

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 29 JULY 1875

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LEGISLATIVE ASSEMBLY.

*Thursday, 29 July, 1875.*Case of *Mr. Bostock*.—*Gracemere Pre-emptive Bill*.—
Adjournment.

CASE OF MR. BOSTOCK.

MR. GROOM said he desired to ask the honorable the Secretary for Lands a question, without notice, and, of course, the honorable gentleman could please himself whether he answered it. It was, whether he was prepared to institute any inquiry into the case of *Mr. Bostock*, surveyor, of *West Moreton*, which he (*Mr. Groom*) referred to in the House on that day week? If he intended doing so, he (*Mr. Groom*) was prepared to furnish the names of independent witnesses who would substantiate the allegations he made on that occasion.

THE SECRETARY FOR PUBLIC LANDS was understood to say he was prepared to institute inquiry into the charges if they were formally made. There was no official record of the charges.

MR. GROOM: Did he understand that, because there was no record of the proceedings, no action in connection with the matter would be taken by the Government? He did not quite catch the honorable gentleman's reply.

THE SECRETARY FOR PUBLIC LANDS: No; he said the proceedings occurred in committee, and, consequently, they were not officially recorded in "*Hansard*."

MR. PALMER: What has that got to do with it?

MR. GROOM: If he were out of order—
THE SPEAKER: There is no question before the House. The honorable member may put himself right by moving a motion.

MR. GROOM: In order to put himself right, he should conclude with a motion. With regard to the statements which he made in the House last week, it appeared that some honorable members had very industriously endeavored to show they were groundless—that there was no foundation whatever for them; but in order to prove that he was perfectly justified in the action he had taken, he was prepared to prove them before any inquiry which the honorable the Minister for Lands might be good enough to institute. It was simply for that purpose he desired that an inquiry should be held; and in order that he might not commit any breach of the rules of the House, he should move—

That this House do now adjourn.

THE SECRETARY FOR PUBLIC LANDS said he might state that it was only that forenoon steps had been taken to communicate with *Mr. Bostock* in reference to the matter, and that gentleman could not have received the letter yet. He had already stated that he was quite prepared to inquire into the matter as far as it was possible, but at the same time honorable members would be aware that the Government had really very little power over *Mr. Bostock*; he had done very little work for the Government within the last eighteen months, and whatever was coming to him was stopped in the meantime, and he would get nothing until this charge was satisfactorily disproved.

MR. MILES quite agreed that *Mr. Bostock* should be called upon to answer the serious charge that had been brought against him. He believed that gentleman was not in the Government service at present, but he trusted the Government would see that this matter was thoroughly investigated and cleared up before he was again employed by the Government. He hoped with that assurance the honorable member would withdraw the motion.

MR. FOOTE said he made a few remarks in defence of *Mr. Bostock* on the previous

occasion, when this matter was before the House, and on his return to Ipswich, he informed that gentleman that his conduct had been called in question by the honorable member for Toowoomba, and he had written him (Mr. Foote) a letter which he requested him to read to the House. [The honorable member was proceeding to read the letter, which contained animadversions on the proceedings of the House, when]

The SPEAKER said: Order! The honorable member is out of order in reading a document which refers to a debate in this House, and especially a document which characterises any proceeding in this House as unwarrantable and false.

Mr. PALMER said he was on the point of rising to order. Such language should not be allowed to be used by a member in the House, and the honorable the Speaker was perfectly right in ruling that the letter could not be read. Besides, they had nothing to do with Mr. Bostock; it was a question of the credibility of two members of the House, one contradicting the other. The inquiry would have more to do with their credibility than with the conduct of Mr. Bostock, with which the House had very little to do.

Mr. GAOM said, speaking to the point of order, a predecessor of the honorable the Speaker, the late Mr. Speaker Elliott, when a letter appeared in one of the local papers, characterising the statement of an honorable member as false and unwarrantable, ruled it to be perfectly out of order, and such as would justify the House in taking strong measures in regard to the matter.

The SPEAKER: I have not the least doubt it is quite unwarrantable for an honorable member to read a letter which contains animadversions upon the proceedings of the House.

Mr. FOOTE said, since he had been in the House, he had heard a statement made by one honorable member, characterised by another as false and unwarrantable; but as the honorable the Speaker had ruled the letter could not be read, he should not proceed further with it. However, he had a letter from Mr. Handley, of Drayton, which bore distinctly on this question; and he would read it. He had been informed that he, Mr. Handley, was the real selector of the land in question; and not Mr. Turner, as the honorable member for Toowoomba had assumed. That honorable member had gone out of his way to attack Mr. Bostock, a private gentleman, who was getting his living as a land agent and surveyor, by making certain charges against him of being connected with some Ipswich land company; and the letter had reference to those charges. He (Mr. Foote) had no hesitation in saying that the malice, he called it—it might not be malice—he would say the feeling, that had prompted the honorable member to attack Mr. Bostock, had arisen from the fact that he had made a selection on Yandilla; and he had heard, but he was not

going to vouch for the truth of it, that the honorable member had determined, in consequence of that, to make an attack upon Mr. Bostock, and have his license cancelled, if it were possible. He was quite aware that Mr. Bostock did not care one straw for the honorable member for Toowoomba, who would not dare to say of Mr. Bostock outside the House what he had said in it. The letter he had to read was this. [The honorable member having read the letter—]

The SPEAKER said: I presume the honorable member does not intend the letter to become a record of the House. It is quite contrary to all Parliamentary proceedings that an honorable member should read a letter referring to a debate in this Chamber, and I allowed the honorable member to go on, hoping some honorable member would take exception to it. I must inform the honorable member it cannot become a record of the House.

Mr. MILES rose to a question of order. They did not know who the letter read by the honorable member for West Moreton was signed by. It might be a production of his own, for anything they knew—it was possible he had concocted the whole affair—they did not know whether it was signed by Mr. Handley; and he trusted the honorable the Speaker would take care it was not made a record of the House. He did not mean to say the honorable member for West Moreton was the author of the letter, but he might be for all he (Mr. Miles) knew.

Mr. FOOTE was not aware that he was infringing the rules of the House in reading the document; but a charge had been made by the honorable member for Toowoomba. A certain name was mentioned, and he simply read the letter in order to prove Mr. Turner was not the man, but that his name was Handley, as appended to this letter. It would be in the remembrance of honorable members, that Mr. Bostock was charged with having received a sum of money on account of a certain selection, and he (Mr. Foote) had been given to understand that this was the selection in question, and he merely read the letter in order to disprove the assertion that had been made by the honorable member for Toowoomba. He was quite sure that the character of Mr. Bostock would bear comparison with the character of that honorable member upon any occasion. Since he had been in the House, he had been very much surprised that the honorable member for Toowoomba did not carry more weight than he did in the House; because he had been a very long time in the House, and he was evidently not wanting in ability, and there must be some cause for it; and he believed the cause was simply this—the honorable gentleman got information by mere hearsay, and he came to the House, jumped up and made assertions at mere random, oftentimes not knowing whether there was any truth in them or not; and he believed both sides of the House

possessed the same feeling—that was, that they paid no regard to any statement made by the honorable member for Toowoomba. In reference to the honorable member for Carnarvon, he had always great pleasure in dealing with that honorable member, because he was a personal friend of his, and he should be glad to let him see the letter if he wished, and he would see the writing was not his own.

The SPEAKER: In order to justify my ruling, I shall read to the Chamber the practice of the House of Commons:—

“A member cannot read a letter referring to anything that has taken place in a debate in the House.

“On the question that the Speaker do leave the Chair,

“Mr. Ferrand said he held in his hand a letter from the Clerk of the Magistrates and Board of Guardians, saying, ‘I have read with astonishment the reply of the Right Hon. Baronet the Secretary of State for the Home Department to your speech on the second reading of the Poor Law Bill in the House of Commons on Friday last.

“The Speaker: The honorable member cannot read a letter in which a reference is made to anything which has taken place during a debate in this House.”

Mr. GROOM said he did not know whether he was entitled to reply, because he had a letter, which he should not have the slightest objection to read, and it bore out every word he had stated. It was from a gentleman he did not know, and had not yet seen; but he resided at Murphy's Creek—the very place this selection was taken up; and he was prepared to go into any court of justice, and bear out every word he had stated in the House. So much for the statements of the honorable member for West Moreton! In point of fact, he might state this, which he believed could not be contradicted:—The conduct of this Mr. Bostock had been brought under the notice of the Executive in connection with a land order, under circumstances which he would not now mention, but which he believed could be proved if inquiry were made. It appeared, from the information he had received, that a kind of black-mail had been levied on selectors; and this was the system resorted to:—It appeared there was only one gentleman in Ipswich who could act as land agent at the Ipswich Land Office, and when a selector put in an application, three or four days before the court was held, he was informed that Tom, Bill, Jack, and Harry had put in applications for the land, and that if he paid £15 or £20, probably the matter could be squared; and when the money was paid these fictitious applications were withdrawn, and the selector secured the land. The letter he (Mr. Groom) held in his hand would prove that, and he was sure the witness he referred to was much more to be credited than Mr. Bostock, and the honorable member who defended him.

As to the remarks the honorable member for West Moreton had made about himself, when that honorable member had held a seat in that House for fourteen years—which he did not believe he would, for he had been informed the honorable member would never show himself there again—but he had no right to characterise an old member like himself, the father of the House almost—as carrying little weight in the House. The honorable member was a heavier weight than himself, but he did not think he carried much weight, and he thought there were symptoms of the dissolving of the elements which held together a certain party in that House just now. With regard to the letter read by the honorable member for West Moreton, he might go so far as to tell the honorable member he knew under what circumstances it was obtained. He might state that the gentleman referred to went up to Toowoomba on Friday night, and he (Mr. Groom) could guess under what circumstances the document was extracted from the gentleman in question; and, in fact, that letter threw light upon it. He believed he was correct in stating that the facts had been communicated to the honorable member for Port Curtis, and there was, therefore, some foundation for the charge he had made.

Mr. BELL: What is the name?

Mr. GROOM: There was an objection, the other day, to names being given, but there was no doubt there was a considerable amount of truth in it; and this writer was prepared to substantiate what he saw, in any inquiry; and there were other names he (Mr. Groom) could mention, which would be brought forward.

Mr. BELL rose to a point of order—whether it would not be better, in cases where references of this kind were made, that the whole of the information should be given or none at all? He was not prepared to say whether it was convenient or inconvenient to have only a portion given, but he thought they should have the whole of it.

Mr. GROOM thought the honorable the Speaker had ruled—

The SPEAKER: I may say that when an honorable member introduces a letter and quotes from it, it is supposed to be made a record of the House. That is the practice of the English Parliament. If an honorable member quotes a letter, it then belongs to members in common.

Mr. J. SCOTT said he understood the objection of the honorable the Speaker to a letter being read, was only when it animadverted on the conduct of members of the House, or referred to a debate in the House. He did not think they could object to a letter being quoted when it did not contain any remarks of that kind.

Mr. GROOM: The letter referred to a debate which had taken place in that House, and he believed the honorable the Speaker had ruled, when the honorable member for

West Moreton was reading a letter, that, under these circumstances, it could not be read.

The SPEAKER: If it animadverts upon the proceedings of the House, the honorable member must not use it.

Mr. GROOM: It did; it referred to statements made by other honorable members, and contradicted them *in toto*; and it would be exceedingly unwise on his part to act in any way adverse to the Speaker's ruling. It flatly contradicted the statements of honorable members in the House, even the statements made by the representative of the gentleman who had written the letter; he said his representative had made a statement in the House that was not true.

Mr. BELL: As the honorable member had gone so far as to make the statement he had, he ought to give his authority. If he could not read the letter, there was nothing to prevent his giving the name. It might be an important name, or the very opposite.

Mr. McILWRAITH differed from the honorable member for Dalby. He had no doubt, if the honorable member for Toowoomba did give the name, twenty members would get up and blackball him for doing so. The same thing had occurred before.

