

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**FRIDAY, 17 JANUARY 1868**

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## LEGISLATIVE COUNCIL.

*Friday, 17 January, 1868.*

Crown Land Sales Bill—Examination of the Surveyor-General.

## CROWN LANDS SALE BILL—EXAMINATION OF THE SURVEYOR-GENERAL.

The Hon. L. HOPE said he desired, with the permission of the House, to amend the motion standing in his name, by substituting the words "to-day" for the words "to-morrow," so that the motion would read as follows:—

That the Surveyor-General be requested to attend, for the purpose of being examined at the bar of the House on the Crown Land Sales Bill, to-day.

When he gave notice of the motion, he intended that it should apply to this day; and, if the House had no objection, he would move the motion as amended.

The POSTMASTER-GENERAL said he did not intend to oppose the motion. He merely wished to say, on the part of the Government, that it was expected the motion would have been amended by substituting the word "Tuesday" for the words "to-morrow." He did not think that any good would result from the examination of the Surveyor-General at the bar of the House.

The motion, as amended, was then agreed to.

The ACTING PRESIDENT said that the rule in regard to the examination of witnesses at the bar of the House was, that all questions should be put through him; but the practice of Parliament, as laid down in "May," page 410, was, that members themselves put the questions direct, in order to avoid repetition.

Augustus Charles Gregory, Surveyor-General of Queensland, was then called to the bar and examined.

1. *By the Hon. L. Hope:* I believe you are practically acquainted with the different Acts in connection with the Crown lands of the colony? Yes.

2. Are you conversant, also, with the terms of the proposed Act for the alienation of Crown lands? Yes. I have perused it carefully.

3. What is your opinion of the proposed plan of having land boards in each district? I think the difficulty will be, in constituting land boards, to find efficient persons to act in each district; unless the boards become nominee boards under the Government, so that they may consist wholly of professional men.

4. I presume, you apprehend a general difficulty in the working of the proposed land boards? Yes; because in each district each land board would have peculiar ideas of its own, unless they were under more stringent arrangements than are provided in the Bill.

5. Is it your opinion that members composing such land boards would be sufficiently conversant with the lands in each district, so as to divide it, and point it out? I do not think the land boards would be personally able to classify the lands, and would, therefore, have to deal with the classifica-

tion and reports of surveyors. In only a small number of instances would they have sufficient knowledge of the lands in the district, to enable them to classify them. The only remedy in such cases would be, for one member of the land board to be surveyor for the district, who would make reports, as the examining member of the board. But he would practically be the surveyor in such cases, though a member of the board exercising that function.

6. What, in your opinion, would be the best mode of classifying Crown lands for sale? If the lands are to be selected before survey, there are two modes of classification. The one is by a feature-survey map, shewing the different features and the different classes of land in the district, by which the selector would identify the features of each class of land he took up. But, then, the different classes of land he took up would be under different conditions—not different amounts of the same condition, but different in character, which are incompatible; consequently, the classification would be a classification of the average of the selection. This would preclude classification before survey and before selection, and necessitate classification after selection, and, of course, after survey. That would have the great objection that the classification would be for small sections scattered over the district, and each man would be demanding classification as quickly as possible—consequently necessitating a great amount of travelling on the part of the classifying officer; and the land board would be at the mercy of the surveyor who made the selection and classification. I think there are serious objections to such a course. The classification, as I have observed, would necessarily depend on the integrity or judgment of the surveyor, and, under such circumstances, I think it would be more convenient if the classification were left in the hands of an officer appointed by the Government to take charge of the district. The officer in charge of the district, when he visited the district, would be able to classify and survey the lands, and he would also be able to do it at a much cheaper rate than it could be done for in any other way. The result would be that the boards could be economically replaced by a district surveyor, to take charge of the district in which a board would be placed under the existing arrangements proposed by the Bill. A saving would arise from there being but one officer, who must exist in either case. If the boards exist, an equivalent officer must be appointed, though he might be chairman, or simply a member, of the board, in order to give effectual assistance to the other members of the board. But if he were a member of the board he would not be so wholly responsible as if he were a single individual; and I think it is always desirable that, where responsible duties have to be performed by an individual or individuals, the person should be responsible, personally, for his acts, and not be in the position of being able to say it is not my act but that of those who over-ruled me—it is that of the board—and the board could not be dealt with as a responsible body. The cost of the boards would be saved by there being a single officer, and the responsibility would be more ample, and there would be more effectual control over the classifying officer. Further, as the single officer would be under the control of the Government, he would be able to perform

many other functions that could not be devolved on a member of a board. For instance, instructions could not be given to a member of a board to go at such a time to survey a specified portion, or examine such and such country. An independent department could not be ordered by another, without confusion being created, but if the classifying officer was an officer of the Government, instructions could be sent to him which he would be compelled to carry out, and then arrangements would be made which would prevent clashing between his various functions.

7. What is understood by a feature survey? A feature survey differs from a survey for sale. It is made by running along all creeks and ridges and natural limits, and marking the different classes of land. By such means a plan is prepared which exhibits the principal features of the country, but gives no boundaries. It shews how much land is of each class, how much plain and open country, how much forest, the course and direction of creeks, the position of water, and all other particulars that might be required. A feature survey might vary very much in character, from a simple outline to an elaborate map—which would be more expensive than the colony is likely to adopt in the case of a survey of runs for pastoral purposes.

8. Then, a feature survey would not answer for the purpose of sales? No; but it would facilitate selection for sale, because, having a feature survey a selector would be able to describe the selection, in regard to some particular features, on the map. Without some such maps, selection before survey would become difficult and next to impracticable. The selections that have been made before survey under the existing Acts, have been almost wholly carried out by feature surveys made for the sale of lands under pre-emption, or the definition of boundaries of pastoral leases or lands for sale.

