Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 24 JUNE 1874

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LEGISLATIVE ASSEMBLY.

Wednesday, 24 *June*, 1874.

Audit Bill.—Adjournment.—Public Business.—Crown Lands Sales Bill.—Gold Fields Bill.

AUDIT BILL.

The COLONIAL SECRETARY moved, without notice, that the order of the day for the third reading of this Bill be restored to the business paper. Owing to a misapprehension on his part on the previous evening, the order of

the day had dropped off the paper through his moving the adjournment of the House when the third reading of the Bill was called on.

The SPEAKER reminded the honorable member that the motion could only be put without notice by the consent of the House.

Mr. PALMER said he should like to have some information on the subject as to how the Bill had got off the paper, and he should certainly object to the motion until some explanation was given. If the Ministry intended to play fast and loose with their Bills, he should certainly oppose such a proceeding. He had assisted them to pass the Audit Bill, and he must say that he had been very much astonished, on taking up the business paper, to find that it had been allowed to drop off from the paper. On making inquiries he found that it had been sent off the paper by the honorable member at the head of the Government, who had superseded it by moving the adjournment of the House. If that was the style in which the business of the House was to be carried out, he should most strongly object to give the Government any assistance in putting on Bills after they had chosen to take them off. Unless the House had some better explanation from the honorable Colonial Secretary than that he had already given, he (Mr. Palmer) should oppose the motion.

The COLONIAL SECRETARY said that he was aware that the motion could not be put except by consent of the House. He had, as he stated before, moved the adjournment of the House on the previous evening, under a misapprehension. His attention was distracted, at the moment, from what was going on by a conversation which was taking place, and what was done was done quite unintentionally on his part. Of course, if the honorable member persisted in his objection, he should give notice of motion for the following day; but he believed it had always been the practice to allow such a motion to pass when a Bill had dropped off the paper by mistake.

Mr. PALMER said he should object to the motion. He did not see the honorable Colonial Treasurer in his place.

The COLONIAL SECRETARY then gave notice of motion for the next day.

ADJOURNMENT.

Mr. PALMER moved—

That this House do now adjourn.

He might state his reason for doing so was, in order that he might obtain some information from the honorable member at the head of the Government, on a subject which he considered was of some importance to the colony. If his information was correct, a number of diggers from the Endeavour River had rushed one of the A.S.N. Co.'s vessels, set everybody on board at defiance, had cleared the saloon tables twice, and had otherwise behaved in a most riotous manner; and although, as he was informed, they had plenty of money to pay for their passages to Brisbane, they had refused to do so. On their arrival at Brisbane those men were brought before the Police Court and were each sentenced to pay a fine, or in default of doing so to be sent to prison for a certain term. At all events they were imprisoned, but, to the astonishment of the prosecutors, and it was believed to the great detriment of the trade at the port of Cooktown, the prisoners were set at liberty very shortly after they were sentenced, by the Government or by some member of it. There was a doubt under what authority, or on what grounds, those men were set at liberty, and he had moved the present motion with the hope of obtaining some information upon that point. He might say that, as a result of the conduct of the Government with reference to those men, there was no doubt that the next of the company's vessels which left Cooktown —intelligence of the release of the men having been telegraphed in the meantime—would be taken possession of almost, or at all events a very large number of diggers would come down by it without paying, feeling certain that on their arrival in Brisbane they would be treated in the same way by the Government as the other men had been. They would feel that they could go on board as they chose, do as they pleased on board, and that, on their arrival at Brisbane, they would be set at liberty. He had been further informed by the agent of the A.S.N. Company that he had applied more than a week ago to the Colonial Secretary, on hearing that the men had been set at liberty, to ascertain to what department he was to send in vouchers for the passage money of those men, but, up to yesterday, he had received no reply to his application. He thought it would be admitted by the House that if the Government set those men at liberty, it was only fair that they should pay their passage money; he considered, in fact, that the Government were bound to do that. A still more serious feature in the matter had been suggested. It was well known to everyone who had taken the trouble to inquire into the case of those men, that, at the time they were released, His Excellency the Governor was out of town, and there was a very strong suspicion out of doors that the men had been pardoned without His Excellency's consent having been given. That was certainly a rumor, but still, as there were grounds for suspicion, it was necessary that it should be contradicted. It was looked upon as almost impossible that the Governor could have been communicated with, even by telegraph, and an answer received before those men were liberated. But, as he said before, that was only a rumor, and he looked on it as such. Should it, however, get to Cooktown, the next steamer leaving there for Brisbane might be taken possession of by men who considered that, after the action of the Government, they

had *carte blanche* for doing so. The matter had attracted considerable attention outside, and therefore an explanation from the honorable member at the head of Government would be satisfactory.

