Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 4 OCTOBER 1881

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LEGISLATIVE ASSEMBLY.

Tuesday, 4 *October*, 1881.

Liquor Retailers Licensing Bill—third reading.—Construction of Railways by Land Grants.—Supply—resumption of committee.—Macalister Pension Bill.

The SPEAKER took the chair at half-past 3 o'clock.

LIQUOR RETAILERS LICENSING BILL —THIRD READING.

On the motion of the COLONIAL SECRETARY (Sir Arthur Palmer), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council with the usual message.

CONSTRUCTION OF RAILWAYS BY LAND GRANTS.

The Hon. S. W. GRIFFITH, without notice, asked the Premier whether there was any probability of any scheme for the construction of railways by land grants being brought forward during the present session, or whether there was any possibility of it?

The PREMIER (Mr. McIlwraith) replied that there was no probability; he could not answer for possibilities.

SUPPLY—RESUMPTION OF COMMITTEE.

On the motion of the PREMIER, the House went into Committee for the further consideration of Supply.

The MINISTER FOR LANDS (Mr. Perkins), in moving that the item £7,260 for salaries for the Lands Department be granted, said there were four small increases of salaries—three of £25 and one of £5. There was also an increase in the item for advertising, which had been very heavy.

Question put and passed.

The MINISTER FOR LANDS moved the item £7,760 for sale of land and contingencies; and said it was a slight decrease upon the amount voted last year.

Mr. McLEAN said he would like to direct attention to a motion which he brought before the House during last session, calling for a return of the number of selections, and the names of the selectors, made on the Johnstone River. At the time the return was prepared, it was laid on the table to be printed. The hon. member for Kennedy (Mr. Palmer) had this session called for a similar return, including a few additional selections that had been made last year. He (Mr. McLean) did not know what was the object of that hon. member, but his own object was to bring under the notice of the House what appeared to him to be as nice a little land swindle as had ever been perpetrated, and he would explain his reasons for that statement. According to that return there were about twenty selectors on the Johnstone River, ten of whom were women. Under their land laws women had just as much right to select land as men had, provided it was done *bonâ fide*; but he thought by the remarks he had to make he would be able to show the Committee that those women were not *bona fide* selectors. Since that return had been furnished he had obtained some information respecting those selections, and the names of seven of the selectors, as well as the names they were known by in Brisbane. They were —Mary Carney, known by her convent name as Sister Cicily; Mary Potter, or Sister Patrick Reverend Mother; Ellen Whitty, or Mother

Vincent De Paul; Mary Rose Dalton, or Sister Mary Coleman; Mary Grocey, or Sister Mary Malachi; Kate Reardon, or Sister Mary Celestine; and Kate Boylan, or Sister Mary Laurentia. There was nothing, as he had said, against those people taking up these selections provided they were *bonâ fide* selectors; but he was informed that the women who made those selections took a vow of poverty. If a person took up a selection he had to make a declaration that he took it up for his own use and benefit, and not as the agent of another party. He had been informed by those who ought to know that those women, when they entered a convent, took upon themselves the vow of poverty, and, therefore, in making that declaration it was made falsely. He did not say that the women made that declaration knowing it was false——

The PREMIER: Who gave you the information?

Mr. McLEAN said it was sufficient for the Premier to know that he (Mr. McLean) had the information, and if the Premier wanted to find out something more about the matter he could easily do it. He wished to point out to the Committee that those women had been made use of. They had been got at by someone to sign the declaration, not in their own name, but for some other party; for it was well known that they could not hold the land for their own use. Another fact in connection with this matter was that two justices of the peace witnessed for each other, on behalf of one Mr. Fitzgerald and, he thought, two or three sons of his. Another remarkable fact in connection with this was that the son of Mr. Fitzgerald was a surveyor in the locality at the time. Here they had some twenty-two persons selecting from 25,000 to 26,000 acres of land—evidently a ring—all of the selectors being connected by marriage, family ties, association, or by one interest or another. He did not bring forward this case because the parties who had taken up the land belonged to a different church, but simply to show the manner in which the land had been taken up. The Minister for Lands must have known that in making those declarations the women who made them could not have done it on their own account; they might have been perfectly innocent, but were induced by some person to take it up. This was a matter that deserved to be taken cognizance of by the Committee. He had a particular objection to anyone taking up land in the colony by such means as was plainly indicated by the return and by the names he had given. Attention ought to be called to the matter. He had been informed, as he had just remarked, that nearly all of those who had taken up land were connected, either by marriage, or by associations, or by something or other. He had no objection to the men taking up the land; they were quite entitled to do so. If the hon. Minister for Lands could prove that the land had been taken up by the women—he did not care whether they belonged to a convent or what they belonged to—but if they had taken up the land for their own use and benefit, he had no objection; but he thought that the attention of the House ought to be called to a matter of this kind, so that the Government might be able to know whether the land had been taken up *bonâ fide* or not.

The MINISTER FOR LANDS said that during the harangue the hon. member had just favoured the Committee with he (Mr. Perkins) had felt quite sure the hon. gentleman did not understand the charge he had tried to make out. He had brought forward the names of several ladies who he (Mr. Perkins) was sure had nothing whatever to be ashamed of. He (Mr. Perkins) did not know of any Act which prevented a woman, provided she was not married, from taking up land. If women were enterprising enough, or foolish enough, to take up land and had money to spend, he should not be one to interfere with them. He might tell the Committee that all he knew about those transactions he had learned by accident, for the papers had never come before him. But there were rumours that vast sums of money had been made by persons; and as some people could not keep their tongues quiet, something got abroad that caused him to ask Mr. Tully, the Surveyor-General, certain questions in the office in connection with the matter. He thought that occurred sometime after the opening of the session, and it was the first information he had got on the subject. He did not see anything wrong in it, nor did he see why people—whether they were in a nunnery or anywhere else—if they had the means, should not be entitled to take up land, and he thought the law was such that it enabled them to do so—especially when all the contingencies that surrounded the subject were considered. He dealt with such persons as ordinary individuals, whether they were in the convent or out of it. As to the statement made by the hon. gentleman that those ladies had mistaken their calling, the hon. member was altogether mistaken. The person who had given the hon. gentleman the information had put him on the wrong scent. He (Mr. Perkins) did not profess to know much about nuns or Good Templars; but nevertheless he believed he was quite justified in saying that the ladies belonging to the convent were not bound to make any declaration of the kind the hon. gentleman had intimated; some of them went into the convent with ample means, and were quite free to use them as they elected. He had heard, however, that there was some order existing of which one of the qualifications of membership was to live in a state of poverty, but he did not know. He did not see anything wrong in those people selecting on the Johnstone River. It had always been a cry that people of means should be induced to take up land in the colony, and he could only say that the hon. gentleman might make his mind easy with regard to these selections, and when the case of those ladies came to be dealt with they would be treated as other persons.

The HON. S. W. GRIFFITH said that in connection with the matter under discussion, he might say that he had seen a statement the other day in the *Daily Observer*—a paper which was generally supposed to indicate the views of the Government—which was contained in what purported to be an authorised biography of the late lamented Bishop Quinn. It was there stated that, amongst that reverend gentleman's speculations, he had recently acquired about 25,000 acres of sugar land in the northern part of the colony at a low price—some shillings per acre—which was already worth some two or three pounds an acre. He (Mr. Griffith) wondered if the two things could be put together, as he did not know of any other place where such large pieces of sugar land had been selected. There was another matter to which he desired to call attention, but unfortunately the papers in connection with the matter were not available. They had been moved for long ago, and were laid on the table last week, but were not yet printed. They just showed what they had complained of, that the present Government cared only for alienating land at lower prices to pastoral lessees, and raising the prices to the selectors.

The MINISTER FOR LANDS: Will the hon. gentleman tell me in what case?

Mr. McLEAN said he had lately put some questions to the Minister for Lands with reference to some pre-emptions that had been made by Sir John O'Shanassy on Weribone Run. The hon. gentleman's answer was satisfactory and straightforward, and he (Mr. McLean) called for a return which the hon. gentleman laid upon the table of the House. He would just as briefly as possible give an outline of the circumstances of the case: A gentleman from Surat called upon him to see if it was not possible for him to get a piece of the land. He did not ask the gentleman his name, so he could not give it; but it appeared that a little over three years ago a portion of the land in the Western Railway Reserve was put up for sale by auction. It was not sold, and afterwards it was selected by Mr. Kevin O'Shanassy and a Mr. Foote, who paid the first year's rent on the selections, and after paying the first years's rent they allowed the selections to be forfeited. After the selections were forfeited—there were five of them, he thought, one being in the railway reserve—they were not open to be taken up by pre-emption. Notwithstanding the restrictions under the Western Railway Act and the Pastoral Leases Act, that the lands were not to be offered for pre-emption, Sir John O'Shanassy wired to the Minister for Lands, and the Minister for Lands, in reply, allowed Sir John O'Shanassy to step in and pre-empt those lands at something like 10s. per acre, while the law distinctly forbade that such a thing should be done. The law was very explicit on the matter—that land that had been put up for sale and selected should not be open for pre-emption. Notwithstanding that, the Minister for Lands allowed Sir John O'Shanassy to pre-empt lands. The most remarkable feature was this: that the pre-emptions were made, he thought, about the middle of July, and the deeds were issued already. He did not think it was customary to issue deeds in such great haste as had been done in the case referred to. In the month of July Sir John O'Shanassy made a pre-emption, and some two months afterwards the deeds were issued, and the thing was beyond remedy, notwithstanding that the law was very distinctly against the action of the Minister in connection with the subject. He had no doubt they should hear more about the matter when the papers were printed, but that the Minister for Lands had gone in direct opposition to the law there was no doubt whatever. The Minister, perhaps, might be able to give some explanation of the matter. It might be that he (Mr. McLean) was wrong, or it might be that the papers were wrong; but what he had stated was the sum and substance of the transaction, and might be proved when the papers were laid upon the table of the House.