9. What would be the average cost of feature surveys per square mile? That would depend more upon the character of the district than any other circumstance. Take, for instance, the Darling Downs district. The classification of lands in that district could be conducted at one-third part of the cost which would be required for the Moreton district. The Moreton district consists of an immense number of small watercourses, winding about among high ridges and hills. There is excellent land in it, in small patches, intervening between portions of very inferior land, and it is continually varying in its character. In an open country like the Darling Downs—I speak of the Darling Downs proper, and not of the pastoral district, which, on the whole, is inferior, as you proceed to the westward, but the open portion nearer to the Main Range—that country can be classified with tolerable facility, because the tracts of land are open plains, and there are clear and well-defined limits between the different classes—that is, supposing the land to be classified only with regard to its value for general purposes. But, when we come to the classification of land for agricultural or pastoral purposes, a very serious difficulty, and much greater expense, would be incurred for that item; because the district is interspersed with ridges of rough stony land, totally unfit for agriculture, but admirably adapted for pastoral purposes; and these are intermixed with the others, that the cost of survey would be

treble what it would be if the land were only classified with regard to its value for general purposes, as first, second, or third-class land, simply as a money question. The cost of classification in the Darling Downs district, I should say, at a rough estimate, might be restricted to about two pounds per square mile, for classifying it generally. That would be where there would be large tracts to be classified by one person, who would be thereby enabled to carry out his work in a systematic manner, instead of classifying small portions. In the Moreton District the cost would be at least three times that amount, because the features are so much more minute, the different classes of land being more intermixed than in the Darling Downs District.

10. I suppose the cost and time of feature surveys would be almost equivalent terms;—that is to say, the cost would depend upon the time occupied in the survey? Yes; it would depend upon the time taken up in examining each square mile of country. Take, for instance, a square mile in an open district: if two lines were run across it each line would approach within a quarter of a mile of every part of the country; and, therefore, the classification, right and left, might fairly be made by the person making these measurements. Two lines would therefore, be sufficient to classify, on a large scale, one square mile. But, take the Moreton District, which is covered with timber, where the different classes of land are more limited in extent, and the features more minute, the lines would have to be much more numerous; it would involve, perhaps, as much as six miles of measurement, in order to get as accurate a feature survey of a square mile, as would have been obtained in a more open country by two miles of measurement.

11. *By the Hon. H. B. Fitz:* In the event of the classification of this land being thrown upon the department of which you are the head, I think you remarked, just now, that it would necessitate the appointment of a district surveyor to each district? To each district which could be worked by one land board it would be necessary to appoint an officer to take charge of the district, and to perform the same functions which would be performed by the land board, though he would perform several other duties in addition.

12. That is, one for East Moreton, one for West Moreton, one for Darling Downs, and so on? I think one officer might work the whole of the Moreton District, if his time were given wholly to it.

13. You mean West Moreton? West Moreton could certainly be worked by one officer; but it is a doubtful question whether he might not be able to get through the whole of the district, classifying merely for general purposes.

14. Have you formed any idea of what the expense to the country of the land boards would be? I have estimated that each land board—assuming that it consists of the smallest number of persons that could reasonably be appointed, that is, three; and I do not think you could get local members to attend only once a week at a less charge than two guineas a week each—would cost the country six guineas. That would be for what I term the local members of the board. Then it would be necessary to have one member

of the board a salaried officer, whose whole time should be devoted to the duties of the district. I think it would be desirable to work the boards somewhat in this form, and for the Darling Downs District to establish a sort of triple board—say, one at Toowoomba, one at Warwick, and one at Dalby. By this means, people who wanted to get on to the land would be in a position to have immediate access to them. The officer who would be appointed to attend to the duties of the district, as visiting surveyor, would attend at such sittings of the board as would enable them to avail themselves of his assistance in all matters of classification. The board could sit without his presence, and decide upon all questions of application for land; but, when it was a question of classification, or anything which required professional or local knowledge, it is evident that it could not be decided by members of the Board, who knew nothing whatever of the land, as a general rule, although they may occasionally. Such an arrangement would reduce the cost of the boards to one half the cost—simply to appoint local boards, to be paid by fees, and one member for the whole district, who received a salary, to attend to the general business and supervision of the surveys, and to see that the office books and accounts were properly made up.

15. As it is now, if this duty is thrown upon your shoulders, will it cause any great amount of extra clerical work in your department? It would considerably increase the clerical work there is now; but I am under the impression that the boards would increase it more. Of course, under an arrangement by which the duties would be conducted under the Survey Department, all letters and instructions would be written in a much more brief and concise style than could be adopted towards an independent and collateral department, and there are many matters of form which would be dispensed with. That alone would be a great reduction in the work. At the same time, the correspondence must be greatly increased. As it is, our correspondence much exceeds that of any other department. The number of letters received every day is about twenty.

16. With regard to the classification of land, will you give the committee your opinion as to whether the auction system would not be more simple than any other that could be adopted? Unquestionably. When I look at the different systems adopted throughout Australia, I find that every system, except the auction system, has been attended with so many difficulties, that I am surprised that there should have been any endeavor to find another involving so many complications. South Australia affords an instance in which sales by auction have been the chief mode of alienating the land. Complaints against the land system are fewer there than in any other new country, and I do not think we can point to that colony as having failed in respect to the land laws. Certainly, agriculture has succeeded better in South Australia in proportion to population than in any other colony.

