

8 GEO. V. No. 3, 1917. *Clermont Flood Relief Undertaking Act.*

the same month in which the Chairman was elected in the year one thousand nine hundred and eighteen, or at some adjournment thereof," are inserted in lieu thereof.

The following provision is added to the said section ten:—

In the case of the illness or absence from any cause of the Chairman, the Board shall appoint one of its members to act as Deputy Chairman during the time of such illness or absence; and the Deputy Chairman, while so acting and until the Chairman returns or notifies the clerk in writing, under his hand, of the fact of his recovery from illness (but within the term of office of such Chairman), may do all acts that the Chairman as such might do.

A minute made and authenticated in the prescribed manner of the appointment of any person as Deputy Chairman shall, as regards all persons having any business with the Board and acting in good faith, be deemed conclusive evidence of the validity of the appointment of such person as Deputy Chairman and of his continued authority to act as such, and shall relieve all persons having business as aforesaid from the necessity of making any inquiries in the matter.

LAND, CROWN.

Clermont Flood Relief Undertaking Act of 1917 .. 8 Geo. V. No. 3

Clermont Flood Relief Act Amendment Act of 1917 8 Geo. V. No. 15

An Act to Approve and Ratify a certain Undertaking given by the Treasurer to the Commissioner of the Queensland Government Savings Bank in connection with Advances to Sufferers by the recent Flood at Clermont, and for purposes incidental to and consequent upon such Undertaking.

8 Geo. V.
No. 3.
THE
CLERMONT
FLOOD
RELIEF
UNDER-
TAKING ACT
OF 1917.

[ASSENTED TO 9TH OCTOBER, 1917.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Clermont Flood Relief Undertaking Act of 1917.*" Short title.

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Approval
and
ratification of
Treasurer's
undertaking.

Schedule.

2. (1.) The undertaking, dated the fourth day of May, one thousand nine hundred and seventeen, given by the Treasurer, with the authority of the Governor in Council, to the Commissioner of the Queensland Government Savings Bank (herein referred to as "the Commissioner"), a copy of which is set forth in the Schedule to this Act, is hereby approved and ratified; and the same shall have the force of law and be carried into effect.

(2.) All acts and things which the Treasurer and the Commissioner, or either of them, shall have done or shall hereafter do in the carrying into execution of the said undertaking are hereby authorised, ratified, and confirmed.

(3.) All advances by the Commissioner, under the terms and conditions of the said undertaking, to the sufferers by the recent Clermont flood mentioned or referred to in the said undertaking, whether heretofore made or now in course of being made or hereafter to be made, are hereby authorised, ratified, and confirmed.

(4.) The Treasurer is hereby authorised to carry into effect the indemnity mentioned in the said undertaking, and to pay out of the Consolidated Revenue to the Commissioner all sums of money which may at any time become due and payable thereunder; and all such sums are hereby appropriated out of the Consolidated Revenue for that purpose.

SCHEDULE.

TO WILLIAM LAMBERT FOWLES the Commissioner of the Queensland Government Savings Bank a Corporation duly constituted under "*The Queensland Government Savings Bank Act of 1916*"* (hereinafter with his successors in office referred to as "the Commissioner").

WHEREAS by a disastrous flood at Clermont in the State of Queensland many persons recently lost their homes and places of business and under the provisions of "*The Clermont Flood Relief Act of 1917*"† relief was extended to sufferers by the said flood by opening for lease as perpetual town leases at Clermont aforesaid Crown lands for the erection of homes and places of business for such sufferers:

AND WHEREAS certain of such sufferers have applied for and have had allotted to them certain of the said lands under the said last-mentioned Act for such purposes and are about to erect thereon the necessary buildings and others of the said sufferers have had allotted to them other lands at Clermont aforesaid under perpetual town lease tenure under and subject to the provisions of "*The Land Acts 1910 to 1916*"‡ and are about to erect thereon the necessary buildings:

* 7 Geo. V. No. 17, *supra*, page 7406.

† 7 Geo. V. No. 30, *supra*, page 7677.

‡ 1 Geo. V. No. 15 and amending Acts, printed as consolidated, *supra*, page 7943.

1917.

Clermont Flood Relief Undertaking Act.

