

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 27 SEPTEMBER 1866**

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## LEGISLATIVE ASSEMBLY.

Thursday, 27 September, 1866.

Immigration Act.—Leasing Areas Bill.

## IMMIGRATION ACT.

On the order of the day being read for leave to introduce a Bill to repeal the Immigration Act for 1864.

The COLONIAL SECRETARY said: Since I placed my notice of this motion on the paper, my attention has been drawn to the fact that a number of persons will not apply for their land orders until long after this Act has been repealed—that is to say, supposing this motion were carried by the House, and the Act were now repealed, there would be nothing to prevent a continuance of the present arrangements for the next two months. And although Mr. Jordan's resignation of office has been received and accepted, he will, in all probability, remain in office until the notice of that acceptance has reached England, and will continue to perform, for that period, at least, the duties of the office. It appears to me, therefore, that if the Act be now repealed a great deal of difficulty will occur, and the interests of many persons will be affected. And as the Government have stopped the existing system of immigration, and called upon Mr. Jordan to put an end to the contract of Messrs. Mackay, Baynes, and Co., they consider it desirable that the Act should not be repealed this session, in order that the engagements already entered into may be fulfilled. I now, therefore, beg to withdraw the motion standing in my name.

Mr. TAYLOR: I perceive that the paper which announces the resignation of Mr. Jordan, also states that that gentleman has arranged for a continuance of the immigration at the rate of 300 immigrants per month. I should like to know whether that arrangement has been authorised by the House?

The COLONIAL SECRETARY: The honorable member must not make up his mind from newspaper reports. Mr. Jordan's correspondence is on the table of the House, and he has intimated that the gentleman he has named is perfectly capable of carrying on the duties of his office as long as it may be necessary. The Government have, however, no intention of continuing that office, and have given instructions to Mr. Jordan to close it and wind up the whole affair. Only one other vessel, the "Queen of the Colonies," is now expected, but it is impossible to say how many more may be despatched before the acceptance of Mr. Jordan's resignation reaches London.

Mr. WALSH: May I ask the Premier whether the Government intend to accept

Mr. Jordan's proposition to appoint auditors to inspect his accounts in London.

The COLONIAL SECRETARY: The Government are of opinion that some system of auditing the accounts should be adopted with regard to Mr. Jordan's office or with any other. That is a matter which is now under the consideration of the Government.

The motion was then, by leave of the House, withdrawn.

## LEASING AREAS BILL.

The SECRETARY FOR PUBLIC LANDS moved, that the Leasing Areas Bill be now read a third time.

Mr. R. CRIBB said that this Bill, which was brought forward ostensibly for the encouragement of agriculture, appeared to him, as well as to many others, in reality to be a Bill to allow the waste lands of the colony to be taken up under a species of pre-emptive right under a worse form than that which had been abolished, as it could be carried out in the same way and to the same extent for the purchase of land. For, instead of paying down one pound an acre as heretofore, all that was necessary to do now was, to pay two shillings and sixpence an acre yearly for eight years, without any interest whatever. It had been proposed, on the previous evening, to introduce some condition to the effect that a small portion of the land at least should be cultivated, so as to ensure the *bonâ fides* of the lessee, and to carry out the real intention of the measure. But that proposition had been resisted in language and in a spirit which shewed that the whole tendency of the Bill was, not to promote agriculture, but, as he had already stated, to enable the pastoral tenants of the Crown to take up the waste lands of the colony under a worse system than the old pre-emptive right. Some advantage would have accrued if the lands within two miles of the railway from Toowoomba to Warwick, which had been called the garden of Queensland, had been exempted from its operation, but even that small concession had not been made. He moved that the Bill be read a third time that day three months.

The COLONIAL SECRETARY said that it was from courtesy, and not because he was at all influenced by the honorable member's remarks, that he rose to say it was out of the question to expect the Government to consent to the proposition submitted by that honorable member. His motion was not for the re-committal of the Bill, in order that it might be amended; but, in point of fact, to throw away all the efforts the House had made to facilitate the alienation of the land, and the settlement of a population upon it. The ground for that motion was simply that the honorable member had an idea in his head that jobbery was likely to arise in the carrying out of the measure. He (Mr. Macalister) thought it had been sufficiently proved on the previous day that the Bill would not restore the pre-emptive right. Where did such a right exist? Were not the lands to

be first submitted to auction, at which any person might compete, and afterwards to be open for thirty days for selection? He hoped the motion would be rejected.