The MINISTER FOR LANDS said that the hon. member had told the Committee that the selectors had paid only one year's rent. The land was thrown open and sold at 5s. per acre; it was offered at auction first, and Mr. Kevin O'Shanassy and another selected it. They each paid 3s. per acre on their selections, and an additional 10s. per acre was paid by Sir John O'Shanassy afterwards. Looking into the matter, he (Mr. Perkins) said a great injustice had been done to that gentleman, because he was denied the right of pre-emption some years ago, when the hon. member occupied the Lands Office. Knowing what a valuable colonist Sir John O'Shanassy was, and what an interest he took in Queensland, and seeing that 3s. an acre cash down had already been paid on each selection, and they had got 10s. an acre for the land, he (Mr. Perkins) thought the State had made a very good bargain. The land was not of the first quality, but only of the second; and he could only say that if the hon. gentleman saw it, or his informant saw it—and he thought he knew where the hon. gentleman's informant was—he would say it was a good bargain for the country.

Mr. McLEAN said the papers that were laid on the table of the House bore out every word he had stated. Sir John O'Shanassy was warned by the Under Secretary for Lands that he could not pre-empt the land after the application to the Hon. John Douglas had been made. As to the injustice suffered by Sir John O'Shanassy, he (Mr. McLean) could not see it; but, whatever injustice a man might suffer, the Minister for Lands could not go against the law as laid down. He had noticed that whenever a deputation waited upon the Minister for Works asking for a certain thing, he invariably asked his Under Secretary what the law on the subject was, and he would abide by the law; but the Minister for Lands, when he was informed that such-and-such was the law, said "Oh! never mind; it is not what the law says, it is what I say." The hon. gentleman appeared to be a law unto himself, and he (Mr. McLean) thought the sooner a Bill was passed authorising the Minister for Lands to violate the laws the better, as he would do so in any case. There was no doubt whatever that Sir John O'Shanassy had been allowed to violate the existing laws; but, now that he had obtained his title deeds, there was no remedy. The Minister for Lands was deserving of the severest condemnation, and that would be seen by hon. members when the papers in connection with this case were laid before them.

Mr. GRIFFITH said he had now the papers before him, and could give the Committee some information on the manner in which the land laws were being administered. The Minister for Lands had not only acted in defiance of the law, but had done so in spite of very decided warnings given him. Under the Western Railway Act it was provided that, when land was resumed from lease in the Western Railway Reserve, the resumption should have the effect of withdrawing them from lease to a certain extent, but not altogether. Subsection 4 of section 5 provided:—

"The lessee shall have and may exercise the right of pre-emption conferred upon him by the 54th section of the said Act over any part of his run that shall not for the time being have been so reserved or selected, or have been proclaimed for sale by auction, or open to selection by conditional purchase, or as a homestead area."

That was the law. The lessee's right of pre-emption existed until the land was proclaimed open for sale by auction or selection. The land in question was proclaimed open for sale by auction by a proclamation dated 21st September, 1877; and afterwards, by a proclamation dated 21st November, 1877, this land was proclaimed open for selection, and two selections were taken up—one by Mr. Henry Foote, on the 2nd March, 1878, and the other by Mr. Kevin O'Shanassy, on the 28th March, 1878. That showed that the land was without doubt withdrawn from pre-emption. These gentlemen appeared to have paid a little rent. Mr. Kevin O'Shanassy got 3,711 acres at £278 6s. 6d. a year, which was 1s. 6d. an acre. About that time, or before these selections were made, it appeared that Sir John O'Shanassy wrote to Mr. Douglas, then Minister for Lands, asking to be allowed to pre-empt, and there was a memorandum enclosed containing a number of questions to which answers were given. This correspondence was sent by Sir John O'Shanassy to the present Minister for Lands in April of the present year, and this was the memorandum of questions:—

"1. Am I, as lessee of Weribone Station, comprised of six blocks, entitled to purchase any portion of the land

now surveyed on the south side of the Balonne River, namely—Yealbon, Yealbon South, and Maccadilla blocks, by virtue of any pre-emptive rights?—If so, when? No. The land has been proclaimed for sale by auction.

"2. Am I able to get these runs or blocks consolidated for that purpose?—These runs or blocks having been already surveyed, can I take the portion so which I may be entitled as surveyed, or how? No.

"3. My improvements on Maccadilla block, consisting of good homestead, cattle-yards, paddock, etc., valued at about £1,000; the area as surveyed on this run or block is 5,564 acres: Can I purchase to the value of the improvements under the 54th clause of the Act of 1869?—If so, how? Compensation for the improvements on portions sold will be made on their value as appraised. To the second, 'No.'"

At the same time, Mr. Douglas had written to Sir John O'Shanassy that, under the Act, he could not pre-empt; and here was a formal answer sent on the 5th July, 1878, by the Under Secretary for Lands:—

"Sir,—I have the honour to acknowledge your letter of the 15th ultimo, applying to be allowed to consolidate the runs noted in the margin, and to inform you that you will be allowed to consolidate under the circumstance stated, but it will be understood that the right of making pre-emptive selections will not extend to any land which has been offered for sale or selection; and in the case of land surveyed for sale the Government reserve the right of withholding that class of land from pre-emptive selection if deemed desirable.

"I have, etc.,
"W. A. TULLY,
"Under Secretary.

"Sir John O'Shanassy."

Then the matter appeared to have dropped until, on the 9th April of the present year, the Land Commissioner at Surat wrote to the Secretary for Lands a letter to this effect:—

"I have the honour to inform you that there seems to be more demand for land at this place for selection—more especially in large areas. I would, therefore, strongly suggest that the undermentioned forfeited selections be declared open for selection."

The selections mentioned were those of Foote and Kevin O'Shanassy. He did not see any answer to that letter, but the same month Sir John O'Shanassy wrote to the Secretary for Public Lands, and asked to renew his application made to Mr. Douglas. Then there was some more correspondence. There was a telegram from Sir John O'Shanassy, dated 17th May, 1881—the previous application not having been dealt with—which was as follows:—

"See my application containing portions I wish to pre-empt, not forfeit. Please explain your intentions thereon. Why not proclaim smaller areas for selection?"

Sir John O'Shanassy wished to pre-empt and not forfeit. Not forfeit what? Why, the selections of Mr. Foote and Mr. Kevin O'Shanassy. But what had he got to do with them? It seemed very singular that Sir John O'Shanassy wanted to pre-empt and not forfeit other people's land. Upon this telegram he (Mr. Griffith) found a memorandum of the Under Secretary for Public Lands, dated 11th of June, which appeared to be the next part of the transaction:—

"The Weribone Station, Maranoa District, is within the Western Railway Reserve, and consists of the following runs:—Yealbon, Yealbon South, Maccadilla, Colgoon, Dunga, and Dunga South; all of which are held under lease by Sir John O'Shanassy.

"These runs have been consolidated under the provisions of the Railway Reserves Act, so that the lessee is entitled to consolidate his pre-emptive selections in one block. The right to purchase under pre-emption, in virtue of the leasehold of the above runs, extends to six blocks of 2,560 acres, or a total area of 15,360 acres of land that for the time being has not been reserved or selected, or has been proclaimed for sale by auction or open to selection.

"In reference to the application now made by the lessee to be allowed to exercise his right of pre-emption, I have to report that the land he applies for is comprised in two selections—viz., Nos. 28 and 29 Surat, as per lithograph herewith. These selections are liable to forfeiture for non-payment of rent, but have not yet been proclaimed. They comprise an area of 7,738 acres, and were selected at an upset price of 15s. per acre.

"Up to the period of the land being offered at auction, the lessee had unquestionably the right to select on each run, but when he was allowed to consolidate his runs, the land he now applies for was not available, being at the time proclaimed for sale. The question therefore is whether the lessee should be allowed, not only to select land which has been legally withdrawn from pre-emptive selection, but also allowed to do so at a price less than that by which the adjoining land has been selected."

That very plainly called the attention of the Minister for Lands to the fact that the lands were not open to pre-emption, and also to the extreme undesirability of allowing the land to go at 10s. an acre when the adjoining land was selected at 15s. On the 22nd June Sir John O'Shanassy made another proposition in the shape of a telegram—

"Will you allow transfer of Foote's and Kevin's selections on my paying two instalments now due? Weribone sold if you comply."

Evidently he wanted to do this for the purpose of completing the sale. It was an extraordinary telegram. The conditions could not have been complied with and the selections could not have been transferred. He (Mr. Griffith) did not know what opinion they had in Melbourne of the way the land laws were administered here when such a telegram as that could be sent. Then came a letter of the same date, June 22—

"In pursuance of my letter dated last April, addressed to you, asking to be allowed to purchase by pre-emption on my run known as Weribone, in the unsettled district of Maranoa, on the southern portion thereof, lots or portions 10, 11A, 13, 14, and 15, parish of Weribone, county of Elgin, I have now the honour to acknowledge the receipt of your telegram of this date, allowing me the right to pre-empt these lots. I therefore beg to apply to exercise my right to pre-empt these lots on the terms stated by you, that is at 10s. per acre cash, without any deduction, which I am prepared to pay into the Treasury at Brisbane on receipt of your official direction to that effect. Requesting an early reply, etc."

