

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 16 JULY 1874**

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## LEGISLATIVE ASSEMBLY.

Thursday, 16 July, 1874.

Adjournment—Fourth Judge.—Resumption of Runs.—  
Appropriation Bill.—Health Act Amendment Bill.—  
Petition of Mrs. Morphy.—Sericulture in Queensland.—  
Question of Order.

## ADJOURNMENT—FOURTH JUDGE.

Mr. GRIFFITH rose to move—

That this House do now adjourn.

His object in doing so was, that, as the session was drawing to a close, he might not have another opportunity of asking for some information from the Government on what he considered a very important matter. He wished to call the attention of the Government to the fact, that in the Supreme Court next week, the full court sat in Banco, and that it was very desirable that there should be three judges on the Bench. As he understood that the unfortunate illness of Mr. Justice Lutwyche would render it impossible for him to take his seat, he took that opportunity of expressing a hope that the Government would, before the session closed, say whether they had taken any steps for the appointment of a fourth judge, and if so, whether that appointment would be made in time to enable the judge to take part in the business on the following Monday. He believed he was not out of place in asking for that information.

The COLONIAL SECRETARY said that he might state that the attention of the Government had been drawn to the state of business in the Supreme Court, and also to the unfortunate state of health of His Honor Mr. Justice Lutwyche. He might mention, as the question had been put to him, that with the approval of his honorable colleagues, he had a few days ago offered the position of fourth judge to a gentleman whose appointment would be gazetted on the following Saturday.

Mr. BELL thought it was not too much to ask the honorable member at the head of the Government, the name of the gentleman to whom the appointment had been offered, as it was very much like playing with honorable members as they would with children, to say that a gentleman had been appointed, and at the same time to make such a secret of the name of that gentleman. It should be the duty, to say nothing about the pride or pleasure, of the Government, to announce the appointment, if they considered it a proper one.

The COLONIAL SECRETARY might say that the Government had offered the appointment to Mr. District Court Judge Sheppard.

The motion was, by leave, withdrawn.

## RESUMPTION OF RUNS.

The SECRETARY FOR PUBLIC LANDS, pursuant to notice, moved—

1. That in order to encourage the settlement of population in the Settled Districts of the colony, and in pursuance of section 10 of "The Crown Lands Alienation Act of 1868," this House resolves to resume from the leases of the

undermentioned runs the areas hereinafter specified, as described in the schedule, laid on the table of this House, of the lands proposed to be resumed from the runs in the said district :—

## SETTLED DISTRICT OF MORETON.

Acres.	To be resumed from the
9,580	Beaudesert Run.
17,990	Bromelton Run.
38,742	Buaraba Run.
91,520	Colinton Run.
30,824	Coochin Coochin Run.
80,000	Cooyar Run.
57,146	Cressbrook Run.
29,760	Crow's Nest Run.
30,999	Dugandan Run.
68,320	Durundur Run.
96,000	Emu Creek Run.
76,800	Eskdale Run.
85,820	Franklyn Vale Run.
30,485	Grantham Run.
59,880	Helidon Run.
65,920	Kilcoy Run.
34,560	Melcombe Run.
71,817	Mount Brisbane Run.
120,320	Mount Stanley Run.
24,280	Nindoomimba Run.
22,400	Palen Run.
38,780	Tamrookum Run.
17,974	Tarampa Run.
33,000	Taromeo Run.
47,560	Telemon Run.
42,300	Tent Hill Run.
9,445	Undullah Run.
6,601	Waverley Run.
19,490	Wivenhoe Run.

## SETTLED DISTRICT OF DARLING DOWNS.

44,436	Beauraba Run.
44,045	Canal Creek Run.
53,306	Canning Downs Run.
78,479	Cecil Plains Run.
15,614	Clifton Run.
49,920	East Prairie Run.
14,086	Ellangowan Run.
36,500	Irvingdale Run.
18,370	Eton Vale Run.
29,440	Goombungee Run.
17,700	Goomburra Run.
23,054	Gowrie Run.
179,480	Jimbour Run.
25,994	Jondaryan No. 1 Tract Run.
6,316	Jondaryan No. 2 Tract Run.
6,624	Jondaryan No. 3 Tract Run.
11,680	Lagoon Creek Run.
32,300	North Branch Run.
14,980	Peel's Plains or Felton Run.
21,417	Pilton and Haldon Run.
74,560	Rosalie Plains Run.
36,060	Rosenthal Run.
10,768	South Toolburra Run.
40,060	St. Ruth Run.
13,864	Talgai Run.
68,743	Tumaville Run.
10,560	Warra Warra Run.
31,401	Westbrook Run.
11,094	West Prairie Run.
116,500	Yandilla Run.

## SETTLED DISTRICT OF WIDE BAY AND BURNETT.

9,627	Tantitha Run.
53,500	Gin Gin Run.
18,660	Miva Run.

Acres.	To be resumed from the
15,900	Gutchy Run.
8,881	Dumora Run.
23,350	Curra Run.
35,400	Bingera Run.

SETTLED DISTRICT OF PORT CURTIS.	
50,720	Barmoya Run.
42,880	Booroon Run.
9,920	Carrara Run.
34,560	Glenmore Run.
17,600	Cawarra Run.
102,120	Gracemere Run.
33,920	Mount Larcomb Run.
26,240	Meadow Flats Run.
14,400	Riverston Run.