17. Do you think if the land had been classified by auction, and left open for selection for, say three months, and put up again at a reduced price on a sliding scale of reduction it would have led to speculation—that persons would have waited for the time to expire in order to speculate? I see no objection to adopt what would practically

be a system of auction, commencing with a high upset price and gradually lowering it and letting the lots remain open for a month between the intervals of sale. That is to say, land might be offered one month at a high price, and the unsold portion brought forward again at the end of the month at a lower price. Such a system might be adopted as a sliding scale of reduction. It would not actually have the effect of shewing the full value of the land, because it would not involve the system of competition so fully. For the Government must overstock the market: under any circumstances they must have a larger area continually open than can be purchased. Notwithstanding, the system of offering the land at a certain price, and then reducing it at the end of a month would have this effect, that the first-class land would be purchased first, and purchasers would be afraid to wait for the reduction of price except for the second-class lands, and the system could be worked on through any subsequent number of reductions in price. On the other hand, the system which has been in force of putting the land up to auction, and leaving it open for selection after auction is somewhat analogous to that which I have just referred to, because when the lands are first put up to auction, the upset price is usually so high that a very small proportion of it ever fetches anything beyond the upset price. The average price, for instance, realized for country lands in one year, has hardly ever exceeded twenty-one shillings, which gives only five per cent. on the average obtained by submitting them to competition. The lands, after passing through the auction room, are open for selection, and as the sale of blocks of the best land gradually increases the value of the second-class lands which intervene, these will eventually come up to the upset price. I am aware that this is not always the case, because much of the land in many districts is manifestly not worth one pound an acre, and, therefore, I am inclined to think it would be very desirable to adopt some system of reducing the upset price of lands which have been long open for sale.

18. You are aware that by the Bill before the House it is intended that the Government should resume twenty-five millions of acres. With regard to the increase of staff which you recommend to the district surveyors—can you give the committee any idea how long it would take to classify these twenty-five millions of acres? I do not think that, under any system you could adopt, the classification would cease until the whole of the land were alienated, and that is one of the difficulties in the system of classification. Classification of land before survey, requires that you should classify the land after it is selected, and no maps would enable you to do so, simply by reference to those maps, because each selection would no doubt include several classes, and nothing but an examination of the ground would enable you to arrive at a reasonable estimate of the average value of the land. The classification would consequently be as continuous and interminable as the system of selection before survey. Classification of land before sale and after survey would of course be conducted as the surveys proceeded, and I do not see that any great difficulties could exist in classifying the land simply into classes of different value, such as first, second, and third class. But it would be different if it were to be classified into agricultural and pastoral

land, because the boundaries would be continually including some portions of each class. Notwithstanding, an average classification might be struck. But there is a question, whether the surveyor's classification would be the same as that of the selector, and I question whether you could get two selectors to agree, as to what should be the proper class for certain land. I have frequently asked persons who have a good knowledge of land in Queensland, whether they themselves could, or whether they knew any other persons who could, classify the lands in such a certain and definite manner as not to admit of a doubt as to the accuracy of the classification, and to satisfy the general public, and I have satisfied myself that this is a subject on which a great difference of opinion will always exist.

19. Take the district of West Moreton—do you think it likely that a selection of a block of land of, say 2,560 acres, would take in a large amount of agricultural as well as second-class and pastoral land? There would be very few instances in which a portion of 2,000 acres would not include all three classes of land. It would be very difficult to select a block of 2,000 acres of one class, and almost as difficult to select one that would not comprise portions of each, unless you took up second-class pastoral land.

20. Then, in your opinion, the only true test is sale by auction? I am not aware of any other that would be so satisfactory to all the parties concerned.

21. *By the Hon. St. G. R. Gore:* No doubt you are familiar with schedule B of this Bill? Yes.

22. Part of the boundary in schedule B is—"Westerly to Maryland; thence by Herries' Range, and the range separating the Condamine River from the McIntyre River, Weir River, and Moonie River, to the head of Wilkie's Creek." What is the character of the country to the westward of that? All the land along the range is scrubby, and the country to the westward, as a rule, is very inferior.

23. Is there much scrub upon it? Yes; it is not well watered, and on the whole very scrubby.

24. Does it comprise much mountain country? Not much mountain; the chief defect in it is that, although there are many ridges upon it, it is not a mountainous country.

25. Does that apply to the south end of it? Close along the range, by the head of the McIntyre, it is very hilly, but not what I should term mountainous.

26. Is there much agricultural land to the westward of that range? The chief part of it lies in the most hilly country running down south from Warwick immediately along the range, and on the slopes of Pike's Creek, and, in fact, immediately on the slope of the Main Range westerly. But as you descend the creeks, except on the banks of the larger watercourses, the amount of agricultural land is not, to my knowledge, very extensive.

27. *By the Hon. W. Hobbs:* Supposing the Bill before the House to become law, how would you propose to work it for the northern districts; seeing that many portions of them are from 1,500 to 2,000 miles distant? A very large portion of those districts are so remote from any settlement, that it is not at all likely you would be able to find persons to appoint as land boards. Certainly, they could not be formed of residents in the locality,

because it would be too far from the actually settled districts. It would only be practicable to appoint boards, or a surveyor, to have control in districts where selections were likely to go on, and the locality of the board should depend upon the demand for land; it would be useless to appoint boards in places where there was no population.