On the 22nd June the Minister for Lands had sent this telegram:—

"Yes; transfer on payment of all arrears, or can exercise right of pre-emption; but will not credit the moneys in rent."

This was a most extraordinary thing. There were two selections taken up and forfeited for two years, and which could not be transferred by law, and yet the request was granted by the Minister for Lands!

The MINISTER FOR LANDS: It is done every day.

Mr. GRIFFITH said he knew that rent was received after the appointed time; but it was only an instance of the way in which the land laws were being administered. The whole transaction was highly discreditable. Sir John O'Shanassy wanted this land, and he must get it somehow. On the 2nd of July a minute of the Executive Council was passed, authorising the application of Sir John O'Shanassy to pre-empt, and on the 8th of July, six days afterwards, the land was proclaimed forfeited. A more extraordinary transaction had probably never been brought before Parliament. The land was no more open to pre-emption than was land in Queen street. A demand for the land existed in the district; the demand was duly reported to the Minister, and what was done was simply to hand the land quietly over to Sir John O'Shanassy without competition. Nearly 8,000 acres of this land, which people were willing to pay 15s. an acre for and live upon and cultivate, were handed over for 10s. an acre.

The MINISTER FOR LANDS: No.

Mr. GRIFFITH said there might be, as the Minister said, many instances of this kind, but

he only knew of this one, and that had been brought under his notice by a decent-looking man who had told him that he wanted to select land in that district.

The MINISTER FOR LANDS: Name!

Mr. GRIFFITH said he did not know the man's name; but he stated that learning the land was liable to forfeiture, he made inquiries at the Lands Office, and was there told that the land had been pre-empted. The man then wanted to know how that could be the case, and inquiry was made, which resulted in the disclosure of the facts that had been stated. Was this the way in which the land laws were administered and selection encouraged? The House passed a law enacting that a right should not be exercised, except under certain circumstances; and the Minister for Lands, in defiance of the law, allowed that right to be exercised under other circumstances. A more glaring case could not be brought under the notice of Parliament. He was not able to find out from the papers when the deeds of the land were issued. Perhaps the Minister for Lands would now give a fuller explanation.

The MINISTER FOR LANDS said the leader of the Opposition put on a look of horror and indignation at the idea of breaches of the law, but the hon. gentleman, he thought, was more accustomed to breaches of the law than observances of it; at all events, when he was dealing with his late colleagues he had never to go far to find breaches of the law. The hon. gentleman pretended that he had discovered a great breach of the law because he (Mr. Perkins) had offered to allow two selectors to pay up their arrears, but the hon. gentleman must know that the same thing was done almost every day. A general expression of opinion in favour of such a course had been given by the House, and he himself had last year stated that in no case where the selector evinced a desire to continue to reside and fulfil the conditions would forfeiture be declared.

Mr. GRIFFITH: Hear, hear!

The MINISTER FOR LANDS said that principle referred to homestead selectors, 160-acre men, and selectors of all kinds; and if the applicant in this case had not been Sir John O'Shanassy there would not have been so much sound and fury. Had it been a "Mac" or "Sandy," or a Chinaman, or coolie, or kanaka, or some other of the friends to whom the hon. gentleman was "ko-too-ing" to at the present time or trying to work the oracle with, the thing would have been different altogether. The facts were, that when he came into office he discovered that a very great injustice had been done to Sir John O'Shanassy, who had cast in his fortunes with the colony and become the purchaser of Weribone Run some time before. Immediately afterwards the Western Railway Reserves Act came into operation, and the pre-emptive rights which Crown tenants had previously enjoyed were taken away. Sir John O'Shanassy continually complained about the injustice of this measure, both to him (Mr. Perkins) and to other members of the House, including Mr. Douglas; and he (Mr. Perkins), considering the equities of the case, had come to the conclusion that the proposal of Sir John O'Shanassy to take in satisfaction only one-half of the quantity of land which he had a right to pre-empt when he became a purchaser was a reasonable and peaceable way of settling the matter with him and ensuring a continuance of the good feeling which had been evinced by him on all previous occasions. If there was any man in the colony that deserved fair play Sir John O'Shanassy did. He did not want to extol that gentleman, but would simply say that he had cast in his lot with the colony, and was a very useful colonist; and that the line of conduct adopted by the leader of the Opposition was not calculated to promote the welfare of the colony or his own. The hon. gentleman might bawl out about breaches of the law, but no hon. member knew better how to evade the law when it suited him; and he made bold to say that the hon. gentleman had done so on more occasions than one. In dealing with these cases he (Mr. Perkins) had studied the welfare of the colony and acted on the belief that it was better to leave the land in the hands of those who were here rather than let it go to strangers. He maintained that 10s. per acre cash down was better than 15s. per acre in payments extended over ten years; and, in addition to that, 3s. per acre had been already paid on the two selections. It was quite evident that these two young men gave up the selections because they would not fulfil the conditions and spend 10s. an acre on what might be useless improvements, and would not go about looking for tools and instruments to make declarations which were not correct. Sir John O'Shanassy himself stated that neither his son nor his overseer Foote would make false declarations, or procure anyone else to do so. The hon. gentleman might suggest as many technicalities as he liked, but he was satisfied that the country would by-and-bye reap a threefold benefit from having Sir John O'Shanassy as a colonist. If it were any satisfaction to the hon. gentleman, he might state that the station was not sold.

Mr. McLEAN said the Minister for Lands had not made the case any better. The hon. gentleman said that he had acted for the good of the country, but he might have found a legal way of acting. The hon. member for Carnarvon had brought in a Bill to legalise the transfer of small selections to a wealthy company, and the hon. gentleman could, if he liked, have brought in a Bill to alter the law instead of violating it. The House was not aware that these selections had been dummied until the Minister for Lands told them that Sir John O'Shanassy had stated in his own letter that he was prepared to pay the balances. It was as clear as daylight that the Minister for Lands had broken the law, and if such breaches were of everyday occurrence it was unfortunate for the country.

Mr. DE SATGE said the power of the Minister for Lands in Queensland appeared to be so great that it was hard to say where it was limited. Sir John O'Shanassy, it appeared, had a perfect claim to pre-empt under the Act of 1869, but he did not exercise his right in time; and when the Western Railway Reserves Act and other similar Acts—which he did not think had benefited the country—were passed the right of pre-emption was taken away. The right of pre-emption under the Act of 1869, he would point out, was given in consideration of improvements made; so that, although only 10s. per acre was paid in cash, the improvements probably represented a sum nearly equal, making the cost of the land really from 15s. to 25s. per acre. The nature of the improvements on different runs varied very much, but the improvements were mostly of a useful character, whereas those which the selectors were being driven to make were often quite useless. Millions of money had been uselessly expended in New South Wales in that way, and there seemed a probability that the same thing would take place here. To discuss the general land policy of the Government would probably occupy a month, but he would take the opportunity to draw the attention of the Minister for Lands very emphatically to

the Peak Downs lands. Although the House had by negativing a motion on the subject refused to take those lands out of the Railway Reserves, he emphatically warned the Minister that if he wished to administer the department with regard to the due justice of the case he should take care to virtually withdraw those lands from selection and put a higher price on them, as he had done in the case of the sugar lands in the North. Let the hon. gentleman, either by personal inspection or otherwise, ascertain the value of those lands, and put a higher price on them. The extension of the railway from Clermont would have to be carried out by-and-bye, and a large amount might then have to be paid for these lands. Instead of 10s. per acre they were virtually worth as much as the lands on the Johnstone River.

Mr. MILES said the portion of the Minister for Lands' remarks in which he said that selectors, so long as they paid a portion of their rent, would not be disturbed, was very satisfactory indeed. There were a number of selectors on the prairie in the Darling Downs who had taken up land at 20s. per acre, and had been struggling with great difficulties, and he was glad to hear the hon. gentleman repeat the opinion he had before expressed. They were industrious men who had made valuable improvements, and it would be a pity to drive them from the country. In other respects the hon. gentleman's remarks were not satisfactory. It was not wise or discreet of any Minister of the Crown to override an Act of Parliament; for what was the use of an Act of Parliament if it was to be set aside? Without expressing any opinion on the justice of the case, he would simply say that a Minister of the Crown, if he met with any difficulty in administering an Act, should bring in a Bill to amend it, and not attempt to override an Act of Parliament.

Mr. GRIFFITH said the Minister for Lands affected to think that he complained of the hon. gentleman accepting rent or offering to accept rent in arrear. That he knew was quite usual, and very often quite proper. The offer made in this case, however, was not a proper one. It was an offer, not to let selectors pay up their arrears of rent, but to let Sir John O'Shanassy pay it up for them and take a transfer to himself, though the selections could not be legally transferred. It was simply an offer to let Sir John O'Shanassy do what he liked. He was asked what he wanted, and, having said, was told to do as he liked. That was not the way in which the land laws should be administered. The Minister for Lands had not the power which the hon. member for Mitchell and the hon. gentleman himself seemed to think he had. They seemed to think that a Minister for Lands occupied the position of being able to dispense the land to his friends and hand it out as he liked; that, having the power to cause grants to be signed and issued, he might according to law or against law issue them, as seemed good to him in his pleasure. He would, however, tell the hon. gentleman that the Minister for Lands was bound to consider the public interests only, and that the law bound him by certain instructions lest a Minister should be found who would consider the interests of private persons instead of the interests of the public. He would tell the Minister for Lands, and also other hon. members who appeared to be ignorant of it, that grants issued in defiance of the law were not worth the parchment they were written on; and people who took them took a piece of parchment and very little more. Only within the last two months a case had been decided in the Privy Council where, the Minister of the day in New South Wales having allowed lands to be selected illegally, another person claimed the lands and got them. The Crown had no power in this country to dispose of the land except in accordance with law, and any attempt to acquire land otherwise than by law, made by any person—even by Her Majesty, if that were possible—would be utterly futile. People who got land otherwise than under the law took a very insecure title, to say the least of it; and a Minister who violated the law after attention had been called to the fact occupied a very dangerous position.