The COLONIAL SECRETARY said that there was no doubt that the honorable member had got part of the truth of the matter, but not the whole of it, and it was evident that he had been misinformed on many points. He would state at once, that the men in question were set at liberty by the usual Executive action. The Government had full power, and it was not correct that the men were released on the authority of one Minister only. The facts were as follow:—The men, on their arrival in Brisbane, were brought up at the Police Court, were fined each £5, or 14 days' imprisonment, and were ultimately released; the Government had nothing, however, to do with what took place on board the vessel, but they happened to know that if the company had behaved in that case, as they had done with a number of others of the same kind, they would have been paid by the Government for the passages of those men, as they had been for the passages of others; for, as he had mentioned in the House, some time ago, in answer to a question put to him, the Government would be quite prepared to pay the passages of those persons who had not otherwise the means of returning to Brisbane. As regarded the rushing of the steamer, that was a matter with which the Government had nothing to do; and as regarded an application having been made to him for the passage money of those particular men, all he could say was, that he had received no application whatever. He had no hesitation, however, in saying that if the company chose to apply for the passage money, the Government had no desire to place them in a worse position than they had hitherto been, as regarded other persons whom they had brought down. The men had been released by an act of prerogative, and the Government had acted perfectly judiciously in what they had done.

The motion was put and negatived.

PUBLIC BUSINESS.

The COLONIAL SECRETARY moved, pursuant to notice—

That, during the remainder of the present session, "Thursday" be added to the days on which Government business takes precedence in each week.

Honorable members would see that the amount of private business on the paper was not very great, and could soon be disposed of; but there was a great deal of Government business which it was most desirable should be got through, especially as many honorable members were anxious to return home as soon as possible.

Mr. MILES moved—

That the question be amended by the omission of the word "Thursday," with the view of inserting in its place the word "Friday."

Mr. BELL said he did not know which was the worst proposition of the two—the motion or the amendment; but he thought the amendment was the worst, as there were many country members who liked to attend when Government business was on, and could not be present on Fridays. He thought that the Government were getting on very well with their business, and that there was no necessity for the motion.

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

Ayes, 26.	Noes, 11.
Mr. Macalister	Mr. Palmer
„ Stephens	„ Thompson
„ Hemmant	„ Bell
„ McIlwraith	„ Wienholt
„ W. Scott	„ Ivory
„ MacDevitt	„ Miles
„ Griffith	„ MacDonald
„ Royds	„ Buzacott
„ Dickson	„ Moreton.
„ Groom	
„ H. Thorn	
„ Nind	
„ Beattie	
„ J. Thorn	
„ Bailey	
„ Macrossan	
„ Hodgkinson	
„ Pettigrew	
„ Foote	
„ Low	
„ Fraser	
„ Edmondstone	
„ Pechey	
„ Morgan	
„ Stewart	
„ Fryar.	

Mr. ROYDS moved That the question be amended by the insertion of the words "and Friday" after the word Thursday.

The question was put and negatived.

The original question was put, and the House divided.

Noes, 25.	Noes, 8.
Mr. Morgan	Mr. Palmer
„ Fryar	„ Thompson
„ Stewart	„ Bell
„ Edmondstone	„ Royds
„ Fraser	„ Moreton
„ Groom	„ Ivory
„ Low	„ MacDonald
„ Pettigrew	„ Miles.
„ Macrossan	
„ J. Thorn	
„ Beattie	
„ Buzacott	
„ Nind	
„ H. Thorn	
„ Wienholt	
„ Dickson	
„ Griffith	
„ Hodgkinson	
„ MacDevitt	
„ Hemmant	
„ McIlwraith	
„ Stephens	
„ Macalister	
„ Foote	
„ Pechey.	

CROWN LANDS SALES BILL.

The House resolved itself into a Committee of the Whole, for the further consideration of this Bill.

On clause 60 (being the first in reference to mining leases),

The SECRETARY FOR PUBLIC LANDS said that in accordance with a promise he had given, he

now proposed, in order to facilitate the passage of the Bill, to withdraw the clauses relating to mining leases. He might mention that they were quite distinct from any other part of the Bill, and could therefore be omitted without interfering with any other clauses. The object of withdrawing them was because they would be left under the Act of 1872, which was now in force.

Clauses 60 to 76 inclusive, were withdrawn accordingly.

Mr. THOMPSON then moved the following new clause :—

"The Governor in Council may grant licenses to mine for coal on temporary or permanent reserves on such terms as to securing the surface license fees royalties or otherwise as he shall see fit."

He explained that the necessity for this arose from the fact that in the neighborhood of Ipswich and elsewhere the country had been cut up into small farms, never anticipating that coal mining would be carried on in the locality; and this clause would give power to grant licenses to pass under any road or reserve. This was now done without authority, and it was better that provision should be made for such cases.

Mr. BELL thought very stringent rules should be laid down on these matters, because, if they did not do so, a man who was working the outcrop might cause the man working below him on the seam to be flooded out. He thought that where objections were raised to these licenses being granted, they ought not only to have full consideration, but, in cases where it was necessary, they should be refused.

The clause, having been slightly amended by the mover, was put and passed.

