court, but when it came to Brisbane for approval it was discovered that, by implication, the Land Act of last year repealed the Closer Settlement Act, and although the department were anxious that he should have his farm, the machinery was blocked by that amendment. If the amendment were carried, it would only deal with applications for land already applied for.

Mr. GILLIES: This clause does not apply to those selections at all.

Mr. VOWLES: It did; that was the ruling of the office. It would mean that land already opened for selection could be applied for, and those applications could be dealt with as applications for agricultural farm selection.

The SECRETARY FOR PUBLIC LANDS: What you are talking about is dealt with in subclause (4).

Mr. VOWLES: If they passed the present clause they would be faced with the position that all land under the Bill must be perpetual lease, and they could not go back

He did not think there was likely to be a demand for perpetual lease, because the producers under the Bill would actually be paying more than the man who was purchasing his freehold as an agricultural farm. Suppose he was buying land at £5 an acre. Ten per cent. had to be added, and he would be paying up to 5s. 6d. per acre. That was more than the purchasing price of an agricultural farm. He guaranteed that, so far as Jimbour was concerned, the Government would have it until Kingdom come under those conditions. He did not want it to be said that they had not used every endeavour to let the people have what they wanted.

Mr. COLLINS: He had the honour to represent one of the estates which would come under the Bill—the Inkerman Estate. He visited that part of the electorate in April of the present year, and was asked by one or two selectors whether it was possible to take up portions of selections under the perpetual lease system.

Mr. VOWLES: So was I at Jimbour, but they will not touch it now under these terms.

Mr. COLLINS: The terms had not had time to reach his electorate yet, or to be explained. Maybe they would be explained to the selectors when the member visited the estate. He took it that if the amendment was carried all the land not selected could be taken up either under perpetual lease tenure or freehold tenure. The Inkerman Estate of 80,000 acres was purchased at a little over £130,000. Maybe it was too much, and had they had a land tax in operation it might have been bought for considerably less, which would have meant cheap land for the selector. He found that two selections were taken up at £8 and fourteen at £7 10s.

Hon. J. TOLMIE: You can get it at 17s. 6d. to-day.

Mr. COLLINS: He was quite satisfied you could not, considering they were this season getting from 20 to 30 and 40 up to 50 tons of cane from the acre, and they had just had 9 inches of rain, which assured them of a good crop next year. The hon. member was doing his best to belittle the estate. Growers on that estate would be better off under the perpetual lease system, because they would not be able to fulfil the conditions at the present time.

Mr. BEBBINGTON: If they can get 11 tons of cane, it is nonsense to say that they cannot afford to pay those prices.

Mr. COLLINS: They could not, because they were at the mercy of the man who owned the mill, who had notified them that he was not going to crush more than half their crop this season. The hon. member might be all right at pig-raising or wheat-growing and milking cows, but he should be sure of his facts as to sugar-cane. He noticed that the Government were proposing to take a mill from the South to a suitable cane district, and more than likely he would make application to have it put at Inkerman to protect the farmers there.

Hon. J. TOLMIE: You can get portion 22, parish of Scott, for 16s. an acre.

Mr. COLLINS: It was quite possible in a large estate that one selection would be valued at only 16s. At any rate, the point was that they proposed to enable them to take up land not already selected under perpetual lease. That would give them a chance of making a living. Eighty-three of the selectors on that estate had not paid their dues for 1917, and some had not paid for 1916. A general extension to 31st March next had been granted, and twelve were on active service. He was very pleased to see that some of his farmers had gone to fight. The perpetual lease system was the best system ever devised by the brain of man, and, as W. E. Gladstone had said in a famous speech, no man made the land and nobody should have the right to use the land exclusively. He hoped the amendment would not be carried.