The COLONIAL TREASURER: The honorable member said it flatly contradicted statements made by members of that House.

Mr. GROOM: One of them.

The COLONIAL TREASURER: He thought, if statements of that kind were made, they should know who made them, in order to see what value to attach to them.

Mr. GROOM: He would not give the honorable the Colonial Treasurer the satisfaction of stating the name, but he would give his honorable colleague, the Minister for Lands, the letter itself. He would not refer to the letter further than to say he was perfectly justified in bringing the matter under the notice of the House. As had been previously observed by the honorable member for Maryborough, even supposing the statements were proved to be falsehoods, the fact that it had been alleged against a surveyor, in whose honesty, integrity, and honor a large number of ignorant or unlearned persons reposed the strictest confidence, that he was not to be relied upon, that his integrity was bartered away, was sufficient justification for the course he had taken. And, as an honorable member said that morning, in the same confidential way, a kind of "ring" had been formed in Ipswich, of which Mr. Bostock was the head centre; and he (Mr. Groom) maintained he was fully justified in what he had done. He did not regret it; he did not regret one word of the statements he had made. It was in defence of unthinking and unlearned men who could not defend themselves; and it was also done in the interests of surveyors, by putting forward those who were honest against those who were practically dishonest.

Mr. EDMONDSTONE said the honorable member for Toowoomba had, in his opinion, done a most certain disservice to the House in bringing this matter forward; and the view he took of the matter was this:—Any honorable member having a complaint to make should go to the Government in the first instance, and if they refused or neglected to have the matter investigated to his satisfaction, and the satisfaction of the complainants, then, and then only, should the House be troubled with the matter. He considered the time of the House was far too valuable to be wasted in discussing such trifling cases as this. He would not have risen to speak, but the honorable member for Toowoomba not only made a charge in reference to this matter against this gentleman, whom he (Mr. Edmondstone) had known for twenty or twenty-five years, and who had always borne a highly respectable character, but he also made a charge in reference to land orders. Not satisfied with the first charge, he endeavored to pile up the agony by adding another, which he had no reason whatever to bring forward.

The SPEAKER: I must remind the honorable member that the honorable member who moved the motion has spoken in reply. The honorable member is now making a statement which he must see that honorable member has no opportunity of answering. I may call the attention of the House to the inconvenience of the practice of honorable members speaking after the mover of the motion has replied. It is manifestly unfair, and subversive of the general practice of the House.

Mr. BELL thought it had been ruled in that House before that the fact of an honorable member having replied did not preclude other honorable members from speaking subsequently.

Mr. EDMONDSTONE: He would not say more than that he thought the time of the House should not be wasted with these matters, which should be first investigated by the Government. He did not think it was wrong to have such cases investigated; on the contrary, he thought this case should be, and until the charge was proved, he still believed Mr. Bostock was innocent of it.

Question—that this House do now adjourn—put and negatived.

GRACEMERE PRE-EMPTIVE BILL.

Mr. BUZACOTT said, in rising to move the second reading of the Bill, he must ask the indulgence of the House while he made a short explanation. At the outset, when Mr. Archer asked him to take charge of this Bill, he felt that there was considerable awkwardness in it, and that it was a thing which he ought not to do without making a deal of inquiry, and without giving the subject great consideration. It would be remembered, that about twelve months ago, he presented a petition from a number of selectors and others resident in the neighborhood of Rock-

hampton, and on inquiry as to the origin of that petition, he found that it had been prepared quite independently of any influence possessed by the Messrs. Archer, and that it expressed the unanimous feelings and desires of the selectors in the vicinity. He made further inquiries into the circumstances of the case, and the more he inquired the more he became satisfied that the firm of Archer and Co. asked no more than they were fairly and reasonably entitled to receive. They came to the Port Curtis district in 1852 or 1853, and were the earliest settlers in that district; they opened it up, and they endured very great hardships. It was well known that for a long time they were particularly hospitable, and helped everybody who came to that district in every way they possibly could. At the time of the great rush to Canoona, they made very heavy sacrifices to help people who were in distress; and their career, from beginning to end, had been such as to prove them to be very deserving colonists. After they had been a long time settled in that district, he thought in 1863, they were anxious to obtain access from their head station to their woolshed. An area of land was surveyed, and offered for sale at auction, and he believed, at that time, it was certainly not worth more than the upset price—£1 per acre; and he believed, if it had not been considered that Messrs. Archer and Co. were desirous of obtaining it, there would not have been any offer for it at all. But there was a feeling at the time in Rockhampton, and he was sorry to say he had had that feeling himself to a certain extent, that they should try in every way to prevent Messrs. Archer and Co. from securing a freehold at all; and there was a number of people who formed themselves almost into a conspiracy to prevent them from obtaining the 280 acres of land they desired. The result was, they had to pay over £10 an acre for it, and he had no hesitation in saying, that since that time, land, equally desirable and valuable in every respect, had been taken up at from 5s. to 10s. an acre. He was quite sure the experience of the inhabitants of Rockhampton, with regard to the Archers, had been such, that if a similar thing were to occur, there would be no such conspiracy formed. The feeling of the people of Rockhampton now was, that if Archer and Co. asked for a great deal more than they asked from the House to-day, they should have it; that they richly deserved it. When the Crown Lands Act of 1868 was passed, one-half of the whole area of their runs was resumed, and though they had an opportunity, if they had felt disposed—there being a large number of partners in the firm—of selecting a very large area from the resumed half; they said, "No; we will not interfere with the inhabitants of Rockhampton, and intending settlers; we will leave the whole of the resumed area for them to select from;" and from that time to the present they had never selected a single acre.

But they had done more than that. A short time afterwards, finding there was still a demand for land for settlement, they voluntarily surrendered 165 square miles, which, if they had chosen to stand by their legal rights, they could have held possession of until to-day. No one could have deprived them of it. It was only at the beginning of this session resolutions were carried in both Houses, under which resumptions from the leased halves of runs were made; and it must be seen that when they voluntarily surrendered so large an area as 165 square miles, in order to meet the demand for land for settlement, they did themselves a great deal of injury. And not only had they surrendered the land, but, he believed, every acre of it worth having had been selected, and there was still a demand for more land, and 28,000 acres had been resumed from the leased property. And he was instructed to state, that if the Government, or settlement, required it, they were prepared to surrender the whole of the land they held in the Rockhampton district, without any condition at all. If it were required for settlement, they were ready, whenever the Ministry called upon them, to surrender every acre they had. They desired to become *bonâ fide* freehold settlers, and he thought, if honorable members took that into consideration, they would see that the concession they asked was no more than the House ought in all fairness to grant to them. What did they ask? Simply a priority of selection over about 13,000 acres. They did not ask to be allowed to have it at a lower price than any other selector could take it up, but simply to give them priority of selection in order to protect their improvements. It would be seen, on reference to the report of the Select committee, which was placed in the hands of honorable members some time ago, that the firm had expended upwards of £10,000 in improvements, and for nearly the whole of that they had the certificate of the commissioner in proof that their estimate was a fair and reasonable one. Honorable members could see for themselves, and he was quite sure, from inquiries he had instituted, that that was a fair estimate; and it was to protect their improvements, and to enable them to turn them to account, that they asked for an extension of their right of pre-emption. And supposing they exercised that right of pre-emption, each member of the firm would only hold 4,340 acres, and honorable members would see that, as ordinary selectors, they could take up a much larger area. He knew that probably some honorable members would feel that there was a principle at stake in this, and that if they passed a Bill for Messrs. Archer and Co., they would be asked to do the same for someone else. But he did not think so; he was not aware that anybody could establish the same claim for consideration as was shown by the evidence, oral and printed, which was supplied in connection with this case. And

if there were a case where the parties could establish a similar claim, he would be prepared to entertain it, because he considered if any person could show the consideration Archer and Co. had shown for intending settlers, the House ought to encourage them in every way. They did not ask this right of pre-emption as compensation. It must not be confounded with the principle of compensation, which he feared honorable members would be influenced by. But they did not ask it as compensation; they simply said, "We have done everything we could do to assist the Lands Department; we have never withheld an acre of land when we have been shown the public required it for settlement; we are really freehold settlers ourselves, and we only wish to hold such an area as will enable us to turn our improvements to account." Was not that reasonable? He was sorry the honorable the Secretary for Lands had felt himself called upon to take up a hostile position in regard to the measure; because the late Minister for Lands, Mr. Stephens, assured him, before he took the subject in hand, that he would offer no opposition, and that Messrs. Archer and Co. were asking no more than he thought they ought to have, and he would be only too happy if the House would grant what they asked. And honorable members would remember that when Mr. Stephens moved his resumption resolutions some two months ago, he singled out Messrs. Archer and Co. as a firm who had always been ready to relinquish the lands held by them, and had never insisted upon their legal rights in any way. It would be seen, on reference to the report of the court, that the present Minister for Lands had protested

"against the passing of the preamble of the Bill, on the ground that it is an infringement of the rights of the public, and more especially a deprivation of the rights of the inhabitants of the vicinity, in the selection of such lands as may be resumed from these runs."

But it had been done in accordance with the petition from the inhabitants of the vicinity; and he thought they ought to understand the position, and know whether the concession asked by Messrs. Archer and Co. was really an infringement of their rights. He did not think it was, and he thought, as one of the inhabitants of the vicinity, he ought to do everything he could to retain such settlers as the Archers had proved themselves to be, and that anything reasonable they asked in the way of an extension of area, to enable them to turn their improvements to account, ought not to be withheld. As he had said, supposing the Bill were to go through, and the selections were made as asked, they would only hold 32,000 or 33,000 acres; and he thought there were many persons who held 30,000 acres, and who had acquired it on probably much easier terms than were asked for here, and the only thing

was, perhaps, they had done the thing in a way which Messrs. Archer and Co. would never stoop to do. They would never stoop to anything that was not strictly honorable, and they had determined that unless they could get the extension of area for settlement in a fair and straightforward and honorable way, they would not have it at all. He did not think he need say much more in support of the measure at present. The evidence showed that the case was easily understood, and he should only say, before moving the second reading of the Bill, that if the House, or the honorable the Minister for Lands, considered any alteration in the schedule was desirable, he was quite prepared to accept any amendment the House might desire. Honorable members would see for themselves the area of the lands asked for, and an examination of the plan he now laid on the table would enable them to understand exactly the situation. He should only say, in conclusion, that the area was not asked for as compensation. He repeated that, because he hoped honorable members would carefully and distinctly remember it was not asked for as compensation. He begged to move—

That this Bill be now read a second time.

THE SECRETARY FOR PUBLIC LANDS said the honorable member had set a good example by making a short speech, and he should endeavor to follow that example. That speech was one he certainly would not be able to reply to, because it was an eulogy on the Archer family, and he had no intention of saying a single word against that family as good colonists; but there were one or two remarks in connection with that eulogy that might have been omitted. The honorable member had spoken of these gentlemen not having got such a large quantity of land as other gentlemen had got, because they had not resorted to the same means of obtaining it.

MR. PALMER rose to a point of order. The honorable the Speaker decided the other evening that it was irregular for members to read newspapers in the House; and he thought it was much more irregular for the member of another House, or any stranger in the House, to read papers within its precincts. He had been disturbed by the rustling of a paper by a gentleman in the Ministers' gallery; and he thought, if visitors chose to come to the House to listen to the debates, they ought to conduct themselves in accordance with the rules of the House.

THE SPEAKER: I think the remarks of the honorable member for Port Curtis should carry some weight. I think visitors to the House should conform to the practice which is exacted from honorable members; and I may tell the honorable member it is competent for an honorable member at any time to call attention to the fact that there are strangers in the House; and then the House

will be cleared of those gentlemen who come here, and do not conform to the practice which is exacted from honorable members themselves.

Mr. PALMER: He should be exceedingly unwilling to resort to that means of doing away with one nuisance. He did not wish to punish many for the fault of one.