AND WHEREAS by section 5 of "*The Clermont Flood Relief Act of 1917*"* the provisions of "*The Queensland Government Savings Bank Act of 1916*"† relating to advances for the purpose of erecting workers' dwellings apply so as to enable advances to be made by the Commissioner to persons who have taken up lands as aforesaid under "*The Clermont Flood Relief Act of 1917*"* to enable them to erect the necessary buildings :

AND WHEREAS the Government of Queensland is desirous that all such sufferers as aforesaid who have taken up lands as aforesaid whether under "*The Clermont Flood Relief Act of 1917*"* or under "*The Land Acts 1910 to 1916*"‡ shall have the opportunity of obtaining such relief by way of advances from the Commissioner as the Commissioner and the Treasurer of Queensland (hereinafter with his successors in office referred to as "the Treasurer") may approve in order to assist them to provide homes and places of business as aforesaid without delay and the Treasurer has requested the Commissioner in proper cases so to do subject always to the prior approval of the Treasurer to any such advance proposed to the Treasurer by the Commissioner :

AND WHEREAS by reason of the said flood the homes and places of business of certain persons at Clermont aforesaid were destroyed or so damaged that it is necessary for the owners thereof to rebuild or restore them and make them safe and further it appears that the homes and places of business of certain other persons are so situated that it will be necessary to raise them or remove them higher or otherwise alter the same in order to escape the devastation of any further flood and such persons have applied or may apply to the Commissioner for advances to enable them so to do and the Treasurer has requested the Commissioner in proper cases to afford such relief subject always to the prior approval of the Treasurer for any such advance proposed to the Treasurer by the Commissioner :

AND WHEREAS it would be manifestly to the public advantage that such relief as is hereinbefore mentioned should be afforded without delay :

AND WHEREAS the security offered to the Commissioner by applicants for such advances may in the opinion of the Commissioner in certain cases be likely to prove inadequate and furthermore doubts may arise as to the eligibility of such applicants to obtain such advances by reason of their incomes or their already possessing dwelling-houses and also as to the limit of the rate in the pound of the fair estimated value on which advances are to be made and also as to the total sum which may be advanced to such borrowers by the Commissioner but the Government of Queensland is nevertheless desirous that the utmost measure of relief should be extended to all such sufferers as aforesaid subject to the prior approval in each case of the Treasurer as aforesaid :

NOW THEREFORE I EDWARD GRANVILLE THEODORE the Treasurer of the State of Queensland for and on behalf of myself and my successors in the said office as the duly authorised agent of the Government of the said State in consideration of the premises and of the respective

* 7 Geo. V. No. 30, *supra*, page 7677.

† 7 Geo. V. No. 17, *supra*, page 7406.

‡ 1 Geo. V. No. 15 and amending Acts, printed as consolidated, *supra*, page 7943.

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terms and stipulations hereinafter mentioned do hereby undertake covenant promise warrant and agree as follows :—

1. That in the event of the Commissioner making any advances to any sufferers by the said flood of the classes of sufferers or persons hereinbefore mentioned or referred to any loss arising in respect of any such advance shall be made good to the Commissioner out of the Consolidated Revenue of the said State provided that the application for such advance upon being approved by the Commissioner has been submitted to and approved in writing under the hand of the Treasurer.

This provision shall nevertheless not be construed to prevent the Commissioner making any advance to any such sufferer in any case in which in his discretion he thinks it proper so to do without first obtaining such approval as aforesaid but in such case this undertaking shall not have any effect.

2. That the Treasurer will submit the draft of this undertaking to the Governor in Council for his approval and will obtain authority from him for the execution of the same.
3. That the Treasurer will cause to be submitted to the Parliament of Queensland within the session next succeeding the date of the execution of these presents a Bill and will use his best endeavours to secure the passing of such Bill into an Act of Parliament providing for the ratification of all acts of the Treasurer and the Commissioner which they or either of them shall do in the carrying into execution of these presents and approving and ratifying the terms and provisions thereof and for the ratifying and confirming of all advances made by the Commissioner to the sufferers by the said flood hereinbefore mentioned or referred to which may be made before the passing of such Act or are in course of being made at the passing thereof or shall be made thereafter under the terms and conditions of these presents and providing for the indemnity by the Treasurer to the Commissioner hereinbefore mentioned.

Given under my hand and seal at the Treasury Brisbane this fourth day of May 1917.

(Signed) EDWARD G. THEODORE,
Treasurer of Queensland.

Witness : G. L. BEAL, Under Secretary.