28. Would it be necessary for a selector, in any case, to make reference to the department in Brisbane? No; because whether the system were worked by a land board or by the head office, the instructions to the local officer would be to act forthwith upon the application being made; and, at the same time, to forward the application to head-quarters. It would only be in cases of a special character, where, for instance, a selection only just came within the prescribed limits, that there would be any chance of the parties being thrown out. Of course, the local officer could refuse an application, if necessary, unless the selector demanded that it should be sent forward; but the whole of the proceedings, in all reasonable cases, would commence at once. Surveys would be ordered, classification would proceed, and every possible act would be performed, except the final approval of the selection, which must, of necessity, pass head-quarters. Because, even under the Bill as it now stands, a selection may be made near Cardwell. So far as the Cardwell land board, or officer appointed for that district, may be aware, there may be no other application from the selector. But the same individual may have selected land somewhere near Warwick, and the Warwick land board are not aware of any objection to such selection. But when the two selections are received at the head office it is discovered that he has selected more than he is entitled to. These are circumstances which necessitate that every selection should be sent to head-quarters for final approval, before the party can go on to the land and obtain his lease. These leases must also be issued by the Government; no local officer should issue a lease. Leases and deeds of grant can, under the constitutional law of England, only be issued in the name of the Queen by the Governor.

29. What I wish to know is, whether the selector could go on to the land at once, or would have to wait until the application was returned from the head office? I don't think, as a general rule, there would be any difficulty in his going on the land at once, except in a very few doubtful cases, where the selector, knowing the doubtful nature of the case, or that there was some flaw in the application, might not like to go on, and in such a case there could be no hardship. For instance, a selector having taken up so much land in some other district, that he had no power to select more, would be, or ought to be, aware of the fact, and then the rejection of his subsequent selection could not be deemed a hardship. And further, by a little judicious management, the local officer could always point out to parties the boundaries, and adjust arrangements so as to bring them within the limits required. I do not think there would be one case out of twenty where the application would be rejected, except where the party would have had a previous warning that he was attempting to get land beyond the limits defined by the law.

30. A question has been asked you, having reference to the system of auction, and a sliding scale of prices. Don't you think a system like that,

if carried out, would lead to a monopoly of the land by capitalists, and deter persons of moderate means from availing themselves of the provisions of the Act? No measure that could well have been framed could have been more adapted for throwing the lands into the hands of capitalists than the Bill before the House, which embodies free selection. This may seem an extraordinary assertion; but, following up the details of the measure, we shall find that to be a fact. It wholly removes the control of the Crown lands, and the way they are brought to sale, out of the hands of the central Government, and places them in the hands of irresponsible persons, or under circumstances in which the Government have no control. A system of auction leaves at the option of the Government for the time being to define what lands shall be brought forward, and in what manner; and it has been customary, to prevent monopoly, not to bring forward large blocks of continuous blocks of land consecutively, but to bring them forward in such a way as to prevent monopoly by single individuals. For if, say five large sections of land were brought forward in one day, one person might, by various circumstances, be enabled to purchase the whole of them at the upset price; and as the general demand for land only accrues gradually, when some other person wanted to get land in that locality, he would be shut out. The practice of bringing forward, say, one-half of these lands in alternate lots at a time, thus leaving an interval between, excludes the monopolist, and leaves plenty of space for subsequent purchasers to take up land in the same locality. It also destroys, to a great extent, the desire on the part of the capitalist to attempt to monopolise; because he finds so much more difficulty in doing it.

31. With regard to the system called dummying, which has been a good deal practised lately, how is it possible by law for these transfers to be made in due time? That is somewhat difficult to say; in fact, it is a legal question whether transfers can be made. So far as I have read the Leasing Act, it is so ambiguous that it is difficult to say whether people can or cannot transfer. But I may say it is not usual to allow persons to transfer until they have performed the conditions which would enable them to purchase the fee-simple. Such is the present practice, though I am not prepared to say that the Act exactly allows such a system.

32. Are you aware whether that practice has been carried out to a considerable extent of late? It is difficult for me to say whether it has or not. I may have my surmises, in consequence of the extraordinary facility with which adjoining selectors agree to adjust their boundaries, and also from the fact that one surveyor is employed by a great many selectors; but this is only a surmise. There are no means for me to determine whether a selector is or is not acting on his own behalf; and, as the selections come in, I am bound to take them as from individuals acting for themselves, and not as agents for other persons. I have no other course.

33. Then, no transfer can be made until the conditions of the Act have been complied with? Until the conditions of cultivation have been complied with, the transfers cannot be recorded in my office.

34. *By the Hon. St. G. R. Gore:* With respect to the scrubs in the district I have referred to,

what is their character? Generally brigalow scrubs, with long narrow valleys of very good grazing land between them.

35. What is the character of the soil in the scrubs themselves? It is a dark soil, which has the appearance of being tolerably fertile; and, no doubt, could be cultivated to advantage, if the climate were sufficiently certain to admit of cultivation. In good seasons, no doubt, the soil would produce admirably; in bad seasons, nothing would grow on it.

36. Do you know the whipstick scrubs? Yes; the whipstick, or eucalyptus scrubs are generally worthless; the soil is bad.

37. *By the Hon. F. E. Bigge:* Can you recommend to this Council the best mode of alienating the Crown lands, so as to attract capital to this country? I think, if our object is to attract capital to this colony, we should adopt a system of passing the lands through auction, and then throwing them open to the operation of a leasing system immediately after auction. I think auction is necessary in the first instance, in order that the Government may not lose the extra value of certain small and specially valuable portions of land. They are, however, the exceptions and not the rule, and I anticipate that only one-hundredth part of the land would be purchased at auction. I would then leave it open, subject to selection, under a system of leasing, even at the rate of two shillings and sixpence for, say, six months. Subsequently, I would reduce the price of the land to less than one pound per acre, and, of course, the rate of leasing in proportion. This might be done by a step to fifteen shillings, and a subsequent step to ten shillings, beyond which I should not be inclined to recommend any reduction at the present time. But, in every case, the land would be open for selection on a reduced scale. I think, to impose any conditions of improvement, are more likely to obstruct the introduction of capital than any other means we could adopt; because persons are willing to lay out their money in the first place, if there is no further liability hanging over their purchase; but they strongly object to pay money, with the probability of contingent payments hereafter. This might be said to apply to leasing, but I look upon that as a system of deferred payments which would be brought to a close in a short time. If the leases for eight years, and not longer, were carried out, the system would attract much capital to the country; because people would have time to make arrangements to bring their purchase-money to bear, and would look, in many cases, to the profits of their occupation to cover their rent. Any other system, under which we impose conditions of cultivation, in order to prevent monopoly, would deter persons from taking up land, and obstruct the introduction of capital; because one person requires land for one purpose, and another for another purpose, and to enact that every person should carry out the same class of improvements on his land is quite as obstructive as to say that every person should live in one particular room in his house; what may be fitting for one, may be distressful to another. Land cannot be looked upon as goods and chattels, or as flour, tea, or sugar; it is more like horseflesh—it is a fancy article, and if a man bought a horse, he would feel very much aggrieved if he were obliged to use him entirely for harness instead of as a saddle horse, or *vice versa*. The