The SECRETARY FOR PUBLIC LANDS: He was sorry the duty should have devolved upon him of opposing the Bill, because he thoroughly believed in the reasons urged by the honorable member for Rockhampton, that these gentlemen were good and worthy colonists—worthy of all credit; but he did not think that was a sufficient reason for giving them a pre-emptive—a preferential right over 13,400 acres of land in addition to what the law had already provided for them. This question, though primarily and directly applying to only one runholder, and to one or two runs, it secondarily, and in an indirect manner, applied to all runholders and to all runs in the colony. And to his mind it raised another question; it was, trying the issue with respect to compensation or no compensation for resumption. He believed if this Bill were passed, they could hardly get out of that conclusion; and every leaseholder who was deprived, within the period of ten years, of any part of his run, would consider himself, and, perhaps, the House would be obliged to consider him, entitled to compensation for resumptions made. He was not aware that the honorable member had raised any point which could not be applied to any other run. There was one point, however, to which the honorable member did not refer, and that was, with reference to the consolidation of these runs. It would probably be remembered by honorable members, that at the passing of the Act of 1868, those runs were held in several different names, and were consequently so many different runs, and the lessees had all their rights under the then existing lease; and if they brought their runs under the Act of 1868, they would be entitled to four square miles in each run. It was a matter of their own free will to consolidate the runs, and when they applied to the Government of the day to have their runs consolidated, the Government refused to allow them to be consolidated—he supposed, on the ground, that being held in different names by different individuals, they did not come within the scope of the clause of the Act providing for consolidation. But the manager of the firm was persistent in having the runs consolidated, and brought under the Act as one run, and having obtained the best legal advice he could, he was at last successful, when an Attorney-General was in office who considered it was a case which might be allowed—that the runs might be considered as belonging to one firm. They were accordingly brought under the Act and consolidated, and then divided, one half being thrown open for selection, and that half, it appeared from

the evidence, was very eagerly selected by population in the immediate neighborhood; and as that evidence was given by Mr. Archer, it was quite unnecessary for him to adduce any further argument in support of it. He might state that one member of the firm was a member of the House when the Act of 1868 was passed, and he took a very active part in procuring the passing of that Act; and, he believed, he would have gone very much further than the Act went in reducing the price of land to half-a-crown an acre, in order, as he stated, that population might be settled on the lands. It appeared, however, that at the present prices, 5s., 10s., and 15s. per acre, a numerous population settled in the immediate neighborhood of the run, and they were not satisfied with the quantity of land; and, although, it had been supposed, selectors might be “cribbed, cabined, and confined” in a small space, it seemed the price could not crush the spirit out of them, and at Rockhampton they immediately came up, like Oliver Twist, and asked for more. But there was no attempt made at that time to get more for them, and, it appeared, to the credit of Archer and Co., they voluntarily gave up 120 square miles, and immediately after, another piece of 45 square miles. But, it would be remembered that, by a resolution of both Houses of Parliament, they were bound, according to the terms of the lease, to give up whatever was required for public purposes, and it was not stated that they gave up more than was required. Mr. Archer himself had stated the land was eagerly selected, and if the whole of the runs they now held were thrown open, they also would be eagerly selected. He could hardly see how Archer and Co. could expect any compensation for that, because, if the public were not entitled to the land, or if there was no necessity to withdraw it from lease and to throw it open to selection, the House had no right to give compensation; and if, on the other hand, the land was required by the public, it was clear Messrs. Archer and Co. had no right to hold it, and it was the duty of the Legislature to withdraw it and throw it open for selection. Perhaps, if the honorable member had been anxious to make a point, he might have made one in connection with the dilatoriness of the Government of the day in not providing land for selectors; because it was clear, from Mr. Archer's statement, a demand was known to exist. With reference to the 45 square miles, it was declared in January, last year, to be open to selection under the Homestead Areas Act of 1872, under which no one could select unless those who were going to settle upon the land, and after much more than a year, they found, out of 28,000 acres, there had been only 1,800 selected. The commissioner was written to for his report, and he said, out of the 27,000 acres remaining, there were only about 3,000 at all fit for selection, one-half being second-class pastoral and the

other first, so that it appeared there was not a single acre of agricultural land. He was not in a position to say how the 120 square miles stood, but probably there was a greater proportion. But, with respect to the 28,000 acres, there were only 1,800 selected, so that at the present time, or until very lately, Messrs. Archer and Co. held fifteen out of every sixteen acres of that area. They had a reduction of rent in proportion to the area surrendered, and they still held the grazing right over fifteen out of every sixteen acres, and, he thought, that ought to be sufficient compensation to meet this case. The land was given up at the time of a general election in 1873, when there was a great cry for land, and the resumed portions of the runs had been picked over. Whether that had anything to do with influencing Archer and Co. to give up the land he could not say, but it was worthy of note, that this 120 and 45 square miles should be given up at that time; and that, coupled with the fact that the 45 square miles, or at least five-sixths of it, was of such an inferior character, that they had had a reduction of rent, and still held the grazing right over it, he thought, put their claim for compensation entirely out of court. They also based their claim upon the fact that each member of the co-partnery would hold, if the Bill passed, only 4,340 acres. Well, that might be, but he had already shown it was their own expressed desire to be counted as one co-partnery, not as separate members of the firm, and it was in that way they must look at them. The co-partnery stood in the same position as an individual, and they held 21,000 acres, which was not a bad slice, considering nearly one-half of the area resumed had not been selected. With reference to Meadow Flats Run, he believed there was no point whatever in connection with it; it was different from the other runs. There had been no portion of it surrendered, and he believed none of it had been resumed until the resumption was made, this session. According to the evidence, there was only £500 worth of improvements on it, and they were on purchased land, taken up under the Orders in Council, some time ago; and yet Archer and Co. claimed 2,500 acres as a pre-emptive right. With respect to the statement that the commissioner had certified to the improvements, he might say, that did not go for much, because the commissioner acted simply in the capacity of a private individual in that matter; his duty as commissioner only went to the extent of certifying to £1,280 worth of improvements on each run, which entitled the holder to the full extent of pre-emption allowed by law—2,560 acres; and anything beyond that was not an official duty. He had very little doubt himself that this Bill, if passed, would be the comprehensive Land Bill of the session; that it would certainly lead the way to greater results than was anticipated or acknowledged by the honorable member for Rockhampton. There were

one or two extracts he should like to read to the House from Mr. Archer's speech on the Land Bill of 1868; and he had read the speeches on that Bill with a great deal of pleasure and interest, and, perhaps, information. This was that gentleman's speech at the conclusion of the whole matter, at the third reading of the Bill, after it had been in a Select Committee, and had passed through all the other necessary stages:—

"I did not come into the House under any false colors; and honorable members will find, from my published address to my constituents of Rockhampton, my chief purpose in coming to the House was to cheapen the lands, and to induce people to settle on them. Is there, I would ask, a country in the world so dreary as Australia is at the present time? I maintain there is not; for anyone can ride for miles and miles, over the settled portions even of the interior, and not see so much as a bark hut during the journey. Now, is that a state of things that should be allowed to continue; or, are we to pass a measure that will induce people to come here and settle and improve the lands, and make a living on them? I hope, before many years have passed away, to see that one of the effects of this Bill will be the settlement of so large a population on the lands of the colony that the promoters and supporters of it will be fond of the work they have done."

The only other extract was the last of his speech:—

"I have, therefore, to thank those honorable members who have given me their support in endeavoring to pass some of my own views through the House, and having them embodied in the measure now before us; and I feel confident that neither I, nor those honorable members with whom I have acted, will ever have cause to regret the passing of this Bill through the House. Having such a confidence, I will vote, with the greatest pleasure, for the third reading of the Bill."

It was very astonishing, after that, that the firm of which that gentleman was a member should be the very first to ask to have a Bill passed through the House to give them special privileges—to confer upon them a pre-emptive right to select several times the quantity of land allowed by the Act of 1868. He should oppose the second reading of the Bill.

Mr. AMHURST said he was a member of the Select Committee on this Bill; and, after looking carefully into the whole facts of the case, he thought it was a petition that ought to be granted. He did not think it could be quoted as a precedent to other owners of runs to ask for compensation. It was not for compensation; and there was not the slightest doubt—he had made inquiries from several persons if in any part of the colony there was such a peculiar case, and the reply he always got was, that they could not think or hear of one. There was no doubt the petitioners, before the consolidation of their runs, would have been able to take up the whole of the land applied for as a freehold, but they let that go past; and he might also

call attention to the fact that it appeared in evidence, and he had information to the same effect, that there was not an acre of this land fit for agriculture. It was all the worst description of second-class pastoral land, and only fit for grazing cattle, and even for that purpose it was not of the best quality. As he said before, it was not a precedent to others, because there were no other persons in the colony in the same position; and on these grounds he thought it was proper that the Bill should pass that House.

The SECRETARY FOR PUBLIC WORKS said, so far as the remarks of the honorable member for Rockhampton were in praise of Messrs. Archer and Co., he could cordially endorse them. He believed nobody would dispute that they were amongst the very best colonists they had in Queensland; but it did not follow for that reason that the House should make special legislation in their behalf; because, if they granted them special privileges on the ground that they had been enterprising and very hospitable colonists—because, in other words, they had striven to advance the colony—there were many gentlemen in different districts who might lay claim to consideration for similar good qualities. What he was afraid of was, that Messrs. Archer and Co. were not the only men in the colony who would be entitled to pre-emptive right on those grounds. The honorable members for Rockhampton and Bowen had expressed themselves as believing that this demand could not be considered as compensation for the loss of land. Now, he would direct the attention of the House to the petition presented by Messrs. Archer and Co., appendix H to the evidence taken before the Select Committee, the last paragraph but one of which stated:—

“That from the avidity with which lands are selected on their runs, in consequence of their proximity to the populous neighborhood of Rockhampton, your petitioners believe that their runs should be thrown open for selection; and your petitioners would willingly relinquish any claims they may have, provided your honorable House would give your petitioners a right of pre-emption, at a price to be fixed by your honorable House, of an area of land proportioned to the quantity resumed.”

Now, there was a distinct demand made there for an additional pre-emptive right in proportion to the quantity of land resumed; and he did not think a claim for compensation could be made more clearly—the additional pre-emptive was to be in proportion to the land resumed. He believed that if they were to consent to the passing of the Bill they would violate the contract under which runs in the settled districts were held, and although this was a particular instance, they would render it impossible to obtain any further resumptions in the settled or unsettled districts without giving compensation. The petitioners, in this case, had undoubtedly suffered considerable loss from

large areas having been resumed from their runs, owing to their vicinity to the town of Rockhampton, but it must be remembered that during many years they had enjoyed the advantage of a market and of being near the port, and were able to carry on their squatting operations at much greater profit than those who had stations in the interior. He thought the additional profit made by persons who took up runs on navigable waters, and in the vicinity of towns, must be looked upon as compensation for the short time they were likely to hold them. He would point out, that under the Act of 1868, a distinct contract was entered into by the gentlemen holding runs in this colony. They were to pay a certain amount of rent, and whenever the public requirements demanded it, the land could be resumed by resolutions of both Houses of Parliament. He did not think any claim could be founded under that Act for compensation, because the land held by Messrs. Archer and Co. had been resumed or surrendered because it was required for settlement. It appeared from the statement of the honorable the Minister for Lands, that 45 square miles had been surrendered by Archer and Co. in one part of the run, but only 4,800 acres were fit for selection, and he did not think the surrender of that area of available land was a sufficient reason for granting an additional pre-emptive. They must remember that whatever they were giving to Archer and Co. in this matter, they were taking from the public; they would be taking from the public the right they undoubtedly had of applying for this land when it was thrown open; and he did not think, even if the inhabitants of Rockhampton were more unanimous in supporting this than they appeared to be, they would be justified in passing it into law. Much as he respected the Messrs. Archer, he did not think their claim to an extended pre-emptive right, which would prevent the public from competing for the land, would bear investigation. He should be glad if he held a contrary opinion, because there were no persons in the country he would more gladly serve; but, after all that had been said about the injustice of dealing with individuals, he thought the House would not turn its back upon the principles laid down, and establish a precedent, by passing an Act dealing with individual cases as they turned up, and not upon principles of public policy; not upon legal claims, but upon matters of personal consideration. He thought whatever loss Messrs. Archer and Co. might possibly suffer, if they were compelled to compete with the rest of the public for this land, that should not be weighed against the loss which would result to the country at large, by passing this measure. If the principle of paying compensation to the lessees of runs for the resumption of lands, which was provided for by the Act under which they held their leases, were allowed and approved by the passing of the

Bill, the mischief or loss to the public would be so great that any benefit to Archer and Co. would be altogether lost sight of. He was sure, if the Bill were passed, and a precedent were established, they would not only not be able to get a single acre of land resumed in the settled districts without compensation, but they would not be able to get an acre in the unsettled districts; because people there had just as much claim for compensation as those in the settled districts; and, after all that had been said about the qualities of the Messrs. Archer, he believed there were many gentlemen in the colony who, if that were justification, would be able to double the pre-emptive which the law gave them.