The SECRETARY FOR PUBLIC LANDS moved a new clause, to follow clause 81—to the effect that if a conditional selector of lands within ten miles of the sea-coast, or of any navigable river, should set forth in his application that he intended to use the land for the cultivation of sugar or coffee, he should be allowed to select a block of not less than 320 acres, nor more than 1,280; and on proof within three years that one-tenth part of the land was under cultivation in either sugar or coffee, he should be released, on applying for his grant, from proof of residence or further or other cultivation; but otherwise he should be under the same conditions as other selectors.

Mr. FRYAR thought the clause was unnecessary, inasmuch as the Bill provided for everything in it, except that a man could not take less than 320 nor more than 1,280 acres. It was a useless clause, which would only encumber the Bill.

After some discussion,

The SECRETARY FOR PUBLIC LANDS said that as most of the points intended to be met by this clause were already provided for in other portions of the Bill, he would withdraw the clause.

Clause withdrawn accordingly.

Clause 82—Conditions upon which commons may be proclaimed—moved.

Mr. THOMPSON asked the honorable the Secretary for Lands if these clauses, dealing with the township commons, were the same as in the Act of 1868?

The SECRETARY FOR PUBLIC LANDS said they were the same, *verbatim*.

Mr. GROOM said, as he understood the clause, it only applied to township commons; but he was of opinion that there were agricultural districts, where there were no townships, which also had a perfect right to the accommodation afforded by a common for the settlers to graze their stock upon. He therefore intended to move an amendment to that effect; and he might state that he had mentioned the matter to the honorable the Secretary for Lands, and he was quite willing to accept it. The necessity for these commonages arose in a great measure from the fact that in the olden time the operation of the land laws was such that it was impossible for farmers to take up anything like a large area of land; they had to confine themselves to blocks of from ten to fifty acres, which were totally inadequate for grazing the few head of cattle they might have. He therefore thought it was only reasonable that some provision should be made for these persons; and in order to provide for the proclamation of commons in agricultural districts he would move that in line 55 the word "such" be omitted, with a view of inserting "any."

Mr. WIENHOLT hoped the honorable the Minister for Lands would not accept the amendment. He thought it was quite sufficient to grant commonages to towns, and if they were going to dot them all over the country, they would be a perfect pest to the settlers themselves, who would never be able to agree amongst themselves as to their use. And, besides that, they could only put them alongside one or two men in an agricultural district, and they would only be of use to those in their immediate neighborhood. He also believed that they would be a perfect nest for the propagation of Bathurst burr and other abominations; the township reserves were covered with that destructive weed, and there was the greatest difficulty in keeping it down at present. In fact, the holders of stock were already put to sufficient expense and trouble in connection with it without having further means provided for scattering it all over the land.

Mr. PALMER hoped the honorable the Secretary for Public Lands would consider seriously before he accepted the amendment. He was satisfied that what had been stated by the honorable member for Darling Downs was correct; that these commons in agricultural districts would be a perfect hot-bed of burr and other weeds, and he also believed that they would give additional inducements to cattle-stealing.

Mr. PECHEY said, so far as Bathurst burr was concerned, any person could prevent the spread of it by applying the Bathurst Burr Act, and if that Act were not at present properly applied, it was because there were no persons who took sufficient interest in the matter to enforce it. He believed the district represented by the honorable member for the Darling Downs would be greatly benefited by the proposed amendment; and he would also point out that under this Bill the right of a selector taking up land on the resumed leases would be confined to his own boundary, and if his cattle went one yard beyond it the pastoral lessee would be able to impound them. He trusted some steps would be taken to remedy that state of affairs, and it was with that view he asked, a short time ago, if the Government intended to amend the Impounding Act. The pastoral lessees might also be seriously injured by men taking up cattle camps on runs for the express purpose of trapping their cattle; and he thought the establishment of commonages would, to a certain extent, ease these difficulties. He also hoped that some further legislation would take place shortly to compel the fencing of these lands. In fact, he thought that all lands not held under lease for pastoral purposes should be fenced before the holders should be entitled to impound; because, if that were not done, he believed a system of retaliation would be carried on between selectors and pastoral lessees all over the colony, which would destroy all harmony, and ought to be avoided as far as possible. He hoped the amendment would be agreed to, because he believed it would do great benefit to the settlers in agricultural districts, and that it would do no injury to the pastoral tenants, who, by agreeing to it, would show that they were not antagonistic to the agricultural settler.

Mr. WIENHOLT said he was not antagonistic to the settler in any sense of the word; he did not think he was, at any rate; and he maintained that if the honorable the Minister for Lands acceded to this amendment, he would create a curse throughout the colony —a curse even to the settlers it was proposed to benefit. They had already all sorts of diseases prevalent amongst stock throughout the colony, and these small commonages would be a perfect nursery for all these diseases and abominations. He could not see what use they would be, because only very few could take advantage of them; and as any man who was desirous of keeping stock could take up a sufficiency of land under this Bill, he thought any provision of the kind was perfectly unnecessary, and that it would be an exceedingly bad principle to introduce into the Bill. He did not know whether town commonages were of much benefit, but still one could understand that the people resident in towns would wish to have a commonage round about them, because they could not keep their stock in their houses; but in an agricultural district, where a man could take hundreds of acres to keep stock, they were perfectly unnecessary.