SETTLED DISTRICT OF KENNEDY.	
14,400	Abington Run
28,160	Balnagowan Run.
32,000	Greenmount Run.
51,200	Hamilton and Hopetown Run.
20,920	Homebush Run.
49,920	Lanercost Run.
14,000	Plain Creek Run.

2. That this resolution be forwarded to the Honorable the Legislative Council for its concurrence.

In moving those resolutions he might call the attention of honorable members to the fact, that on the occasion of his moving the second reading of the Crown Lands Bill he had pointed out to the House that a considerable number of resumptions were required in the settled districts of the colony, as in many cases the land had been all absorbed, and the area for selection had become so restricted as to seriously interfere with the settlement of the country. That was the fact admittedly, and it had been well provided for in the Bill which was before them for the last time on the previous evening. He regretted very much indeed that that Bill was gone; as it had, however, it only remained for the Government to fall back upon a course which had been recommended by honorable members on both sides of that House, and to resume land by resolution of both Houses, in accordance with the powers given by the Act of 1868. That House had, by a large majority, passed the second reading of the Bill introduced by himself, and the other Chamber had also agreed to it without a division; and as the Council had also passed the resumption clauses, thus admitting the necessity for throwing open more land for settlement in the whole of the settled districts, there ought to be no difficulty in the way of adopting resolutions which proposed to deal with only a portion of them. He had, in fact, every reason to believe that the resolutions would be received with favor by both branches of the Legislature—the principle having been affirmed, that more land was wanted for settlement. In proposing the adoption of the resolutions, he did not propose to detain the House very long. The first thing about them that might strike honorable members was, the quantity

proposed to be resumed, and it might be objected to as somewhat large; for it must be remembered that there was, and always had been, a large quantity of land open nominally for selection. But the figures on that subject were as deceptive as they could be. The question was, whether there was land open for settlement where it was required? And the answer was, that there was none, although there might be large quantities where it was not required: it was necessary, moreover, in order not to put any check on settlement, that where land was wanted, the quantity open to selection should always be in excess of the existing demand at any one moment; otherwise, there would be no choice for selectors. Well, the quantity which the resolutions proposed to resume and throw open was not larger than the total area which had been taken up since the Act of 1868 came into operation, or during a period of five years; and if the resumptions were carried out, there was every reason to believe that there was not a single run named in the resolutions on which there would not be extensive selections during the next few years—before the expiry of the present ten years' leases—and that in a comparatively short time more would be required. He might mention that there was a growing disposition to take up selections at some distance from towns and centres of population, and there was every reason to believe that the number of selections would be larger, and that the actual settlement of the country would take place at a more rapid rate than had ever been the case before. Knowing those facts, it was, he conceived, the duty of Parliament not to stand in the way of settlement by refusing to resume more land—more especially when the power to do so was given under the Act. That resumption could only be carried out by law, which law showed the way in which it could be done; it was, in fact, part of the terms upon which the present pastoral leases were held, that land should be resumed from them when required for the purposes of actual settlement. It must also be borne in mind that by passing the resolutions, they were in no way confiscating those lands. They were not taken away absolutely from the present holders, but were merely thrown open to selection; so that if the public did not want them, no harm would be done, as they would still remain in the hands of those at present occupying them. All they said to the present lessees was, "You shall not stand in the way of settlement;" that was, that if any person required the land for *bonâ fide* settlement the Crown lessees must not block it up. Therefore, not to pass the resolutions would be tantamount to saying, that they wanted to block settlement. As he said before, it was an undoubted fact that the land remained in the same profitable occupation of the squatter until it was actually selected. The necessity for resumption having arisen, the next question was, how the resolutions

could be best carried out. It was necessary to give to the selector a full and somewhat free choice, and he saw no plan of doing that except by acting upon the results of the Acts of 1868 and 1872, which was taking the more populous districts; and, in order to avoid all charge of favoritism, he had resolved to make resumptions from the whole of the runs. For, although more land might be taken up in one locality than in another, and some of the land resumed might not be wanted, still it was impossible for the Government to constitute themselves judges as to where settlement should take place; and if, as he said, one run was thrown open and not another, the Government might be charged—and, perhaps, with some degree of justice, with favoritism. They had, therefore, considered it advisable, and the wisest course they could pursue, to bring forward the present resolutions, which were for the resumption of the whole of the leased halves of the runs on the Darling Downs and Moreton districts, which could be legally taken; he said legally taken, because in those runs where there was an area of less than eight square miles, it could not, according to the Act, be resumed, and the Government had no power to deal with it. That course he conceived to be the best to adopt, as it avoided a charge being made against the Government of wishing to concentrate settlement on one man's run for the purpose of saving others. They might be told that some of the homestead areas thrown open under the Act of 1872 had not yet been taken up; and it was a fact, that although two years ago homestead areas were proclaimed on nearly every run, some of them had not been taken up. If they were providing for homestead areas alone—for the homestead clauses of that Act, no doubt an extension of those areas would be sufficient; but they had to provide for conditional purchases as well, which allowed a large area to each selector, and it was well known that the whole of those lands would have been taken up long ago if they had been thrown open as conditional purchases; in fact, if they were now thrown open as such, they would all be taken up at the first Land Court. To say that they had not been applied for was, therefore, no argument that the land was not wanted—it was no argument whatever, that because it had not been taken up under the homestead clauses it would not be taken up under conditional purchases—because the reason why it had not been taken up under the former was, that owing to its distance from market it was unsuitable. It might be advisable, perhaps, if he was to show some of the grounds upon which it was necessary to resume large blocks for settlement: he would take the Darling Downs district as one to which attention was most directed, and he would quote a few figures with reference to it, to show how little land there was now open. On the resumed halves of the Darling Downs there was literally no land open for selection—the whole had been ab-