The PREMIER said the hon. gentleman—who came, no doubt, with a well-prepared brief—treated this question from an entirely legal point of view. In that aspect of the case he might not be able to follow the hon. gentleman; but the House, looking to the justice and equities of the case, would be satisfied that some of the hon. gentleman's arguments fell to the ground. The Western Railway Reserves Act of 1875, which was a notoriously bad Act, injured those who came under its operations, without doing any good to the State. It was acknowledged at the time when it was passed, not only by the Crown tenants, but by people outside, to be a failure; and tenants were consequently in no hurry to rush in and secure the rights which were liable to be lost by effluxion of time. Another reason why those rights were not then exercised was that most of the Crown tenants were not at that time in a position to exercise them. It might, therefore, fairly be supposed that the Crown tenant would reason thus: "I shall be treated fairly; and if the lands are not sold by auction, and are not taken up by selection, surely my right secured under the Act of 1869 will be reserved to me." No one of them would dream of the technicality put forward by the hon. member for North Brisbane, that the 4th subsection of the 5th clause meant that if lands were once put up to auction they could never be pre-empted afterwards. The intention of the Act, in stating that when the land was once proclaimed Crown tenants could not pre-empt, was to prevent tenants from watching the Government, and stepping in to pre-empt whenever land was about to be put up for sale. No doubt the hon. member was right as to the technical construction of that clause, but surely such a strict construction was not equitable. The clause was inserted to prevent men from doing certain things against the Crown; but after the land had actually been put up to auction, and had found no bidders, surely in equity the right to pre-empt might be restored. That was the view the Minister for Lands had taken, and he appeared to have dealt out a sort of rough justice and pure equity in allowing Sir John O'Shanassy to exercise the right of pre-emption which he was entitled to exercise at the time when that Bill passed. They could not have been supposed to have been in a position to pre-empt at that time, nor to have had a thorough knowledge of the law as it passed. Practically they were unbelievers in the working of it. He should not agree with the hon. member for North Brisbane whether this thing was strictly legal or not. He believed the Act was strictly equitable, and that Sir John O'Shanassy only got what he was entitled to before.

The MINISTER FOR LANDS: Only half.

The PREMIER: Only half, and in addition he had to pay 33 per cent. on its value.

Mr. GRIFFITH: How?

The PREMIER: By paying 3s. in addition to the 10s. He (the Premier) knew perfectly well from the sniggering of the hon. member what he was going to say, and that he was going to argue that these were dummied selections. Well, let the hon. gentleman make the

best of it If he wanted to know how a selection passed from a son to a father, or from a father to a son, let him ask the hon. member who was sitting behind him. He (the Premier) was perfectly prepared to argue that it was equitable, the father acting to a certain extent for the son and *vice versâ*, and he said that even if the Minister had not acted strictly legally he had acted equitably in the matter.

Mr. GRIFFITH said that depended a good deal on what they considered equity, and on which they were considering—the interests of the country or the interests of the individual. The hon. the Premier said that Sir John O'Shanassy only got what he was entitled to; and that he paid 33 per cent. more than he should have done. The hon. gentleman forgot that this argument could only be sustained on the assumption that the selections were dummied. The whole of the defence of the Premier rested upon the fact that these people were dummies of Sir John O'Shanassy. The position was this: They passed a law in 1875—whether wise or not it was still the law—to expend a large amount of money in the construction of railways, and they desired to throw open the adjacent land for selection to render it more useful to the State than when stock ran upon it. In accordance with that they resumed the land and threw it open for selection. It was selected; but it now appeared that it was not really selected, but only dummied by Sir John O'Shanassy. That was to keep other selectors out of it. He did not think that, because Sir John O'Shanassy thought it worth his while to spend 3s. an acre and to put others in his place until his friends got into office, he was worthy of consideration on that account. Sir John O'Shanassy then said why should they not let him back into possession, and asked what harm there could be in it? But since then the railway had been constructed to Roma and the land had been improved to that extent. Yet he asked to be again put in possession, and in the same position as he was four years ago. His rights being entirely gone four years back, he asked to be restored to his position. Was that equitable, or was it inequitable and unjust? The Premier said that supposing it turned out that no one wanted the land, why should not the lessee go in again? There was no reason if the law allowed it. But the law did not allow it; and, moreover, there was a demand for land in that district. They had a special report to that effect, and yet, in defiance of that, the Minister made a sale—a private sale, for it came to that—to the first party that asked for it. That was perfectly right, perhaps, if the first persons who were to be considered were the pastoral lessees and their pre-emptive rights, and if the public were to have their leavings. But it was not the right way to go to work if they wanted to settle the people on the country, and the pastoral lessees only to exercise the pre-emptive right after them.

The PREMIER expressed the opinion that there would not be much settlement in the West unless such a right was given. This right could have been exercised at the time of the Act. It was not, and the concession was granted—whether legally or not he did not say, but he did not take the hon. member's law for granted. That it was equitable he had no doubt whatever.

Mr. LUMLEY HILL said that the hon. the leader of the Opposition had just told them that these deeds, if acquired in defiance of the law, were not worth a rap. He would suggest to the hon. gentleman that he should get one of his friends to make a lawsuit out of this. It would have a double effect. It would fill his own pockets, and he would also see the public righted in this matter. For his (Mr. Hill's) part, he thought that the explanation given by the Premier of the 4th clause of the Act was as clear as possible. He agreed that the land should not be allowed to be pre-empted while at the time it was under offer by auction; but he could not see the least reason in the world why it should not be re-opened, as he believed the intentions of the Act were fulfilled if the land was once put up to auction. The House had heard a great deal about dummies and dummied land from the hon. the leader of the Opposition. He (Mr. Hill) was not in the House at the time when all that dummy land prosecution or persecution went on, but he knew that the cases went as far as the Privy Council in England, and that—with all due regard to the hon. the leader of the Opposition—the cases went dead against him. It was simply a phrase of the hon. gentleman's which he had got hold of—a claptrap sort of way that went down with a certain class of people. He (Mr. Hill) thought that a son had a right to take up land in the interests of the father, or the father in the interests of the son. If Kevin O'Shanassy took up land on behalf of his father it would probably come to him or his brother in the future, so why on earth should he not have the land, provided that he fulfilled the conditions? He (Mr. Hill) thought that the public interests were very well served by the alienation of the land and getting the money into the Treasury for it. He himself did not want this kind of land. He believed in smaller allotments about Queen street, and he would let anyone else have the land about Weribone. He did not want to take it. The hon. member for the Logan had cast an imputation on the Minister on account of the promptitude with which the deeds came out. He (Mr. Hill) did not think the Minister ought to be blamed for getting the deeds out as quickly as possible. He (Mr. Hill) got his deeds for two allotments in Queen street a great deal quicker than if some gentlemen had been in office. Then he would not, perhaps, have had them for six months. Surely that was no ground for complaint against a Minister who certainly shirked no responsibility which was put before him, but took the course which he believed, to the best of his knowledge and discretion, to be the best one.

Mr. GARRICK said he had not had an opportunity of reading the correspondence, so he should say nothing about the particular circumstances of the case; but he certainly could not accede to the general principles stated by the Premier and several other hon. members who sat on his side of the House. The assertion was brought to this: that, notwithstanding the Railway Reserves Act, the right of pre-emption was to exist after the land was put up to auction. That this was wrong could be seen at once in this way. The upset price was variable, while the pre-emptive price was a fixed price of 10s. per acre. The land might be put up at 20s. per acre, and then, directly the public refused to buy at that price, the old rate of pre-emption at 10s. an acre returned. The case only wanted to be clearly stated to show how utterly unreasonable it was. He believed that it was a fact that these lands were offered at 15s. an acre. Surely the hon. the Premier would not again give the right to take them at 10s. the acre. Besides, the Crown had a right to offer it once more, and he saw a very good reason why the right of pre-emption should not return, and it was this: in this area they had placed the means of raising capital for the construction of the line. The land was improved, because the expenditure there had put a good price on the land, and to return to the old price of 10s. was not the intention of the Legislature. Because the land had failed to find purchasers

was not, so far as he could see, any reason why they should allow it to be pre-empted at 50 per cent. lower than the price at which it was offered. For himself, he had always been opposed to the pre-emptive rights. He could not get rid of the idea that they did more harm than good to the country, and he believed that the Bill now before the House—to do away with the conditions of selections—would find a very good Bill to go alongside of it in a Bill to abolish pre-emptions.

Mr. LUMLEY HILL: Why did you not bring it in?

Mr. GARRICK said he hardly understood the principle on which the Minister had gone in another matter. He could not understand why the hon. gentleman took credit in the Ways and Means for the year for £343,000 from land revenue. This was £93,000 less than last year. Now, why did it take more to raise this lesser sum? He could not understand it. On ordinary business principles it would take less to raise £343,000 than it would take to raise £435,000; but here it took more. He could not understand the principle.

