

(No. 29.)



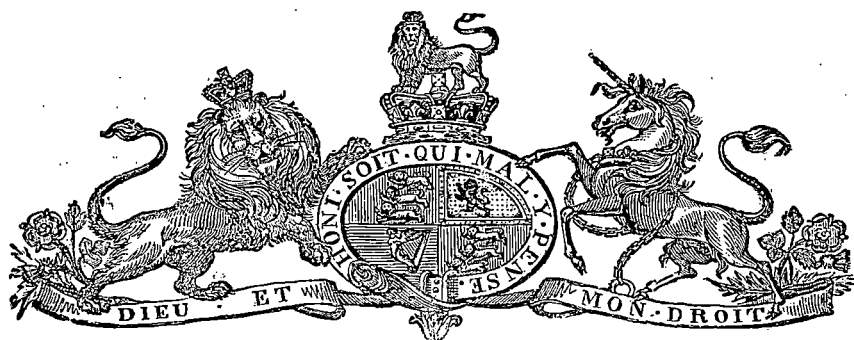
1868.

T A S M A N I A.

SUCCESSION DUTIES ACT.

PETITION TO HIS EXCELLENCY THE GOVERNOR FOR ITS
REPEAL.

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be
printed, August 4, 1868.



To His Excellency Colonel THOMAS GORE BROWNE, C.B., Captain-General and Governor-in-Chief of the Island of Tasmania.

The Petition of the undersigned Landholders, Merchants, Solicitors, Tradesmen, and other Inhabitants of Tasmania.

RESPECTFULLY SHOWETH:

THAT Petitioners observed with thankful satisfaction that, in Your Excellency's Speech upon the opening of the late Session of Parliament, it was announced "that the results of the Succession Duties Act, as a source of Revenue, being disproportioned to the heavy charges of those who are subjected to its operation, a Bill would be submitted to Parliament for its repeal."

That the said Bill having been introduced in the House of Assembly by the Honorable the Attorney-General, submitted to a deliberate and searching investigation before a Select Committee, and upon the Report of such Committee recommending the absolute repeal of the Succession Duties Act, carried by a large majority, Petitioners were fully impressed by the belief that the desire of Your Excellency's Government, and the earnest hopes of Petitioners and of the Public generally for such repeal, would certainly and immediately be realised.

That neither Petitioners nor the Public entertained the most remote idea that the said Bill of Repeal—so announced in Your Excellency's Speech—introduced by the Attorney-General too, and carried by a majority of the People's Representatives in the House of Assembly, whose more especial province it is to deal with financial questions of such a nature, would be rejected by the Legislative Council.

That the intentions of Your Excellency's Government, and the earnest hopes of Petitioners and of the Public, were, however, grievously disappointed; the said Bill of Repeal introduced by the Honorable the Colonial Secretary in the Legislative Council, with the confident expectation that the same would be carried, having upon his motion for its second reading been rejected by a majority of two—ten Honorable Members only besides the President being present.

That although Succession Duties have been, at a comparatively recent period, imposed in Great Britain, they were so imposed because there was an imperative necessity for additional revenue to meet the enormously increased expenditure, including the interest of a National Debt of Eight hundred million Pounds, and the keeping up the most expensive Army and Navy in the world; from which requirements Tasmania is happily exempt, and her Colonists very naturally, and Petitioners respectfully submit very reasonably, expect to be shielded from such exceptional measures of taxation.

That Succession Duties are looked upon in Great Britain as a peculiarly vexatious, oppressive, and injurious charge upon property and capital. It is described by that eminent lawyer and statesman (Lord St. Leonards) as distressingly inquisitorial and rapacious in its character and operation; "as having deprived property of half its charms;" "as if a blight had fallen upon the fair fields of England;" and "from its nature the most vexatious burden ever laid upon property."

That the evidence given before the Select Committee of the House of Assembly as to the operation of the Succession Duties Act in Tasmania clearly establishes that it is uncertain, arbitrary, complicated, inquisitorial, and costly in its operation; that it will seriously encumber the titles to land which may be affected by it; and that to insure the due collection of Duties accruing under the Act would render it necessary to appoint a competent professional person as "Commissioner," with numerous Agents throughout the Colony, entailing a large expenditure upon the part of the Government.

That the inquisitorial nature and operation of the Act is peculiarly distressing and vexatious, and more especially in such a small community as that of Tasmania, involving, as is and frequently will be the case, questions as to the validity of marriages, the legitimacy of children, the nature of and contents of Wills and Settlements, the liability of Executors and Trustees arising out of the same, and other family matters of a strictly private nature—the knowledge of which has hitherto been confined to the parties most interested—but must, under the operation of the Act, be disclosed to the employés of the Government, and through them to the public; and there can be no doubt but that a determination to shield their families from such an inquisitorial ordeal, and from the payment of the heavy Duties and attendant legal expenses to which they will be liable, will, in many instances, induce the withdrawal both of persons and capital from the Colony.

That by “The Resolutions” carried in the late Session of Parliament with reference to Grants in Aid to Municipalities, &c., the charges upon landed property throughout the Island, in the shape of Police Rates, have been increased Fifty per cent. per annum, and that too at a time of unprecedented depression of the landed and more particularly of the agricultural interests, and now with Road Rates constitute an average permanent land tax of at least Seven per cent. per annum; and Your Excellency’s Petitioners respectfully submit that this consideration alone, as was stated in the House of Assembly by the Honorable the Colonial Treasurer, is a sufficient reason why the Succession Duties Act, which imposes an additional and costly burden upon landed property, should be repealed.

That Petitioners coincide to the fullest extent with the statement in Your Excellency’s Speech before referred to, “That the results of the Succession Duties Act, as a source of Revenue, are disproportioned to the heavy charges of those who are subjected to its operation;” and on this account, as also on account of the distressingly inquisitorial, vexatious, and injurious nature and operation of the same as hereinbefore set forth, Petitioners respectfully and earnestly pray that Your Excellency will cause a Bill for the absolute repeal of “The Succession Duties Act” to be submitted to the next Session of Parliament.

And Your Excellency’s Petitioners, as in duty bound, will ever pray, &c.

[*Here follow 1607 Signatures.*]