sorbed; and it was quite clear that, if the remaining halves were not resumed, there would be a serious block to settlement. There was no land on the resumed half of Clifton open for selection; on East Prairie there was none; on Ellangowan there was none; on Eton Vale there was none; on North Branch, Peel's Plains, and Felton there was none; on Rosenthal there was none; on South Toolburra there was none; and the same on Talgai, West Prairie, and Yandilla. On none of those runs was there any land whatever open for conditional purchase. On Cecil Plains there were 100 acres still open for selection; on Jondaryan, 200 acres; on Pilton and Haldon, 300 acres; on Warra Warra, 1,900; on St. Ruth's, 2,400 acres; on Greenbank, 3,290 acres; on Lagoon Creek, 4,790 acres; on Westbrook, 6,000 acres; on Goonbungie, 6,500; and on Irvingvale, 6,400 acres. On no one of those runs, however, was there a sufficient area open for one selector who wished to take up the maximum allowed by the Act. In fact, there were not six runs on the Darling Downs on which there was as much land open for selection as the maximum quantity allowed to one selector. He thought those figures showed at once the necessity for further resumption, and he believed the plan he had adopted of submitting the whole of the runs to the same treatment was the proper one, in order to avoid any charge of favoritism; although he might have proposed to resume only some in the more populous places, and have said that land was not wanted in others. On Jimbour there were 135,140 acres still open for selection, and on Rosalie Plains 72,724 acres, or in all about 200,000 acres. Now, it might be asked, if there was still that quantity open for selection, why resume any more? But to that he would say, that if there was still that quantity open, that showed that there was not any great demand for the land there; and that, consequently, the resumption of the remainder of the area could not injure the present lessees to any great extent, as they would still have the use of the land; besides which, if he had left them out he would have been open to the charge of favoritism. He might also have included Canning Downs in the same category as Jimbour, but it was at the extreme southern end, and was not likely to be selected upon. With those exceptions there were only four runs that had remaining unselected on their resumed halves sufficient for the maximum to be taken up by any one selector. With regard to East Moreton, the same remark applied as to the Downs, although the quantity of land remaining for resumption was not very large. But still, as he said before, if the Parliament did not wish to block settlement, all those lands must be thrown open; if they, on the other hand, considered homestead selections sufficient, then there was enough. Between the Downs and East Moreton, was West

Moreton; and he submitted that his only plan was to treat it in the same way, although he was prepared to admit that there were considerable portions in the extreme southern parts of it—at the heads of the Logan and Brisbane Rivers, for instance—which consisted principally of broken country, and could not, therefore, be considered so suitable for agricultural settlement; still, however, there had been selections made all over it. But, as he had already said in that House, it was not the duty of the Government to point out to a man a certain place, and tell him he must settle there; they were not to know where he wished to settle; and thus, whilst on some runs, there might be large selections, on others there might be none at all. Now, in regard to those runs north of the populous districts, he had not followed the same plan, as it must be remembered that not only was population smaller, but the difficulties in the way of settlement were greater; consequently there was not the same great demand for land. He would now explain how the resumptions were to be made. They were based upon the reports made by the various commissioners within the last eight or nine months, and also from other information from the Lands Office, which were to the effect that there was not a run he had named on which the absence of more land being thrown open to selection had not been a block to settlement, and on which, if they were thrown open, settlement would not take place almost immediately. So that the resumptions were selected simply from the statements of commissioners showing that agricultural selections were required. He might mention that on the northern coast, north of Wide Bay and the Burnett, there were many runs on which no selections had been made; still, for the reasons he had mentioned, the same rule would apply to them as regarded making resumptions from them. With regard to the effect of the resolutions, if they were passed—and he held that there should be no difficulty whatever in passing them, as a large majority of both Houses had admitted the principle that land should be thrown open where required, the manner in which the Government proposed to proceed, was to begin in the centres of population, and along the railway lines, and to get the reports of commissioners in every case, as to the quantity of those lands which should be reserved as homestead areas; and as fast as those reports came in, to proclaim the land open for selection, or otherwise, as required. Whenever the proclamation of the resumption of runs was published, the rents would of course cease—that would be one effect, but, on the other hand, the lessees would remain in possession of the land until it was taken up by selectors. There might, no doubt, be some objection raised to that, as it might be said that the Government would lose a certain amount of revenue; but he thought they could afford to lose those rents, because the revenue which would be derived

from selections taken up before next September upon the runs resumed would very nearly recoup them for the loss. In fact, it was very probable from the large settlement which would take place, that the land revenue would be actually increased by it. In conclusion, he trusted that that House, and in fact, both Houses, would unanimously agree to the resolutions.