Mr. MACROSSAN said, although he fully expected from the action of the honorable the Minister for Lands on the committee, that he would oppose the Bill, he did not expect that he and the honorable Minister for Works would oppose it so strongly as they had done; and more than that, they had placed what they were pleased to call the Archers' claim, upon a wrong basis altogether. It was not a matter of compensation, or of right. These gentlemen simply came down to the House and asked for a concession; and it was a concession which he believed, if the people of Rockhampton, who were best acquainted with Archer and Co., and also the miners in the neighborhood, were polled to-morrow, they would be perfectly willing to grant it. As to the assertions of the honorable Minister for Works, about gentlemen settling down in the neighborhood of towns, and being dispossessed of their land a short time afterwards, it seemed strange to him that he, an old colonist, should make such a statement. It must be known to him that Messrs. Archer and Co. settled there when it was a wild bush, and they had to run the same risks as the people in the far North had now; and if they had the advantage of a market alongside their run, he must know, as well as he (Mr. Macrossan) did, that they assisted to a considerable extent in the creation of that market. He did not believe the passing of the Bill would establish a precedent; he did not think there was another squatting firm in the whole colony who stood in the same position to the public as the Messrs. Archer. He did not believe there was a single one, and he felt confident there were no individuals in the colony who would, from the passing of the Bill, consider themselves entitled to come down to the House, and ask for a similar privilege. As to the value of the land, he had some knowledge of it, because he had prospected over nearly the whole of it; and he knew, and the honorable the Minister for Works knew, that land which was gold-bearing was fit for nothing else but pasture. He did not believe twenty acres could be found in any one spot in the land Messrs. Archer and Co. asked for fit, to grow anything whatever. Now, these gentlemen must certainly have acted very well, and

they must have in some degree a claim for the consideration of that House, when the free selectors in their neighborhood were strongly in favor of granting this concession. He thought if there were anything whatever against the concession, the free selectors, who were generally more or less at enmity with the pastoral tenants in their neighborhood, would certainly find out the weak point in their claim. He should have great pleasure himself in voting for the second reading of the Bill; and he did not believe in doing so he would at all nullify anything he had said or done in the House, or that he wished to do in regard to land legislation. If he did, he certainly would not do it, but he did not; nor did he think it would establish a precedent which any other squatting firm in the colony would consider themselves entitled to follow.

Mr. BELL regretted to see the opposition of the Government to this Bill; and he had not been able to see that the grounds they had put forward were at all sufficient, or that they were grounds on which they, as a Government, had any right or occasion to oppose the Bill. What was asked was in no way as compensation for the resumption of land; and it was distinctly stated by the petitioners that it was asked for as an act of grace on the part of the Legislature—as an acknowledgment of an act of grace on the part of that firm at an earlier date. There could be no doubt it was an act of grace on the part of the Archers to give up 165 square miles of land to be selected, as they knew it would be immediately after they gave it up; and he should like to know how that was going to be a precedent to any other Crown lessee in the colony, should this Bill pass? He would like to know where was the Crown lessee who would run the risk of giving up 165 square miles to be selected under the Act of 1868, with the expectation of getting a similar area recouped to them, as was proposed by this Bill?

Mr. GROOM: Gore and Co.

Mr. BELL: He was not aware in what way the case referred to at all coincided with this. From his recollection of it, which was not very clear, it was not in any way like this. As far as he remembered, Gore and Co. had land given to them in consequence of special improvements they had made.

Mr. GROOM: They got nothing.

Mr. BELL: He differed from the honorable member. They did; they gave up land, and they also got a concession made in consequence of special improvements, made in contradistinction of any other case existing in that portion of the colony, or anywhere else, in fact. He held that the line of argument assumed by the honorable the Minister for Lands in regard to this question was not fair. He thought the very suggestion put forth by that honorable member, that the concession of Messrs. Archer and Co., in giving up 165 square miles, was made at the

time when the elections were on, and that it was done as a political act—for that was the inference he drew, and he believed that was the inference the honorable gentleman intended honorable members to adduce—was very unfair. First of all, if he knew the Messrs. Archer correctly, they had no political tendencies at all. They had never been in the House, except one of them some years ago, and he did not know that they were mixed up with politics in any way. And supposing they were, did it follow that a dark complexion was to be put upon a man because he was a politician? If that were the case, what must be the color of their characters in that House? It assumed this: That no man could enter the House, or be connected with politics, who had not his character thereby blackened, from that time forth, and the very suggestion of such a thing was a slur upon the members of that House. He was not aware that the Messrs. Archer had assisted in the election of the present or the previous member for Rockhampton, and if the honorable the Minister for Lands was in a position to show that there might be some justification for the inuendo—

The SECRETARY FOR PUBLIC LANDS rose to a point of order. I did not make any such implication as stated by the honorable member. I stated a simple fact.

The SPEAKER: What is the point of order?

The SECRETARY FOR PUBLIC LANDS: I am being misrepresented.

The SPEAKER: That is not a point of order; it is a matter for explanation.

The SECRETARY FOR PUBLIC LANDS: I stated a simple fact, that the land was given up at the time of a general election; that there was a considerable amount of agitation in the colony at the time for more land to be thrown open for selection, the areas thrown open having been picked over. I made no such insinuation as stated.

Mr. BELL: The honorable gentleman had stated he would make only a short speech, and it was not likely a Minister of the Crown would go out of his way to make a statement of a matter of fact without some particular object, and that object could only be the deduction which he had just now stated. But, whether the honorable member was right or wrong in his suggestion, it had not much to do with this case. It seemed to him that this could have no reference to resumptions under the Act of 1868, and he thought a false issue was raised by the honorable the Minister for Works when he put that forth. It was clearly stated it was in reference to the 165 square miles which were given up by Messrs. Archer and Co., and he looked upon that as a very great concession, and he looked upon the case as one the like of which they would not see again, in all probability, in this colony; because he did not think, if this Bill ever became law, any future Crown lessee would be likely

to give up 165 square miles, or any other area, in the hope of getting land under the same circumstances that Archer and Co. would if the Bill were passed. He could see no reason why the Government should give any weighty opposition to this. Perhaps it would be their duty to point out to the House some special reasons for being cautious, if there were any such reasons; but for two members of the Government to take up such an active opposition, upon such false grounds as they had put before the House, was, he thought, unworthy of them, and he should give the Bill his support.

Mr. BAILEY was rather at a loss to see the necessity for this Bill. He was informed that the people of Rockhampton would not take the land, that the selectors were in favor of Messrs. Archer and Co. having it; and, therefore, he could not see what necessity there was to pass a Bill to give them a pre-emptive right, merely to prohibit any one else from having it.

Mr. MILES said he was not going to say he regretted he could not support the Bill, because he did not regret it at all. He could not see under what right Messrs. Archer and Co. had come to that House in this begging, praying way to ask for this concession. He had not the least intention of saying anything in any way disrespectful to the Messrs. Archer, because he believed they were thoroughly honest and upright men. From the first time they took up stations they had always kept within a reasonable distance of the coast, and he might fairly term them "coasters." They took up Grace-mere, near Rockhampton, and had not been long there when a township was formed, and a large population settled in the locality; and it was unfortunate for them that the country was likely to be taken up by selectors. But honorable members must not forget that while they held that run they could ship their produce within two or three miles of their woolshed; while others, who had gone 500 or 600 miles in the interior, had to go to considerable expense for carriage; and, consequently, the profits of Messrs. Archer and Co. were very much larger. The honorable member for Rockhampton, when moving the second reading of the Bill, dwelt a good deal upon the generosity of the Archers—how they had assisted people in distress at the time of the Canoona rush—and he (Mr. Miles) was prepared to say they pocketed more money by the sale of mutton and beef on that occasion than would fully recoup them if they lost all the land they held. He objected to the Bill on principle. He should like to know what Messrs. Archer and Co. had done that they should legislate for them specially? What they had done was to endeavor to benefit themselves. Now, Mr. Archibald Archer was once a member of that House, at the time when the Mackenzie Government first came into power; and the honorable member

for Port Curtis was a member of it. At that time, there was a very strong desire on the part of the public for land for settlement, and the Government prepared a Land Bill; and he was sure the present head of the Government would recollect that Mr. Archibald Archer was the first to propose to throw the whole of the land open to free selection.

Mr. BELL rose to a point of order. He thought the honorable member should confine himself to the question before the House.

Mr. MILES submitted that he had a perfect right to explain all the circumstances of the case. There was a "caucus" held with reference to the Land Bill prepared by Mr. Lamb, which proposed to define certain agricultural and grazing areas, and, unfortunately, Gracemere happened to be one of the agricultural areas; and, at this meeting, they went through the Bill clause by clause—

The SPEAKER: I think the honorable member is wandering from the subject. He is not confining himself to the Bill before the House.

Mr. MILES thought considerable latitude ought to be allowed in debate, and he was endeavoring to prove that the statement that Messrs. Archer and Co. were so liberal, that they never waited for the Government to put any pressure upon them, but offered the land before it was asked, was entirely without foundation; and that they were selfish men, who looked merely to their own interest. Well, he attended the "caucus," and he never saw a man so excited in his life as Mr. Archibald Archer; and he believed the result was, that the Messrs. Archer succeeded in saving, not only Gracemere, but the whole of the Darling Downs. He believed if it had not been for the action of Mr. Archibald Archer and his colleagues, every inch of the Darling Downs would have been thrown open to selection; and, if it had, it would be more profitably and beneficially occupied than it was at present, and they would not be discussing and bothering about Land Bills. He believed the action of Mr. Archer on that occasion had led to all the dummying and fraudulent acquisition of land; and they were the men who now came forward to ask that House to provide special legislation for them, and to allow them to select land without competition. The honorable member for Bowen had described the land Messrs. Archer and Co. wished to have granted as worthless land that no one would take up; and he (Mr. Miles) did not want to deprive them of a single acre that was unsuitable for settlement, but he would refer to the evidence to see what there was in support of the claim; and he might say he thought the Government were deserving of censure for allowing such a one-sided committee to be appointed. He found there were the honorable members for Bowen, Port Curtis, Rockhampton, Maranoa, and Kennedy: and although he read the evidence over and over again, he was at a

loss to understand what the claim was founded upon. Mr. William Archer was asked:—

"7. You state in the preamble here that you have exercised your pre-emptive right so far as you lawfully can under the provisions of the 14th section of 'The Crown Lands Alienation Act of 1868'? Yes; we have done so.

"8. And you wish to exercise it to a further extent? That is the object.

"9. To what extent do you wish to exercise your pre-emptive—to increase your pre-emptive? To the extent of 13,400 acres, I think.

"10. By Mr. Amhurst: That is the amount? Yes, that is the amount.