sale of your stock would be obstructed by such conditions. Such restrictions should not, therefore, be placed upon the land. On the other hand, it has been alleged that the farmer and small capitalist is anxious to get land, which would otherwise be monopolized by the capitalist, and that unless it be kept back from the capitalist the poor man would have nothing to select from.

The Hon. W. Wood rose to a point of order. He was glad to get all the information he could from the Surveyor-General, but he thought the examination was to be conducted by question and answer. He was unable to follow the witness through the long speech he had made to the House, in reply to a short and simple question.

The Hon. F. E. Bigge said the question he had put was a very comprehensive one, and the witness had given very valuable information to the House in reference to it. He thought honorable members ought to be greatly obliged to the Surveyor-General for giving his opinion on the subject. The honorable member was not obliged to follow him. He thought it was very hard, now that they had the Surveyor-General at the bar of the House, not to be allowed to listen to him.

The Hon. W. Wood: He could only say that he had been totally unable to follow the witness in his long answer to the last question.

Examination resumed:—

38. *By the Hon. F. E. Bigge:* Will you proceed with your answer, Mr. Gregory? The objection that the small capitalist would be unable to obtain land, if it were offered wholly at auction, does not appear to apply. I have taken pains to inquire, in the other colonies, whether the offer of large blocks at auction did preclude the small capitalist. I found that was not by any means the case; further than that, every time we have amended or altered the law, or imposed a new restriction, the effect has been to throw the land into the hands of the capitalists, and every obstruction that has been put in the way of obtaining land we find has only tended to the injury of the small selector or agriculturist. If the conditions which applied to the agricultural reserves had been enforced upon the selectors, I question much if there would have been many selectors left on them. It is only by a judicious arrangement to prevent those persons from being unreasonably oppressed that they have been able to acquire land to any extent. I may point out, for instance, the agricultural reserve at Rockhampton, in which not one single selector under the Act of 1863, has performed the conditions entitling him to a deed of grant; and they are now looking forward to the Bill before the House as the only remedy to provide against the forfeiture of their land, and the improvements upon it. These improvements, I believe, amount to over £2,000, all belonging to men who were not capitalists in the first instance.

39. Then your opinion is that this Bill will help these selectors to a certain extent? It will so far as the particular cases in agricultural reserves apply, because it affords a special remedy for the difficult position in which they are placed, and will enable them to avoid the conditions which have been hitherto so oppressive.

40. Do you think a man taking up land in a homestead area would have the same chance as a man who took up land in an agricultural reserve? As the Bill stands, I think it would be easier for a selector under the homestead clauses than it would be for a man who had to perform the conditions required by the Agricultural Reserves Act. At the same time, I very much question whether the system will be made use of to any great extent by the class for whom it is proposed to enact it, and also from the very serious difficulties which will be found in working out the details.

41. Do you suppose that if the homestead areas were confined to thirty or forty miles of the coast, it would have the effect of settling the difficulty? I think it would be desirable; because, at present, the homestead selections would be distributed anywhere over the settled districts, and I can foresee that the greater part of the selections under these clauses would not be made in order to use the land for agricultural purposes. It will be the custom for any person who wants to put up an accommodation house, to select a piece of land under the homestead clauses, and to erect his establishment upon it. It will cost him very little, and he will run the risk whether he performs the conditions or not. Very few of this class of men would continue their occupation until the time when the conditions had to be fulfilled.

42. Would not that system of taking up land under the homestead clauses and putting up public-houses upon it, destroy the sale of land in the reserves? It would not, of necessity, destroy the sale of land, but it would pervert the homestead clauses to a totally different use, and I think we should look forward and see how far they may be perverted in other directions. It would be preferable that the homestead selections for a year or two should be confined within narrow limits; it would be very easy to extend the operation of the system over a larger area from year to year—there could be no difficulty in legislating to extend the operation of any Act. At present, the Bills seem to plunge into unforeseen difficulties, by at once declaring so large an area open for selection under the homestead clauses.

43. Do you suppose that the land would be much taken up, in the homestead areas, in the Burnett district—or the district to the westward of Wide Bay? No; unless for other than agricultural purposes. I think there would be very few selections made, except very near the coast, or near the main line of road to the interior. I anticipate that for some considerable time, selections before survey of any class will be restricted to a few centres, say, around Townsville, Bowen, Mackay especially, a large tract will be selected there; the next place would be adjacent to Rockhampton and the settled district of Port Curtis, proceeding south. Then there would be very little land taken up for many years, till you come to the mouth of the Burnett, but not for more than twenty or thirty miles up that river. On the Mary River, I expect the selections will run up the river, but certainly not on the road towards Gayndah, and they may even, in the course of time, form a continuous line from Maryborough to the diggings. The Moreton district, I expect, will be selected in various localities over the whole of it. Darling Downs—

as it is understood conversationally—that portion of it which it is proposed to bring within the settled districts, by the Bill before the House, would no doubt have a very large number of selections in it; but that land will be sold whether it is offered for selection before or after survey, or in whatever way it is put forward. It will be taken up, because it is a class of land which, apparently, can be used to advantage by the holders, but whether they will perform any specific conditions, I think, is doubtful.

