Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 3 JUNE 1874

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ERRATA.

Page 646, second column, *read*, for "Mr. Miles," "Mr. Morehead."

Page 655, column 2, third line from the end of Mr. Box's speech—for "lawyer," *read* "banker."

Page 819, column 2, seventeenth and eighteenth lines from the top—instead of "The Chief Secretary, Mr. Bligh," *read* "Phelps."

Page 879, column 2, nineteenth line from the top—instead of "would," *read* "in town ought to;" twenty-second line—for "if they could leave," *read* "without even;" and, twenty-third line, after "it," at end of sentence—*read*, "so long as they cultivate a tenth." In lieu of the sentence commencing on the twenty-fifth and ending on the nineteenth line from the bottom—*read* "And, then, woe betide the squatters in the outside districts!—all the lands in the settled districts would be gobbled up!—because no Government would stand an hour unless they brought in a comprehensive Land Bill, dealing with the whole of the lands of the colony."

Page 892, column 2, at the end of the debate on the Crown Lands Sales Bill, after the word "Question"—for "That," *read* "On."

LEGISLATIVE ASSEMBLY.

Wednesday, 3 *June*, 1874.

Constitution Act of 1867 Amendment Bill.—Gold Fields Bill.—Crown Lands Sales Bill.

CONSTITUTION ACT OF 1867 AMENDMENT BILL.

The COLONIAL SECRETARY moved—

That the Bill be now read a second time.

He said the question involved in this Bill—the increase of the salary of His Excellency the Governor, and his Private Secretary—had been before the House on previous occasions, and had been the subject of discussion. The Bill was now introduced under a resolution of the House, and as the matter had been de

bated and agreed upon, he did not see any necessity for a lengthened debate. He would, therefore, simply move the second reading of the Bill.

Mr. MACROSSAN said it very often happened in that House that members were obliged, in the performance of their public duties, to oppose measures, which in their private capacity they would not oppose ; and such was the position he was now placed in. As a representative of the people, he must, to the utmost, oppose the second reading of this Bill. The question was first introduced under the auspices of the honorable member for Normanby; then it assumed a different phase under the auspices of that honorable member, and now it had fallen into the hands of the Government. It might be within the recollection of honorable members that when the honorable member for Normanby introduced the measure, he stated it was for the purpose of giving Queensland the character of a first-class colony, and that the honorable the Marquis of Normanby, being a gentleman of great antecedents and high reputation at home, having come to preside over the colony, Queensland would acquire the position of a first-class colony, by adding £2,000 to his salary. A great many honorable members disagreed with that, and an amendment was moved by the honorable member for Toowoomba, which would have had the effect of shelving the motion of the honorable member for Normanby altogether, if it had been carried, but it was negatived by twenty-three to fourteen. An amendment was afterwards brought in by the honorable member for Burke, who voted for the amendment of the honorable member for Toowoomba, but afterwards appeared to be convinced by argument, and adopted the idea that, if the sum were reduced to £1,000, those who had voted against it before would vote for it then; and, consequently, when it came to a division, they stood eighteen to nineteen; and, had it not been for the absence of the honorable member for Toowoomba, they would have stood equal, and then the honorable the Speaker would have been obliged, in accordance with practice, to give his casting vote with the "Noes," so as not to increase the burdens of the people. That would, he thought, have been a decisive answer to the question whether the salary should be increased by £1,000 or not. The honorable member for Burke did not use the same argument for the increase that was used by the honorable member for Normanby; he said it was not so much for the purpose of increasing the salary of His Excellency the Governor as for giving him an opportunity of obtaining a higher pension when he retired as a first-class Governor. That was the most tangible reason that had yet been brought forward in support of the increase. The argument that by increasing the Governor's salary they would make Queensland a first-class colony would not stand inspection. He had taken the trouble to find out what was considered a first-class colony; and he found, from the rules and regulations of Her Majesty's Civil Service, issued from Downing street, that a first-class colony was one possessing representative institutions, and, consequently, Queensland was in the position which the honorable member for Normanby wished it to assume. As proof of that, on referring to the regulations respecting uniforms to be worn by Governors of first-class colonies, he found that Queensland was included in the number, and he thought that completely set aside the argument about making Queensland a first-class colony. He believed, in the eyes of capitalists of Europe, Queensland was a first-class colony at the present time, as was shown by the position their debentures occupied in the London market for years past; and he believed the resources of the colony fully entitled it to that position in the eyes of the capitalists of Europe and Great Britain. He believed that scarcely any argument that could be adduced in favor of increasing the Governor's salary, would in the least tend, in the eyes of the capitalists of Great Britain, to improve the position of Queensland as a first-class colony, which it was already. Now, on examining the salaries paid to other Governors in the different British colonies, which were in the same position as Queensland, being first-class colonies, he found that in New Zealand, a colony which nearly, if not quite, doubled the population of this colony, and with a much larger revenue, and which stood certainly very high in the English market as regarded borrowing powers, because it had increased its debt by ten millions sterling—the Governor received a salary of £4,500 per annum. Upon further examination, he found that the Governor of that colony had no allowances; whereas, in Queensland, the Governor had a salary of £4,000 with £1,164 for allowances, being over £600 more than the Governor of New Zealand ; and other colonies stood in the same position. He should only refer to the document he had got from the Public Treasury, to say it proved that not only were they paying over £5,000 a-year to the Governor, but if they calculated all the expenditure it would be seen they were paying over £6,000 a-year; and he thought, in the face of the large increases which had been made lately, and the great demands they might expect on the public revenue during next year and the following year, and also the great increase which had been stated by the honorable the Colonial Secretary would be required for the purposes of education—which they all knew must be provided for—their constituents would not think them justified in increasing the burdens of the colony more than they were at present. He, therefore, for one, would oppose, not only the second reading of the Bill, but he would also oppose it in committee if it reached that stage.

The question was then put and passed on the following division :—

Ayes, 20.	Noes, 11.
Mr. Macalister	Mr. Dickson
„ Stephens	„ Bailey
„ Hemmant	„ Moreton
„ Mcllwraith	„ Pettigrew
„ Graham	„ Fryar
„ Bell	„ Pechey
„ Palmer	„ Stewart
„ Buzacott	„ Foote
„ Royds	„ Groom
„ Ivory	„ Miles
„ W. Scott	„ Macrossan.
„ Morehead	
„ Wienholt	
„ Hodgkinson	
„ Lord	
„ De Satgé	
„ J. Scott	
„ Thompson	
„ MacDonald	
„ J. Thorn.	

The House then went into committee to consider the Bill in detail.

GOLD FIELDS BILL.

On the Order of the Day being called on, that the House go into committee for the consideration of this Bill,

The ATTORNEY-GENERAL said, that before the honorable the Speaker left the chair he wished to say that as there were a considerable number of amendments to be made in the Bill, he proposed, with the permission of the House, to withdraw it, with the view of substituting another Bill which would embody such amendments. He believed it was not an unusual course to pursue.

Mr. MOREHEAD said he was rather at a loss to understand what the amendments were. He would like to know whether the honorable member proposed to introduce a new Bill altogether; because, if it was to be a side wind by which a new Bill was to be brought in, he should like to have some more information.

The ATTORNEY-GENERAL said his object was to introduce a fresh Bill which would embody the alterations of which he had given notice. Instead of wasting the time of honorable members, and taxing the patience of the Chairman of Committees, he thought it would be better to have the Bill reprinted with the alterations in it.

The Bill was, by leave, withdrawn.

CROWN LANDS SALES BILL.

On the Order of the Day being called on, that the Speaker leave the chair, and the House go into committee upon this Bill,

Mr. PALMER said, that owing to circumstances over which he and other honorable members had no control, a division had not been called on the occasion of the second reading of the Bill. He did not think the Bill was required, as the present Act, if properly administered, was sufficient to meet the requirements of the country. They could not now call for a division upon it, but in order to ascertain the feelings of the House he would move—

That all the words after the word "That" be struck out, with the view of inserting the words "this House will, on this day six months, resolve itself into a Committee of the Whole, for the purpose of considering the Bill."