"11. By the Chairman: Have you any reasons to urge why this concession should be granted to you? Well, one reason I have to urge is that—

"12. By Mr. Palmer: Are they contained in your petition? Yes. I refer to the petition."

Honorable members would see the honorable member for Port Curtis was endeavoring to assist him, and he thought when a witness was called upon to answer a question he ought to be allowed to answer it in his own way. Under all the circumstances, he could see no ground for the claim of Messrs. Archer and Co. for special legislation. Mr. Archibald Archer, who had written a number of articles, under the name of "Sagittarius," in the Sydney press, came down to the House with a great reputation, and he used it to very little purpose. He completely gulled almost every member of the House. He even got over the then honorable member for South Brisbane, and Dr. O'Doherty, and the honorable member for Fortitude Valley, Mr. Lilley; he humbugged and gulled the whole of them into passing the Act of 1868. The whole of the Bill brought in was amended, clause by clause—

Mr. BELL rose to order. The honorable member's remarks seemed to him to have no connection whatever with the Bill before the House. He asked the Speaker's ruling on the point.

The SPEAKER: I cannot understand the relevancy of the honorable gentleman's remarks to the motion. I have already told the honorable member he is departing from the subject of the debate, and I think if he would keep more closely to it, he would set a very good example.

Mr. MILES: He would endeavor to confine himself to the question before the House; but he thought, when a petition was presented to the House by the Messrs. Archer, and a Bill was founded on that petition, he had a right to refer to one of the petitioners; but of course, if the honorable the Speaker ruled that he was out of order in doing so, he would not persist. He took silence as consent, and he said one of the petitioners had been at the bottom of all the evils and difficulties they had got into in connection with their land laws. The Government then in power put their Minister for Lands in a most humiliating position by his having to move the

clause in the original Bill, and then the one to be substituted.

THE SPEAKER: The honorable member is clearly out of order. He is now discussing the progress of the Land Act of 1868, which has nothing whatever to do with the motion now before the House. It is my duty to prevent time being wasted by these divergences from the subject of the debate.

MR. MILES: He would endeavor to deal with the Bill before the House. The honorable member for Rockhampton had stated that the late Minister for Lands, Mr. Stephens, he presumed, would have offered no opposition to this Bill; and all he (Mr. Miles) could say was, that if he did not, he was unworthy the position he held; and if he were now in the House, he would denounce him or any other Minister for Lands who would hold out encouragement to such Bills as this by saying he would support them. The honorable member also said there should be no objection to the Bill because the inhabitants in the locality had petitioned in its favor; but he did not care a straw about the people of the locality, whether they petitioned or not. He had a perfect right to say the public would not consent to disposing of any land unless in accordance with the law; and he denied the right of the inhabitants of Rockhampton to petition in favor of Archer and Co. being compensated with land on the terms proposed. He thought, when they considered the matter, that a member of the firm was the father of the Bill of 1868—he could not help referring to it because it bore upon the whole affair—it certainly appeared absurd that they should come now and ask the House to grant them special privileges, because of the result of that measure. The honorable member had also said, if they had exercised their privileges under the Act of 1868, they could have selected about 80,000 acres, but they did not wish to come into collision with the inhabitants of Rockhampton, and therefore they had foregone their right to full selection. But the fact was, that out of the whole of the names on the petition, only two or three of them resided in the colony, and he believed they were too honest and upright to come forward and make a declaration which would be contrary to law. Every one knew that Mr. David Archer had not resided in the colony for the last twenty or five-and-twenty years. He was not quite sure about the others, but he believed when the honorable member said they could select 80,000 acres, he stated what was hardly correct, because they could not exercise their right to additional selections, not being residents of the colony; and he thought it rather damaged the case when the honorable member represented that they had not exercised their rights as selectors to that extent in deference to the wishes of the people of Rockhampton. The honorable member had also referred to the enterprise of Archer and Co., and he could say they went

up to Peak Downs and took up a large tract of country there. In fact, when he was trying to find some country about twenty-three years ago, everywhere he went he found a tree marked "A;" and their enterprise consisted in taking up large tracts of country, not to stock it, or utilise it, but to speculate and to sell. That was some of the enterprise of these gentlemen who now came forward and asked the House to give them a special pre-emptive right over a certain quantity of land within sixteen miles of Rockhampton, when there was a large population settled. He did not intend to say much more on the matter, but he must say he was very much dissatisfied with the action of the Government in regard to the Bill. The honorable the Minister for Lands had got up and opposed it, and he sat down without moving any amendment, and he should like to know why he did not move that "now" be omitted, with the view of inserting "this day six months." He said such conduct was most reprehensible, and although he could not support the Bill, if there were any loop-hole by which he could do so, he would, in order to show his thorough disgust for the Government, and, he thought, the sooner they got rid of them the better. He thought it was a most iniquitous measure. At the same time, he wished to guard himself against saying a single hard word against the Archers. They were straightforward, honorable, and honest men; they had asked for a certain privilege, and it was for the House to say whether it would grant it or not. But he thought, after the speech of the honorable the Minister for Lands, he was in justice bound to move that the Bill be read that day six months.

MR. GROOM said this Bill was one of those difficult questions on which it was hard for honorable members to see which way to vote; but he had sufficient confidence in the honorable member for Rockhampton to believe that he would not ask the House to consent to the second reading of the Bill unless he was satisfied that there were fair claims for its consideration, and that had considerable weight with himself. Although he had not yet heard the honorable member for Blackall, who resided in the same district as the Archers, he took it for granted that if he intended to oppose the Bill he would have got up earlier, and he supposed, therefore, it was his intention to support it. He had heard it stated that it would be more satisfaction if some other and independent testimony—some selectors around Gracemere—had been examined before the committee, in reference to the Bill; but he had ascertained from the honorable member for Rockhampton, that the matter had been before the district for the last twelve months, and no petition or counter action had been submitted against Messrs. Archer and Co. receiving the grants set forth in the Bill. The only objection he could see to the Bill was, that it might be a dangerous precedent for others to

make a similar claim, and if that could be overcome, he did not see why the claim should not be conceded. He thought honorable members ought to look at it in that light. If he understood the honorable member for Carnarvon correctly, he said the Land Act of 1868 had originated from one of the Messrs. Archer—that he was the father of the Bill; and he (Mr. Groom) thought it was almost a satire on that Act, that the firm of which that gentleman was a member, should find it necessary to ask for a concession of this kind, because they had acted honestly and fairly in connection with their runs. When the honorable member for Dalby was speaking, he (Mr. Groom) mentioned Messrs. Gore and Company, of Yandilla, and he said they stood out as the bright particular star of the Darling Downs, in having discountenanced, in every way, obtaining land under any surreptitious or dishonorable circumstances. He believed they had availed themselves of the provisions of the Act, but nothing more; that they had not employed dummies to assist them in taking up land, and that they had not dummied on any part of their run. The question had arisen with him, whether Messrs. Gore and Co. had not an equal claim to come down and ask the House for a similar concession that Messrs. Archer and Co. did in this case? But, as he understood the honorable member for Rockhampton, there was a difference, inasmuch as these gentlemen gave up a large area for selection when they had not been asked to do so; but in Messrs. Gore and Co.'s case, the land was taken from them under the Act. It was difficult for independent members to know how to act in a question like this, and in cases of doubt and difficulty he acted upon this principle:—He took it that the members of the district were the best judges in matters of this kind; and he was sure, if the honorable member for Rockhampton thought he was acting contrary to the wishes of his constituents, he would not have brought forward such a Bill, and he took it for granted the honorable member for Blackall would act in the same way. Looking at the fact that there had been no petitions against the Bill, although it had been before the people of the district for twelve months, he, as an independent member, would feel himself justified, on the information supplied by the honorable member for Rockhampton, in giving his vote for the second reading of the Bill.

Mr. MACDONALD regretted that the honorable member for Carnarvon had, as usual, wasted so much valuable time. Instead of confining his remarks to the question before the House, he had evidently got into a fog and rambled to the Conoona gold field in search of some pretext for attacking Messrs. Archer and Co., and accusing them of selfishness.

Mr. MILES rose to a point of order. He never attacked them.

THE SPEAKER: What is the point of order?

Mr. MILES: I deny it.

THE SPEAKER: It is my duty to point out that the mere fact that the statement of the honorable member for Blackall is not correct is not a point of order at all.

Mr. MACDONALD: The honorable member had also said a great deal about caucus meetings, and that he had never been a member of the Cabinet; and of course it was well known to honorable members that he had never had a seat in the Cabinet, and that he never would; and they also knew the cause of his violent antagonism to the Government since the appointment of the present Secretary for Lands. He (Mr. MacDonald) objected to these personal attacks, the more especially when the Messrs. Archer did not ask this concession on the plea of good character, nor as a matter of compensation; and he did not consider the object of the Bill was to give undue privileges to a private firm. He submitted that the opinions of those who resided in the neighborhood, who were fully acquainted with the requirements of the district, and who knew the position and the value of the lands in question, should be entitled to due consideration. The evidence taken before the Select Committee showed that 120 *bonâ fide* settlers had voluntarily petitioned the House to favorably consider the application now made to it. The objects of the petitioners had been fully discussed at a public meeting, and carried unanimously. The honorable member for Carnarvon had denied their right to petition, and made insinuations about political influence; but he (Mr. MacDonald) knew that the settlers in that district would compare favorably with those in any other part of the colony for independence, energy, and intelligence; and he also knew them to be regardful of their rights and privileges, and, as he believed that no counter petition had been attempted—not even a word of dissent had reached him—he felt fully justified, apart from other considerations, in giving his support to the Bill. The chief objection of the honorable the Secretary for Lands was that the Bill, if passed, would establish a dangerous precedent, and that a host of other persons would claim similar concessions; but he (Mr. MacDonald) thought the Houses should not be deterred from doing an act of justice from the fear some imaginary claimants might thereby be encouraged to impose upon it. Public opinion was always suspicious of anything having the semblance of favoritism, and seldom erred on the side of liberality, and he believed the good sense of the House could safely be trusted to protect the public from any impositions. It must be unpleasant to private individuals to have their affairs publicly discussed, and he had heard and believed that, if the projectors of the Bill had not received encouragement from the late Secretary for Lands, they would never have brought it forward. Few persons knew

as much of the merits of the claim as Mr. Stephens, and he (Mr. MacDonald) considered his advice in the matter reflected the highest credit upon him. He should support the second reading of the Bill on these grounds.

Mr. HODGKINSON should certainly support the Bill, not only from his knowledge of the gentlemen to whom it was intended to give a right that was justly due to them, but also to counteract an idea he knew might be prevalent, that they could not recognize claims in connection with that interest that were due to those engaged in it. The Messrs. Archer, so far as he could understand, claimed no right, but merely a concession from that House. They had voluntarily deprived themselves of a very great portion of their run; and they did it with the full view that in doing so it was in the interest of the district in which they had chosen to embark their squatting enterprise. The honorable member for Carnarvon had spoken about the A of the Archers, and he could tell that honorable member that he had met it at the head of the Burdekin in 1860 or 1861, and he was pleased to meet it, because, when he did, he recognized them as the pioneers of the country; and he thought it was the duty of the House, when those gentlemen, without any action on the part of the House, or any compulsion whatever, threw open to the public the best part of their run, to grant them this small concession. He knew the district almost as well as the honorable member for Rockhampton, and he said they would be creating no precedent by passing the Bill. They would be only giving to these gentlemen what they could have obtained had they not first of all given up their claim; and he said, when they found such an unusual case as a pastoral tenant doing his best to promote the settlement of the country, and not being in the least afraid of creating what he might call an antagonistic market, they should recognise that, and he trusted every member of the House who was not too bigoted would support the second reading of the Bill. It was, in fact, no concession to them; it was what they could have claimed had they preserved their rights to the present day, and they merely asked to purchase the land under the same conditions that he or any other man could at the present moment.