Mr. MILES had not the slightest objection to the Government proclaiming commonages; but he thought they ought to make some provision, by which the growth of Bathurst burr and other weeds could be prevented. He believed, however, that there was something radically wrong about the reserves for cattle grounds, which were of no earthly use to travellers, because they were monopolised by people feeding sheep and cattle upon them without paying a penny for their use. These places were, as a rule, simply nurseries for the propagation of Bathurst burr; and if the commonages were going to be treated in the same way, it would be better to strike them out of the Bill altogether. The "Darling pea," or "indigo," was another great and dangerous nuisance, which was spreading in all directions over the Darling Downs, and he thought provision should be made, that those who occupied the commons should keep them free from weeds.

Mr. MOREHEAD hoped the honorable the Minister for Lands would not accept the amendment. It would be a glorious triumph for the Government to carry one clause of their own without amendment.

Mr. PECHEY said the evils referred to arose from pieces of land being thrown open for public use, but they were in charge of nobody; but if this amendment were carried, it would be in the power of the Minister for Lands to place these pieces of land temporarily in the hands of certain bodies to frame regulations for the management of them; and no doubt the regulations would prevent those things which the honorable member for Darling Downs objected to so strongly, from taking place. No doubt, if these places were left as they were, they would be of no use to anybody, but a nuisance to the country round; but he thought the amendment would not only be of great benefit to agricultural settlers, but also to pastoral tenants who had stock to bring to market.

Mr. GRIFFITH said he had been requested to support a proposition of this kind if it were brought forward. There were a great many farmers in his constituency who had taken up small quantities of land, upon which it was impossible for them to graze the cattle they actually used on their farms, and they considered it an injustice that they should not be allowed the same accommodation in that respect that was granted in other places; that although there was plenty of vacant land they had no right to let their cattle graze upon it. He could not see why persons in that position should not be placed in the same position as residents in townships, and he therefore hoped the amendment would be carried.

The SECRETARY FOR PUBLIC LANDS said the difficulties that had been mentioned in

regard to commonages arose from the fact that when the land was proclaimed it could not be sold and it was left under the control of nobody. He thought it much better that they should be placed under proper control, and he could not see that the amendment would do any harm. At present those places, being in the charge of nobody, became a nest for Bathurst burr and weeds; and if they were placed in the hands of trustees, as proposed, there might be some chance of controlling the nuisance.

Mr. WIENHOLT again urged that there was not the slightest necessity for commonages in agricultural districts, and expressed his opinion that they would tend to encourage cattle-stealing, and be a curse to the colony.

Mr. MILES said he would not object to the amendment if some provision were made for keeping the commonages in order. He thought, if they were placed in the hands of trustees and a small charge were made for the use of them, which should be expended in keeping down weeds, there could be no objection.

Mr. GROOM said the honorable member for Port Curtis stated that these commonages would encourage cattle-stealing, but he had been requested to introduce the amendment by a class of settlers on the Darling Downs, who suffered very much from cattle stealing, for the very purpose of putting it down. They believed that if commonages were established in the agricultural districts on the Darling Downs and elsewhere, with a ranger who would be appointed to perambulate them both day and night, it would prevent cattle-stealing, which was notorious in certain places just now. He had no personal interest in the matter, and he merely introduced the amendment in the interest of persons who suffered very much from the want of commonages. He felt sure it would not result in the evils to the pastoral tenants which some people imagined, and that it would be a great benefit to the country.

The SECRETARY FOR PUBLIC LANDS thought some honorable members were under a misapprehension with regard to this amendment. Commonage reserves would be proclaimed totally irrespective of it, and the people at Oxley could apply for one at any time; and the only effect of the amendment would be to enable the Government to get those places under the surveillence and management of trustees, which would be far better than the present system.

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

The word "any" was then inserted; and the clause having been further amended by inserting the words "or agricultural district" after "township," in line 55—was put and passed.

Clause 83—Extent of common—was amended so as to agree with the amendments in the previous clause, and passed.

Mr. MACDONALD asked, whether the word "sale" meant sale by auction?

The SECRETARY FOR PUBLIC LANDS said it meant sale by auction, or any other sale.

Mr. MACDONALD thught that, if that was the case, the clause would leave room for favoritism by the Government, as they might sell the land privately, and thereby inflict an injustice upon a great number of people. He would move that the words "by public auction" be inserted after the word "sale."

The SECRETARY FOR PUBLIC LANDS pointed out that the clause gave no power to the Government to sell land except in accordance with provisions contained in other parts of the Act. The amendment of the honorable member would not prevent the Government throwing open the land for selection.

Mr. MACDONALD did not think that the reserves should be thrown open for selection, but that, if they were alienated at all, it should be by public auction.

The question—That the words proposed to be inserted be so inserted, was put, and negatived.

The clause was agreed to.