The COLONIAL SECRETARY said that it was not his intention to debate the question. The principle of the Bill had been very fully discussed by the House, and the honorable member himself had debated it; and therefore what connection there could be between the motion now proposed, and the honorable member's absence from the House when the question of the second reading was put, he could not understand. The honorable member had, on the previous evening, complained that the division bell had not rung, but the honorable member had as much right to be in his place when the bell was rung as any other honorable member. There was an honorable member of the Opposition present at the time, the honorable member for the Bremer, who could have called for a division if he had so chosen; therefore, it could not be said that there was not a chance of calling for a division. There was no reason at all for the motion, and he would ask whether it was right to put such a motion after the House had assented to the second reading of the Bill?

Mr. THOMPSON said he did not see any reason why he should have called for a division if it was not in accordance with his own opinions to do so. He was opposed to the Bill, but he had reasons of his own for not calling for a division, independently of any party reasons.

Mr. WIENHOLT said that it was by a mere fluke that the Bill had passed its second reading the other evening, as a great many honorable members had no idea that the debate would terminate so soon. He was very glad to have now an opportunity of recording his vote against the Bill, although he had not that opportunity at the time of the second reading. He was opposed to the Bill, principally on account of its gross repudiation, and because it would inflict a most serious injury on many of his constituents.

Mr. PECHEY said he had no idea of reopening the debate on the second reading; but he could not allow the remarks of the honorable member for Darling Downs to pass without some comment from him. The honorable member must know perfectly well that there was at the present time a great demand for land in his district.

The SPEAKER: The honorable member is not in order in referring to the discussion on the second reading.

Mr. PECHEY said he had no desire to do so, but he must say that the remarks of the honorable member for Darling Downs were altogether inappropriate to the matter now before the House. The honorable member's arguments were completely out of date, and might have done very well in the dark ages. He thought the honorable member should withdraw his opposition, as he was really doing great injury to his constituents. There was not the slightest doubt that one of the

most wholesome things in a Legislature was to have a sound Opposition. They had a sound leader of that Opposition, and it was a great pity that the ground should be cut from under his feet by honorable members like the honorable member for Darling Downs.

The SPEAKER: The honorable member is not in order in wandering away from the question. The conduct of the Opposition is in no way connected with the question before the House.

Mr. PALMER, in explanation, said that he did not say on the previous occasion that the bell was not rung, but that it was kept constantly ringing by some person out of mischief.

The question, That the words proposed to be omitted stand part of the question, was put, and the House divided with the following result:—

Ayes, 21.	Noes, 11.
Mr. Macalister	Mr. Palmer
„ Stephens	„ Bell
„ Hemmant	„ Ivory
„ McIlwraith	„ Thompson
„ MacDevitt	„ Graham
„ Miles	„ Morehead
„ Griffith	„ Buzacott
„ Moreton	„ Wienholt
„ Fryar	„ De Satgé
„ Beattie	„ Royds
„ Hodgkinson	„ J. Scott.
„ Macrossan	
„ Dickson	
„ Groom	
„ Foote	
„ Pechey	
„ Stewart	
„ J. Thorn	
„ Morgan	
„ Pettigrew	
„ W. Scott.	

The House then went into committee.

The preamble was postponed.

The SECRETARY FOR PUBLIC LANDS moved—

Clause 1—"Interpretation of terms."

Mr. BELL said as this clause was the first which mentioned the powers proposed to be vested in the Minister for Lands, which were at present held by the Commissioner, it would be as well, perhaps, to deal with the matter at once. It had been held in that Assembly that any power which could be kept out of the political head of a department, should be kept out; and that he believed was the intention of the Act of 1868. It appeared to him that in this Bill the honorable the Minister for Lands had totally changed that principle.

The SECRETARY FOR PUBLIC LANDS: No.

Mr. BELL: He thought the honorable the Minister for Lands was wrong in calling, "No," because the Bill gave full power to the Minister instead of the Commissioner. He therefore considered that it would be well to debate that point at once, as it was a feature of the Bill which was worthy of the most serious attention of honorable members. He could see no reason why the present system should be overturned; it had worked well in his opinion, or at any rate it should have done so, as the principle itself was perfectly sound, and the error must have been in the administration. In order to try the question, he would move—

That the word "agent" in the seventh line be omitted, with the view of inserting the word "commissioner."

Mr. THOMPSON said, that holding, as he did, the view that the political head of a department should be guided by fixed rules, and as he was totally opposed to throwing these judicial functions on the Minister for Lands, he would suggest whether it would not be better to adopt the Victorian system of Land Boards, or something of that sort; or else to make the Commissioner a superior officer, rendering him responsible, and giving him the powers proposed by the Bill to be conferred on the Minister for Lands.

Mr. WIENHOLT thought that before going further, they might well consider whether it would not be much better to get rid of the rotten system of conditional selection altogether, and confine themselves to homestead selection, and sale by auction, or some other sound and well defined principle. He thought the provision for homestead selections would answer all the requirements of the colony, so far as placing an agricultural population on the land, and those who required large selections should pay the country a fair value for them. He maintained that if this Bill were altered in such a manner as to give homestead selectors the right to take up selections of 160 acres, or thereabouts, free of all charge except the cost of survey, they would succeed in settling a real agricultural population on the land, and offer great inducements to people from the other colonies to come and settle in the colony.

The SECRETARY FOR PUBLIC LANDS said the honorable member for Dalby had stated, that confirming by the Minister was a change from the present system; but it was nothing of the sort. The particular portion of the interpretation clause which he proposed to alter was exactly in accordance with the Act of 1868, under which all selections had to be confirmed by the Minister, and the decision of the Commissioner was not final. With regard to the issue of leases, they had also to be confirmed by the Minister, before they were issued by the Governor in Council. He thought, moreover, that this discussion was in the wrong place.

Mr. BELL said the discussion might appear somewhat inopportune, but he failed to see the applicability of the arguments of the honorable the Secretary for Lands, as in the interpretation clause, "approved" was interpreted, "approved by the land agent," instead of by the Commissioner, as under the present Act.

Mr. WIENHOLT moved, as an amendment, that the words "as a conditional purchaser," in lines 13 and 14, be omitted.

Amendment put and negatived.

Mr. BELL moved, that the word "agent," in line 7, page 2, be omitted, with a view of inserting the word "commissioner."

Question—That the words proposed to be omitted stand part of the question—put, and carried on division.

Ayes, 18.	Noes, 16.
Mr. Macalister	Mr. Palmer
„ Stephens	„ Bell
„ Hemmant	„ Thompson
„ McIlwraith	„ Graham
„ MacDevitt	„ MacDonald
„ Stewart	„ Morehead
„ Foote	„ Griffith
„ Groom	„ W. Scott
„ Edmondstone	„ Buzacott
„ Macrossan	„ Lord
„ Dickson	„ De Satge
„ Bailey	„ Wienholt
„ Moreton	„ Royds
„ Fryar	„ J. Scott
„ Beattie	„ J. Thorn
„ Hodgkinson	„ Miles.
„ Pettigrew	
„ Pechey.	

The clause, as read, was then put and passed.

Clause 2—Repeal of existing Acts, &c. —moved.