44. Do you consider the land on the Darling Downs the pick of this part of the country? It is the portion of land which has drawn most attention, just at present. While part of it is apparently very fairly suited for agriculture, the remaining part of it is very well adapted for pastoral purposes—perhaps better than any other district; and, notwithstanding the distance from the coast, even if the railway was not in existence, the Darling Downs could be worked at greater profit than the upper part of the Burnett District. As soon as you pass the range which separates the Wide Bay District from the Burnett District, you at once get into a locality which, practically, is very remote: the climate is by no means adapted for agriculture, but decidedly the reverse. Although we may hereafter discover some product which may thrive in it, yet, taking it as a whole, my impression is, that it is not well suited for agriculture—certainly not so suited as the greater portion of the Moreton District, particularly that portion which is immediately contiguous to the Main Range and the Darling Downs.

45. You are aware that the western boundary line of mountains runs north from the head of the Coranga Creek? No; it would run southward from the head for a short distance, till it meets the range separating the Brisbane from the Burnett waters.

46. Then it goes north, dividing the Mary waters from the Burnett waters? Yes, to a point somewhere about forty miles from the coast; then strikes across the Brisbane, and takes in the whole of the Kolan and Baffle Creek, and then the whole of what has hitherto been termed the settled district to Port Curtis.

47. Then, it would pass to the westward of Rockhampton? Yes, to the westward, between forty and fifty miles. That is a tract of country which is decidedly of an inferior class.

48. But, you say that a line run straight from Coranga Creek, north-westerly, until it struck the sea, would be a more convenient line? It would certainly include a very large portion of land decidedly not suitable for agricultural pursuits, and which could be more profitably worked for pastoral purposes. Whatever might be the result of future years, certainly for the next ten years it might be devoted wholly to pastoral pursuits.

49. Have you any idea how much land was sold during the year 1867?—How many acres? I could hardly furnish you with an answer to that at the present moment. I could, on reference, in a short time furnish you with a memo.

50. Only from memory? No. I could not answer.

51. *By the Hon. L. Hope:* Do you think it is against settling land selected, to impose conditions of improvement?—Would you, in abolishing such conditions, at the same time retain deferred payments? Yes. Not because I think

it is the very best system, but that it has been so favorably received: I think it would be desirable that it should be retained until, at least, it has had a fair trial; but it should be made a system of nominal lease, and not as deferred payments.

52. *By the Hon. J. Gibbon:* Do you not think, Mr. Gregory, that those homestead areas will materially interfere with the land revenue—sales of land? I think it will interfere to a considerable extent, with regard to small purchasers, for a time. But the conditions will eventually cause persons to prefer to purchase without any conditions of cultivation or improvement. A large portion of persons will prefer to take the auction lands at a higher price than those lands which are open to selection subject to no condition. I have now constant complaints from such parties wishing to take up land within agricultural reserves. When they are told they can go on the agricultural reserves, and are offered every facility to select land, they say—“Oh, yes! you offer facilities to select, but under conditions, and I am not going to put myself under any conditions; I want a piece of land to buy out and out, and to do as I like with it.”

53. Do you not anticipate that there will be considerable difficulty in getting possession of the land—in turning off conditional occupants in default on the homestead areas? Very considerable difficulty, unless the Government act in a very stringent and decided manner, and unless that action be to the detriment of persons who have not wilfully failed in performing the conditions, whomust be turned off with those who have wilfully failed. The Government must proceed stringently in insisting on carrying out the law; for if they once step outside of the Act—even though it be a matter of justice—it must be disregarded. It will be impossible, without that very stringent working of the Act, to eject the occupants.

54. *By the Hon. W. Wood:* Do I understand you, Mr. Gregory, to say distinctly that you would wish to circumscribe the homestead areas—to confine them to a certain district? I would limit the operation of the homestead clause to much narrower limits than are at present proposed by the Bill. I would restrict the areas to a distance of ten or fifteen miles from the coast, and from railway lines, at present. Beyond that, I think it would not be desirable to extend them. Should it be seen that that part of the law works well—and it would be necessary to wait for two years before you have any idea whether it works well or ill; certainly it will not develop the favorable feature for that time—then it would be time enough to disturb the existing law.

55. Do I understand that you believe, if those persons were more close together, it would be better for them—that they could help one another, and generally succeed better than if scattered over the country? Yes.

56. *By the Hon. J. C. Heussler:* Mr. Gregory, you, no doubt, know the acreage of the so-called Darling Downs? I could not give you an answer at the present moment.

57. About? No; scarcely about—

The Hon. L. Hope stated that he had requested Mr. Gregory to attend to the summons, to-day, on the understanding that he would not be required to bring papers and supply statistical information. It was on that assurance that he (Mr. Hope) asked

permission to have the witness summoned to-day.

The ACTING PRESIDENT: I take it, if the information is required by the House, the Surveyor-General might, at the next meeting, furnish it.

The witness was requested to furnish the information asked for.

58. *By the Hon. J. C. Heussler:* Do I understand, Mr. Gregory, that you think a skeleton survey is requisite before land is taken up?—or, will you state in what manner you propose large areas shall be brought under auction for free selection? I think that the best plan of bringing forward land for sale by auction would be to survey it in rather large blocks, in such a way as to leave marks on the boundary lines, so that a person could select half or quarter of any block. Although the land would thus require to be subdivided subsequently, that peculiar mode of surveying would save a large sum in the first instance; it would, also, enable a person requiring land to select one hundred and sixty, or three hundred and twenty, or six hundred and forty acres of land, as suited him. I would not, at first, bring forward, at auction, any land in blocks of larger area than six hundred and forty acres.