Mr. BELL said, the proposal of the honorable Minister for Lands was a proposal which in his opinion was a ruthlessly severe one. It was one which, he ventured to say, it never was contemplated, when the Act of 1868 was passed, would have been brought before that House at so early a date, before the lapsing of the ten years' leases. If the measure which had been introduced by the honorable Minister for Lands into that House, and which was not acceptable to the other Chamber, was one which demanded compensation for the squatters, the proposal of the honorable member that day was one which called for compensation to the Crown tenants whom it was proposed to summarily dispossess, in a far greater degree. It was true that the Crown tenants must at some time or other give way to the actual settlement of the country; but it was never contemplated by the Act of 1868 which gave the ten years leases to Crown lands tenants—which gave a full and absolute title for that period, with one exception, namely, the urgent requirement of the land under certain conditions—it was never contemplated by that Act that such a proposal as the present should be made, namely, to take away the lands from one set of grazing tenants to give them to another. There was no doubt that agricultural settlement was the settlement intended by the Act, and there was no doubt that if the people chose to settle upon the land any pastoral occupancy must give place. But if that was done, he held that it should not be done at a loss to the present Crown tenants in their occupation of the country. If the House said that the time had arrived when the land should be taken from one class of tenants and given over to another, then the Legislature should be prepared to come forward and give some compensation to those tenants. The honorable Minister for Lands had very speciously alluded to the fact that the lands to be resumed would remain in the hands of the present Crown lessees till they were required, and exactly the same argument had been used by that honorable gentleman as a reason why his late Land Bill should be more acceptable to those Crown tenants than the resolutions which had that day been introduced. He thought, however, the argument could not hold equally good in both cases. They now had a proposition from the honorable gentleman to resume 3,327,220 acres of land, which, according to the present population of the colony, was equivalent to giving 24 acres to every

man, woman, and child in it. Now he did not see any reason why every man, woman, and child should not have twenty-four acres of land each, but he did think that the plighted faith of the Government of the colony should be upheld above all things, and that there should be no such sweeping proposition as that now brought in, without some stronger reasons than had been advanced that evening. He was aware that it was of very little use, in that House, to make any strenuous opposition to the measure as proposed by the honorable Minister for Lands. If that honorable gentleman had desired either of two things—namely, to deal out justice to the public and the Crown tenants together, or to pass through the Legislature the measure now before them, he would have come forward with some more moderate proposition, for a sweeping measure, such as the honorable member had put before the House—one more sweeping than any of its predecessors—could not possibly be acceptable to the country. It was of no use the honorable member coming down with figures which might or might not be correct, or saying whether the quantity of land stated by him was or was not required; but the question was, whether an alteration should be made which would involve a direct breach of faith with a large class of the community? It was a proceeding which was never contemplated by the Act of 1868, and therefore he thought that the honorable member had come down with a proposition which could not be received with any feeling of satisfaction either by Parliament or the country.

Mr. PALMER thought the honorable Minister for Lands, in proposing the resolutions, had altogether failed to show that there was any want of the greater portions of land he proposed should be resumed. There was one matter the honorable member had entirely lost sight of, and that was the loss of revenue which would accrue to the public by the resumption of those lands.

The SECRETARY FOR PUBLIC LANDS: I have alluded to it.

Mr. PALMER: That loss would amount to about £15,000 per annum, and he certainly could not see any corresponding benefit to be derived from such enormous quantities of land—more, in fact, than could be possibly taken up for years—being recklessly thrown into the market. He believed it was the most reckless and ruthless way of destroying the public property; and he believed also that if the honorable gentleman had any land principle at all—which he hardly thought the honorable gentleman had, from the way in which he allowed his Land Bill to be knocked and hacked about—he would not have come forward with resolutions so monstrous in their character, that he must have known they would never be carried. It was, in his opinion, merely a political dodge, for the Government must have known, if they had thought for a moment, that no set of sane men, uninfluenced by party clamor

or the peculiar politics prevalent in Brisbane, would ever consent to any such spoliation of the public domain by throwing open such large tracts of land; and by sacrificing the best land in the colony at low prices, which, on the contrary, required careful nursing, as it was a source of revenue on which the colony would have to depend for many years to come. The honorable Minister for Lands had most miserably failed to show that any demand existed for those millions of acres which he proposed to resume. Had the honorable member been desirous of passing resolutions for resumption, through both branches of the Legislature, he would have confined their operation to localities where the land was likely to be taken up. Had the honorable gentleman done that, no matter what hardships might have resulted to individuals, there would have been no difficulty whatever in passing through such resolutions. But when the honorable gentleman went down to that House with such monstrous resolutions—resolutions which could not be wanted for years, and bearing in mind the fact that the present leases would of themselves, through effluxion of time, be dropping into the hands of the Government in a few years, he could not help thinking that they were brought forward solely for some political motive, or for the purpose of getting up a cry in the country. He might tell the Government that there was no chance of having the resolutions passed *in globo*, as they would be thrown out in another place; in fact, no set of men having the interest of the colony at heart, could accept them. Then there would be a howl, at least that was what honorable members opposite wanted; but for his part, he did not believe there would be anything of the sort, but, on the contrary, that they would be condemned by the public outside, as the Ministerial Land Bill had been condemned all over the country. He believed, also, it was a vindictive measure, and was intended as a punishment on honorable gentlemen in another place, because they had refused to swallow the Land Bill of the Government. He would also call attention to the indecent haste with which they had been introduced; why, even before the honorable Secretary for Lands could have known that the other Chamber had rejected his Land Bill, he was ready to give notice of his motion. He said it was most indecent haste, and although he did not feel called upon in any way to assist the Government, he really did try to assist them last night in objecting to the Standing Orders being suspended, and in trying to save them from showing their hand so clearly as they had done in this matter. Actually, before it was known what the other House would do, they had the Standing Orders suspended, to give notice of this motion, and he hoped it would not be carried. He believed that very serious injury would be done to the country if this enormous quantity of land were thrown open at once, because it could