Mr. GRAHAM said he was about to move an amendment, the substance of which was to give the Bill effect solely in the districts of East and West Moreton, and the Darling Downs. It had, he believed, been stated by the honorable the Minister for Lands, and some of the supporters of the Bill, that it was in a great measure an experiment—it did not apply to the whole of the colony, and could not be looked upon as a final settlement of the question. It was an experiment with the view of ascertaining—the conditions imposed by previous Acts having failed—whether the conditions contained in the Bill would or would not be a success. The great principle was the resumption of the leased halves of the runs; and it should be remembered that on the Darling Downs, and in East and West Moreton, most of the resumed halves of runs, or at any rate all the best parts, had been selected; but in the Wide Bay, the Burnett, and the northern districts, they found there were very few cases indeed where any considerable amount of selection had taken place on the resumed halves, and in the vast majority of cases there had been no selection at all—the resumed portions of the runs remaining untouched. He was aware that in the neighborhood of the more important towns, such as Rockhampton, Mackay, and Cardwell, there were a few cases where more land was required; but the Acts at present in force amply provided for any resumption required in those places, and it was perfectly unnecessary to disturb the tenure of the leases of runs until the ten years expired. He thought, therefore, it would be much better if they were to try this experiment where the measure was expected to have some effect, and not to make it applicable to places where it would have no effect except to completely stop all improvements by the pastoral lessees. The new clause he was about to move, which he believed would be found satisfactory to legal members, provided for the repeal of nearly all existing Acts; it did not repeal the Mineral Lands Act of 1872, because it was not likely they would have any considerable movement under that Act, and he did not think the Minister for Lands was particularly anxious to interfere with it. In almost every speech made on the second reading of the Bill, the only objection to the Act of 1868 was, that there had been dummying on the Darling Downs, and in East and West Moreton; that, in fact, appeared to be the only ground on which it was considered necessary to bring in a new Bill. He thought, therefore, it would be well to confine the operation of the measure to those places, until, at any rate, they proved its efficacy with regard to those districts. He therefore moved—

That clause 2, as printed, be omitted, with the view of inserting the following new clause in lieu thereof:—

"At and from the time of the commencement of this Act '*The Crown Lands Alienation Act of* 1868' and "*The Town and Suburban Lands Acts of* 1869' and '*The Settled Pastoral Leases Act of* 1870' and '*The Commonage Act of* 1870' and '*The Homestead Areas Act of* 1872' and all rules and regulations made thereunder respectively shall be and are hereby repealed so far as they affect the settled districts of East and West Moreton and Darling Downs saving always all rights claims penalties and liabilities already accrued or incurred and in existence But throughout the rest of the colony they shall remain in full force But nothing herein contained shall alter or repeal the Act of the Parliament of New South Wales twenty Victoria number twenty-nine or '*The Gold Fields Homestead Act of* 1870' Provided that for the purpose of dealing with applications heretofore made to select land under any of the said repealed Acts, the Governor in Council may continue to appoint commissioners and other officers, and do or cause to be done all such things as may be necessary for carrying out and completing all contracts agreements or forfeitures which have been commenced by or arise from such applications in the same manner as if the said Acts had not been repealed."

Mr. BAILEY said he was not going to support any amendment on the Bill. A liberal Government had brought in a Land Bill, which, he had not the slightest doubt, would turn out a failure, and simply add one more to the list of failures which had already taken place in the colony in connection with the land question. He was, therefore, disposed to let the Government bring in any Bill they pleased, and let the failure rest on their heads. He was not disposed to favor any amendment which would make the Bill more tolerable or more intolerable; and if the Government chose to risk their reputation on a Land Bill he would support them and give them a fair chance.

Mr. DE SATGE said the Government had disclaimed any intention of sticking to any portion of the Bill, and the honorable member for Wide Bay was, therefore, wrong. They staked neither their reputation nor

anything else on the passing of the Bill; it was not introduced as a party measure, or a measure by which the Government would stand or fall; and, as it appeared evident the majority intended to pass a Land Bill, it was the duty of honorable members, in the interests of their constituents, to see that it was passed in the best form possible. He would support the amendment of the honorable member for Clermont, and for very sound reasons. The Government themselves had admitted that the demand for land in the northern districts had been *nil*, and it was, therefore, evident that the Bill was not required, so far as the districts north of the Darling Downs and East and West Moreton were concerned. He could aver, with the honorable member for Clermont, that in the North, apart from the districts about Rockhampton, Mackay, and Cardwell, there was no demand for land beyond the areas already resumed; and he considered that, until a demand for land was shown to exist, they should not adopt a measure to resume more land, to the damage, and perhaps ruin, of the pastoral lessees. He would, therefore, support, as fully as he was able, the amendment of the honorable member for Clermont.

The SECRETARY FOR PUBLIC LANDS said the honorable member for Clermont must be under some misapprehension as to anything he said with regard to the Bill being an experiment. It was no more, but, in fact, rather less an experiment than any other Land Bill had been. The first fourteen clauses of it established a perfectly correct and sound principle for the resumption of runs, and there was no experiment in that. That any Land Bill, when passed, could be considered as settling the question finally he totally dissented from, and he did not think any one could expect it. He should have to oppose the amendment, the effect of which was to confine the operation of the Bill to the extreme southern districts of East and West Moreton and the Darling Downs. The honorable member for Normanby also appeared to be under a misconception when he stated the Government had admitted there was no demand whatever for land. No doubt there were some places where there had been very few selections taken up; but that was no reason why they should exclude those places. He had no doubt that if the amendment were carried it would be necessary, before the end of the session, to bring in resolutions for the resumption of fifteen or twenty runs, perhaps more; because there was a considerable demand for land in every land agent's district, so far as they could tell from official letters, and he was quite satisfied on that point. In moving the second reading of the Bill, one point he insisted upon was this: They had two Land Acts, one applying specially to the settled districts, and another applying to the unsettled districts, and they had avoided interfering with the unsettled districts in this Bill, as they ought to remain under a distinct Act. These clauses brought the whole of the settled districts under the Bill, and he trusted the committee would carry them by a good majority. If they did not do so it would leave with the Government to say which runs should be left alone, and which should be resumed, and to bring in resolutions for that purpose. He maintained that if there were no demand for land the Bill could do no harm; it would not in that case take away the land, which would remain in the hands of the present lessees in the same way as it was now if no person wanted it. With regard to the northern portions of the colony, some honorable members appeared to be of opinion that those districts ought to be placed in a different position from other districts, especially as to quantity and class; and if any difference was to be made, he submitted that this was the right place to take that into consideration; and he thought it was a question that might very fairly be considered. Some honorable members representing the northern constituencies stated on the second reading that the coast lands in the northern portion of the settled districts were not worth nearly so much as those in the South; and if that were so, he was prepared to examine into the question with honorable members, and if they would say where it was advisable to draw the line, and what difference there should be in price, he thought that would be a proper course, and one which would meet the question now raised. But he could not accept the amendment, and he hoped the House would reject it by a large majority.

Mr. DE SATGE wished to save the committee from falling into the error that the lands along the northern coast were not as valuable as those on the Darling Downs. He ventured to say that there was no land in the whole colony that would fetch an equal price to the sugar lands near Mackay. He objected, on that ground, to any distinction being made in the classification.

Mr. MACROSSAN said that, as one of the northern members, he could not permit the statements of the honorable member for Clermont to go unnoticed—that the northern members said there was no necessity for the Bill. The honorable member for Bowen was absent; but, so far as he (Mr. Macrossan) was concerned, he had said exactly the reverse. [The honorable member here quoted from "Hansard" in proof of the correctness of his statement.] He might inform honorable members again that there was as great a demand for land in the North, especially on the banks of the rivers, as there was in the districts to which the honorable member wished to confine the operation of the Bill. He trusted the committee would not accept the amendment; and that land in the North would be thrown open at reduced rates, as had been indicated by the honorable Minister for Lands.

Mr. FRYAR, in reply to some remarks by the honorable member for Normanby, stated that, as a proof that there was a great demand for land in the North, he might mention that, on referring to some returns, he found that last year 240,000 acres had been taken up at Rockhampton under the conditional purchase clauses alone. That was without reference to any other land agent's district north of that place. He considered that the second clause of the Bill was of a very sweeping character, as it repealed no less than six previous Acts of Parliament. He submitted that the principle of classification might, if it had had a fair chance, have been found very useful to the colony in getting lands fairly rated according to their quality, but it had never had that trial, as it had been tampered with at the very fountain head. He was in favor of the second clause passing as it stood, and of having those which had anything to do with classification abolished altogether.