Clause 89—Grants to Volunteers.

The SECRETARY FOR PUBLIC LANDS moved that the clause be withdrawn, in order that it might be placed in the Volunteer Bill, which was the proper place for it.

Motion agreed to, and clause withdrawn accordingly.

Mr. BEATTIE moved the following new clause:—

"Every officer and member of any Fire Brigade the services of which shall have been accepted by the Governor-in-Council shall be entitled after having served as an efficient member of such force for a continuous period of five years to receive a free grant of ten acres of suburban land or fifty acres of country land subject to such regulations and conditions as may from time to time be approved of by the Governor in Council and laid before both Houses of Parliament And the certificate of the officer commanding any such Fire Brigade shall be sufficient evidence that any officer non-commissioned officer or member of such Fire Brigade has served as an efficient member of such Fire Brigade the prescribed term of five years."

He thought that if the volunteers as a body deserved consideration at the hands of the Government, the majority of the committee would agree with him that the members of the body he had named in the clause also deserved some attention, because he believed that they did a great deal of good. He thought it was unnecessary to take up the time of the committee, and would therefore content himself with moving the clause.

The SECRETARY FOR PUBLIC LANDS said that in withdrawing the clause relating to the Volunteer force, he thought it might be considered that the committee had also withdrawn the one brought forward by the honorable member. He might mention that there was a considerable amount of interest used in

order to get a similar clause slipped into the Act of 1868, but without success. He had no hesitation whatever in giving most unqualified praise to the Fire Brigade, but they were at present volunteers only, and he thought it would be a great deal better that they should have the privilege of remaining so. He would be glad to see the members of Fire Brigades rewarded in some way or other, if possible; but he did not see how they could pay volunteers, and as the committee had decided against the clause relating to the Volunteer force, he did not see how the clause proposed by the honorable member could be passed.

Mr. PALMER said, he was delighted to be able for once to agree with the honorable Secretary for Lands; it was most unusual for him to do so, but he must say that he agreed with almost every word uttered by the honorable gentleman. Further than that, he would warn the honorable member for Fortitude Valley, that if the clause did by any accident get into the Bill, it would do more to ruin his corps, which was at present a very efficient body, than anything else possibly could do. So long as the honorable member retained his men as volunteers, and volunteers only, he was likely to have a good corps, but the moment the honorable member made it an object of ambition with them to have land grants, he would ruin them. He ventured to say that granting land orders had done more to injure the Volunteer force of New South Wales and of Queensland, than anything else. Whilst he admitted that the services of the Fire Brigade had been very valuable, and that the corps was very efficiently conducted, he should feel obliged to vote against the clause. He objected to the whole principle of giving land grants to volunteers, although in their case it was somewhat different, as they were regularly enrolled under an Act of Parliament. If the clause was carried, however, every thing would be left in the hands of the officer; the men were under no Act, and there would be no limit whatever to the number of men that might be put into the brigade. At all events the clause was inapplicable to the present Bill. If the honorable member at the head of the Government proposed in his Volunteer Bill to continue the system of giving land orders—which he trusted the honorable member would not do—then the system might be extended to fire brigades. He had heard officers of the Volunteer force say that there was nothing they deprecated so much as the land grants, and that they had done the force very great injury. He considered that they ought to be volunteers pure and simple.

Mr. BEATTIE, in reply to the honorable member for Port Curtis, pointed out that there would be some restriction, as the Fire Brigades would have to be approved of by the Governor in Council, so that the Government would have control over them. It was of course a matter of opinion, but he considered that men who served for five years in a Fire Brigade, should receive some recognition of their services—but not as payment for those services. Seeing, however, that the clause relating to volunteers had been withdrawn, he presumed the best course for him to pursue was to withdraw his motion.

Motion, by permission, withdrawn accordingly.

Mr. DICKSON moved a new clause to follow clause 90, the purport of which was to the effect that, when any land was thrown open for selection, plans, &c., of it should be exhibited for the information of the public, at the district land agent's office.

The SECRETARY FOR PUBLIC LANDS thought it was a clause which should not be inserted in the Bill, as it was merely a departmental matter—a matter of administration. He quite approved of the suggestion, and he fully intended to have such maps prepared; still, he considered that the Act should not be cumbered with purely departmental details.

Mr. PECHEY was in favor of the clause, as he believed that every possible information should be given to intending selectors.

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

Ayes, 13.	Noes, 17.
Mr. MacDonald	Mr. Stephens
„ Buzacott	„ Macalister
„ Ivory	„ MacDevitt
„ Bell	„ MacIlwraith
„ Fraser	„ Low
„ Griffith	„ Bailey
„ Thompson	„ Hemmant
„ Dickson	„ Beattie
„ Moreton	„ Pettigrew
„ H. Thorn	„ Royds
„ Miles	„ Morehead
„ Pechey	„ Wienholt
„ Groom.	„ Edmondstone
	„ Stewart
	„ Fryar
	„ Foote
	„ J. Thorn.