only have one result, and that was, that it would not be taken up by the class of men for whom it was intended; but that it would merely pass from one pastoral occupant to another on terms which he believed would be much worse for the country, which ought to be represented by the Government, but at the present time he did not think such was the case. The honorable the Secretary for Lands gave as one reason for moving for the resumption of all the lands on the Darling Downs, that if he did not do so, he would be accused of favoritism; but he need not lay that flattering unction to his soul, because he was accused of it now. It was asserted that the greatest favoritism had been shown in the Wide Bay district; it was notorious that in the resumptions in that district, he had sacrificed those whom he considered his political enemies, and saved all his political friends. There were runs in that district where there was a demand for land. There was a run in the neighborhood of Gympie—he did not know its name, but it was occupied by a Mr. Moore—on which he believed a large quantity of land would be taken up at once, but it was not mentioned in the resolutions. Then, again, there were Widgee and Kilkivan, where there was also a demand for land; but they were not mentioned, and he could refer to many other similar cases. And, with reference to the lands on the Darling Downs, the honorable the Secretary for Lands knew very well that in many instances, in the areas reserved for homestead selection, no selections whatever had been made; and yet he proposed to resume the whole without rhyme or reason. He had given no reason, except that he was afraid that he would be accused of favoritism; but he could assure him that he had not escaped being charged with being influenced by matters which he ought not to be influenced by. He believed the resolutions were vicious in the extreme; that the resumption of such an enormous quantity of land was altogether uncalled for, and that the greatest injury would be done to the public property if they were carried. If the honorable member had brought in resolutions for the resumption of land in different runs, and shown that the land already open on those runs had been taken up, and that more was required for the purposes of settlement, he would vote for such resolutions with pleasure, putting aside altogether the injury which might be done to private individuals. But he thought that even in that case, when a lease was granted, and the person holding it was called upon to give up the land before the expiration of his lease, he would be entitled to some compensation, and in that respect he did not think the amendments made by the Upper House asked a bit too much. It should be remembered that it was not as if they asked to be given the land; they only asked to be allowed to take it up and pay for it on the same terms as anyone else, and he could not see that the compensa-

tion proposed could be called compensation at all. But he was not sorry that the amendment had not been carried, because he believed that the Land Bill was vicious in the extreme, and that it was not required. They had a better Act in existence, if it were only worked fairly and properly; and he was glad under any circumstances that the Bill had been thrown out. But still, if the honorable the Minister for Lands was anxious to carry it, he (Mr. Palmer) could not see any injury that could result to the colony by giving way on the compensation clauses. He supposed, as it was very probable the majority of the House would carry these resolutions, it was useless to say more; but he wished to place on record his opinion that they were utterly bad, uncalled for, and not required by the colony.

Mr. HODGKINSON said, whatever might be the motives that actuated the proposal of these resolutions, he thought, after the rejection of the Land Bill, the Government were quite justified in moving them. At the conference which had been held there were several important points in dispute; amongst others, the claim for compensation, which was considered fatal to any agreement. The compensation demanded was ten per cent., in addition to the amount of land they were permitted to resume on the resumption of the leased halves of their runs; and ten per cent. did not seem a very large sum, looked at as a per centage, but a little consideration would show that it would lead to the establishment of a class of large landed proprietors, and he believed a class fatal to the beneficial settlement of the country. He had taken the trouble to go into figures on the question, and he found the whole area of land embraced in the proposed resumptions was something less than three and a-quarter millions of acres, of which he thought it was very improbable that more than a moiety would be selected. If that land were divided amongst the whole population of the country, taking it at 140,000, it would give an average of about twenty acres to each; but this compensation, which the House was so blamed for not at once accepting, would place things in a very different position. The pre-emption that would accrue to the present 220 holders of runs in the settled districts, in addition to the ten per cent., would amount to something like a million and a-half of acres, and that, divided amongst these run holders, would give about 7,000 acres to each individual. In these districts the leases had but three years and a-half to run, and if they recognised the principle of giving compensation to holders of runs in the settled districts, that principle must eventually be extended to the unsettled districts when the colony had advanced to a point when it would be necessary to resume lands in those districts, and if they applied the same figures, although, considering the period the leases had to run, it would probably be a larger per centage than ten per cent., that would give fifteen million acres to be divided