The COLONIAL SECRETARY trusted the honorable member for Clermont would withdraw his amendment, inasmuch as the object the honorable member had in view could be met when they proceeded further in the Bill. The proposed object of the amendment was to encourage settlement in the North, but they could scarcely attain that at that stage of the Bill. The honorable member wished that the present Act should remain in force, except so far as the Darling Downs and the Moreton districts were concerned, but there was no condition of that kind in the existing Act; and, therefore, he conceived there must be some reasons for making such a proposition at the present time. It had been stated that there had not been much settlement in the North, and consequently that some advantages should be given to it. He admitted that, and that was the very reason why the Bill should apply equally to all districts—if that want of settlement arose from not sufficient land being open for selection, the Bill would remedy the evil. He thought, also, that the objections as to area and price in the North could be dealt with when they had got through many clauses of the Bill, and the honorable member could then bring forward his proposition for a larger area and a lower price in the North.

Mr. J. SCOTT pointed out that if they resumed the leased halves of the runs in the North, they would resume those on which great improvements had been made; and the consequence would be that those lands would be taken up on that account. He thought it was not fair, when there was at present any amount of land open for selection in the northern districts, that the pastoral tenants, who, on the security of their leases, had gone to great expense in making improvements on their lands, should be deprived of those lands for no object whatever.

Mr. IVORY said that he should support the amendment; at the same time he was quite willing that whenever there was any *bonâ fide* demand for settlement, the lands should be resumed: but not until then. He considered that the Act of 1868, notwithstanding the opinions of the honorable the Minister for Lands to the contrary, was quite ample, as it gave power to the Government to resume lands by resolution of both Houses. Thus, the present Bill was not required. The lessees of the unresumed halves of their runs had gone to great expense in making improvements; and if the Bill was passed, it would be holding out a premium to persons to go and take up selections on those runs for the purpose of ruining the pastoral tenant. At the time of the passing of the Act of 1868 there was a distinct bargain made with the Crown tenants that they were to continue in possession of their leases until the land was actually required for settlement, when it should be resumed by resolution of both Houses of Parliament; and he considered that the Government had no right to ask to resume them in any other way.

The Hon. B. B. MORETON thought the Government would have some difficulty in passing the Bill, but he should give them his support as far as he could. He thought that if anything would jeopardise the passing of the Bill, it would be confining its operation to the Darling Downs and the Moreton districts, as it would then be certain to be thrown out in another place. As to the statement that land was not required elsewhere, he might mention that he found, on reference to a return, that 318,000 acres had been taken up in the Wide Bay, Maryborough, and Burnett districts alone—the largest quantity of which, in the neighborhood of Bundaberg, had been taken up by pastoral tenants—land, too, of the very best description. It was a fact that if no land was now being taken up there, it was on that account. He might also say that in almost every case the portions of the runs resumed had been the worst parts of them. If the Bill was made to affect the whole of the colony he should vote for it; so it could not be said that he was now supporting it because he happened to be in the unsettled districts. It had been said that throwing open the lands in the inside districts had ruined the squatters, but he was not of that opinion, as he believed that the value of their property had been considerably enhanced by the improvements which were made, such as railways, *et cætera*, and by the better price which they obtained for their stock; and that, in fact, it was a benefit to the squatters to have the lands thrown open.

Mr. WIENHOLT said he was not opposed to settlement; in fact, he believed in seeing it around him in every way that he could; at the same time he could not understand the argument of the honorable member for Maryborough, that the resumption of half of the squatters' runs had improved their condition. He looked upon the clause, if carried, as being an act of repudiation; at the same time he could not see his way clear to

support the amendment of the honorable member for Clermont. He would support any clause that would save the resumption of runs, where such resumption was unnecessary.

Mr. WALSH considered the arguments put forward by the honorable member for Maryborough were most extraordinary. That honorable member appeared to think that throwing open the country in the settled districts was a beneficial thing for the pastoral tenants, and for that reason the honorable member was going to support the Government. Why, the honorable member was himself on the very confines of the settled districts; and if he considered it was such a benefit, why, he should come forward at once and ask the Government to confer upon him that great benefit and all the blessings he had enumerated as being enjoyed by the squatters in the settled districts. His (Mr. Walsh's) opinion had long been known with regard to the frequent alterations of the land laws. He did not hesitate to say that, by the constant changes made, they did harm to the capital invested in Crown property. It appeared to him that every Government who wished to be popular and considered it was necessary to please the most radical of its supporters felt itself bound to introduce a Land Bill. Instead of tinkering year after year with the Acts now in force, some comprehensive measure should be introduced; and he considered that out of mercy to the country it would be far better for the Government to withdraw their present measure under a pledge that, next session, they would bring in a Bill of such a comprehensive character that it would be likely to meet the requirements of the country for the next ten or twelve years to come; that would allow the pastoral tenants some quietude; that would allow the creditors of those tenants some quietude; and would allow the prosperity of the colony to go on without being checked as it was by constant innovations on the arrangements made between the tenant and the landlord—innovations, he might say, always on the side of the landlord.

Mr. DE SATGE said that, if there was a district which had been highly favored, it was that of the Burnett; and it was only by the strong influence that had been used in that House that it had managed to be excluded from the settled districts, in which it should have been comprised with as much right as the Darling Downs.

Mr. IVORY thought the case was just the reverse, as the Burnett district had had less money spent upon it than any other district in the colony. In reference to the remarks of the honorable member for Maryborough, as to the advantage and benefit of being included in the settled districts, he might say that the views of the honorable member were not shared in by any of the people of the Burnett district.

Mr. GRAHAM explained that his arguments in regard to more land not being required to be thrown open in the northern districts had been somewhat misunderstood. It might be required in some places, such as Rockhampton, Mackay, and even Cardwell; and he had no doubt that the Government would have to take action in reference to those districts; but it would be found that as soon as they went away from the lands on the banks of the main rivers, the runs had not been selected on at all.

Mr. DICKSON thought the honorable member for Clermont, by his arguments, had cut the ground from under his own feet; for if, as the honorable member said, there was no demand for land in the northern districts, what harm could be done in including those districts in the Bill? He could not, therefore, see what benefit there would be in agreeing to the amendment of the honorable member, that the repeal of the Act of 1868 should be confined only to the Darling Downs and the Moreton districts. He did not assent to all the clauses in the Bill, and hoped to see several alterations made. Should the honorable member propose, when they were further on with the Bill, that the area should be enlarged according to the requirements of the different districts, it would be supported by him; but it would be better to withdraw the measure altogether than to pass the amendment of the honorable member. With regard to the observations which had been made about the frequent changes in our land laws, he must say that he thought it would be impossible to avoid making those changes in every young country. In fact, he believed it would be impossible to frame a land measure that would last for ten years without some amendment.

Mr. GRIFFITH wished to know from the honorable Minister for Lands, why the Mineral Lands Act of 1872 was to be altogether repealed, except the leasing portion of it, which was the very part which had not been taken advantage of. It was proposed to repeal the whole of that Act, and only to re-enact the part referring to leases.

The SECRETARY FOR PUBLIC LANDS said the Bill was originally introduced for the purpose of selling mineral lands only; but such a strong opinion was expressed in favor of leasing them, that the honorable gentleman who had charge of the Bill put in leasing clauses as well. Those purchasing clauses were so much in favor of the public, that it was no use leaving in the leasing clauses, if the others remained.

Mr. GRAHAM said that as he saw there was no possibility of his amendment being carried, he would, with the permission of the committee, withdraw it.

Amendment, by leave, withdrawn.

Mr. MILES moved the insertion, after the word "1870," in the 19th line, of the words "and the Pastoral Leases Act of 1869."

The SECRETARY FOR PUBLIC LANDS thought the honorable member should give some reason for his amendment, as the Pastoral

Leases Act did not in any way come within the scope of the present Bill. It had nothing to do with the alienation of Crown lands.