Mr. BEBBINGTON: If a man wanted freehold, he should have it; and if he wanted leasehold, let him have it. The hon. member for Bowen said that the selectors wanted the sugar land on leasehold. The Minister for Lands knew perfectly well that, if sugar growing was a success, in ten years that land would be three times its value to-day. What was it that made the value of that land? Was it not the man who grew the cane?

The SECRETARY FOR PUBLIC LANDS: What about the fellow who eats the sugar?

Mr. BEBBINGTON: What had the man in Melbourne, taking his ease and getting his education there, to do with putting up the price of land in the bush districts of Queensland? The man who doubled and trebled the value of this sugar land was the man who grew the sugar-cane, the man who went out into the bush and suffered the disabilities there, and now, owing to the leasehold system, the one who got the benefit of that increase was the State, which meant the men who sat in Brisbane and enjoyed all the benefits of city life reaped the benefit. In ten or fifteen years' time that land had increased three or four times, and the Government sent up a valuer, who asked what unimproved land was worth in the district, or he might go to the transfer office and find out the price of a piece of land, and he would say to the leaseholder, "I must raise your rent to a certain percentage of that value." The man who stayed in Brisbane, and had all the ease and comfort of city life, reaped the benefit of those men's labours at the end of ten or fifteen years.

Mr. GUNN: He is an absentee landlord.

Mr. BEBBINGTON: Yes, and reaped the benefits of the farmers' labours in the country. You could gamble as much on the leasehold as on the freehold, and people were foolish to think otherwise. They had only to take the leases of some of the hotels in Brisbane. Was there not as much gambling in the leases of hotels as in the freeholds? The leaseholds could be sold over and over again, and the man who created the increased value would not get it.

Mr. COLLINS: He just wished to point out that, as nearly everyone knew, on the Burdekin there were a number of farmers who grew cane on the royalty system—that was, they paid 1s. to 1s. 6d. per ton royalty. If they had a 40-ton crop, they paid £2 per acre rent to the private landlord. Many of those tenant farmers were tenant farmers owing to the fact that they were poor men, and had not sufficient money to get the freehold of the land, and they were paying as much as 1s. 6d. royalty to the private landlord, which meant on a 40-ton crop £3 per acre.

Colonel RANKIN: What does it mean on a 10-ton crop?

Mr. COLLINS: It means from 10s. to 15s. per acre. He was well aware they did not always get 40-ton crops. As a matter of fact, last year, on the Burdekin, some of them got nothing. The perpetual lease system was a superior system to paying rent to a private landlord.

Hon. J. TOLMIE: What would they get for a 40-ton crop?

Mr. COLLINS: Drysdale was paying £1 18s. 4d. per ton at present. But, as the hon. member for Burrum said, they did not always get a 40-ton crop. The more a man cultivated his soil, and the greater the crop he got, the greater rent he had to pay to the private landlord. The more industry he put into the cultivation of his land, the better for the landlord all the time. He had seen the tenant farmer system right from the Mossman, and it was the curse of the country. He always felt ashamed to think he was living in a State where men had to rent land from men who had acquired that land on the freehold system.

The bell indicated that a further portion of the hon. member's time had expired.

Mr. GILLIES: He had listened to illogical arguments from the Steele Rudd of politics—the hon. member for Drayton—but he had never heard anything like the argument put forward to-night, and he would strongly advise that hon. member to confine himself to matters he knew something about, because he had proved, in speaking of sugar-cane, that he knew nothing at all about it.

Hon. J. TOLMIE: You have not grown a stick of cane in Queensland.