The ATTORNEY-GENERAL said he had been listening since the debate began to hear what was the reason upon which the House was to be asked to vote for the second reading of the Bill, and, so far, he had not been able to discover anything but this—it was an humble petition that a quantity of land should be graciously granted by the House. That was the only reason he had been able to discover. He had the greatest respect for the Messrs. Archer; but his first feeling, on seeing the report of the committee, was one more of horror than anything else—that gentlemen who had been the pioneers of that portion of the colony, and who were a credit to the

colony, should come forward and ask for a present to be made to them by this Bill.

HONORABLE MEMBERS: No, no; you have not read it.

The ATTORNEY-GENERAL: It seemed almost impossible to conjecture what the Bill was; there were so many contradictory accounts. It asked to give them, without competition, some land which, so far as could be conjectured, from the report of the Committee, was very valuable.

AN HONORABLE MEMBER: No, no.

The ATTORNEY-GENERAL: The confusion of ideas existing in the minds of honorable members was surprising. One put it forward as a claim, another as a request, and another as a concession; but it was clear the Bill asked to give Messrs. Archer and Co. 14,000 acres of land without competition.

AN HONORABLE MEMBER: To sell it to them.

The ATTORNEY-GENERAL: To sell it without competition. It was stated in the evidence that if it were not given without competition, they would not be able to get it at all; and he said, if they asked without competition for that which they would not be able to get with competition, it was very much like asking to give it to them altogether. He was surprised that when the House passed last year, and again this session, a resolution resuming the whole of this land for the settlement of the people, honorable members who supported that, should have so soon changed their minds. When a claim was made on behalf of these gentlemen, and others in the same position, by the Legislative Council, it did not become law; and it was now repeated for a particular firm, and he could not understand why if it were unjust then, it had become just now. It was utterly unprecedented in this colony, certainly, and he believed anywhere else, for a private suitor to come to the House and ask for a grant of land as a private Bill. He had heard of cases under the Act for the encouragement of native industries, where gentlemen who had done—or were supposed to have done—service to the State had asked for compensation by a grant of land; but there had been only one instance of this kind in this colony, and he did not think there was any chance of it being repeated. He had heard it denounced on all sides as being a great mistake. From the debate, it was utterly impossible to distinguish this case from the case of Captain Hope, who, it was said, had a claim for services rendered to the colony; and, as far as he could understand, Messrs. Archer and Co. had done good service to the State. But it was said this was not compensation; that was scorned, and yet they asked for this land as a graceful acknowledgement on the part of the country. And he would point out that there was a singular change of ground in the petitions. Last year a Bill was brought before the House for the purpose of resuming Gracemere and other runs for the public use;

and then a petition was presented, stating the facts in one way:—

"That your petitioners have seen, by a Bill now before your honorable House, that the leased halves of the Gracemere and Meadow Flats Runs are to be thrown open for selection, and that, by the said Bill, your petitioners will be debarred from selecting lands in anything like the area required for their stock.

"That your petitioners discovered and settled the Gracemere Run in the year 1855—many of them intending to make a home for themselves and families on it.

"That, in laying out your petitioners' pre-emptive selection, your petitioners have reason to believe that, from inadvertency on the part of the honorable the Minister for Lands, your petitioners were precluded from including in their pre-emption a portion of land which would have made it more complete."

After referring to the expenditure that had been made for improvements, they said:—

"And if your petitioners are precluded from selecting land of sufficient area to depasture their stock, many of these improvements will be rendered valueless.

"That from the avidity with which lands are selected on their runs, in consequence of their proximity to the populous neighborhood of Rockhampton, your petitioners believe that their runs should be thrown open for selection; and your petitioners would willingly relinquish any claims they may have, provided your honorable House will give your petitioners a right of pre-emption, at a price to be fixed by your honorable House, of an area of land proportioned to the quantity resumed."

That was the case in 1874; there was not a word then about services rendered to the State; their only claim at the time was, that they were suffering a hardship; that a hardship ought not to be perpetrated without some redress. But, in 1875, they found that all altered, by these gentlemen themselves. Their petition then set forth:—

"That, in consequence of the demand for land for selection on these runs, your petitioners have voluntarily surrendered the lease of one hundred and sixty-five (165) square miles of the same, and when the remainder is resumed, your petitioners believe that it will at once be selected."

That was to say, they had surrendered 165 square miles, which was required, and the remainder was also required. He found that Mr. Archer was called as a witness before the committee, and the honorable member for Port Curtis endeavored to suggest to him that he had given the land up voluntarily, and it was a strange fact that Mr. Archer himself repudiated the idea:—

"By Mr. Macrossan: Did you give the land up voluntarily? I gave it up when I was asked by the Government to do so.

"By Mr. Palmer: You offered it; you gave it up without being asked? I did not think so."

The honorable member for Port Curtis seemed anxious to impress upon him that he had given the land up voluntarily, but he

said, "I did not think so;" and it was strange that, in 1874, long after the land was given up, they did not make a claim for that;—it seemed to be an after-thought. Now, what was the claim, or the ground upon which it was urged that the land in question should be alienated in the way proposed? One honorable member said it was utterly worthless, and Mr. Archer said it would be taken up immediately it was thrown open. He agreed that there might be some credit due to Messrs. Archer and Co. for giving up the 165 square miles; but when it was remembered that it was only a question of six months, the virtue did not seem to be so very great. At the same time, he was willing to give them all the credit they deserved for that; but he must confess that he felt rather shocked that gentlemen who had performed this act of virtue should come down to the House and ask to be rewarded for their virtue. Since he had been in office he had heard of land being given up. He could see a gentleman now who, on behalf of himself or other persons, had given up large areas of land, and if this case of virtue was to be substantially rewarded, every other transaction of the kind would be looked upon with suspicion. His faith in human nature had been somewhat shaken by this Bill. He should be glad if he could see his way to support it, but he had listened in vain for any solid reason why it should be passed. He saw round him, now, gentlemen who had done good service to the State unrequited, and he supposed they considered it sufficient reward to feel that they had done their duty; and the Bill seemed to him to be a return to the old principle that virtuous actions ought to be rewarded by the State, just as much as bad actions were punished.

Mr. PALMER said the honorable the Attorney-General had favored them with a very animated speech upon a subject, which, he thought, he understood nothing whatever about. He had taken a part of the evidence, and insinuated that he (Mr. Palmer) was prompting Mr. Archer, when he was before the committee. Now the facts of the case were so simple, that he believed every honorable member except the honorable the Attorney-General would at once understand the position. When he (Mr. Palmer) was Colonial Secretary, Mr. Archer came to him and offered to give up land which he said was required for settlement, and he informed the Secretary for Lands, Mr. Thompson, of it, and he immediately wrote asking Mr. Archer if he were willing to give it up. He could, therefore, quite understand Mr. Archer, when he said he gave it up when he was asked, and if that was not giving it up voluntarily, he (Mr. Palmer) did not know what was. Mr. Archer told him he was willing to give it up; he was written to and it was given up; and yet the honorable the Attorney-General said that giving up was nothing—that if the Government wanted the land they could have

got it in six months. Well, they had been wanting land for more than twelve months, and they had not got it yet—not an acre; and the land that had been resumed under resolutions of both Houses, when would the Government get that? They had been told, since the House had been sitting, there was no chance of getting it in twelve months, and complying with the provisions of the Act. He thought that the honorable the Attorney-General had failed entirely in his dogma, that if the Government wanted the land, they could get it in six months. They had to give six months' notice; they had to get a resolution of both Houses, which had to lie sixty days on the table, and the Attorney-General ought to know that. He was expected to know it, but really he did not know much about the land question, except what they knew he did know, and that was how to get costs out of Crown lessees. He felt very much grieved that the honorable the Attorney-General had lost faith in human nature; he quite felt for him. But he (Mr. Palmer) had lost all faith in his power of argument. He took up matters in such a wrong-headed way that he was beginning to lose all faith in him. He argued on the justice or injustice of the claim, but the matter had never been put forward as being just or unjust; it was asked as a favor. The petitioners came down and asked that they might be allowed to have what? He was sure, if a stranger were in the House listening to the debate, he would think that Messrs. Archer and Co. were asking for the fee-simple of some hundreds of thousands of acres of land. The honorable the Attorney-General had said they wanted the land to be given; but there was no question of the land being given. The only request was that a pre-emptive right to select and pay for the land should be granted; which was a very different thing from asking the Government to grant the land. Nothing of the sort had ever been contemplated. He thought the honorable gentleman's speech was one of the weakest he had ever heard; except, perhaps, that of the honorable the Minister for Lands, which he could designate as nothing but a rigmarole, as they called it in his country. That was exactly what the Secretary for Lands' speech was—a rigmarole of innuendo and insinuations, and very low insinuations too. He insinuated that the voluntary surrender of land by the Messrs. Archer was done for electioneering purposes, which was most absurd; because, any one who knew anything about the Rockhampton district, must know that those gentlemen were the last people in the world to bother about elections. He knew that Mr. William Archer had never recorded a vote at any election in the district. So much for their interest in politics! The honorable member went further, and made an insinuation by quoting portions of a speech by one of the Archers, who was formerly a member of that House—and a

distinguished member of it—which was more than he could say for the gentleman who had spoken about him, and that insinuation was perfectly uncalled for. And he made another insinuation, that the greater portion of the forty-five square miles was not fit for settlement; and he (Mr. Palmer) would like to know how much land in the Rockhampton district was fit for settlement, not in that honorable gentleman's opinion, because he could have no opinion about it, but in the opinion of the surveyors of the district? A very small portion indeed was fit for agriculture. He believed the whole of it, with the exception of a few scraps, was only fit for pastoral occupation; but no doubt, such as it was, it would be taken up in time. The honorable the Minister for Lands had also endeavored to show that it was their own fault they had not got more, because they had gone in for consolidating their runs; and he had spoken of that as if it were some attempt to cheat the country. But the fact was that, if they had not consolidated their runs, it would have been utter ruin to them. If the honorable the Attorney-General had favored them with his three-card trick, as he had done in Mr. McDowall's case, he would have been able to convince even the Minister for Lands, that it was absolutely necessary for the Archers to consolidate their runs. Any one who knew anything about such matters, must know that when half the blocks had been resumed, if the runs had not been consolidated, the appearance of the remainder would be similar to a checker board, the Government taking the blacks and the lessees the whites, and it would be of no use to either party. It would be impossible to fence it, or improve it; and so far from there being any dodgery in the consolidation, it was much better for the public and much better for the lessees, as must be known by every one who knew anything about it. They had the honorable the Secretary for Works following in pretty much the same strain. He had told the House that it was Messrs. Archer and Co.'s own fault, because they took up land on navigable waters, and near a rising town, and they must expect it to be resumed. But every one must know that when the Archers took up the country there was not a white man within hundreds of miles, let alone a rising town. One would suppose from the speeches that had been made in opposition to the Bill that the Messrs. Archer were asking for something which would ruin the people in that part of the colony, but they had before them a petition signed by a large number of free selectors in the neighborhood, who were more likely to know everything about the matter than any other people, and they were anxious that this should be granted. All they asked was, that they should be allowed to take up sufficient land, at the upset price, without going into competition with other

selectors, to enable them to save their improvements—to save themselves from utter ruin, or something very nearly approaching it. He knew the land, and the honorable members for Kennedy, and Blackall, and Rockhampton knew a good deal about it, and they said, and he said there could be no injury to the country by the prayer of the petition being granted, and the Bill being passed. If the country were thrown open to selection the Archers would have a chance of taking it up at precisely the same price as they now offered to pay. In fact, they proposed themselves to pay more than ordinary selectors would pay, because an ordinary selector would have ten years to pay it in, and under this Bill they proposed to pay the whole sum within twelve months, so that they actually offered to pay more, if the money were calculated. The question was, had these gentlemen, by their voluntarily giving up 165 square miles of land, the greater part of which had been selected, entitled themselves to this small favor? They did not ask it as a matter of justice, but they considered they had entitled themselves to this small favor of being allowed to select a certain area of land, and to pay a higher price for it than other selectors, to save their improvements; and he must confess, that when Mr. Archer first spoke to him on the subject, he was astonished at his wanting this Bill at all. There was so very little to be gained by it, for a great deal of trouble and expense; and if they had not been thoroughly conscientious men, they would have gone to some smart gentleman, such as had been alluded to lately—he thought he had heard something from the honorable member for Toowoomba about it—and got the land without the least trouble. But they would not descend to anything of the sort. They came to the House openly and boldly, and said, “There is our case; we ask to be allowed to select land to save our improvements, and we are prepared to pay a higher price than other selectors; we pay our money in one year, they will have ten years.”