The question was put that the words proposed to be inserted be so inserted, and the committee divided with the following result:—

Ayes, 13.	Noes, 22.
Mr. Palmer	Mr. Macalister
„ Bell	„ Griffith
„ Graham	„ Buzacott
„ Morehead	„ Dickson
„ Wienholt	„ Beattie
„ W. Scott	„ Hemmant
„ Ivory	„ Groom
„ Miles	„ Stephens
„ MacDonald	„ Pettigrew
„ De Satgé	„ Moreton
„ J. Scott	„ Lord
„ Royds	„ Edmondstone
„ Thompson.	„ J. Thorn
	„ Macrossan
	„ Stewart
	„ Foote
	„ Pechey
	„ McIlwraith
	„ Hodgkinson
	„ MacDevitt
	„ Bailey
	„ Fryar.

Mr. GRAHAM moved—

That the words "Mineral Lands Act of 1872," in line 12, be omitted.

The CHAIRMAN ruled, in accordance with the 65th Standing Order, that the amendment could not be put, inasmuch as it related to a part of the clause prior to that upon which the question had just been decided.

Mr. WIENHOLT moved—

That the word "may," in the 21st line, be omitted, with the view of inserting the word "shall."

Question—That the word proposed to be omitted stand part of the question—put and carried on division—

Ayes 21.	Noes, 12.
Mr. Macalister	Mr. Bell
„ Stephens	„ Thompson
„ Hemmant	„ Graham
„ McIlwraith	„ Buzacott
„ Miles	„ Morehead
„ Griffith	„ Wienholt
„ Pechey	„ De Satgé
„ Morton	„ W. Scott
„ Bailey	„ MacDonald
„ Lord	„ Ivory
„ Beattie	„ Royds
„ Macrossan	„ Scott.
„ Edmondstone	
„ Hodgkinson	
„ Dickson	
„ Groom	
„ Foote	
„ Stewart	
„ J. Thorn	
„ Pettigrew	
„ Fryar.	

The clause, as read, was then put and passed.

Clause 3—Governor may grant in fee simple or for any less estate—moved.

Mr. IVORY said, distrusting the Government with regard to this measure, he would like to have the following words inserted after the word "the," on line 31, "settled districts of the." The object of the amendment was to clearly define what were the powers of the Government. It seemed to him that this clause, as it stood, gave the Government extraordinary powers for conveying and alienating any waste lands of the Crown, and he thought it advisable that they should have some guarantee that the Government would not take undue advantage of the clause in its present form.

The SECRETARY FOR PUBLIC LANDS said it would be well if honorable members were informed of the effect this amendment would have if passed. At present the Government had power to throw open for selection or sale by auction, under the Act of 1868, any lands which might be resumed from the unsettled districts under the Act of 1869, after they were resumed. 2,560 acres in each run could be resumed without having to come to Parliament; but if any further resumption was found necessary, it could not be carried out without a resolution of both Houses after six months' notice. This Bill gave precisely the same power as existed in the Act of 1868, and if that Act were repealed, and this amendment were inserted in the Bill, there would be no power to enable the Government to sell a single acre in the unsettled districts, or any town lot. No matter how population might increase in those districts, or how great the demand might be, there would be no power to sell any town lots, or an acre of land anywhere in them. He therefore thought it would be better to pass the clause as it stood, leaving the Government exactly the same power they now had under the Act of 1868.

Mr. MOREHEAD was very doubtful about the explanation given by the honorable the Minister for Lands, and it appeared to him that the Bill was drafted in a very ambiguous manner. On referring to clause 15, he found—

"All Crown lands shall for the purposes of this Act be divided into town lots"—

and so on, and putting this and that together, he was very doubtful about the *bona fides* of the honorable the Secretary for Lands respecting it. The Bill was a dodgey, trickey measure, such as they might expect from that honorable member, who had in effect given the committee to understand that he would oppose any amendment or alteration in the Bill, so long as it came from honorable members on that side of the House. He thought the committee would make a great mistake unless they made the clause so clear as to admit of no dispute in the future respecting it, and he would support the amendment.

Question—that the words proposed to be inserted be so inserted—put and negatived.

The clause, as read, was then put and passed.

Clause 4—Governor may by proclamation reserve or set apart Crown lands—moved.

Mr. FOOTE moved, as an amendment—

That the words "or to selection as homesteads only or for sale by auction," in lines 40 and 41, be omitted.

The SECRETARY FOR PUBLIC LANDS said, he should have to oppose this amendment, the effect of which would be, that to make the Bill consistent with it, it would be necessary to leave out the whole of the clauses providing for sale by auction. He did not think the honorable member himself was prepared to go that far. He knew of no way of selling land at auction without power being given to the Government for that purpose. It was different with regard to selections, because a man could make a selection without the interference of the Government; the selector, in that case, took the initiative; but, in sales by auction, the Government must take the initiative; and, if they omitted these words, they might as well strike out all the clauses relating to sale by auction, because it would take away the power of selling in that way. He did not know whether the honorable member intended it to refer to town lots. He hoped the amendment would be withdrawn.

Mr. PETTIGREW thought the amendment was objectionable for the reasons stated by the honorable the Secretary for Public Lands. He would point out that the only way by which a man could get land in a township was by sale by auction; because, if he took it up under the other provisions of the Bill, he would not be able to comply with the conditions imposed.

Mr. FOOTE thought putting land up for sale by auction was a mere form; there was scarcely any land sold by auction, as most of the land about towns, in the settled districts, had been alienated. These lands, after being put up to auction, were left open for selection. He had no intention of withdrawing the amendment.

Mr. HODGKINSON hoped the honorable member would withdraw the amendment, because it would have the effect of preventing the Government from giving persons residing in mining townships the right to purchase land; and it would also deprive the Government of a large amount of revenue.

The amendment was then put and negatived.

Mr. FOOTE moved, as an amendment—

That the words, "Provided that the Governor in Council may by proclamation in the *Gazette* withdraw the whole or any part of the lands referred to in any such proclamation," be omitted.

He considered that this proviso gave the Minister for Lands and the Governor in Council far too much power; and that they ought to have a Land Act framed in such a way that the Minister would have simply to carry it out. Similar powers to those proposed had been abused on former occasions in order to benefit certain persons, and he thought it would be much better not to grant such powers.

The amendment was put and negatived.

Mr. J. SCOTT asked if this clause applied to the whole colony, or only to the settled districts? Could the Government by this clause proclaim land anywhere in the colony as a reserve and open it to selection or purchase? There seemed to be no restriction.

The SECRETARY FOR PUBLIC LANDS: Certainly not. The Government could not, under the Bill, throw open to selection any land which was not otherwise open; but without this clause the Government could not proclaim a township, or a village, or a reserve for water; just as the lands were proclaimed open for selection they would have to remain. For instance, if the Government had not the power to reserve Cooktown, any one person might go and select the whole of it. These were powers no Government dare abuse, and without which no Land Act could be worked.

Mr. J. SCOTT said it appeared to him that the clause gave a general power, not merely with regard to townships, but for the purposes of selection.

The SECRETARY FOR PUBLIC LANDS: Clause 22 declared what land should come under the operations of the Act, namely, all lands now open to selection, and the lands in the ten years leases; and this clause simply gave the Government power to declare how they should be open to selection or to sale.

Clause, as read, put and passed.

Clause 6—Trustees of public lands; trustees may make bye-laws;—moved.

Mr. J. SCOTT asked if by this clause it was competent for the Government to resume any land that might have been placed under the control of trustees at any time? Had the Government power, after granting land, to resume it?

The SECRETARY FOR PUBLIC LANDS said in the second line of the clause were the words "either temporarily or permanently." Of course, if the land were reserved temporarily, it could be resumed; but if it were reserved permanently, it could not.

Mr. GROOM thought the word "temporarily" would have the effect of preventing trustees from spending money for the purpose of improving land. He could not see the object of granting land if the Government had the power to take it back again.