Mr. GILLIES: The hon. member had not grown as much as he had eaten. The hon. member for Drayton said that land, after it had grown sugar for ten years, was of more value than prior to growing that cane. Anyone who knew anything about growing sugar knew that it was one of the most exhaustive crops. An acre of good scrub sugar land in Queensland would produce from 30 to 40 tons of pure sugar in ten years: and yet the hon. gentleman said that, after producing that amount of sugar, the land was worth more than it was before. The hon. member advanced that as his argument against the perpetual leasehold system, and in favour of the argument for extending the term of the lease fifteen years before the rent was reappraised. As a matter of fact, he showed that perpetual leasehold was of greater advantage to the sugar-grower than the freehold, because he got the land at low rental. As the hon. member for Bowen had pointed out, in most of the sugar districts many of the men were not on freeholds of their own; and if freehold was the best thing for a man on the land, why did not hon. gentlemen opposite argue that all men on the land should have the freehold of their land? Not half the men growing sugar in Queensland had the freehold of their land. (Opposition dissent.) The Opposition spoke for the landlords, who expected some individual to come along and pay them rent for their freehold. If hon. members opposite were logical, they would advocate that all men on the land should have the freehold of their land, tenants included, but they advocate that the speculator should have the freehold, and rent it out on leasehold to the men who worked the land. He submitted that the proposal before the Committee did not deal with land already opened, but provided that any land not already opened should not be opened except for perpetual leasehold. That was in order to bring the clause into line with the amendment of the Land Act passed by the present Government, so that it was hardly likely that the Minister would accept the amendment. He submitted it did not apply to land already opened to agricultural farm and unconditional selection, which could still be held on those tenures, but any land that was not opened could only be opened to perpetual leasehold. He was glad the Minister would not accept the amendment.

Colonel RANKIN: He had not intended to speak on this matter, but he had heard such extraordinary statements that he was compelled to make some comments. What they should look to—in order to decide the freehold versus leasehold—was to expose the insincerity of hon. members opposite. If they had the opportunity of selecting land, which form of tenure had they adopted? Take the last speaker, the hon. member for Eacham, who talked with some degree of authority on farming matters—what did he select? When he had the chance of perpetual lease or freehold, did he take the perpetual lease? Not he! And yet he got up in the Committee and said the leasehold system was the salvation of land settlement. If there was anything they should ask, it was with regard to the sincerity of hon. members, who advocated a certain thing for other people which they did not take themselves. Did the hon. member suggest that, if perpetual leasehold was better than freehold, he, himself, willingly took the worst form of tenure? As far as his information went—and he supposed it was accurate—the hon. member himself, and probably a lot of other members on that side, had also adopted the freehold tenure. He (Colonel Rankin) did not blame them, because, like himself, when they got down to bedrock and were dealing with their own affairs, they liked to make the best bargain, and they were just as keen on obtaining the deeds of their property as the next man, notwithstanding their protestations. The hon. member for Bowen knew a good deal about the sugar business, and held up, more or less, to ridicule and censure those people on the Burdekin who grew cane on the royalty system. That system, for a great many farmers, had been a great blessing, for the reason that, as every hon. member who knew anything about sugar knew, it was a very expensive undertaking to begin. When they were growing corn they had simply to plough their land and plant the corn. In growing sugar-cane the expenditure was very much higher. It cost about £7 or £8 an acre to plough, harrow, drill, plant the cane, and purchase the setts.

Mr. COLLINS: Do you say the holder of the land does that?

Colonel RANKIN: Of course he did, when a man took it on a royalty basis. He had a good deal of experience himself, and knew what he was talking about. The man had not the money to do that himself, and if you added to that the value of the land which, taken at a very conservative basis, is £10 or £12 an acre—it gave a capital value of £20 to the acre. The average crop of cane was, say, 20 tons to the acre, and he thought that was well within the mark. It was even higher than the average of Queensland. At 1s. per ton the rental was £1 per

acre on a capital value of £20, which was just 5 per cent. That was not very high, considering that the Government practically charged as high as 5 per cent.

[10 p.m.] themselves. He pointed out that when a man got no cane at all he did not pay anything. In 1915, when he was visiting the North, he saw some places like a desert—where the growers got nothing—and they did not have to pay any royalty. But when they got a good year, averaging 50 tons to the acre, they paid something like £2 10s. per acre.