Mr. SIMPSON said they had had a great deal of cheap law from the other side of the House, and he supposed they ought to be very grateful for the way in which the hon. gentleman had instructed the Minister how his department ought to be conducted. He was very glad with the hon. member for Darling Downs to hear the Minister for Lands say that he did not intend to dispossess selectors who showed their *bona fides*, more especially referring to the same selectors as he (Mr. Simpson) was doing—the 30s. per acre selectors. They were put on the land by the hon. members on the other side of the House, and the extreme value was drawn from them. He was very glad now to hear the Minister say that he did not mean to be hard on these men. As regarded this case, he did not profess to know much about it, and it was not his intention to make any inquiries. He was content to take it as it came; but it was a very extraordinary thing that the hon. leader of the Opposition, the hon. member for Moreton, and other ex-Ministers, should forget what they had themselves done. Did they forget when the 1866 land cases were actually under appeal to the Privy Council how they managed to deal out the 1866 deeds to their own friends?

Mr. GRIFFITH: Not one.

Mr. SIMPSON: The hon. member said not one; but could he deny that near Ipswich a man named England managed to get land while the cases were before the Privy Council? Could the hon. member for Moreton deny that before the decision of the Privy Council 6,000 acres were got rid of by deeds in that way? Did the hon. member forget that people recollected all those cases? He, for his part, did not like to see them brought up, but very often it was necessary that they should be when a Minister was blamed when he had acted in a fair and equitable manner.

Mr. GARRICK said that, in answer to the suspicions raised by the hon. member, he might say that he did not know Mr. England. He had never heard of Mr. England. He never gave Mr. England any deeds. He did not know him by name or by repute, or in any way whatever, and he gave him nothing.

Mr. SIMPSON said he had not said that the hon. member was the Minister for Lands. He said that the hon. member was one of the Ministry, and he asserted still that he was.

Mr. DICKSON: Not in 1876.

Mr. SIMPSON said that he had not said it was in 1876. He said that when these illegal cases took place the hon. member was one of the Ministry, and so was the hon. member for North Brisbane, who was Attorney-General at the time, and while he was taking steps to ruin Mr. Wildash he was issuing deeds to the friends of the Ministry.

Mr. GARRICK said he would again repeat that never, while he was in office as Minister for Lands or as Attorney-General, were any deeds whatever granted to Mr. England. No deeds were granted until after judgment had been given in the case of the Queen *v.* Davenport.

Mr. SIMPSON said that if the hon. gentleman's assertion was correct, he must accept his denial. But certainly the hon. member for North Brisbane was a member of the Government that issued those deeds. The hon. member (Mr. Garrick) said the deeds were not issued until after the decision of the Privy Council became known. He. (Mr. Simpson) said they were. They were issued to Mr. England at the same time that they were doing their utmost to deprive of their lands other selectors who were in exactly the same position.

Mr. GRIFFITH said the hon. member for Dalby seemed to be labouring under some strange hallucination. A return was laid on the table of the House last year of all deeds of grant issued, or in preparation to be issued, to persons from whom such deeds had been withheld by previous Governments on account of suspected dummying. That return began with the year 1872, and continued down to last year. In the whole list there was not a single grant to Mr. England, and only two to anybody in that neighbourhood. Those two deeds were issued to a Mr. Vanneck, for 240 acres of land, and they were not issued until after the result was known of the case the Queen *v.* Davenport.

Mr. SIMPSON said it was very easy to get out of it by saying there was no such name down as "England."

Mr. GRIFFITH said there were only two grants issued to anybody in that district during the period mentioned, and they were both to Mr. Vanneck.

Mr. SIMPSON asserted that what he had said was correct, and the hon. gentleman knew it as well as he did. He (Mr. Griffith) was sneaking out of it in his lawyer-like fashion, for he knew very well what he (Mr. Simpson) was alluding to.

Mr. GRIFFITH said he had shown, from a return from the Lands Office, laid on the table by the present Government, that the hon. member had drawn upon his imagination for his facts.

Mr. DICKSON said he was very sorry to find that the feature of recrimination had been introduced into the debate. Assuming even that the statement was correct, it did not justify the action of the Minister for Lands in having done a certain thing in defiance of the law. If the facts were as stated, no doubt the Opposition of that day very properly pulled the Government over the coals for so doing. It was a matter of reproach that our land laws were unintelligible, and that was rendered still worse by the manner in which they were administered. Of that, the case before them was an illustration. What confidence could people intending to invest in the colony have in a Government which conducted its land administration in defiance of law, and which displayed such a readiness to be squeezed by gentlemen whom they wished to conciliate—as had been shown in connection with the grant to Sir John O'Shanassy. Even the Premier had had to admit that the Minister for Lands acted with rough justice, and not in accordance with the strict letter of the law. If the law was wrong, let it be improved in a legitimate manner

by Act of Parliament. The Premier had stated that the Western Railway Reserves Act was a bad one. Assuming that it was, and that it had prevented Sir John O'Shanassy from exercising his right of pre-emption in the usual manner, that simply showed that it was the duty of the Government to obtain a repeal of that Act, instead of allowing the Minister for Lands to act in the way he had done in that case. He might inform Ministers that there was a strong impression abroad in the colony that all the departments of the Government were administered with a view to conciliate favourites and to deter and threaten opponents. It was incumbent on them, therefore, to show that they intended in all things to abide strictly within the letter of the law, and not even on principles which they might consider did greater justice than the law enabled them to do. The hon. member for Logan had done well to introduce the discussion on the extraordinary facilities that had been given to Sir John O'Shanassy. He (Mr. Dickson) fully recognised that gentleman's usefulness as a colonist, both in Victoria and in Queensland. At the same time, it was the duty of the Government to carry out the law as it existed.

Mr. McLEAN said that among the papers laid before them by the Minister for Lands there was one from the Land Agent at Surat to the effect that there was no land there open for selection. Had any further steps been taken in that matter?

The MINISTER FOR LANDS replied that since that letter was received a large quantity of land had been thrown open there unconditionally for selection.

Mr. DICKSON asked why the Land Agent at Nanango had been abolished, and also for an explanation of the increases which were down to a few of the salaries. He had no wish to say anything against the officers whose salaries had been increased, but he could easily see that others had been passed over.

The MINISTER FOR LANDS replied that selection had become so slack at Nanango that there was nothing for the Land Agent there to do; and, there being a vacancy at Toowoomba, instead of creating a new appointment, he was transferred thither. As to the increases, he should like to have seen more of them, but those selected were hard-working and deserving officers whose duties had lately increased, and it was some kind of recognition of their services. In one case the officer was merely restored to his former position. Owing to some irregularity, an agent was reduced by £50 a year, but his conduct had since been so exemplary, and he was such a useful officer, that he had felt it a matter of duty to restore him to his former position.

Mr. McLEAN asked whether any changes had been made in the Land Office at Gympie or Maryborough?

The MINISTER FOR LANDS replied that the Land Commissioner at Maryborough had taken other duties in the Public Service, but the Land Agent was still there.

Mr. MILES said there was a matter that required explanation in connection with three homestead selectors who selected 100 acres each at St. Ruth. Those men paid the survey fee, and the first and second years' rent; and yet the Minister for Lands refused to confirm the selections, and ordered the land to be sold by auction. That took place last week, when the land realised 30s. an acre, being purchased by the selectors themselves. He had always understood that the Minister for Lands denounced the late Government for the high price it demanded for land, and his present action was scarcely consistent with his former profession. As to the transferance of land, if anyone could furnish information on that subject it was the Premier himself. The partner of the Premier went up to Dalby, bought out three or four intending selectors, secured three dummies, and selected the land for the firm that owned Jimbour, of whom the Premier, he believed, was one.

The MINISTER FOR LANDS said he was glad the hon. gentleman had called attention to this case, though he had somewhat strained it in his remarks. The facts were that this was a survey of 640 acres on St. Ruth, and it was taken up by four men—Evans, Hunt, McLean, and another—each of whom took 160 acres. A gentleman, a member of that House, called on him, and mentioned that those men were dummies; that the owner of the run said he must have the land, and was quite prepared to give £1 an acre for it. He (the Minister for Lands) made some inquiries, and soon after, when he was at Dalby, he went to see the overseer of the run. The overseer was out on the run, but he followed him (the Minister for Lands) to town, and admitted to him that what had been stated was true. It appeared that three of the men afterwards moved off the land; but the fourth, Hunt, stopped and refused to go off. There was a good deal of argument about it at the time. Hunt defied the superintendent or manager of the station, and was told that he could no longer be employed there. He had made known his determination of stopping on the land with the intention of selling it immediately he got the deeds. Having become acquainted with those facts, he (the Minister for Lands) issued a proclamation authorising the sale of the land; and, finding that it was worth more than £1 an acre, he fixed the price at 30s. That was the simple history of the matter, and he hoped it would satisfy the hon. gentleman. Much as he (the Minister for Lands) desired to see homestead men settling in this country, when he found, as he had recently found at Dalby in another case, that men were being used simply as instruments or tools for others, he preferred that the land should be devoted at once to the use to which it would be applied in three or five years, so that the State should have the profit.