Mr. THOMPSON said the clause was the same as the law which was now in force, and he was the author of it. The object of it was to meet cases of difficulty, such as some that had arisen with respect to the devolution of trusts. There was the case of the Queen's Park at Ipswich, for instance; one trustee was in Maryborough, another was down the Bay, another was dead; some of them were disposed to hand the park over to the Ipswich corporation, and others opposed it, so that the whole of the work had fallen on one trustee. The clause was, there-

fore, intended to meet a technical difficulty; and as it placed trustees in a better position, and gave much more power of dealing with them, he hoped it would not be altered.

The SECRETARY FOR PUBLIC LANDS said he could see no objection to the word "temporarily." There were many cases where it was not advisable to make places permanent reserves and place them in the hands of trustees; and with regard to improvements, it could not be expected that a reserve would be improved unless it was permanent.

Clause, as read, put and passed.

Clause 9—The lands in the leases for pastoral purposes in the settled districts shall be resumed from lease"—moved.

Mr. THOMPSON said, this clause recited that, by the Act of 1868, the lands leased under that Act might be resumed at any time by a resolution of both Houses of Parliament, but it did not state that the lands resumed must be not less than eight square mlies in one block. He submitted that if this recital was to stand, it should stand correctly and be a counterpart of the Act recited, because there was a great difference between resuming eight square miles and resuming eight square miles in one block; and he would call the attention of the Government and of the honorable the Attorney-General to the fact that the clause would be illegal if passed, inasmuch as it would be in direct violation of existing agreements, and it could not, for that reason, receive the Royal assent. He would, therefore, move—

That the words "the same," in line 51, be omitted, with a view of inserting the words, "not less than eight square miles in one block."

If they were to have the recital at all, they should have it correctly, and draw the deduction afterwards.

The SECRETARY FOR PUBLIC LANDS said the tenth clause of the Act of 1868 provided—

"It shall be lawful for the Governor in Council to resume any tracts of land not less than eight square miles in area."

and he saw no difficulty in the matter.

Mr. THOMPSON said the Act provided that the eight square miles should be in one block; and as there might be some runs affected by it, he thought it necessary to insert the exact words of the present Act. Another thing was, that a resolution of both Houses was a necessary preliminary step to the resumption under the Act of 1868, which was not the case, here. The object was, when a demand for land for the purposes of settlement arose, the Government, on the authority of a resolution, could resume; but under this Bill the land was to be resumed whether there was a demand or not; and he contended that if the clause were passed as it stood, it would be in contravention of the terms of the Act.

Question—That the words proposed to be omitted stand part of the question—put and carried on division.

Ayes, 19.	Noes, 15.
Mr. Macalister	Mr. Walsh
„ Stephens	„ Bell
„ Hemmant	„ Thompson
„ Macrossan	„ Buzacott
„ Griffith	„ Graham
„ Moreton	„ W. Scott
„ Fryar	„ Foote
„ Beattie	„ Ivory
„ Hodgkinson	„ De Satgé
„ Edmondstone	„ Wienholt
„ Dickson	„ Royds
„ Miles	„ J. Scott
„ Pechey	„ H. Thorn
„ Groom	„ Lord
„ Stewart	„ MacDonald.
„ J. Thorn	
„ MacDevitt	
„ Pettigrew	
„ Bailey.	

Mr. BELL said he should vote against the clause, as it involved an act of repudiation of which he would mark his sense in that way. It was not because he was opposed to land being thrown open for selection that he objected to the clause, but because it was in direct violation of an agreement made between the Crown and the pastoral tenants. Before they came to the question of the clause as a whole, he intended to move an amendment, which would, he thought, seem to be only an act of justice to the pastoral lessees whose leases would come under the operation of the Bill. By that Bill lands on some of the runs would be taken up with great avidity, and the result would be that the lessees whose runs were stocked would have their stock thrown suddenly upon their hands without having any place to which to take them. He thought it was only just to allow them a fair time to clear off the stock, and with that view he would move the omission of the words "from and after," in the tenth line, for the purpose of inserting the words "six months from."

The SECRETARY FOR PUBLIC LANDS pointed out that the very thing the honorable member wished to attain was provided for in the clause already, because it said "from and after the commencement of this Act." When they came to the last clause would be the time to say when the Act should take effect. His idea was to give about three months after the passing of the Act, as it was necessary that some such notice should be given in order that the Government might have time after the Act became law to make the necessary proclamations.

Mr. HODGKINSON thought that if the honorable member for Dalby would withdraw his amendment the blank would be filled up to the honorable member's satisfaction. He considered it was only a very fair proposition to make on the part of the honorable member.

Mr. WALSH would ask whether in any other part of the world such an act of barbarity would be committed as to drive off a man with his stock after six months' notice? Such a proposition would not, he believed, be

made even in Ireland, as, if it was, the landlord would stand a chance of being torn in pieces. It was a most barbarous thing to propose that men who had discovered the country for the Crown—who had, he might say, civilised the country—who had assisted in bringing a large annual revenue to the Crown—should be driven off their runs after three or even six months' notice, and have to wander about the country with their stock like vagabonds. He did not think that the Act could be so cruel—he felt certain that honorable members would not allow it to be so cruel as the honorable Minister for Lands wished to interpret it to be.

Mr. GRAHAM said, that independently of the answer given by the honorable Minister for Lands, there was another important point to be considered, and that was that the Act should come into force immediately after its passing; because, if it did not, and applied only to lands to be resumed, there would be a rush to take advantage of the easier provisions and lower prices of the present Act. People would endeavor to secure the lands allowed to be taken up at five shillings an acre, whilst those who were not in a position to do that would have to take up the 1,280 acres at ten shillings per acre. He did not think that twelve months' notice would be too great to give, as a matter of justice, to the Crown tenants, when they considered the large number of stock that were depastured on some of the runs that were likely to be selected from almost immediately the Bill came into effect, and the difficulty there would be in finding pasturage for them. He thought the Government—whilst giving them credit for being anxious to do what they thought was for the benefit of the country—should not be so blind to every principle of justice as not to allow the time he had mentioned.

The SECRETARY FOR PUBLIC LANDS said, in reply to the honorable member, that there was no land open for selection at the present time, that had not been open for the last six years, during which time (as there had been every opportunity for doing so) no doubt the best land had been picked out; there was, therefore, no harm in allowing the Bill to go as proposed. He was quite prepared to give the Crown tenants three or four months, or, in fact, any fair notice, so long as there was free selection. The mere knowledge of the Bill having been passed would not cause land to be rushed, which had already been open to selection for six years.

Mr. GRAHAM said it was perfectly true, no doubt, that those lands had been open for some years and had not been selected, because, as he supposed, selectors had chosen other lands more suited to them. But the Bill proposed to raise the price from 5s. to 10s. an acre, and thus there would be a large field for speculation, by men who knew that those lands must rise in value when the price of the other lands was fixed at 10s. an acre.

Mr. PETTIGREW thought there was great force in the remarks of the honorable member for Clermont, and therefore he considered that when the proposed Act came into force, all lands should be brought under it at once. He was in favor of giving any reasonable time to the pastoral tenants to remove their stock and make their arrangements.

Mr. STEWART was of opinion that all lands should be brought under the Act at once; but in the case of lands to be resumed from the pastoral lessees, six months' notice should be given.

Mr. WALSH thought the honorable Minister for Lands should say what he was going to do with those persons who had on their lands, hitherto held on lease from the Government, stock sufficient for 10,000 acres, and who, under the Bill, would find themselves suddenly dispossessed of that land and of homes which they had in many cases held for twenty or thirty years. Under the Bill no man could take up more than 1,280 acres, and he would ask the honorable member what care he was going to take that the property of the present lessees was not driven out of the country, and that their stock was not extinguished from want of sustenance?

The SECRETARY FOR PUBLIC LANDS said that the question might very well have been asked if the proposition was to resume the lands under the Act of 1868; it might then be said that the Government were taking steps to dispossess the Crown tenants, but under the present Bill they would not dispossess any person; they simply said anyone that wanted land for *bonâ fide* settlement should be able to go and take it up, and the quantity resumed would not be injurious to the squatters. On consideration, he was willing to meet the proposition of the honorable member for Dalby to this extent—that the words "four months" should be inserted in lieu of the words "from and after." That would allow two months before the present Act was repealed after the passing of the Bill, and four months' notice before the runs were resumed, or six months altogether.