amongst the whole of the run holders in the colony, which, he believed he was correct in stating, was considerably under 1,000, which would give 15,500 acres to each. He thought that if the House should go to the country, as was mentioned by the honorable member for Port Curtis, that would be a very good cry; and that no Ministry could hope to exist in that House which would make away with such a large portion of the best property of the country; because, as they were all aware, those gentlemen knew every inch of the country about to be resumed, and they were not likely to select the worst of it. He would support the resolutions; but, at the same time, he must say that the honorable member for Port Curtis made use of a very powerful argument about the perpetual infringement on the position of the pastoral tenants. He thought they were very unjustly treated; and that when the Government, either directly or indirectly, made a contract with them, it should be maintained inviolable, even at the expense of keeping population a little longer off the land. He therefore thought, on that ground, they had a fair claim for some compensation, and whatever indulgence could be extended to them ought to be; because it could not be denied that at present they represented the most powerful interest in the colony. He, therefore, thought there was a good deal of force in the application for compensation to a limited extent. But he considered that landed proprietors, holding more than 15,000 acres, even if they did pay for it, would be prejudicial to the interests of the colony, and that it would give capitalists additional power of monopolising the whole government of the country. If these figures were carefully looked over, it would be seen that in the guise of a very moderate demand an enormous extent of power was sought to be secured.

Mr. WIENHOLT said he thought the honorable member who had just sat down was very much mistaken in his figures, when he stated that ten per cent. compensation would give about 15,000 acres to each runholder. He was sure that compensation at that rate would, in the generality of runs in the settled districts, amount to something like 2,000 or 3,000 acres to each; and he did not think that, allowing old colonists, as most of the runholders were, the same right that any outsider or speculator from the other colonies or elsewhere might exercise, was giving them any great privilege, especially when it was proposed to sweep away the whole of the runs comprised in the leases which were given as a fair bargain, and which were not to be resumable unless it were shown that there was absolute necessity for land for *bond fide* settlement, and that it would be put to some better use than it was by the present occupiers. But the honorable the Minister for Lands had not shown that; and it was all very well to talk about what a dreadful thing it

would be to allow a class of men to arise in the colony who would be possessed of 7,000 or 8,000 acres of land; but he would ask the honorable member for Burke, where was the objection, in a colony like this with an unlimited land, to allowing a certain portion of the community to hold good sized tracts of land? In fact, it was absolutely necessary that they should do so, if grazing was to be carried on in the colony, that large tracts should be occupied by individuals; but if it were made out that grazing was a thing to be done away with, then he could understand the argument of the honorable member, that the country should be taken up in very small pieces. But with regard to this resumption, they might say the same thing with respect to other industries. The Government might as well take similar action in connection with the mining industry, and step in and take away from the holders of mining leases valuable mining areas, and cut them up and put them up to auction, or offer them for sale in some other way. He contended that the lessees whose runs were proposed to be resumed had a fair claim for compensation; that they had the same claim to protection as mining lessees and others. He did not think the honorable the Minister for Lands really meant the resolutions to pass. He believed that he had not the slightest idea that they would pass; because, if he had any desire that they should, he would never have brought in such monstrous, wholesale, sweeping resolutions as those now before the House. He believed he merely wished to have some excuse to enable him to say he had done certain things, and to give him an opportunity of bringing in a worse measure next year than that which had been so ignominiously defeated in that House and the other Chamber. That honorable member had said that, if the resolutions were passed, he would be liberal, and allow the pastoral tenants to use the country without paying for it until it was taken up; but he (Mr. Wienholt) believed the pastoral tenants did not want to occupy land that was taken out of their hands; it was not worth sixpence to them for pastoral occupation, once it was resumed. His liberality, therefore, amounted to nothing; and whether he intended to be liberal or not, he (Mr. Wienholt) was certain he had no idea of passing these resolutions.

Mr. MORGAN denied that there was any bargain made with the pastoral tenants that they should hold their runs for ten years. The leases were granted on the distinct understanding that the land should be resumed at any time it was required for the purposes of settlement by the public, and he was satisfied that the time had now arrived for resuming the whole of the lands on the Darling Downs. Honorable members opposite opposed these proposed resumptions because they said the land was not required for settlement; but he maintained it was. He could state that in his own district, when



the Homestead Areas Act of 1872 was brought into force, and 5,000 acres were thrown open for selection, applications were made for 6,700 acres; and how, therefore, could it be said there was no demand for land? He would support the resolutions, and he hoped that honorable members on both sides of the House who desired to see the colony progress would support them also.

Mr. J. SCOTT did not intend to say anything about the evil that was likely to arise from, or rather the unfairness of the proposal of the honorable Minister for Lands. But there was one thing he would like to point out, and that was, that once a run was taken away from a pastoral tenant, he had no right whatever to graze over any portion of it. The honorable the Minister for Lands pointed out, some time ago, that they would have that right; but they would not. The only right they had was under clause twelve of the Act of 1868, which said that while they held any portion of their run under lease, they should have a right to graze over it; but the moment the whole lease was taken away, they had no right whatever; and that was a matter that ought to be borne in mind in considering this question.