59. I believe there is some kind of system in the United States of America, by which large tracts of country are divided into blocks of ten miles square? The lands in the northern part of America are sub-divided into large squares, from which you select. It is what may be termed a species of feature survey, though the system is to be regarded as “selection before survey;” for it is after selection that the survey is made, which finally defines your location. The system of survey carried out in Canada is certainly one I should not like to adopt here; it would give so much dissatisfaction to the public, when the errors should be discovered. There are errors enough now, but they would be multiplied exceedingly under such a system. Under the system, there, the surveyor walks ahead, his chainmen coming after him; the surveyor looks out for a tree to mark, and a deviation of twenty or thirty yards is not much thought of. However, when the survey comes to be settled up afterwards, and the boundaries of selections determined and verified, the trouble is very great.

60. The outside lines would be carried out in the first instance? Instead of offering the block of land as an indivisible portion the moment it was thrown open to selection, it would be optional with a person what to select; to take a half or a quarter of a portion, which could be done by leaving the marks on the boundary lines, and in the centre of the blocks, at the time of making the skeleton survey.

61. Do you think that by selection under this auction system, on the Darling Downs proper, a great quantity of land could be sold—for the sake of revenue? I think so. My impression was, that had the lands been brought forward at auction to a considerable extent, during this past year, about £80,000 worth of land would have been purchased in that district, beyond what has been purchased; and, when we know that we are paying heavy interest on money borrowed for carrying on the business of the country, we should find that it was far more profitable to sell the land at one pound an acre, than wait for an enhanced value of the

land, because interest on money borrowed, taking capital and interest together, will far exceed any value we are likely, at any future time, to obtain for the land.

62. I believe those homestead areas, if they were to extend over a large tract of this colony, would be very often used for establishing public houses and accommodation houses?—I understood you to say so? Yes; I am under that impression.

63. Are you aware, Mr. Gregory, what is the general mode of the first settlement of this country? Well, we follow a system of settlement that has been due entirely to pastoral occupation, in the first instance. Subsequently, persons who have located themselves on central points, or lines of traffic, for carrying out the business of supplying persons employed by the pastoral occupants, become small proprietors of stock, which has been generally run, without any charge, on the land of the adjacent pastoral lessee. Traffic collects people together, and towns are formed on the lines of communication with the interior of the country; but the towns are wholly dependent, at present—except in some very few instances—on the traffic from the interior. If the pastoral tenants were to cease to operate, the towns must cease to exist: they depend entirely on the business which they obtain in consequence of pastoral occupation.

64. In that auction system which you have advocated, would you feel disposed to reserve certain land for agricultural purchasers simply, in such districts, for instance, as the Darling Downs; or, would you leave the agriculturist to take his chance with the others? I think that the best system would be not to bring forward the whole district at once; but it is a matter that ought to be left entirely in the hands of the Government. There are two reasons for this: nobody in authority but the Government can exactly tell what portion of the country should be held back, or can issue proper instructions; and, I think, there is no greater risk than the placing of such authority in irresponsible hands.

65. By the Hon. W. Thornton: I should like you to explain, Mr. Gregory: I did not exactly understand your answer with regard to the homestead areas. I understood you to say that you thought it likely that persons would prefer to purchase the land right out than enter into conditions, except in the homestead areas. The only condition in them is residence? Yes. The condition of residence has been found so extremely difficult and stringent that it is one of the hardest that has been imposed on the agriculturist; and parties would submit to almost any other condition rather than to residence.

66. Don't you think persons who, it is supposed, will be settled on the land by the homestead clause are unlikely to object to that condition?—I presume, they are *bonâ fide* farmers? They will not, in the first instance; but, as soon as we begin to eject them for not continuing to reside, they will. I am now speaking of *bonâ fide* agriculturists; not of persons going on the land under the homestead clause. A man selects his land with the intention of living on it; he commences operations to till; times are very hard, and he is unable to continue operations. He has built his hut, and partly fenced his land, and has broken up part for a crop; but he finds he has not capital enough to go on, and he is compelled to go

away, elsewhere, to seek for employment. If you forfeit his holding, you render that man unable to make a fresh start until he has made fresh capital. If he has paid for his selection and has the fee simple of it, he may go away for six months, or for a year or two, and then come back again to renew his operations where he had left off, because his land is still his own. This is no suppositious case. I know numbers of parties who have selected on agricultural reserves, and who are in this condition. I fear, if we were to press them, we should discover that at least half of the parties who have taken up land there have failed in what may be termed legal *bonâ fide* residence.

67. But, it appears to me that on those homestead areas, no other condition will be enforced but residence? It is true; but he would lose the whole of his improvements effected during the period of his occupation and residence. A man who has effected improvements on his own land may sell them to some other person—he may sell his land—though he may do so at a depreciation. He may let the holding, or he may leave it in occupation of some person to take care of, so that when he gets money, through some other source or employment, he can return and renew his residence and improvements; but, in any of these cases, he would forfeit his land if held under the conditions of the Bill. In cases, a man marries, and goes off to settle down with his wife as a farmer. When he has been six months on his land, he discovers that he has not enough money to continue his operations, and he is obliged to go shearing, or to the diggings, to get money: he may leave his wife to take care of his purchased land, but, under the homestead clause, it is forfeited.

68. Is there any Act existing by which land can be given to an immigrant who pays his own passage, irrespective of this homestead clause? The Immigration Act, under which land orders are given, is still in operation.