Mr. BELL said he had considered the proposition of the honorable member: he did not consider he had asked too much when he mentioned six months. In fact, he had been told that he had not asked enough, as squatters holding a large quantity of stock could not at a short notice remove them to some other part of the country without great inconvenience to others and also loss to the stock.

The SECRETARY FOR PUBLIC LANDS said he was prepared to give six months' notice, as he had mentioned, namely—four months from the commencement of the Act, and two months after the repeal of the Act of 1868. It was most advisable that the Act should not come into operation too soon, for the reasons he had already stated.

Mr. BELL said that he wanted the time to be six months from the commencement of the Act.

Mr. STEWART thought it should be distinctly understood that lands now open for selection should not be left so that they could fall into the hands of speculators; and, therefore, some restriction should be made by which they should be brought under the Act the minute it passed. He agreed with the honorable member for Dalby that eight months would not be too long a notice to give.

Mr. J. SCOTT thought that, as many persons would be turned out of their runs, the land now open for selection would be absolutely necessary for them to put their stock on.

Mr. THOMPSON wished to point out that the Bill was not only in violation of the Act it proposed to repeal, but also in violation of the terms under which the leases had been granted to the Crown tenants, and consequently it could not be a constitutional measure. He did not see how the honorable the Attorney-General could advise the Government to assent to its passing.

The SECRETARY FOR PUBLIC LANDS said he would accept the amendment of the honorable member for Dalby.

The question, That the words, "six months," proposed to be inserted, was put and passed.

Mr. WIENHOLT said that, as under the Act of 1868 certain leases had been granted to the pastoral tenants of the colony, the present Bill should be entitled, "a Bill to break faith, and take away certain leases given under a former Act." He considered that if it was necessary to take away those leases, the Government should proceed under the Act under which they were granted.

The SECRETARY FOR PUBLIC LANDS moved, as a further amendment, in the same clause—

> That the words "for twelve months from the commencement of this Act" be omitted, with the view of inserting the words "at any time before the 31st December, 1879."

That would not in any way affect the right of selectors, and the squatters would be placed exactly in the same position as the selectors.

Question put and agreed to.

Mr. GRAHAM said he had an addition to propose to the clause, which, he considered, would be only an act of justice. He would explain that some lessees had what, according to the books of the Government, appeared to be one run, whereas, in fact, there were two runs. They might have an excess of improvements on one of those runs and not on the other, and, he thought, in such a case, they should be allowed to take up the maximum pre-emptive selection on each run.

The SECRETARY FOR PUBLIC LANDS asked if the honorable member knew of his own knowledge any such cases.

Mr. GRAHAM said he knew one or two, in the Leichhardt district; whether there were any on the Darling Downs he could not say.

The SECRETARY FOR PUBLIC LANDS was afraid he would have to oppose the amendment, because it would have the effect of opening the door to fraud to some extent; and as there were not more than one or two cases to which it would apply, he thought it would not be advisable to insert such an amendment in a general measure of this kind. He thought it would be better to withdraw it, and he would undertake to consider the matter carefully and favorably.

Mr. GRAHAM said there was some force in the arguments of the honorable the Secretary for Lands, and on the understanding that the cases referred to would be taken into consideration by the Government, he would withdraw the amendment.

Amendment withdrawn accordingly.

Mr. DE SATGE said he had an addendum to move to the clause, providing for the compensation of lessees of runs. Six years ago an agreement was made with the lessees of runs, and the Government had now an opportunity of redeeming the pledges then made, and of saving the credit of the colony, either by non-resumption, or by giving such compensation to the lessees as might be deemed fair and reasonable. He had no hesitation in saying the credit of the colony, in the eyes of the neighbouring colonies, and of those who had invested capital in the colony, was at stake; and if these clauses were passed as they now stood, they would be wired through all the colonies as direct repudiation of the agreements made by the Land Act of 1868 with the pastoral lessees. Clause 9, if passed, would be wholesale repudiation of these contracts; but, if the Government consented to make an addition to it, allowing fair compensation, it would have the effect of taking the sting out of it to some extent, and preventing such a gross act of injustice as they would perpetrate otherwise. He believed that if injustice had been done under the Act of 1868, it had been through the evil working of it; and if dummiers had selected considerable quantities of land, why should the pastoral lessees suffer for that? No demand for land had been shown to exist which could not be satisfied from the lands still open for selection in the resumed halves of runs; and, if the Act of 1868 had been a scandal throughout the colony, he maintained the lessees were not those who should suffer for it, but it was the country at large. He proposed the following addition to the clause:—

> "As compensation for the surrender of all rights of the lessees as above provided it shall be lawful for the lessee of the land so resumed to select an area in one block not to exceed ten per cent. of the land to be resumed such land to be paid for by the said lessee at the same rate as hereinafter provided for Crown lands."

Mr. PETTIGREW said he would be quite prepared to give compensation to the pastoral lessees on the same principle as compensation was given when land was resumed for roads

under the Act of 1868—the selector in that case was allowed about double the price he paid per acre; and as the squatters paid about a farthing per acre, or perhaps a little more, and double that would be about three farthings, he would be quite willing to allow them compensation at that rate. But the idea of ten per cent. was monstrous; a more barefaced attempt to rob the country of its land was never before attempted, and he hoped honorable members would scout it out of the House.

Mr. PECHEY said he could not allow this amendment to pass without offering some objections to it. He believed it was understood by honorable members on that side of the House that the first fourteen clauses were to be passed, and he objected to amendments being introduced in this way, at the very last moment, and when honorable members on that side of the House had no opportunity of comparing them with the different clauses of the Bill, so as to ascertain what effect they would have. If they were mere verbal amendments, they would not be of so much importance; but several amendments of an extensive character had been proposed by honorable members opposite, and he believed it was merely an attempt to muddy the water while the eel slipped through the fingers of the man who was trying to catch it. He trusted honorable members on that side would support the honorable the Minister for Lands in carrying the first fourteen clauses through in their entirety, and that that honorable member would not give way to those insidious amendments which were coming from the Opposition benches.

Mr. STEWART said he was not aware of any understanding that the first fourteen clauses should be passed without any amendment, and he wished to exclude himself from any such arrangement.

The amendment was then put and negatived on the following division:—

Ayes, 12.	Noes, 17.
Mr. Bell	Mr. MacDevitt
„ Thompson	„ Macalister
„ J. Scott	„ Dickson
„ De Satgé	„ Beattie
„ Wienholt	„ Hemmant
„ Royds	„ Foote
„ H. Thorn	„ Miles
„ J. Thorn	„ Moreton
„ W. Scott	„ Stewart
„ Ivory	„ Pechey
„ MacDonald	„ Edmondstone
„ Buzacott.	„ Macrossan
	„ Fraser
	„ Pettigrew
	„ Stephens
	„ Bailey
	„ Groom.

Mr. WIENHOLT said he did not think they could let the clause pass in its present form. He for one could not allow such a gross act of injustice to be perpetrated, and he thought the honorable the Minister of Lands had better, as the hour was late, postpone the further consideration of the Bill until a future day.

Mr. FOOTE thought honorable members on the other side should accept defeat gracefully, and he hoped the honorable the Secretary for Lands would not give way. For his part, seeing there was likely to be factious opposition, he would sit there, if necessary, until to-morrow morning.

Mr. DE SATGE thought the honorable the Minister for Lands ought to have done the twelve or thirteen honorable members on that side of the House, the courtesy of explaining his reasons for opposing this measure for the compensation of lessees. He was sure that at the time of the passing of the Act of 1868, no one ever dreamt that the ten years' leases would not continue in force until the expiration of that period.