Mr. W. SCOTT thought the honorable member who moved the resolutions was pursuing a very extraordinary course; and he believed that, if they were carried, the result would be to create dummying to a greater extent than ever it had been carried on before in this colony. He did not think there was anything like the great demand for land which was represented, although, no doubt, there was a considerable demand in certain localities. The honorable the Secretary for Lands pointed out particularly the Darling Downs as being an instance; and no doubt there was a great want of land there, and that if it were thrown open, the people would flock there; but why sacrifice the whole country for the sake of the Darling Downs? He thought it was a great mistake to throw open such a large portion of the Moreton District, where there was already a very large area open to selection. At the end of December there were upwards of 35,000,000 acres of land open, which, he believed, if it were reduced in price, they would get rid of; but, instead of doing that, the honorable the Secretary for Lands introduced a Bill to increase the price—to increase land that had been offered at 5s., and was not taken up, to 10s. per acre. He would be quite prepared to support resolutions for the resumption of land, if they were fairly framed, and it was shown that the land was absolutely required for *bona fide* settlement by the public; but he maintained that these resolutions were unfair in the extreme. They should bear in mind, also, that by the cancellation of these leases there would be a loss of nearly £15,000 per annum to the revenue, judging from the payment in December last; and he would like to know from what source it was proposed to make up

that amount? He would like to know from the honorable the Minister for Lands whether he intended to throw open this enormous quantity of land to the public for selection as homestead areas under the Act of 1872, or as conditional purchases under the Act of 1868? But he objected altogether to such an enormous area being resumed at one time, because he was certain there would be a rush for it, and that no matter how they framed conditions, they would be evaded, as many Acts in force in the colony were, and they would find dummies coming in in all directions. Instead of settling *bona fide* working men on the land, they would have large freehold squatters, which he believed it was the intention of the Government to oppose.

Mr. FRYAR said, about six years ago the Parliament of the colony considered it necessary to throw open a certain quantity of land, and out of that something more than three million acres were selected up to the end of 1873; and it appeared to him that the Ministry now only proposed to make good the quantity of land so selected, so that they were only carrying out the proceedings of Parliament in 1867 and 1868. They were only proposing to place the country in the same position, with respect to land open to selection, as it was at that time; and if it were necessary to throw that quantity of land open at that period, when there was a smaller population, he held that it was doubly necessary at the present time, and that the honorable the Minister for Lands was keeping rather within the mark. Some honorable members had expressed a fear lest the revenue should suffer by withdrawing this quantity of land, which, it was stated, yielded a revenue of £15,000 per annum; but as there had been something more than half-a-million of acres taken up under the Act of 1868 each year—or, altogether, more than three million acres, at the very lowest calculation, at sixpence per acre, it would yield very much more than they would lose by the resumption. He did not mean to say that selections would be doubled if these resolutions were carried; but there was one fact of which he would remind honorable members, and that was, that during the first year the Act of 1868 was in force, the average classification was 11½d. per acre, and in the last year it was 6½d.; so that he thought the withdrawal of these lands from lease, and the increased classification that would be obtained, and the increase of population, would preserve the colony from any danger of suffering any very serious loss to the revenue, of which some honorable members appeared to be so much afraid. He thought if anything could satisfy the House and the country that the lands were necessary for settlement, it was the statement of the honorable the Minister for Lands with respect to the Darling Downs. On the whole of the settled district of Darling Downs it appeared there were only four runs on which a selector

could exercise his full right of selection; and he must admit that, although he took some interest in the land question, he was not prepared for such a statement as that. It would appear that settlement was completely blocked in that quarter, and there were several other districts, such as the one he represented, in which there was no land that could be thrown open, so that it was necessary to throw open land in other districts to meet the requirements arising from increase of population in that district. The increase of population during the last year had more than doubled the average increase of the preceding six years; indeed, it was greater than any year since Separation, excepting 1863 and 1865, during which time, and during the intervening year 1864, they received a very large addition to their numbers. In fact, as was stated by the honorable the Secretary for Lands, the rapidly increasing population of the country pointed unmistakably to the necessity for the resumption of this land. It was quite possible that, in certain districts, this resumption was not necessary; but after the perfect unanimity which had been displayed by both Houses of the Legislature in passing the second reading of the Land Bill, which had just been thrown out, he thought it would not become him to point out the districts where such resumptions were necessary; because, if they were impressed with the opinion that more land was necessary for the purposes of selection when the area was limited to 1,280 acres, and the price was fixed at ten shillings per acre, how much more necessary was it that large resumptions should be made when the area that could be selected was 10,880 acres, and the greater portion of that could be taken up at sixpence per acre per annum? It was certain that under the Act of 1868 it would require ten times the amount of land to be thrown open than would be necessary under the Bill which had been introduced this session. Under these circumstances it was clear that both Houses had admitted in an unmistakable manner the necessity for the resumption of this land, and the passing of these resolutions.

The SPEAKER said that unless a division were called for, he did not intend to read the whole of the motion again.

The question was then put, and declared to have been carried in the affirmative.

Mr. PALMER called "divide," but afterwards withdrew the call.

#### APPROPRIATION BILL.

The COLONIAL TREASURER moved—

That this Bill be now read a third time.

The question was put and passed; and the Bill having been passed through its remaining stages, was ordered to be transmitted to the Legislative Council with the usual message.

#### HEALTH ACT AMENDMENT BILL.

On the Order of the Day being called for the further consideration of this Bill in committee,

The COLONIAL SECRETARY said this Bill was brought in by the Government on the recommendation of the Central Board of Health, and he believed it was a very good measure, and that if he pressed it he would be able to carry it through committee. But, although he was not able to be present when the Bill was read a second time, and when it was in committee, he believed a very large amount of opposition was offered to it by those honorable members who were interested in it; and having regard to that opposition, and seeing that it was the duty of the Government to consider the intentions of those who were principally interested in the matter, he did not intend to proceed further with the Bill. He therefore moved that the Order of the Day be discharged from the paper.