The CHAIRMAN: I point out to the hon. member that he is not in order in dealing extensively with the question of royalty on this question. He will realise that he is out of order.

Colonel RANKIN: The question was one of perpetual lease versus freehold, and as illustrations were given of the leasehold system he was giving illustrations of the royalty system. Personally, he would like to do away with both the royalty and perpetual lease. He would rather see every man have his freehold. The only way to make the people a happy, contented, prosperous yeomanry was to give them the freehold. If they took the figures for land settlement since the Government had been in office they would see that settlement had been decreasing each year until it had now reached low-water mark. Was it because rural life had become unpopular? No. They had taken away the great incentive for an individual to go on the land—to give him a place that some day he could call his own: and that was the cause of the falling off in land settlement.

Amendment (*Mr. Tolmie's*) put and negatived.

Mr. VOWLES moved the omission of the words "no sums paid as rent" from line 11, page 3, with the view of inserting the words "all sums to the credit of the lessee, over and above the amount of rent payable by him." Where deposits were paid as rental, that rent should be credited to the future rent of the lease or be returned to the lessee. It was the intention of the Government to forfeit all rents that had been paid. There were some selectors on Jimbour under the Closer Settlement Act who might wish to come under the perpetual lease provisions. He knew it was optional, but if they altered their tenure they should be credited with the amount they had paid, or the money should be returned to them. He knew that the objection was raised that it would interfere with the book-keeping, but that was not sufficient objection.

The SECRETARY FOR PUBLIC LANDS pointed out that the leader of the Opposition was concerned about the state of the trust funds, but the amendment would injure the trust funds. If hon. members opposite were sincere in their belief that freehold was the better system, then why did they ask that settlers with freehold who had paid their rents should be credited with their rents under the perpetual lease system? If the Government agreed to that, it would be practically offering a bribe to men to surrender their freeholds and become leaseholders. The members opposite must at least be consistent.

HON. J. TOLMIE considered that the position of the trust funds would be better. If they accepted the clause as it stood it would mean that a selector who had agreed to pay £700 for his block of land, and who had paid off £300, if he decided to come under the provisions of the Bill, would have to hand that £300 over to the Government.

The SECRETARY FOR PUBLIC LANDS: We are not asking him to do it. We are not bribing him to become a leaseholder.

HON. J. TOLMIE: The Government were inducing everyone to become leaseholders. If all the selectors inadvertently came under the provisions of the Bill and forfeited the rent that they had paid, the State would benefit to the extent of £50,000 or £60,000. That would be a nice haul for the Government. If the amendment were accepted it would mean that the farmer would get five years' rent free if he had paid £300 off his farm, and that was an inducement to the farmer to come under the provisions of the Bill. Hon. members opposite said they were the friends of the farmers. Did they wish them to lose all the money that they had paid to the Government as rent? He asked hon. members opposite to support the amendment.

Mr. GRAYSON: When the Minister brought in that amending Bill of the Closer Settlement Act he said provision was made in that Bill to enable selectors to come under it. He contended that such was not the case. That subclause, in his opinion, was "a delusion and a snare" as far as concerned selectors who had selected lands on repurchased estates. The whole thing was an absolute sham. He knew one man in particular on the Maryvale Estate who was anxious to come under the operations of the Act. He was positively certain that that farmer—although he was a staunch supporter of the Labour party—would not come under the operations of that Act. He would be very foolish if he did so. The whole thing a selector on a repurchased estate would get would be the rental for the current year.

Mr. FOLEY: Has he not had the use of the land during that period?

Mr. GRAYSON: He was surprised at the hon. member making an interjection of that nature: it was positive proof that he did not understand the Act. Those selectors took up selections under the freehold tenure, and many of them were paying very large rent. Many of them had appealed to him to get time to pay their rent, as they were unable to meet their debts; and he had no fault to find with the present Minister for Lands in giving them an extension. At the same time he was really surprised that the Minister should introduce a clause of this nature with the view of making believe that if they came under the perpetual lease system they would be much better off than under the present system.