Mr. GRIFFITH said this seemed to be a very peculiar case. Four men, it appeared, took up selections. Somebody else wanted the land, and applied for it to be sold by auction, and under some arrangement three of the selectors gave way. The fourth would not go away, and intimated his intention of holding the land until he got his title, when he intended to sell the land. Of course the land would then be his own; but because he would not give way, and declined to make over his selection to the owner of the run, the selection was cancelled. That was a strange way of doing things. The action of the Minister for Lands was simply in the interests of the owner of the station. The owner of the station wanted the land, and the Minister for Lands let him have it.

The PREMIER said he had never heard of the case until he heard the explanation of the Minister for Lands, and he put a very different construction on it to the hon. member for North Brisbane. This was what he gathered: Application was made by a selector for 640 acres of land. Afterwards it was taken up under four homestead selections of 160 acres each. After those men put in their applications it came to the knowledge of the Minister for Lands, from a member of that House and from outside testimony, that those four men were dummies for the pastoral lessee, who was working to get the land at 2s. 6d. per acre when it was known it was worth 30s. The Minister for Lands immediately

took steps and stopped the dummyism. That was the view which he (the Premier) took of the matter.

Mr. DICKSON said that the Premier had stated that he had never heard of this case before the Minister for Lands made his explanation. Did the Minister for Lands conduct his business in so arbitrary a manner that he did not even bring such cases as these before the Cabinet? Was it to the interests of the country that the administration of a public department should be so loosely conducted that a Minister could actually sell a man's property without informing his colleagues? He must say that the case mentioned by the Minister for Lands appeared very suspicious. It appeared suspicious inasmuch as it seemed that the Minister for Lands could not only sell a man's homestead in the interest of a squatter, but that actually after a man had lived for many years on a selection, and had spent a large amount of money in improvements, the Minister for Lands had authority, without even informing his colleagues, to reduce the man to beggary, to turn him out of his homestead, and, in fact, to deprive him of all he depended upon for his support. He (Mr. Dickson) said that this was a very serious question. Some hon. gentlemen might regard it with levity, but to his mind, taking this in conjunction with what they had already heard that evening with regard to the Minister for Lands conducting his department in a high-handed manner, the less people had to do with the taking up of selections under the Crown in this colony the better.

The PREMIER said there was nothing at all suspicious about the case, and the misrepresentations of the hon. member for Enoggera were even more absurd than those of the hon. member for North Brisbane. The hon. member for Enoggera actually said that the Minister for Lands turned those men out of their selections. But they were not selections—they were never confirmed—the Minister for Lands refused to confirm them. Then, as to the other remarks of the hon. member; there never was a Minister for Lands who brought before the Cabinet every selection that was made; that was merely a departmental matter, and entirely for the Minister himself. The hon. member had not made out a case against the Minister for Lands.

Mr. LUMLEY HILL thought the hon. member for Enoggera must have belonged to a very weak Cabinet if he brought all those little matters before it for confirmation. The Cabinet must have been in a perpetual state of sitting, like a lot of old hens, though they had hatched very little, as far as he could see. The present Government had put more facilities in the way of selectors and in the way of opening up the country than ever the late Government had done. Land had been thrown open to the public in every part of the country. He himself was instrumental in some degree in getting land thrown open in the Mitchell district, and he believed that it had been thrown open in a most judicious way. If the people and the country could be benefited he should be glad to see an extension of the system; it was the same as that in South Australia, and it had proved a very good one indeed.

Mr. SIMPSON said he happened to know a little of the case that had been brought forward by the hon. member for Darling Downs, though he was not the member of the House referred to by the Minister for Lands who had given certain information to him. One day the man Hunt came to him and stated to him that he was going to lose his selection. He wanted him (Mr. Simpson), as the member for the district, to take up the case, and said, "If you don't do it, I'm going to Toowoomba, to Mr. Groom." He (Mr. Simpson) told him that the sooner he went the better. The man sat on a log close to where he (Mr. Simpson) was working with some men, and made out that he had been very hardly used indeed; that he had taken up his selection in a *bonâ fide* manner, and that someone wanted it; he did not say the owner of the run, but he named a gentleman who he said wanted it. That fact, to his (Mr. Simpson's) mind, showed the man's extreme viciousness. He said that he believed Mr. James Taylor was trying to put him out of his selection, which was perfectly untrue, as he (Mr. Simpson) had ascertained since. He listened to the man's statement, and then told him that if he had a good case the Minister for Lands would not put him out, and that if he would go to the Minister for Lands and explain the matter he (Mr. Simpson) would see what he could do about it. After that the man pulled him up in Dalby and asked him to do something about it. The man had been getting a petition signed by the people in the district, making out a very good case according to his own version. He (Mr. Simpson) had heard something about this, and he knew that some of the statements were untrue; so that when Hunt asked him to take the petition down and present it, he refused, and said he would not have anything to do with the matter any more. From what he heard in the district, the man had dummied his selection and afterwards wanted to get out of his part of the contract and refused to give up the land. Accordingly he was discharged from the station, and the Minister for Lands afterwards put the selections up to auction. The man was a dummy for his employers. He made a promise to take up the land and transfer it to them; but it was found that he wanted to keep the land until he could sell it for £5 an acre. That was not a very uncommon occurrence, unfortunately, with homestead selectors. He could name another case where homestead selectors were put on to prevent conditional selectors, by a well-known person, with not the slightest intention of their remaining homestead selectors. They were just put there for a purpose. That kind of thing was very common, and he thought the Minister for Lands had done a very good thing in trying to stop it. He (Mr. Simpson) was in favour of homesteads, but of real homestead selections; the sooner homestead selections such as those that had been referred to were stopped the better.

Mr. HORWITZ said that some time ago he received a letter from Mr. Hunt on this subject, but he considered that he lived too far from the district to take action, and that there was not enough in the letter to act upon. He was surprised to hear the hon. member for Dalby say that he declined to handle the petition. He should have presented it to the Minister for Lands.

Mr. SIMPSON: It was not addressed to the Minister for Lands; it was addressed to the House.

Mr. HORWITZ said it ought to have been presented to the Minister for Lands. What was a member for if he did not bring the grievances of his constituents before Ministers, and do the best he could for his district? He was not there to figure in *Hansard*. The Minister for Lands would be the last to put a man out of a piece of land. If he (Mr. Horwitz) dummied land, and found it good enough for his own purposes, he should stick to it. That was just what this man tried to do.

Mr. LUMLEY HILL said, as to its being the duty of any member of the House to present any

petition which might be handed to him—no matter whether he himself recognised the subject of the petition to be false—he had no intention of handing petitions which he did not believe in to the House or to any Minister. Certain regulations were laid down in the Standing Orders which prevented petitions being presented unless they were in proper order.

Mr. SIMPSON said that, as far as his constituents were concerned, he did not intend to do anything for them that he did not thoroughly believe in. He did not know what the hon. member for Warwick intended to do.

Mr. HORWITZ said he intended to do for his constituents whatever was right. He had never refused to present a petition yet, and did not intend to.

Mr. McLEAN said the man might have gone on the land as a *bonâ fide* selector, and the case ought to have been further looked into by the Minister for Lands before he put the land up to auction. The lessee might have stated that the man was a dummy because he wanted the land for himself.

The MINISTER FOR LANDS said he had satisfied himself that the men were dummies; and if there had been any doubt they would have got the benefit of it, because he would prefer to see poor men settled on 640-acre blocks rather than they should fall into the hands of the station proprietors. The lessee did not raise a report, but was candid and fair in the matter. He got his information from another source altogether, though the lessee did complain to some of his friends that he was driven to take the course he had taken. When he (Mr. Perkins) heard of the matter he took active steps both in Brisbane and in the district to have it settled; and he satisfied himself from the answer given to his interrogations by the "super," that the account he had previously given the Committee was true.

Mr. GRIFFITH said that, whatever was the object of the Minister for Lands, the lessee got what he wanted. From the beginning he wanted the land. According to the hon. member (Mr. Perkins), he first of all tried to get it by dummying. Then he found that the dummiers were not to be relied on, but intended to keep the land. Then the Minister for Lands stepped in, and as the lessee could not get the land by dummying, he let him have it by sale at auction.

The COLONIAL SECRETARY: At 30s. an acre.

Mr. GRIFFITH said he did not care whether it was 30s. or 5s. or £5 an acre—the lessee got the land. They had heard a good deal to-day about the propriety of dummying in cases where a squatter took up large quantities of land by using the name of his overseer. But here was another case where selectors, whom the owner of the run thought he could trust, took up land in his interest, but the lessee afterwards suspected he could not trust them, and feared that they wanted to keep the land themselves. The best way to punish such lessees would be to let the selectors keep the land. The Minister for Lands appeared to have got his information from the people who wanted the land.

The MINISTER FOR LANDS: No.

Mr. GRIFFITH: If not from those people, from people in their interest.

The MINISTER FOR LANDS: No.

Mr. GRIFFITH said he did not get it from the selectors. They said they were not dummiers, but selectors; and *primâ facie* they were quite right. The Minister for Lands found that the person who expected to get the land entertained fears that he would not get it; and he then interfered, turned out the men who occupied the land, and gave it to the lessee. It came to this: the big owners who wanted land could get it. That was the moral they might draw from what they had heard from the Minister for Lands so far; and he (Mr. Griffith) protested against the public lands being administered in that way.

Mr. McLEAN said the Minister for Lands told them he first saw the lessee.

The MINISTER FOR LANDS: I did not.

Mr. McLEAN: I stand corrected. He said he saw the overseer.

The COLONIAL SECRETARY: He said he did not. He said he was out.

Mr. McLEAN: He said he saw the overseer.