Question put and passed.

#### PETITION OF MRS. MORPHY.

On the Order of the Day being read for the consideration in Committee of the Whole of the petition of Mrs. Morphy,

Mr. FRASER asked the permission of the House to be allowed to amend the motion. He said, in its present form it would be a very difficult matter to bring it before the committee; and he proposed to amend it, as follows:—

"That the Speaker do now leave the chair, and the House resolve itself into a Committee of the Whole to consider the following resolution, viz.:—That an Address be presented to the Governor, praying that His Excellency will be pleased to cause to be placed upon the Supplementary Estimates for 1874 the sum of £500, by way of retiring allowance to Mrs. Morphy."

Of course it would be competent to alter the amount in committee.

Mr. MOREHEAD objected to the amendment.

Mr. PALMER also objected.

The SPEAKER said, with the permission of the House, the honorable member could amend his motion, which at present amounted to nothing. He would take it for granted that the amendment was sanctioned or disallowed according to the way it was received by the House. He did not believe there was any other way of putting it.

The question was then put; and the House being in division,

The COLONIAL TREASURER said some misapprehension appeared to exist as to what the question was—whether, if the question were negatived, that would dispose of the question altogether, or whether they were dividing on the addition of the proposed amendment?

Mr. PALMER said he understood the question to be, whether the honorable member for Bandanba should be allowed to amend the motion.

Mr. BELL said the motion, as it stood, amounted to nothing; and, if the amendment were not allowed, the whole matter would be shelved.

The COLONIAL SECRETARY: The question was whether they should go into committee to consider an address to the Governor, for the sum of £500 to be placed on the Supplementary Estimates for 1874, as a retiring allowance to Mrs. Morphy.

HONORABLE MEMBERS: Or any less sum.

The SPEAKER said the division would determine whether the honorable member would be allowed to amend the motion; and if it were negative, the effect would be that the motion would be lost entirely. The motion, as it stood, would lead to nothing; and therefore, if the amendment was not allowed, there would be an end to the whole matter.

The COLONIAL SECRETARY (who had crossed over to the "Ayes") said this was a most extraordinary division. Five or six honorable members had crossed the floor after the doors were closed, and two of the tellers were appointed. (The honorable member then returned to the "Noes.")

The SPEAKER: The honorable the Colonial Secretary has no right to cross the House when in division.

The COLONIAL SECRETARY: Nor has any honorable member.

The result of the division was:—

Ayes, 17.	Noes, 12.
Mr. Royds	Mr. Macalister
" Bell	" Hemmant
" W. Scott	" Stephens
" Wienholt	" Low
" Edmondstone	" J. Scott
" Fraser	" Morgan
" Foote	" Mellwraith
" Pettigrew	" MacDevitt
" Griffith	" Morehead
" Groom	" Palmer
" Nind	" Peehey
" J. Thorn	" Fryar.
" Beattie	
" Macrossan	
" Hodgkinson	
" Stewart	
" Dickson.	

Whereupon the Speaker left the chair, and the House resolved itself into a Committee of the Whole accordingly.

#### SERICULTURE IN QUEENSLAND— QUESTION OF ORDER.

The House having been in committee to consider certain resolutions relative to the report from the Select Committee on the petition of Mr. William Coote,

The CHAIRMAN reported the following point of order from the committee, viz.:—The third Resolution being before the committee, viz.:—

"That the sanction of this House be given to the issue to the said Mr. William Coote of Transferable Land Orders to the value of £2,000, on the following terms:—£1,000 worth of Transferable Land Orders on the passing of these Resolutions, and £1,000 worth of Transferable Land Orders conditionally, upon proof being given, to the satisfaction of the Governor in Council, at any time within two years, that produce (silk and silk

grain) to the value of £1,500 has been shipped prior to applying for such balance."

An amendment had been moved, That the figures "2,000," in line 2, be omitted, with the view of inserting the figures "400." Guided by the 131st Standing Order—which provided that (in Committees of the Whole) "when there comes a question to the greater and lesser sum," "the least sum" "shall first be put to the question"—he had ruled that the question upon the proposal of £400 must first be put to the question; but the committee had not accepted his ruling and had directed him to report the point to the Speaker.

Mr. GROOM said that was not the point. The Chairman appeared to be under a misapprehension altogether. What the committee wished to refer to the honorable the Speaker was, whether the question should not be put, "That the words proposed to be omitted stand part of the question?" The Chairman insisted on putting it "That the words £400 be inserted," although there was no blank in which they could be inserted.

The SPEAKER said he might state that he heard the question raised, and he was of opinion that the question should have been first put to the committee for the omission of the figures £2,000. He thought it was not exactly a case coming within the category of money questions.

The House then again went into committee, and after some discussion the Chairman reported that there was no quorum present in the committee. The House was then counted, and there not being sixteen members present, exclusive of the Speaker,

The SPEAKER adjourned the House until to-morrow.

The COLONIAL SECRETARY said, for the information of honorable members present, he might state that it was the intention of the Government to prorogue Parliament on Tuesday next. He took this opportunity of making this statement in the event of there not being a House to-morrow.

Mr. BELL: May I ask if the Government have any desire to make a House to-morrow?

The COLONIAL SECRETARY: If there is any desire to do business.