Mr. GRIFFITH rose to propose the insertion of a new clause, to follow clause 92, the object of which was to affirm the principle that there should be a perpetual rent upon land, bringing in a perpetual revenue to the State. There were many ways of bringing about that result, the best perhaps being that there should be leases granted for a certain number of years. In the adoption of that principle, he was met with the difficulty that, at the expiration of the time, there would be some trouble in their renewal; for, although they knew that in England the difference in value between a leasehold of ninety-nine years and a freehold was not more than two and a-half per cent., yet, in this colony, there was a very strong prejudice in favor of a deed of grant. He thought he might claim the support of the honorable Minister for Lands for his scheme, as that honorable member had, on more than one occasion, proclaimed his belief in the principle embodied in the clause he was about to propose. At the present time, the honorable member might not be prepared to give it his

adherence, but he trusted that all other honorable members who believed in the principle that the State should derive an annual revenue from its lands, would give him their support. It had been said that his proposition was equivalent to a land tax, but there was a difference between it and what was commonly called a land tax. A land tax proper, as he took it, was a local rate imposed for some municipal purpose by some rating power in the locality, and was an amount annually assessed according to the value of the property; but what he proposed was a perpetual rent similar to the system of "feu," under which a large quantity of land was held in Scotland. It had been used as one argument against the scheme that there would be great difficulty in the collection of such rent; but he could not see that there would be any more difficulty in collecting the minimum amount proposed by the clause than in collecting the sixpence per acre on lands alienated under the Act of 1868; at the same time, there was a certain amount of difficulty in collecting every tax. As to its being a burden, the amount would be almost inappreciable to the individual; at the same time, in the aggregate, it would be of considerable benefit to the State. He thought there was hardly an honorable member who did not believe that, sooner or later, they must adopt some such principle; and if they were coming to it, he considered that the sooner it was brought into operation the better. If the principle had been adopted at the commencement of the colony, the income arising from it would, he believed, now be hundreds of thousands of pounds—or, at all events, a very considerable sum. It was not, however, too late yet. The land at present alienated was very small in quantity, and would bear but a very slight proportion to what would be alienated within the next twenty years. The receipts would consequently be very great, and would make it worthy of even the consideration of the Honorable the Colonial Treasurer, who, he believed, unlike his honorable colleague, the Minister for Lands, disapproved of the principle. The clause he proposed was as follows:—

"In any deed of grant issued under this Act there shall be reserved an annual rent payable to Her Majesty for ever Such rent shall be at the rate of one-fortieth part of the full purchase money paid for such land and a proportionate part thereof shall be payable in respect of every acre or part of an acre of the land comprised in such grant Provided that no such rent shall be at a less rate than three pence for every acre or part of an acre Such rent shall be payable at the Treasury in Brisbane or at such other places as the Governor in Council may appoint on or before the thirty-first day of March in every year.

He thought, therefore, three pence an acre was a fair sum to be put down, as it would not affect the price of land, or be a burden upon the individual, and yet it would be a considerable increase to the revenue every year.

Mr. BELL said he put the question to the honorable member for Oxley, as to whether this was intended to have a retrospective effect, in all seriousness; because his opinion led him to believe that not only should all future selections of land under the Crown in this country be held under lease for ninety-nine years, but he thought it was not a bit too late to go back and place all the alienated land in the same position. That was his firm belief; he had stated it in that House before; but it would, no doubt, require a very active and determined member of the House to undertake to deal with such a question. He believed now that one portion of the question had been undertaken by the energetic member for Oxley, there was, perhaps, some chance of the whole question being brought before the House in a tangible shape; and he could promise him that if ever he introduced it, he should have his support. In fact, if it were not for his own thorough laziness of character he would have brought it forward himself. It was rather a formidable undertaking, and he would support the honorable member for Oxley if he ever brought it forward. He believed that they had made a great mistake in having alienated a single acre of land; and he believed in the principle that the State should benefit by the gradually increasing value of the lands of the country. If that had been carried out, the taxation of the colony would be very small indeed; the State would be so rich that there would be no such thing as poverty, or a poor man, in the country. He was perfectly serious when he said it would not take such a vast amount of money to buy back the lands of the country already alienated, by creating a loan for that purpose, and charging as a rental the exact amount required to meet the annual interest. Of course it would be necessary to give the persons who held land in fee simple the same position they now held—that was the right to use the land.

HONORABLE MEMBERS: Hear, hear.

Mr. BELL: He could assure honorable members that he was perfectly serious; but in place of giving them a title in fee simple it would be leasehold only. They could then commence *de novo*, and although the expenditure might be felt a little at first, it would be very little felt in the future. The honorable member for Oxley was perfectly right in the principle he had adopted, but if he made it to apply only from to-day, he would for ever fix a difference in the land tenure of the colony—freehold and leasehold—which there was not the least necessity to exist if the enterprise and energy of the Legislature of the colony were sufficient to make it otherwise. He thought the question was one which was worthy of the serious consideration of the Government, as it was scarcely a matter that could be undertaken by a private member; but, whenever it was brought forward, he would support it.