The COLONIAL SECRETARY: In Brisbane.

Mr. McLEAN: He saw the overseer of the station.

The COLONIAL SECRETARY: No; he said he was absent.

Mr. McLEAN: He saw the overseer—he (Mr. McLean) did not care whether he was out or not—but he did not see the selectors.

Mr. GRIFFITH: Oh, no!

Mr. SIMPSON: They would not come.

Mr. McLEAN said it appeared that the hon. member for Dalby had been working the oracle for the lessee.

Mr. SIMPSON: I asked Hunt to come to Brisbane.

Mr. McLEAN said that if the men had acknowledged to the Minister for Lands that they were dummiers, he would have been justified in the matter; but the hon. member made his inquiries simply from the overseer. The selectors should have been consulted as to whether they were dummiers or not; if they said they were not, their word was as good as the word of the overseer.

The MINISTER FOR LANDS said three of the selectors moved off, and only one claimed a right to the land. It was not his business to hunt up Mr. Hunt; but it was Hunt's business to go to him. He had this to say for the information of the leader of the Opposition: He preferred, when he became aware of dummying, to deal with it at the start rather than wait two or three years with the prospect of going to law.

Mr. FRASER said there was another way of looking at the matter. Was it necessary after depriving those dummiers of their selections to sell the land to the lessee? Was the land fit for homestead selections? Were there no selectors who would be glad to take up the land forfeited? But instead of giving other selectors a chance, the Minister for Lands put up the land for sale, knowing that whatever price was fixed the lessee would secure it. That was where the Minister for Lands had made a mistake, because by those means *bonâ fide* selectors were completely shut out from the prospect of securing land.

Mr. HAMILTON said the action of the Minister for Lands showed that he was perfectly correct in that instance, and that he certainly did not act in the interest of the lessee. He saw that the lessee was bound to have the land, and that he had made an attempt on one occasion to claim it at 2s. 6d. an acre by dummying; he knew very well that the next dummy would probably be more faithful, and the consequence would be that the lessee would obtain the land at 2s. 6d. an acre. To prevent him getting it by fraud, and at such a low price, the Minister for Lands put it up for sale, and the lessee had to pay 30s. an acre at auction for land which he

would have got at 2s. 6d. by selection if he had been allowed to put another dummy on the land.

Mr. FRASER said there was no probability that such would be the case. But if the owner of the run attempted to get possession of the land at 2s. 6d. an acre, that was one reason why the Minister for Lands should take care that he should not have it at any price.

Mr. GRIMES called attention to the state of the Committee.

Quorum formed.

Mr. McLEAN said that at Toowoomba last year there were two land agents at £500, but this year there was only one at £300. He wanted to know if the business had decreased so much that a reduction was necessary?

The MINISTER FOR LANDS said the business had not decreased at Toowoomba, and it had increased at Nanango.

Mr. McLEAN: There were two officers at Toowoomba last year, and there was only one this year.

The MINISTER FOR LANDS: One of the officers at Toowoomba has been transferred to Brisbane.

Question put and passed.

The MINISTER FOR LANDS moved that the sum of £3,986 be granted under the head of Pastoral Occupation.

Mr. GRIFFITH said he was very glad to hear of the large increase in the rents derived from sales of runs by auction in the unsettled districts. He should like to ask whether the Minister for Lands had withdrawn any forfeited runs from sale by auction before they had been put up, and the circumstances under which they had been withdrawn?

The MINISTER FOR LANDS said there were some runs in the Leichhardt district withdrawn from sale, because there was apparently no good country. There was a run in the Burke district withdrawn in consequence of a dispute as to the position of a creek. There were two runs in the Gregory district withdrawn for the same reason, and also some others in the same district. Those were the only runs that had been withdrawn.

Mr. GRIFFITH: There are some runs withdrawn for which you have given no reason.

The MINISTER FOR LANDS: Those are the only runs that have been withdrawn.

Mr. GRIFFITH: Will the hon. gentleman answer this question—Why was a former lessee allowed to take up a run without competition?

The MINISTER FOR LANDS said there was one run in the Gregory district withdrawn because of the difficulties that were experienced in fulfilling the conditions. Representations were made to the department that justified him in withdrawing the runs from sale.

Mr. GRIFFITH said the law was intended to prevent favouritism. He maintained that the land laws should be administered according to law, and not according to favouritism. These runs were given away at 5s. per square mile, for which, perhaps, over 80s. might have been got.

The MINISTER FOR WORKS: Was it all saved?

Mr. GRIFFITH said that was the fault of the Minister for Lands. Why did he allow any lessee to take the land at 5s. per square mile? He remembered a Bill being brought forward in that House to do away with the provisions about selling forfeited runs by auction, and when it came to a division there were no tellers for the "Ayes." The 27th section of the Pastoral Leases Act provided—

"All runs leased under the foregoing provisions of this Act which may be forfeited or vacated during the currency of the lease thereof may be offered for sale by public auction. The upset price shall not be less than 20s. per square mile according to the estimated area, and the highest amount bid shall be the annual rent, to be paid for the remainder of the term of the lease."

The 50th section provided—

"If default be made by any lessee in the payment of any rent the lease shall be forfeited, but the lessee shall be permitted to defeat the forfeiture and prevent its becoming absolute by payment within ninety days from the date of the original rent-day of the full annual rent with the addition of a sum equal to one-fourth part thereof by way of penalty; but, unless the whole of the said yearly rent, together with such penalty as aforesaid, shall be paid within the term of ninety days counting from the original rent-day inclusive, the lease shall be absolutely forfeited."

So that this run was absolutely forfeited. The Minister for Lands had no more right to make a present of those runs to the original lessee than he had to make a present to him of £1,000 out of the Treasury. There was no difference between the two things. He had simply made a present of a run at 5s. per mile, instead of 40s. or 50s., or perhaps 70s. He should like to know what reason could be given for that. It seemed an extraordinary proceeding. The lessee, of course, had no right whatever to the lease; and was there anybody in that House who would be found to justify a transaction of this kind?

The MINISTER FOR LANDS: Yes.

Mr. GRIFFITH said he did not see why the same principle should not be applied to every man's case. He would ask another question: Was the former lessee a supporter of the Government in this House?

The MINISTER FOR LANDS said he had nothing to do with supporters of the Government inside or outside the House. The lessee of the run was Mr. De Burgh Persse; and the hon. member might make what he liked out of that.

Mr. GRIFFITH said they found favouritism in every department of the Government, and the law was defied in every possible way. The Minister for Lands made presents to his friends out of the public estate, and in doing so gave them money that ought to be paid into the Treasury. It was his (Mr. Griffith's) duty to call attention to this, and he had no doubt the public would form their own conclusions. He was glad that no hon. member on the Government side was found to support these transactions.

Mr. KINGSFORD said, if the statements made by the hon. gentlemen were true, the Minister for Lands ought to be in custody. The hon. member's statements were unwarrantable unless he was able to bring forward, as he ought to do, some proof of his statements. Such indiscriminate and sweeping charges as that of a Minister making presents of whole runs to his friends ought to be supported by more proof than the hon. gentleman had brought forward. If the hon. member was serious in what he said, and was prepared to bring forward proof, he (Mr. Kingsford) would help him to bring the offender to justice; but, on the other hand, he ought to refrain from bringing these serious charges if he could not support them.

Mr. GRIFFITH said he ascertained the facts from the mouth of the culprit—he used the word advisedly. Having ascertained the facts, he spoke plainly—he called a spade a spade, and always would do so. The Minister for Lands had admitted that he had made a present of certain leases of Crown Lands.

The MINISTER FOR LANDS: I admitted nothing of the kind.

Mr. GRIFFITH said the Minister for Lands admitted having given a lease of land at 5s. per mile when he could have got, perhaps, 40s. per mile, and after the lease was forfeited by law. As to what the hon. member for South Brisbane had said, he could only say there was a law by which a Minister might be brought to justice for such acts.

The MINISTER FOR LANDS said the hon. member was very fond of quoting law, but the Committee was surfeited with it. A little reflection would satisfy the hon. gentleman that he had made a mess of all the law cases he had undertaken lately, especially those having a tinge of politics in them. The hon. gentleman assumed that because a sale of runs of unprecedented success had taken place lately, that, therefore, the same result must always follow. All he could say was that if cases of a similar kind to that mentioned were represented to him—cases of hardship or misfortune in being unable to fulfil the conditions—he would treat them as they deserved, and on their merits. If he were to call the hon. gentleman to his assistance he could not carry on the Lands Office, there would be so many law suits. He was happy to say since he had been administering the Lands Office he had discouraged law suits, and he hoped when he left the office to leave it free of all that sort of thing. He (Mr. Perkins) objected, once for all, to the hon. member assuming the position of schoolmaster in that House, and making untruthful statements to be circulated by his organs and creatures all over the country. He had experienced, like all other Ministers for Lands, great difficulties in cases of selectors forfeiting their selections or not being able to pay their rents, and in all cases he had been only too glad to get anybody to take the forfeited country and pay up the arrears. That was all the explanation he had to give.

Mr. LUMLEY HILL said he approved of the Minister for Lands exercising his discretion, and he could speak from experience of the benefits of it. He remembered in 1869 coming down to pay rent on part of his runs. He believed Mr. Stephens was Minister for Lands then. The times were hard and he did not intend to pay all. He was a few days late, and was informed that he would have to pay a fine of 25 per cent. He said then he would rather forfeit all his leases. He asked to see the Minister, who did exactly as the Minister for Lands now did—took the rent up to date and gave him a clearance. In that case, if the law had been strictly enforced, he should have thrown up all his leases. No harm could possibly accrue from the Minister using a discretionary power.