The SECRETARY FOR PUBLIC LANDS said there were several reasons why he objected to this compensation, and the first was this: So far from the honorable member's statement being correct, when the Act of 1868 was passed, no one for a moment imagined that the lands would not be resumed; and a large majority of the Parliament of that day took special care to reserve power for the resumption, and they could have had no object in doing so unless it was intended to resume. In fact, it was provided that the right to hold these lands for ten years never should belong to the squatter. He was to hold the land until it was required for settlement, and no longer; and of course, if it were not required for settlement, he would hold it for the ten years. The whole principle of squatting was that the occupants of runs should have the use of the natural grasses until the land was required for public purposes, and he objected to give compensation for taking away from persons that which did not belong to them.

Mr. WIENHOLT maintained that the Bill absolutely deprived the lessees of certain rights they held under the Act of 1868. The whole tenor of that Act undoubtedly showed that it was the intention of the Legislature that these resumptions should only be made in a certain way when the land was really required for some public purpose, and not as was pointed out by the honorable the Minister for Lands; and as this Bill provided that the land should be taken away from the leaseholders, to be used for precisely similar purposes—to be taken from one grazier and given to another—it was repudiation of the very worst character. He would like to know what a man could do with 2,560 acres unless it was to graze stock on the natural grasses? To talk of using such an area for agricultural purposes was ridiculous.

Mr. J. SCOTT said there could not be the slightest doubt that this clause was neither more nor less than repudiation. An agreement was made, in 1868, by which the lessees gave up the halves of their runs on the clear understanding that they should hold the other half for ten years, or until they were required for public purposes. It had

been said that they were now required for public purposes; but the best evidence that they were not, was the fact that not one fiftieth part of the land which had been open for the last six years, had been taken up. And yet, in the face of that, in the face of an Act of Parliament, and in the face of a special agreement, this land was to be taken away from the pastoral lessees. Was not that spoliation? It was barefaced robbery, and nothing else. The Government were trying to legalise a robbery—to legalise spoliation. He maintained, if their runs were taken away, they should have compensation, and he considered the compensation proposed by the honorable member for Normanby, fair and reasonable.

The SECRETARY FOR PUBLIC LANDS said he was perfectly satisfied there was a large demand for land for legitimate settlement, more or less, in every part of the colony, and he thought the clause ought to be passed exactly as it stood. Then, where was the bargain broken, as the honorable member said it was? If he could show it, they would have something to go upon.

Mr. BELL contended that there was repudiation in this clause, because it was in violation of an undertaking that there should not be free selection over the leased halves of the runs.

Mr. IVORY would oppose the Bill through thick and thin, and was perfectly prepared to sit there till morning to oppose it. He maintained that these clauses were a most arrant piece of repudiation. He challenged the honorable the Minister for Lands to show that land was required, and even if it were required, why should it not be resumed in a proper and legitimate manner? The lessees were perfectly prepared to give up the land when it was required by the public, but he again asserted that there was no demand for it. The Government seemed to have resorted to the savage principle that they should take who had the power, and they should keep who could; they were trying to perpetrate an act of injustice by a side wind, which they could not do if they attempted it in a direct manner. He would sooner have free selection over the whole colony than this abominable measure.

The CHAIRMAN said, according to the 33rd Standing Order, after the voices had been taken, no member had a right to speak, and no member could now speak.

Mr. J. SCOTT rose to a point of order. He submitted that the voices had not been taken on the question before the committee; they had been taken on a previous question.

Mr. IVORY moved—

That the Chairman leave the chair, and report the point of order to the Speaker.

Question put and negatived, on division—ayes, 10; noes, 21.

The clause, as amended, was then put and passed, on division:—

Ayes, 18.	Noes, 10.
Mr. Macalister	Mr. Bell
„ Stephens	„ Ivory
„ Hemmant	„ Thompson
„ MacDevitt	„ Royds
„ Pechey	„ Walsh
„ Pettigrew	„ H. Thorn
„ Bailey	„ MacDonald
„ Moreton	„ Edmondstone
„ Beattie	„ Buzacott
„ Macrossan	„ W. Scott.
„ Dickson	
„ Groom	
„ Stewart	
„ Miles	
„ J. Thorn	
„ Fryar.	

The SECRETARY FOR PUBLIC LANDS moved the omission of the words "It shall be lawful for."

Mr. BELL said he did not rise to oppose the amendment, but to move—

That the Chairman leave the chair and report progress.

Mr. GROOM thought that the motion should be resisted. He had not detained the committee up to that time with any useless discussion, and, therefore, he considered he had a right to oppose the motion. They saw for once, in the history of the colony, that the tables had been turned, and that there were now on the Government side of the House the people's representatives, and on the other, the representatives of the Crown tenants, who had always been opposed to them. He had heard a great deal about repudiation and spoliation, but he was a member of that House in 1868, when the present Act was passed, and he then heard the same charges of repudiation made. It was then considered, by honorable members on his side of the House, that that Act was merely a compromise, and the result of an unholy alliance between the squatters in the North and those on the Darling Downs. He considered that what had been done, as far as the present Bill was concerned, was nothing but fair and just to the people of the colony; and he trusted that the Government would take the Bill, and nothing but it. He hoped that the Government would remain till three o'clock on the following afternoon, rather than give way. As to repudiation, it was all nonsense. It was saying that nine honorable members opposite were to consider themselves the freeholders of the colony, and that the people outside were not to have a voice in the matter of dealing with the lands. There were gentlemen outside who had made fortunes out of the use of the Crown lands—who were now living in England in the most princely way, and who, at the same time, hardly paid a shilling of taxes in the colony; and yet the representatives of that class went to that House and talked of repudiation and spoliation. He had noticed only lately in an English newspaper that one gentleman had given £38,000 for an estate in England with money that was derived from a run on the

Darling Downs, which the Government now proposed to throw open for selection. From the year 1868, down to the time of the last general elections, the cancellation of the ten years' leases, without compensation, had been the one principal topic with the people. He hoped the Government would adhere to their Bill, for if they were not true to the people now, they would very soon find themselves in a minority.

The SECRETARY FOR PUBLIC LANDS said he should oppose the motion as often as it was made; he should certainly insist on passing the next two clauses that night.

The Hon. B. B. MORETON said that although he was supporting the Government, he must oppose them on the present occasion, as he considered that the time of the House had been principally wasted by the long speeches of honorable members who were supporters of the Government.

The question of adjournment was put, and the committee divided, with the following result:—

Ayes, 11.	Noes, 17.
Mr. Thompson	Mr. Thorn
„ Buzacott	„ Walsh
„ Bell	„ Bailey
„ Graham	„ Dickson
„ H. Thorn	„ Pettigrew
„ Moreton	„ Stephens
„ MacDonald	„ Hemmant
„ Royds	„ Pechey
„ Wienholt	„ Stewart
„ W. Scott	„ Foote
„ Ivory.	„ MacDonald
	„ Edmondstone
	„ Fraser
	„ Macrossan
	„ Miles
	„ Beattie
	„ Groom.

Mr. WIENHOLT moved—

That the Chairman leave the chair and report progress.

After some discussion as to the advisability of proceeding further with the Bill, considering the lateness of the hour,

The COLONIAL SECRETARY moved—

That the Chairman leave the chair, report progress, and ask leave to sit again.

Question put and passed, and the House having resumed,

The SECRETARY FOR PUBLIC LANDS moved—

That the committee have leave to sit again this afternoon, to take precedence of all other business.

Question put, and, after debate, resolved in the affirmative, on the following division:—

Ayes, 16.	Noes, 5.
Mr. Macalister	Mr. Bell
„ MacDevitt	„ Wienholt
„ Stephens	„ Thompson
„ Pettigrew	„ Royds
„ Edmonstone	„ W. Scott.
„ Fryar	
„ Beattie	
„ Bailey	
„ Macrossan	
„ Dickson	
„ Groom	
„ Pechey	
„ Stewart	
„ Hemmant	
„ J. Thorn	
„ Foote.	