Mr. PETTIGREW was very much astonished at the honorable member for Dalby, who seemed almost as anxious as the honorable member for Oxley to ventilate his theories and get the Government to adopt them. He would like to know how long any Government could stand which proposed such a theory as had been put forward that evening. No Government except one composed of philosophical theorists would ever attempt or dream of such a land scheme. The honorable member for Oxley spoke about the feud system in Scotland, but that had nothing whatever to do with the State; it was only in connection with churches and schools. He could assure that honorable member that they were practical people in this colony—wise in their own day and generation—and they could not think of adopting such a philosophical theory. It would, no doubt, be a very nice scheme for the honorable member for Dalby to have his 100,000 acres of purchased land bought by the State at his own price; and for the honorable member for Darling Downs to get his 200,000 bought in the same way, and then go on the same land and pay about a farthing per acre. He believed the result of such a scheme would be that they would be always poor, and he hoped these philosophical theories would come to an end. He could assure the honorable members who supported the amendment that the country was determined to have a liberal and progressive Government and not a philosophical theory Government.

Mr. GRIFFITH said this was not the first time he made a similar proposition to the House; he proposed it two years ago, when it received the support of several honorable members, who, he was afraid, would vote against it on this occasion; not because they had changed their opinions, but from the exigencies of the circumstances. He thought it was a plain, matter-of-fact, common-sense way of dealing with the question; that there was no philosophical theory about it, and he would go to a division upon the clause.

Mr. BELL again urged, at some length, that a measure of the character proposed must be retrospective in its effect, in order to be complete, and beneficial to the country.

Mr. MILES said he believed that there could be no more effectual way of putting a stop to dummying than by placing a tax upon all lands alienated from the Crown; but he would be in favor of fixing a sliding scale, so that, in proportion as the area alienated to any one individual increased, the tax should also increase. That would put a complete stop to dummying—or, at all events, those who occupied the land would have to pay for it. He did not, however, go to the extent of the honorable member for Oxley, that the whole sum should go into the Treasury. He thought a portion of it ought to be devoted to local improvements, and he hoped the day was not far distant when that would be carried out. He could not think of supporting the proposition of the honorable member for Dalby.

Mr. MOREHEAD would be sorry for the honorable member for Dalby if the proposal of the honorable member for Carnarvon were carried out; but still it appeared to be the only logical proposal put forward by those who supported the amendment. He believed the principle of the amendment was bad; but if it had any goodness in it, it was too late to adopt it now, because large areas had been alienated, and they could not handicap those who wished to select land in the future with a tax they could not impose upon those who were freeholders. It would be extremely unjust to adopt such a scheme. In fact, he thought that, as the honorable member for Oxley had succeeded in eliminating every principle from the Bill except that of repudiation, which he contended was unprincipled, he ought to be consistent, and allow it to go forth in its present imperfect state as a measure totally without principle.

Mr. ROYDS said it appeared to him that the effect of the proposed clause would be to raise the price of land from 10s. to 15s. per acre, and he could not see why that should be done. He would oppose the clause.

Mr. STEWART said he would vote against the clause; but if any well-matured scheme were brought forward for taxing the land, and applying it to past and future purchases, for the purpose of local improvements, he would gladly support it. That would, of course, be a different scheme from the one now introduced.

Question—That the new clause, as read, stand part of the Bill—put and negatived on division:—

Ayes, 5.	Noes, 24.
Mr. Ivory.	Mr. Stephens
,, Griffith	,, Palmer
,, Moreton	,, Morehead
,, Foote	,, Bell
,, Miles.	,, Fraser
	,, Low
	,, Thompson
	,, McIlwraith
	,, MacDevitt
	,, Hemmant
	,, Stewart
	,, Royds
	,, MacDonald
	,, Pechey
	,, Dickson
	,, Wienholt
	,, Edmondstone
	,, Groom
	,, Bailey
	,, Fryar
	,, Buzacott
	,, Macalister
	,, Pettigrew
	,, Beattie.

The SECRETARY FOR PUBLIC LANDS said he had a new clause to propose, to follow clause 93 as printed. It had reference to the working of the existing Act, the 51st clause of which provided, in sub-section 5, that a conditional purchaser should reside continually on the land during the whole term of the lease; but under sub-section 6, if he proved within three years that he had resided on it two years, and performed the conditions of improvement, he was entitled to transfer, or, upon payment of the

balance of the purchase money, he would be entitled to a grant in fee simple. It had been found, in the working of the Act, that in many cases, although the conditions had been performed, proof was not given within three years, as required by the Act, but after that period had expired. It had, he believed, been held that the selector could not claim this after the expiration of three years, but that the Government could grant it, and that had been done; but it was very debateable whether it was legal or not. He, therefore, proposed to insert a clause, the effect of which would be to make legal the course which had been taken in very many cases under the present Act, and extending the time during which the selector could apply for a certificate of the fulfilment of the conditions to any time during the currency of the lease. He thought that would simplify matters, and meet the cases of selectors who, taking a view of the Act contrary to the practice, did not make application after the expiration of three years. He, therefore, moved the following new clause:—

"The time within which any lessee of land under '*The Crown Lands Alienation Act of* 1868' may make proof of performance of conditions under the provisions of the 51st section of that Act in order to obtain a certificate is hereby extended and such proof may be made at any time during the currency of the lease and thereupon the same consequences shall ensue as if such proof had been made within the time limited by the said Act.