Mr. MORGAN did not intend to give a silent vote on this question, and he might say, by way of preface, that he had known the Archer family for the last twenty-five years by repute, and he had never heard any one say a word, in a disrespectful manner, of that firm; and the remarks he was about to make would not be in any way against them personally. It was within the knowledge of members of the House, and the public generally, that one member of that family formerly took a prominent part in the agitation respecting the land question, and that he contributed to the most influential portion of the southern press, under a well-known signature. It was equally well known that some time after he was elected as the representative of Rockhampton, and he took an active part in the passing of the Land Act of 1868. In fact, he might say he was the

father of that Act, and he (Mr. Morgan) could not see how, under these circumstances, he could be so wanting in attending to his own interests, as to neglect availing himself of the privileges that Act gave him. He believed, if the Bill became law, it would establish a bad precedent, and that they would have, not one, but a dozen similar Bills, asking for compensation, and that was one reason for refusing to pass the second reading. That the honorable member for Rockhampton had only done his duty in introducing the Bill, no one would dispute. He deserved credit for the honest and conscientious manner in which he had brought it forward; but how the honorable member for Toowoomba could reconcile it with his duty to his constituents to support the measure he (Mr. Morgan) could not understand. Supposing some person brought in a similar Bill, to give the lessee of Clifton, or Goomburra, or Eton Vale, the privilege of selecting 13,000 or 14,000 acres of land on the leased portion of their run, he would like to know how he could reconcile it with his duty, in the interests of his constituents, to vote for it, and yet this was a similar case. He fully appreciated the honesty and uprightness of the Messrs. Archer, but he could not reconcile his conscience, in duty to his constituents, to support the second reading of the Bill.

Mr. DOUGLAS said he had considerable difficulty in voting on this question with any great satisfaction to himself. In the first place, from his knowledge of the Archer family, who were honorable and upright men, in no way opposed to the public interest, but who, on the contrary, had done all in their power to benefit the colony, he should feel anxious to do all he could to meet their views, by a graceful act of this kind, for it was nothing more than that. Still he could not close his eyes to the fact that the Bill involved some important principles. It came before them as a private Bill, authenticated by the members of the district; and on that ground it appeared to him to be entitled to their favorable consideration. He took some exception to the form in which the investigation took place before the Select Committee. He thought something more ought to have been done in the way of satisfying the House as to some facts which were not disclosed in the proceedings before them. He saw no proof in them from any other source than Mr. Archer that the proposed transaction would be in no way opposed to the public interest, and he thought further evidence ought to have been obtained on that point. Although he was willing to take the expression of public feeling at Rockhampton, as indicated by the petition of selectors and those who might be selectors at a future time, on the subject, these were matters they could not overlook. At the same time, he felt there was a great deal to be said on the other side; and he thought the criticism of

the honorable member for Port Curtis with regard to the Ministers for Lands and Works was scarcely justifiable. The honorable the Minister for Works, he believed, was actuated by a sense of public duty, when he said the passing of this Bill might raise serious matters of precedent; and he (Mr. Douglas) was satisfied there were gentlemen in that House who might have claims something approaching this. He saw opposite to him the honorable member for Dalby, and he thought he had just as good a right in some respects.

MR. BELL: No, no.

MR. DOUGLAS: His property had been treated to a great extent in the same way as that of the Messrs. Archer had been. It was, at any rate, a fact, that he had been obliged to buy land at a high price in consequence of large reserves having been made in his vicinity. He had been obliged to consolidate—

MR. BELL: I never gave up land.

MR. DOUGLAS: He did not pretend to understand the details of these matters, but he thought there was a broad similarity between this case and others which might possibly be brought before them. There were, he believed, gentlemen on the Downs who had introduced new forms of agriculture, and other public-spirited colonists, in a greater or less degree in similar circumstances, to whom concessions might gracefully be granted. He had had applications from his constituents to know whether he would advocate claims for land orders on behalf of their children. He could now refer to a case where a constituent of his brought forcibly under his notice the fact that he had nine or ten children who never had a land order, and they had much more right to land orders than many now arriving in the country. He meant to say that many had a claim for something like an equivalent claim to their grace and favor, comparing small things with great. In the present case they were dealing with well known colonists who were personally known to them all, probably, but in the other case he spoke of a man who was not known to them all, but who was known to him, and he had an equal right to their consideration, as Messrs. Archer and Co. That was the difficulty he had. He was as anxious in one case as in the other, to do what was just and fair with regard to them, so far as it was consistent with the public interest. He did not for a moment say, the merely allowing the Messrs. Archer to buy land in the form proposed was opposed to public interest, but he said the principle involved, if extended, would be unquestionable. They were extending a principle to them which they were bound to extend to others, if they showed an equally good case. Then he felt, to some extent, what was expressed by the honorable member for Port Curtis, when he first heard of the proposal of Archer and Co., as to the advisability of introducing the Bill at all, and

he thought it would be better if they obtained what they desired in some other way than coming to the House for it. One argument in favor of the Bill was, that he considered Mr. Archer would not have come to the House and asked them to pass it unless he had received some countenance, he would not say from the Government, but from the late Minister for Lands. But he thought it was undesirable, that gentlemen of long standing in the colony should have their claims canvassed before the country. Personally, he would rather vote a sum of money in recognition of the fact, that they had been good colonists, because he would then think he was not committed to other cases of the same kind which might arise. He would sooner vote an absolute gratuity of money down on the nail, for their services as old colonists, than he should commit himself to the principles which might be involved in this Bill; because he had a very great regard for the gentlemen, and it gave him some sort of pain that he was obliged to put himself in a position antagonistic to them. He did not feel justified in voting for the Bill, because he should be sacrificing the public interest—not in the mere value of the land, but because it would be a precedent they should not admit. In that he agreed with the honorable the Minister for Lands. A great deal had been said about the Messrs. Archer giving up land from time to time, but, he thought, greater weight had been attached than it deserved, because they knew they would have to give it up some time, and it was better to give it up with a good grace than to resist. It was undoubtedly a fact that they had carried with them the sympathy of their neighbors; and, although they had performed many acts of kindness, and were public spirited men, that did not, to his mind, constitute a claim for an act on the part of the public, which might be an undesirable concession. He thought the committee ought to have taken greater care to prove to the satisfaction of the House that they were not damaging the Rockhampton district by this concession. He thoroughly doubted allowing land to be given by any other process than by auction. He was confident a great deal of land was worth a great deal more than would be got now at the highest price that could be put upon it; and he felt that they were sacrificing the public interest by allowing this land to go by selection at all. They knew a great deal of it was not fit for cultivation; but they must know that in the locality of Rockhampton it possessed special value from the fact of being in the vicinity of that town, and it would acquire still greater value. And they must not overlook the fact that the Messrs. Archer had a large freehold property—a magnificent estate, about 28,000 acres.

MR. PALMER: Paid for.

MR. DOUGLAS: Paid for, of course. It was said it was a hardship that having settled in the district they were being excluded from

it by the advance of population, but the fact of population coming in conferred additional value on the property they had acquired. He did not think they were to be looked upon as most unfortunate men, who had been excluded from the place, because Rockhampton would be a large city, and their property would grow with it. It was a market for them, and they had made money because they had been in the immediate vicinity of that population, by which it was now said they suffered. He hoped the discussion of the matter would, at any rate, lead to the honorable the Minister for Lands taking care that he did not sacrifice the public property in the neighborhood of such a town as Rockhampton. They should not suffer the public property to be decimated by selection. If Messrs. Archer and Co. wished to go in for land, let them have a chance.

Mr. McILWRAITH: You cannot give them less.

Mr. PALMER: How could you help it?

Mr. DOUGLAS: The very process of selection shut them out, and excluded them from a fair chance, because it prevented full value being obtained for it. The present law exposed them to hardship, because it enabled persons to take up land for less than it would fetch at auction. He had been led into making these remarks without the special knowledge of those who were members of the committee, because he had not had a fitting opportunity of ascertaining the whole merits of the case.

Mr. McILWRAITH said he did not intend to speak until the honorable member for Maryborough got up, because all the previous arguments against the Bill had been answered by the honorable member for Port Curtis. The honorable the Minister for Lands said there was nothing in this case that would not apply to others in the colony; the honorable the Minister for Works said the Messrs. Archer were kind, hospitable, and good men to have in the colony; and the honorable the Attorney-General expressed surprise to hear so much said on the Bill;—but not the slightest bit of argument had they brought forward why these men should not get the land they asked for. And the honorable member for Maryborough had said something in the same style, and he gave some of the very best reasons for passing the Bill. He (Mr. McIlwraith) thought the whole case was contained in the preamble of the Bill:—

“Whereas by the fourteenth section of ‘*The Crown Lands Alienation Act of 1868*’ certain rights of purchase were given to pastoral tenants to be exercised in the manner and subject to the restrictions and conditions therein prescribed And whereas Messrs. Archer and Co. of Gracemere have exercised their pre-emptive right so far as they lawfully can under the provisions of the said section And whereas the said firm some time since at the request of the Crown and for the public advantage and without recovering any consideration for the same surrendered the lease

of one hundred and sixty-five square miles of the run called Gracemere.”

The honorable the Minister for Lands said there was nothing in it different from any other case in the colony; but he would challenge him—and he would, if necessary, move the adjournment of the debate to enable him to do so—to point to a similar case, where any person surrendered 165 square miles, or half, or one-third of that, for the public good, as the evidence in this case conclusively proved. That honorable member made the same statement to the committee, and he was challenged to produce a single instance where a squatter voluntary surrendered land for the purposes of settlement, and he could not point to a case. He certainly pointed to one, but it occurred after the petition had been put in, and after the Bill was before the Select Committee. He pointed to the case of Mr. MacDonald, who had surrendered some since this Bill had been under consideration. He was sure he was perfectly safe in saying—and he offered to move the adjournment of the debate, to give the honorable member an opportunity of contradicting him—he would not find a parallel case to this, and that went far to prove the preamble of the Bill. The Messrs. Archer said population should have facilities for settlement; they saw it would be for the public good and their loss, and they actually did surrender what they might have held for years, and the public gained the advantage. The preamble, therefore, was true. In fact, it was admitted that they had done this, and if members went outside that and introduced political matters, it was simply seeking for an argument, because there was no tangible ground for attacking the Bill on its merits. The honorable the Minister for Lands might say that he did not intend to insinuate anything political when he quoted from “*Hansard*” the speech made by one of these gentlemen in that House, and which he (Mr. McIlwraith) thought was very much to his credit; but what could his object be? If the argument had any application at all, it was this:—One of the Archer family had advocated cheap land; he said, “Let them have land as cheaply as possible to bring about settlement.” But they would not listen to him; they took wiser councils and made it a great deal dearer; and in order to bring in one of the quotations the honorable member said people came and asked for more at that high price. He actually accused Mr. Archer of having been lost to a sense of public duty in advocating cheap land; that he was wrong in that, and they made it dearer, and got double the price for the land he had given up. He thought, if that proved anything, it was the value of the land the Messrs. Archer gave up. They gave up 165 square miles, and the honorable the Minister for Lands had endeavored to show there was no merit in that, because a large portion of it was valueless. But why? Because they had let it out as homesteads, and a man had a right