Mr. BROOKES said he sympathised with the motion to a very considerable extent, and he did feel that in giving his assent to the third reading of the Bill, he was taking a great responsibility from the House, and placing it in the hands of persons whom he did not fully trust. There were, unquestionably, features in the Bill which justified the step taken by the honorable member for East Moreton. If, however, he could believe that the Ministry of the day would carry out the original intentions of the Bill, as they had been put forth to the people day after day, he should have no hesitation in giving it his support. He would, however, observe that if, after a year or two, it should be found that valuable lands through which the Toowoomba and Warwick railway was to pass had been alienated by the pastoral tenants of the Crown, a feat of legerdemain would have been practised anything but creditable to the House. He did not wish to act in an obstructive way, and would rather vote for the third reading, with the distinct understanding that after what had taken place, the expectations of the House and the public should not be disappointed by the working of the Bill. Everything depended upon the working of the Bill; which the House were obliged to commit entirely to the Government. If they carried it out honestly, and with a desire to give the interests of the colony the first place, and class interests a second position, the Bill would prove a blessing to the colony. Nothing was more certain than that the Bill, now before the House, was the most important measure of the session. Its object was to promote a system of agriculture combined with grazing on a small scale, and not to render squatting entirely a monopoly, and out of the reach of all new comers; and if that object were kept in view in carrying it out, there might be some hope of the Bill, and no occasion might arise to regret that it had been passed. If honorable members thought they could repose confidence in the Government, he would recommend the honorable member for East Moreton to withdraw his amendment, and to allow the Bill to be read a third time.

Dr. CHALLINOR said that, although he did not go so far as the honorable member for North Brisbane, Mr. Brookes, who had on different occasions expressed different opinions of the present Government, he would observe that, however good might be their intention to carry out the avowed object of the Bill—which had certainly been put before the country as a Bill to settle a population upon the land, and not as a settlement of the land—yet, as this Bill might continue operative during the existence of another Ministry, who might have very different views on the subject, and who might

desire to work it to serve the different interests of the class they might represent, he did not consider it a measure which ought to receive the sanction of the House. His opinion was that the people of the country generally, when they saw it in all its bearings, would consider it an execrable measure. He believed, conscientiously, that it would do more harm than good. He did not say that it was simply a re-enactment of the pre-emptive right, but that it enacted it under more favorable circumstances; and no one knew better than the Premier that it would practically have that result; because, when the Non-Competitive Sales Bill was introduced, and even during the present session, that honorable member had stated that when large blocks were put up in some districts, there were non-competitive sales. He (Dr. Challinor) felt certain that that would be the effect of the Bill before the House, and that it would give the pastoral tenants of the Crown all the privileges they possessed under the pre-emptive right, with this difference, that instead of paying their capital with interest they would have only the interest to pay without the capital. There was nothing in the Bill to prevent the lands from being locked up as much as ever. The Government would not be compelled to sell the lands in any particular locality, or to keep any particular amount open for sale. And if it did not suit the views of those persons who could bring their interest to bear upon the Ministry, the latter were not obliged to bring forward more land than would answer their purpose. As for consulting the interests of the people at large by settling a population upon the land, he did not think the Ministry had the most remote idea of such a thing. The honorable member for North Brisbane had remarked that, if the Act did not work well, all confidence in the Ministry would be lost; which was as much as to say that if the horse were stolen it would be found that the door ought to have been locked. He (Dr. Challinor) thought it would be better to lock it at once, and he should oppose the third reading of the Bill.

The amendment was then put and negatived, on division, as under:—

Question, that the words proposed to be omitted stand part of the question.

Ayes, 17.  
Mr. Macallister  
" Bell  
" McLean  
" Watts  
" Taylor  
" Brookes  
" Haly  
" Fleming  
" Rait  
" Sandeman  
" Royds  
" Wienholt  
" Stephens  
" Edmondstone  
" Walsh  
" Miles  
" Palmer.

Noes, 3.  
Dr. Challinor  
Mr. Pugh  
" E. Cribb.

Mr. R. CRIBB said that the Premier having stated that if he (Mr. R. Cribb) had moved for the recommitment of the Bill, instead of moving that it be read a third time that day three months, there might have been some argument in favor of such a course, he would take the honorable gentleman at his word, and move that the Bill be recommitted.

The SPEAKER observed that the amendment having been negatived, it was absolutely necessary that the original question should now be put.

The question was put accordingly.

Mr. R. CRIBB said he would take the opportunity of answering one or two of the observations which had been made by the honorable the Premier. That honorable gentleman had stated that there was nothing about the pre-emptive right in the Bill before the House. But he maintained that the arguments used on the previous evening, and the admissions made even by honorable members connected with the pastoral interest, clearly shewed that it was intended as a measure for leasing lands in such a way that they could be purchased upon easy terms for pastoral purposes. That had been the purport of all the speeches made on the subject; and the Government could not deny it. It had been clearly pointed out that the effect of putting up large blocks of land in the interior for sale at auction would be simply a blind—that there would be no competition, and the tenant of the lands in that locality would be able to go and take them under the leasing clause,—if not in his own name, in some one else's. The Bill, in fact, contained more objectionable features than the late pre-emptive right enjoyed by the squatters; and, he repeated, no arguments had been used to refute that and similar statements. Yet the Premier now stated that there was nothing of the nature of the pre-emptive right in the Bill, and that the land must be put up for sale thirty days before it could be taken up under the leasing clause. Every one knew that; but it had been shewn how it could be avoided, and that the real effect of the Bill would be to go back to the pre-emptive right with the privilege of paying the interest for eight years, and nothing for the fee-simple. He maintained that the Premier had not done justice to the arguments advanced on the previous day; and he regretted that the Government should be so pertinacious on the subject, as he felt that a great many people would be disappointed. He did not intend to make any further opposition to the motion, as he felt that he had done his duty as far as he had been able.

The Bill was then read a third time, and passed.