"Provided that if such proof shall be made after the time so limited the lessee shall be required to make proof in addition to the matters by the said Act prescribed that he has performed the condition of residence as defined in that Act during the whole period that has elapsed after the expiration of the time so limited."

After a brief discussion, the clause was put and passed.

Clause 94—Forfeiture to be proclaimed by Governor—was verbally amended and agreed to.

The COLONIAL SECRETARY thought, in order to prevent any misunderstanding, it would be better to accept the amendment he would propose, namely, that the words down to "any," in the second line, be omitted, with the view of inserting the words "every forfeiture."

The amendment was agreed to.

The COLONIAL SECRETARY moved the omission of the words "such forfeiture" in line 16.

The question—That the words proposed to be omitted stand part of the clause—was put and negatived.

The clause, as amended, was passed.

Clause 95—Governor in Council may establish regulations.

Mr. WIENHOLT thought they were continually finding that the Governor made regulations not in accordance with the Act, and he therefore considered that it should be distinctly stated in the clause that they had not that power.

The clause was agreed to without amendment.

Clause 96—Power to appoint Crown bailiffs.

Mr. WIENHOLT objected to the two last lines of the clause, as by them, a bailiff could enter a selector's house, and turn everything out of it.

Mr. MILES thought the clause should be made more comprehensive, and with the view of making it a little more so, he would move, as an amendment, on the 32nd line, after the word "forfeiture," the insertion of the following words:—"and report to the Secretary for Lands, from time to time, as to the nature of the improvements made by the selector, the number of stock depastured, and the number of men employed on selections."

The SECRETARY FOR PUBLIC LANDS trusted the honorable member would withdraw his amendment, as the clause, and the one following it, were exactly the same as in the present Act; he had transferred them into the Bill, because, as was the case with many others, they had been found to work very well.

Mr. PALMER would like to know under what clause of the Act the bailiff could inquire how many stock were depastured on a man's selection. He considered that the selector would be entitled to kick a man off his land who made such an inquiry, as there was nothing whatever in the Bill to justify it.

The amendment was, by leave, withdrawn, and the clause was agreed to.

Clause 99—No land agent or licensed surveyor may purchase land, in respect of which he may be employed.

Some discussion took place on this clause, as to whether surveyors should not be allowed to select land.

The clause was agreed to.

Clause 109—Commencement of Act.

The SECRETARY FOR PUBLIC LANDS moved that the blank in the clause be filled up with the words "January 1875."

The question was put and agreed to, and the clause was passed.

Mr. MILES asked if the honorable Secretary for Lands had any objection to re-commit the Bill for the purpose of reconsidering clause 28.

The SECRETARY FOR PUBLIC LANDS: Yes.

The House resumed and the Chairman reported the Bill with amendments.

GOLD FIELDS BILL.

The ATTORNEY-GENERAL moved—

That this Bill be now read a third time.

Mr. PALMER said, when he refused to allow the third reading of this Bill to pass as a formal motion, he did so in order to express his opinion respecting the manner in which the third reading was attempted to be carried through by the honorable the Attorney-General, last night, after he had left the chamber. He spoke to that honorable member yesterday afternoon about the Bill, and asked for a copy of it as amended, and he was told it was not in print. That

honorable member knew it was not in print, and could not have been read and certified by the Chairman; and yet, after he left the House, being compelled to do so rather earlier than usual, the third reading was attempted to be carried through. He considered such a mode of proceeding highly irregular, and for that reason he opposed the third reading passing as a formal motion. He had no intention of opposing the Bill.

The ATTORNEY-GENERAL said the honorable member's statement was partly correct and partly incorrect. The Bill was not in print for the Chairman, but it was in print with the amendments, and had been circulated; and when the third reading was called, he moved it in the ordinary course; but when the representation was made to him that it was not in print for the Chairman to sign, he moved the postponement of the order of the day.

Mr. MOREHEAD thought the explanation of the honorable the Attorney-General was not satisfactory. The only reason he gave for not pushing the Bill through last night was, that it was not ready to be signed by the Chairman, which only went to show that he did intend to push the Bill through, although he had led the honorable member for Port Curtis to understand that it would not be pushed through.

Mr. MACROSSAN wished to call attention to clause 107, which provided that for any breach of the regulations, or disobedience of a lawful order of the warden, a penalty of £50 might be imposed, and, in default of payment, six months' imprisonment with or without hard labor. He thought that a fine of £50 was far too great for a breach of the regulations, or even for the disobedience of the lawful order of the warden. He thought £10 would be quite sufficient.

The question was then put and passed.