to take up only 320 acres, and everybody knew no one could live on that quantity. Let them test the matter by throwing it open under the Act of 1868, and then the value would be shown. The honorable member would then find that Messrs. Archer and Co. were right in giving it up for selection, because he believed every acre of it would be taken up. The honorable the Minister for Works said if the Bill were passed they could not in the future ask a squatter who had a lease terminable in 1878 to give up land without compensation. There was seemingly some slight show of argument that if Messrs. Archer and Co. got compensation, if they asked men to give up land they should compensate them as they did Archer and Co. But that might be met in many ways. There was legal machinery by which land could be taken from Messrs. Archer and Co.—by resolution of both Houses; and it was when that machinery failed, that the merit of Messrs. Archer and Co.'s conduct came in. They said, "We will voluntarily give up what is required; you cannot get it without trouble; the land is wanted for settlement, and we will give it up." The real way of meeting the difficulty was by saying there was no such case as the Archers' in existence. There was no case like it, where a man voluntarily came forward to his own loss and for the public advantage, and sacrificed his land. The honorable the Attorney-General had told them he had lost faith in human nature. He (Mr. Mellwraith) did not know what faith he had before, but he had lost faith very much in the Attorney-General since he heard his speech; and he would much sooner have the opinion of the late Minister for Lands, Mr. Stephens, in a matter of this sort than that of the honorable the Attorney-General. He (the Attorney-General) might change his opinion half-a-dozen times a day; but Mr. Stephens would not. He had the settlement of the colony thoroughly at heart; and if any man's opinion was entitled to consideration in the House, it was his; and if it had not been for the opinion he had publicly expressed, he (Mr. Mellwraith) did not think this Bill would have been brought forward. The Government had not treated it fairly, but had attacked it by a side wind; and if they had any real tangible objection, let them bring it forward and have it discussed, and not endeavor to throw a haze about it. These gentlemen had come forward in the plainest and most straightforward way, and stated in the preamble, and in the evidence, what were the grounds of their claim; and he believed, if they thought they would be met by such disingenuous arguments, they would have pitched the Bill down the river.

Mr. DICKSON thought there were special circumstances which recommended this case to the consideration of the House; but, at the same time, he must bear in mind that he voted for the resumption of certain land

belonging to these gentlemen, and he felt he would stultify himself if he gave a vote by which a portion of that land would be relegated to the original proprietors, or diverted from the purpose for which it was resumed. He had no knowledge of the locality; but he understood the lands, in respect of which the Messrs. Archer sought to obtain pre-emption, were situated within a very short distance of the important town of Rockhampton, which was destined to become one of the leading commercial centres of the colony. They must necessarily become very valuable in the future, and would be much sought after for the purposes of investment; and he therefore felt, in supporting the Bill, he should be assisting to take from the township land which was necessary for the purposes of settling a large population. And, although the Messrs. Archer might suffer hardship, still, as the land had been resumed for the purposes of settlement, he thought members outside that particular locality could not be blamed for exercising the greatest caution in regard to the matter. Considerable stress had been laid on the fact that these gentlemen voluntarily surrendered 165 square miles of territory, which contributed to settlement; and that was the chief consideration he felt in viewing this matter so as to afford some acknowledgment of their liberality. He did not put it on the comparatively low ground that they should receive a *quid pro quo* for the surrender of the 165 miles. He thought they thoroughly weighed the consequences of such action on their part, and he could hardly give them credit for the utmost disinterested generosity in surrendering it at that time. He dared say they considered they would, and doubtless had, derived substantial advantages by encouraging the settlement of population in the locality, and the establishment of a market. He thought, therefore, the matter might be simplified. He should be sorry to see the Bill pass in its present shape, because he thought it would be a precedent, which would be rather a dangerous innovation when land legislation was in an unsettled condition, and was likely to occupy the attention of the Legislature for some time in the future. He thought the Messrs. Archer might not suffer any injustice if the Government, who had the authority, submitted to auction the area of land they now sought to obtain, at the lowest classification; and if it were correct that in Rockhampton there was no chance of any competition, they would be able to obtain the land at the price they sought to select it, and it would place the Government in the position that they would not have diverted the land from settlement. Any persons who thought fit to compete could do so, and if they wished to allow the Messrs. Archer to have it, they need not oppose it. He thought that would be much more satisfactory than passing this Bill, which to his mind would be a dangerous innovation.

Mr. J. SCOTT said an impression seemed to exist that this was valuable land, but it was nothing of the sort. There was scarcely a bit of it fit for agriculture, and the cattle station, where the largest portion of the land was situated, was twenty miles from Rockhampton. He would also point out that it did not follow that any honorable member would stultify himself by voting for this Bill after voting for the resumption resolution, because Messrs. Archer and Co. wished to occupy it in the same way as any one else who might take it up would occupy it. These gentlemen might take up a larger area in the same vicinity, but the result would be that they would be isolated, and their object was to secure and have the benefit of their improvements. There was really no necessity for competition, because there was plenty of land, equally good, within a short distance; but if the Messrs. Archer had their stations scattered about here and there, they would have to go to enormous expense in fencing, which would be no good to the public or the country, and it would put money out of the pockets of persons who wished to keep their selections together, and who were prepared to give every facility for others to settle round about them.

Question—That the Bill be now read a second time—put.

The House divided.

AYES, 16.

Messrs. Palmer, Bell, McIlwraith, Ivory, Buzacott, W. Scott, Hodgkinson, W. Graham, Groom, Macrossan, Royds, MacDonald, J. Scott, Kingsford, Morehead, and Amhurst.

NOES, 13.

Messrs. Griffith, Hemmant, Fryar, King, Foote, Miles, Macalister, Bailey, Stewart, Pechey, Beatie, Douglas, and Dickson.

ADJOURNMENT.

The COLONIAL TREASURER moved—

That this House do now adjourn.

Mr. BELL reminded the Government that the Toowoomba Agricultural show took place next week, and that it had been the custom in that House for years to adjourn over agricultural shows. It would be found that there would be a great many members away; and it was not, as a rule, convenient to carry on business in a thin House. He thought, certainly, the country members would be disposed to favor the proposition to adjourn until Tuesday week; and he hoped the Government would see their way to either move that, or to consent to an amendment to that effect.

The COLONIAL TREASURER said he had consulted some of the country members with respect to this suggested adjournment for ten days, and he found the wish was not at all unanimous. Members were beginning to get rather tired of the session, and were anxious to get through the work before them and to

return to their own business; and he thought those members who wished to go to the show might arrange by pairing off. They had yet to get through the Estimates for several of the departments, and the salaries were due on Sunday, and the Government were anxious to get on with the business of the session.

Mr. MACDONALD opposed the proposed adjournment on the ground that it was unfair to country members, who came from long distances, and who had already been occupied over three months in attending to public business.

Mr. AMHURST was anxious that they should get on with business and bring the session to a close, and he believed, if they consented to the adjournment, they would get on much faster when they resumed.

Mr. MOREHEAD said the adjournment would be a holiday to him: he had been there night after night, and the rest would be very acceptable. He was sure the Government and other honorable members were anxious for a rest; and he thought it would be well to adhere to the time-honored custom of adjourning for the show of the colony. He hoped the House would consent to the adjournment, as suggested by the honorable member for Dalby.

Mr. GROOM believed the honorable member was perfectly right that the House should adjourn on an occasion of this kind. He believed it would not be attended with any bad consequences, but rather the contrary. There were several Select Committees sitting, and the shorthand-writers were utterly unable to supply copies of the evidence; and he thought the adjournment for a week would be advantageous to the House and tend to facilitate business. And, as the honorable member for Mitchell had observed, the show to take place next week was the show of the colony. Gentlemen from all parts of the colony would go to the exhibition of stock on Wednesday and Thursday next; and he would test the feeling of the House by moving as an amendment that, after the word "adjourn," the words "until the 10th of August" be inserted.

Mr. IVORY protested against the adjournment. The session, so far, had been frittered away, and now that the Government were inclined to go on with business they ought to support them. If the motion were carried, he would not appear in his place again this session, unless there was a call of the House.

Mr. W. GRAHAM said, speaking for himself, he must be away next week, as he was on the committee of the society; and he thought a trip to the Downs would do honorable members good.

The ATTORNEY-GENERAL thought notice ought to have been given of the motion. Many country members had gone away, who had no idea it was coming on, and he ventured to say, if they were present, it would not be carried. He had always considered adjournments of this kind very unfair to

country members who resided at long distances, and he was glad to hear the honorable member for the Burnett speak as he did.

Mr. STEWART opposed the adjournment. The session had already extended over a considerable period; there was a good deal of business yet to be done, and it was rather too much to expect country members to consent to such a proposal.

Mr. HODGKINSON also pointed out that it was extremely unfair to tax representatives of country constituents in the way proposed. Northern members were kept down in Brisbane during the best part of the year, at serious inconvenience, and he should oppose the adjournment.

Mr. MILES said he had invariably objected to these adjournments, and if a division were called he should vote against the motion. At the same time, he believed, if they had a week's spell, they would get on much more quickly with business when they met again. He was satisfied nothing would be gained by not adjourning. There might be some difficulty in getting a House together, and he should come down, and if he could get any one to help him, he should endeavor to keep matters in check until they could be properly discussed.

Mr. BUZACOTT said, if the motion was accepted by the House, it would be a case of extreme hardship to several honorable members. They were anxious to see some business transacted; and now that the House was beginning to set to work heartily, they were to be thrown back again. He was desirous to do as much work as he could, but these constant delays were more than he could stand.

Mr. PALMER pointed out that the experience of the last nine or ten years had shown that whether adjournments of this kind were acceded to or not, no business was done. When they had not been agreed to, the officers of the House had come down, day after day, to find there was no House. No doubt, it was a great hardship to some honorable members, and on that ground he objected to the adjournment; but he believed, from past experience, nothing could be gained by not adjourning. There was one argument he had not heard brought forward, and that was, the health of the honorable the Premier. He had not been able to attend to his own Estimates; he came to the House on particular occasions, but generally he took no part in the debates. Another, which had been referred to, was with regard to the reporters. They were a week's "Hansard" in arrear now, and the records of the House were in fact not being kept. Personally he had no wish to adjourn, but he merely stated what had been the result when these adjournments had not been carried; and he believed, if they did adjourn, they would come back in better temper, and get through more work in a short time than they were likely to do if they did not. If they did not adjourn, he

would be quite prepared to come to the House and do everything to block the Government carrying on business in a thin House.

The SECRETARY FOR PUBLIC WORKS said the honorable member for Port Curtis had informed them that if they did not adjourn no business would be done, and if there were no other reason for voting against the adjournment, that would be sufficient to make him do so. He believed every independent, right-minded member in the House would vote against it, and not be dictated to. The honorable member said he would block any business being done, but he had endeavored to do that for the last fourteen weeks; and he (the Secretary for Public Works) would certainly not adjourn under a threat.

Mr. BELL thought it was not desirable that business should be done in a thin House, and he believed, if they did not adjourn, the honorable member for Port Curtis would not be alone in his obstruction. He believed, if the honorable the Premier were present, from his practical experience of the House, he would consent to the adjournment. He thought the Government ought to meet the feelings of the House in the matter.

Mr. EDMONDSTONE said he had invariably, ever since he had had a seat in the House, objected to these adjournments; not that they were inconvenient to him, but in justice to country members; and he should do so on this occasion. He believed that, with forty-two members in the House, there would be no difficulty in getting a quorum.

Quest on put—That the words proposed to be added be so added. The House divided.

AYES, 10.

Messrs. Palmer, Bell, McIlwraith, J. Scott, Royds, Morehead, Amhurst, Groom, Pechey, and W. Graham.

NOES, 18.

Messrs. Miles, Griffith, Fryar, Hemmant, Morgan, Stewart, Kingsford, Edmondstone, Hodgkinson, Buzacott, King, Dickson, W. Scott, MacDonald, Ivory, Douglas, Lord, and Fraser.

The original question was then put and passed.