69. If the homestead clause is thrown out of this Bill, will there be any other provision to give land to the immigrant who pays his own passage? The homestead clause does not discriminate between immigrants and other persons, he comes under it simply as an ordinary selector.

70. I was alluding to an immigrant under the first homestead clause. If he pays his own passage to the colony, he is entitled to take up land. If this homestead clause were interfered with, we would not, in fact, have any provision whatever for giving a grant of land to an immigrant paying his passage? Not as the Bill stands; but there would be little difficulty in introducing a measure to meet the case of the immigrant.

71. Then, there would be no inducement to emigration? I don't see that there would be any inducement to emigrants to come here to take up land.

The Hon. W. WOOD said he must rise to a point of order. He objected to honorable members asking the Surveyor-General what would be the effect of the Bill on the colony, if so and so were done. It was for the House to settle that for themselves—to judge what the effect would be. He could not see what the Surveyor-General had to do with immigration.

The Hon. W. THORNTON begged to tell the honorable gentleman opposite that he would ask the witness what questions he

thought proper, without reference to him. If he was out of order, it was for the honorable gentleman to call the President's attention to the fact, and not to dictate what questions he should or should not ask.

The Hon. W. WOOD said he was not dictating to the honorable member; but he should rise to order and object to any question that was put.

The Hon. W. HOBBS: The honorable member, Mr. Wood, mistook his vocation when he said he would rise to object to any question that was put.

The Hon. W. WOOD: Any question that he thought was not regular.

The Hon. W. HOBBS: The House had called for information, and they were getting it, on a subject about which no man in the colony was so capable of giving it as the Surveyor-General.

The Hon. W. WOOD: Immigration.

The Hon. W. HOBBS: Mr. Gregory understood the question that was put, and he saw more of the immigrants to this colony than anybody else, and was brought more in contact with them. He could give the House a great deal of information on the question raised. He (Dr. Hobbs) hoped that every honorable member would avail himself of the opportunity of obtaining information from Mr. Gregory, who was so willing to give it to the House.

72. *By the Hon. W. Thornton*: I presume that I may conclude that if, for instance, all those homestead clauses were struck out, the effect would be, that there would be an end to immigration, as no inducement would be held out to people to come to this country—no inducement in the shape of grants of land? No special inducement to them to obtain deeds of grant under this Bill; but I may remark that, in my communications with immigrants, they have not looked so much to the land as to the value of the land orders, to which they looked to reimburse themselves the cost of coming out.

73. *By the Hon. J. F. McDougall*: I think you stated that, in your opinion, it would be desirable to limit the homesteads to a certain distance from the coast. This would be, I presume, with the view of concentrating the population? It would be with the view of concentrating the class of small holders, who are certainly not in the position to bear the cost of long transport to their land. Or, I may view it, that as this is a subject of doubtful utility, it would be desirable to attempt it on a small scale before going into a large experiment.

74. Under this Bill, it would be necessary, if those homestead selections are to be broad-cast over the whole colony, to survey the areas? Certainly, under any circumstances they should be surveyed; and the survey will be a great cost.

75. Then, I should like to ask, would it not be necessary to add immensely to the staff of the Survey Department to carry out those surveys? Certainly; because the cost of survey depends more on the question, whether it be in even, contiguous portions or in small isolated portions of country. The cost of survey under the free selection system will be double what has been the

cost of the regular rotation system, as has been hitherto adopted.

76. Your ideas, then, are formed with the double object of concentrating the population, and preventing a large outlay in the survey of homestead selections throughout the length and breadth of the colony? Yes; and I conceive that those selections made within narrow limits would be of a more *bonâ fide* character than if spread over a large area; because selections that are made with the view of evading the law are more likely to be made at a distance, and in country not of an agricultural character, than within narrow limits.

77. *By the Hon. J. Gibbon*: Mr. Gregory, do you not think that twenty or thirty acres of scrub land, on the banks of navigable rivers, would be better to give to immigrants who have paid their own passages than to give them land orders, as hitherto? Yes, if we had the scrub land to give them; but there is not, I think, a sufficient area of scrub land on navigable rivers available in any of the districts in which immigrants are likely to be inclined to settle. We have no land on the banks of the Brisbane. The whole of the scrub lands on the Mary has been alienated. There is none on the banks of the Fitzroy of that character; and as we step on, within the limits of what I term the settled districts, we do not find any locality where there is a considerable extent of land of the class you allude to.

78. But do you not think twenty or thirty acres of fine, rich, scrub land would be better for a poor man than 160 acres of forest land? Certainly.

79. More likely to obtain a living? Much more likely to obtain a living on it; for, in practice, we find that persons who have purchased small pieces of scrub land have been more successful in their operations than those who have selected large areas of open forest land.

The witness then retired.

*Memorandum by the Surveyor-General to accompany his evidence.*

	Acres.
Area of the portion of Darling Downs included in settled district of the Crown Lands Sale Bill	2,676,000
Area of lands alienated during the year 1867:—	
Auction sales ... ..	32,126
Selections by purchase ... ..	28,881
Selections by lease ... ..	39,487
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Total area of auction lands sold...	100,494
Selections in agricultural reserves ... ..	49,295
Selections by lease before survey	74,560
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Total area selected in agricultural reserves ... ..	123,855
<i>Recapitulation.</i>	
Alienations of auction lands ...	100,494
Alienations in agricultural reserves	123,855
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	224,349

A. C. GREGORY.

The Hon. H. B. FRIZ suggested that it would be best to postpone the further consideration of the Land Sales Bill until Mr. Gregory's evidence had been printed.

The suggestion was not acted upon, and the House resolved into committee of the whole.