Colonel RANKIN: He rose to support the amendment. He did not think anybody could argue against it with any degree of fairness or reason, what the Minister for Lands had said notwithstanding. They simply asked that those people who had been contributing year by year towards the payment of the freehold of their land——

The SECRETARY FOR PUBLIC LANDS: How many years, for instance?

Colonel RANKIN: Supposing it was ten years. By that time a man's annual rental might be more than half purchase money and half interest; possibly it might be two-thirds purchase money and one-third interest. All that they asked was that that

portion of it which went towards the purchase of the freehold might be taken in part payment of future lands. The Minister knew quite well the same thing was done in connection with insurance policies. That policy had a surrender value. They could relinquish their policy and get that surrender value. If the Government was going to deal fairly by the men they would give them credit for that portion that had been paid towards the purchasing of the property. It was not a matter of party politics; it was not a question of tenure; it was a matter of an honest deal. He was quite sure he had the member for Mitchell with him in that, because he was always out for an honest deal in that House.

Mr. PAYNE: Was the land of no value at all to that man for ten years?

Colonel RANKIN: Yes; they were willing that they should charge him rent for it for the years he had occupied it; but it was the sum he had paid above the rental they said should go towards any future rental.

Mr. FOLEY: Over and above the rental?

Colonel RANKIN: Over and above the rental; that was the meaning of the amendment.

Mr. PAYNE: No.

Colonel RANKIN: It was the intention of the amendment.

Mr. PAYNE: You want the lot.

Colonel RANKIN: No, they wanted the amount over and above the rental to go towards future rental. There was an opportunity for the Minister and the members on the Government side to show in a practical form that they were anxious to give the man on the land a fair deal—as any ordinary business man would do.

Mr. BARNES (*Warwick*): He intended to support the amendment. The Minister made a very small point of the fact that to accept the amendment would not be honest towards the State. He quite forgot, evidently, that the same argument applied as regarded the leaseholder. Whilst he was trying to conserve the interests of the State he was going to do an injury—a positive wrong—to the individual. The man who already had property was possessing it at a disadvantage compared with the newcomer. It would be all right if they placed those men on even terms.

The SECRETARY FOR PUBLIC LANDS: He rose to a point of order. Was the amendment in order? Provision was made under the Message that they should, up to a certain extent, impose upon the trust funds for the current year's rent; but there was no provision beyond that period. Suppose there had been received, by return to the trust funds in the redemption of selections, a matter of £500,000? Under the amendment the selectors who had paid that into the Treasury might come along and say, "We propose taking that £500,000 out of the trust funds and putting it into the consolidated account in the way of rents." He contended that the Message did not cover that proposal. That was an attack upon the trust funds of the Treasury, and therefore he contended the amendment was out of order.

Mr. VOWLES: It belongs to the individual.

The SECRETARY FOR PUBLIC LANDS: He contended that the money having been returned to the Treasury under the Repurchase Act, must in consequence be restored to the trust funds; and that Committee had no power under the message to interfere with the trust funds in the way in which the amendment proposed to do. The rents would not go into the trust funds, but into the consolidated revenue. He contended that the amendment was out of order.

The CHAIRMAN: I rule that the amendment is in order.

Amendment (*Mr. Vowles's*) put and negatived.

Clause put and passed.

On clause 3—"*Application of Land Act, section* 104"—

Mr. GILLIES moved the omission, on lines 46 and 47, of the words "but shall not be less than the amount payable during the first period of fifteen years."

HON. J. TOLMIE: Was the Minister going to accept the amendment?

The SECRETARY FOR PUBLIC LANDS: Yes.

HON. J. TOLMIE: He was just wondering how the trust funds were going to get on. (Laughter.) Why wait fifteen years? Why not give a selector in his early days an opportunity of getting money at less than 5 per cent.? The principle throughout the Bill was that the rent should be the price of the money with which it was purchased. All the estates had been purchased with money at 3½ per cent., with the exception of Cecil Plains, which was bought with money at 4 per cent., and now the Bill provided that after fifteen years the court might reduce the rent below 3½ per cent. It left a loophole to deal dishonestly with the trust funds; whilst the refusal of the Government to refund the amount which a man had paid as purchase money above the amount due as rent was certainly dealing dishonestly with that man.

Mr. GILLIES: The leader of the Opposition had not put the case fairly. He had referred to the amendment of the hon. member for Dalby, but he did not mention that there was no compulsion to take perpetual leasehold, and, according to the statements made that afternoon, no desire to convert. The position they were dealing with was that of a man who had held perpetual leasehold for fifteen years. If it were found then that the rent was too high, by reason of drought or some other cause, the Land Court should have power to reduce it, even below what he paid for the first term of fifteen years.

HON. J. TOLMIE: How are you going to recoup the trust funds?

Mr. GILLIES: It did not follow it would be done, but the power should be there, if needed.

Amendment agreed to.

Clause, as amended, put and passed.

Clause 4 put and passed.

On clause 5—"*Sales by auction in certain cases*"—

Mr. GILLIES moved the omission, on line 28, of the words "be not less than," with a view to inserting "exceed." He thought the need for it was obvious.

HON. J. TOLMIE: He understood it was proposed to repurchase certain lands, and the Government had a Bill before them the other day under which the Treasurer said they might have to pay 5½ per cent. They

might therefore resume land with money costing 5½ per cent. and only get 5 per cent. for it.

Amendment agreed to.

Clause, as amended, put and passed

The House resumed. The CHAIRMAN reported the Bill with amendments.

The third reading of the Bill was made an Order of the Day for to-morrow.

PUBLIC WORKS LAND RESUMPTION ACT AMENDMENT BILL.

SECOND READING.

The SECRETARY FOR PUBLIC LANDS: This is a very small measure, and, as I stated when it was before us previously, is intended to give power to enable the department to resume land alongside contemplated lines for township purposes as well as for railway purposes. A good many cases have occurred where a railway has been projected, and, because the Crown has not been able to resume lands for railway purposes, there has been difficulty in connection with the establishment of townships. In some places private people have cut up the land without making reservations for township purposes. Streets have been badly laid out or have been too narrow. Railways are always built by the people, and any advantage that comes to them is at the expense of the general public, and any land required for public purposes should be acquired by the Crown equally advantageously as land for ordinary railway purposes. Just recently a town-planning conference was held in South Australia, as a result of which I feel sure a large number of model villages will be laid out. If this Bill passes, it is within the power of the Government to see that proper care is taken with regard to drainage, sanitary conditions, water service, reservations for buildings such as schools and hospitals, instead of having, perhaps, to go and search out a little block of land here or there for public buildings. Perhaps, also, a municipal council is compelled to resume a site for recreation or other purposes at a very big price. Instances are on record where, in one or two places not far from Brisbane, land has been sold at 2s. 6d. per acre, and with the construction of a railway to it has gone up to something like £162 per acre. Some has also gone up to £110 per acre, £157 per acre, and so on. This is all because a railway has been extended into that district. It is a proper thing when a railway has been extended into a district to make provision for the Crown to acquire land for township settlements and township purposes. It is likely that the townships will become large settlements, and it is only right that the Crown should reserve some of the land there for that purpose. The Bill aims at making provision for all the necessities of new townships in a young country like this. It will be left to the Land Court to say what is a fair value to charge for the land at the time it is required for public purposes. We recognise under this Act the right of the Crown to resume land for public purposes, and this amendment is to take the land as a town site in the public interests It is just as necessary that provision should be made in that direction as it is necessary to resume land for a court house, school, or any other public building.

Hon. J. TOLMIE: 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 to-morrow.

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