Mr. GRIFFITH said there was no doubt the law would not allow the Minister for Lands to do what he had done. In the particular case referred to he happened to know that if the run had not been handed over to the original lessees there would have been keen competition for it.

The PREMIER said there might be something in what the hon. gentleman said, but it would be altogether subversive of common sense to rigidly enforce the law in this respect. A case came before him only that afternoon. A banker in Melbourne was instructed by a Crown lessee to pay the whole of the money due for the leases he held in Queensland. He got the best information he could, and instructed a banker in Brisbane to pay the money for him. There was no doubt of the good faith of the lessee of these runs. The banker waited upon him (Mr. McIlwraith) and represented the following case to him, that they had taken the *Government Gazette* and paid for every lease in the *Government Gazette* that was in the name of this man, but it turned out that there were half-a-dozen leases in the course of transfer. They were not in that lessee's name, and were not, therefore, in the *Gazette* containing the rents due on 30th September. According to law the only course would have been to have refused to accept the rents for the other runs unless the additional 25 per cent. was paid; and he would ask the House whether that would have been a just proceeding. The agent made a very natural mistake, and as soon as the mistake was explained he (Mr. McIlwraith) took action, according to the traditions of the office, and allowed the matter to stand over. Had he acted strictly in accordance with law he would have done many unjust and hard things.

Mr. GRIFFITH said there was no similarity whatever between the two cases. In the case mentioned by the Premier, it was only a question of inflicting or not inflicting a penalty of 25 per cent.; and in similar cases to that the Government had, according to the hon. member for Gregory, remitted the fine. The Crown was in the habit of remitting fines and penalties; whether the practice was strictly in accordance with law he did not know. But when the ninety days was up the lease no longer existed, and the former lessee became a perfect stranger with no more right to the land than any other person. To give him a lease afterwards was to make him a present of the public estate. To show how little the cases were analogous, the hon. gentleman had only to state the length of time for which the rent had been unpaid. The run in this case had been proclaimed as forfeited. The sale had been advertised, people had come from the neighbouring colonies to buy, and at the last moment the auctioneer got instructions to withdraw the land from sale, and the lease was handed over to the former lessee. Perhaps the Minister for Lands would state for how long the rent was in arrear.

The MINISTER FOR LANDS: Going into the second year.

Mr. GRIFFITH said, then the lease had been forfeited for more than a year. The case was simply indefensible.

Mr. SIMPSON said he would like to know how the hon. member for North Brisbane proposed to deal with selectors who had not paid rent for three, and in some cases, to his knowledge, for four years. Their selections were absolutely forfeited according to law; and was the Minister to be tried and executed because he had not declared those selections forfeited? He had no doubt the hon. gentleman would not object to forfeit them absolutely if there were some fat legal fees hanging to it.

Mr. LUMLEY HILL said he had made a little mistake just now. He found that Mr. T. B. Stephens was Colonial Treasurer at the time when the circumstance which he had related took place, and not Minister for Lands.

Mr. STEVENSON said that it was probable that the run which Mr. Persse had got was taken up as unwatered country at 3s. per square mile. He knew that while Mr. Douglas was Minister for Lands representations were made to the effect that the lessees were not able to obtain water to enable them to stock their runs within the twelve months allowed, and sufficient time was then given them to enable them to stock their runs. Sometimes the period allowed had been extended to one or two years. He believed those cases came under the same category as the one under consideration.

Mr. GRIFFITH said the law expressly provided that the Minister for Lands might give extra time in such cases.

Mr. STEVENSON said that according to the law the run must be stocked within twelve months, but time beyond that had often been given.

Mr GRIFFITH said the Minister was bound by law to give more time. If one year was not sufficient he might allow two, and if that were not enough he might allow a third. That was according to the express provisions of the Pastoral Leases Act.

Mr. STEVENSON: How do you know this is not a similar case?

Mr. GARRICK said this was not a question of stocking an unwatered run, but a question of non-payment of rent. He wished the Minister for Lands would explain all the circumstances instead of sitting silent and allowing his supporters to speak. He was sure no hon. member desired to come to an unfair conclusion.

Mr. McLEAN asked the Minister for Lands what he intended to do with the leases which would probably fall in about this time? Did he intend to value the runs according to the provisions of the Pastoral Leases Act and increase the rents?

The MINISTER FOR LANDS said that was a matter which had not escaped the attention of the Government. It was under consideration at the present time, and steps would be taken to protect the revenue and to obtain an adequate rent from the lessees.

Mr. GRIFFITH asked if the Minister for Lands could give any idea of the number of leases that would fall in during next year. A return of the runs had been laid on the table of the House, and it must be quite easy for the Government to make out a list.

The MINISTER FOR LANDS said that none would fall in until 1883.

Mr. GRIFFITH said that in many cases the first seven years would expire before then.

The MINISTER FOR LANDS said leases had been falling in since 1869; but he understood that the next period for a number to fall in together would be 1883.

The PREMIER said the hon. gentleman having been in office in 1876, when the first lot of seven-year leases fell in, must be aware of the difficulty that then arose. The law provided that at the end of seven years either the Crown or the Crown tenant could demand an appraisement, within certain limits, of those runs. The rent fixed for the first seven years was 10s. per square mile, and if an appraisement were demanded they might be appraised at from 7s. to 15s. for the next term of seven years. The Government—which was represented by several hon. members now sitting on the Opposition side of the House—took the matter into consideration, and came to the conclusion that the result of a general appraisement might result in a decreased rental from the runs, and they therefore, under advice, refrained from taking any action. Another opportunity for a general appraisement would occur in 1883, when the Government might be in a better position to take action. In the meantime, leases were constantly falling in, though in small numbers compared with those that fell in in 1876.

Mr. DICKSON said he did not understand whether or not the Government insisted upon an increased rent being paid during the second term. He also wished to learn whether the Government had insisted upon the payment of rent, and whether they had appraised the runs.

The PREMIER said the hon. member for Logan asked why the Government did not appraise, and then the hon. member for Enoggera asked whether they had appraised or not. No appraisement had taken place under the provisions of the Act, either under the present Government or any other. The Government had, of course, insisted upon the payment of the rent; the lessees were bound to pay it, and the Government had no power to reduce it.

Mr. McLEAN said that he had not referred to the appraisement of the rents, but only asked what were the intentions of the Government when the leases fell in.

The PREMIER said that the hon. gentleman seemed to be under a misapprehension altogether. He had probably been looking at an article in the *Courier*. He (the Premier) saw one the other day in which they raised a fine point, and asked why the Government did not take means to appraise the whole of the rents. That was a matter which had been a matter of serious anxiety to several Governments, and they knew that no profitable action could be taken at the present time, though they could not say what might not be done in fourteen years.

Mr. GRIFFITH said there was a great difference between the colony in 1876 and at the present time. Prices had been running very high indeed lately, and surely the Government thought that the country should have some advantage. The hon. gentleman at the head of the Government seemed to think that all the leases dated from 1869.

The PREMIER said he had stated that the leases were falling in every year. If the hon. gentleman could not understand that, he did not know where his brains were.

Mr. GRIFFITH said he would apologise. It was the Minister for Lands who said that the leases would not fall in till 1883: whereas the first seven years of a number expired on the first day of July next. Surely the head of the Government ought to give some assurance that the country would receive some benefit from the large increase in the value of pastoral properties!

The PREMIER asked if the hon. gentleman would state what the course was if either party did not like to appeal to appraisement? They had found that appraisement operated against the Government, and so they followed the course of their predecessors and refused to appeal to appraisement. The leases referred to by his hon. colleague did not fall due till 1883.

Mr. MACDONALD-PATERSON said he understood that it was stated that the Government would not have appraisement. How, then, could it be said that appraisement had gone against the Government? The subject was a very important one and ought to be well discussed in the House. There could be no doubt about it. Properties had lately fetched very much better prices. Wool had maintained its price. Stock of all kinds had gone up, and everything connected with the markets, town and country, pointed this out as a favourable time for pressing the appraisement clause. They ought, therefore, to have some definite promise from the Government that they intended to do so.

The PREMIER said the point raised by the hon. member was simply a legal quibble. The hon. gentleman knew very well that there were Acts in operation in this colony under which the Government were compelled to have resort to appraisement, and the result had been constantly and continually against the Government. The hon. gentleman must not pretend ignorance of that sort, or he should not speak on the subject at all. He did not understand the position of the Government. They refused to apply the appraisement clause, because the Government had not in the past benefited by it. If the hon.

gentleman could point out any other way by which they could proceed, let him do it. They had only one course before them according to the Act.

Mr. MACDONALD-PATERSON said that he could point out no other course, and the hon. gentleman knew it very well. There was only one course which they could at present take in respect to the pastoral interests. The only course the Government could take was to avail itself of the appraisement clause. With respect to the legal quibble that had been spoken of, he had only one observation to make, and it was simply this: they wanted the Government to act in respect of the property of the country in the same way as they would do where their own private property was concerned. The assurance they had from the Premier that the Government were not prepared to exercise the appraisement clause was an indication that the Government were contented with the rents which were being raised by these leases.

The PREMIER said he had stated over and over again—and he could not appeal further to the intelligence of the hon. member—that the Government had expressed no opinion whatever on the subject. They did not apply to the appraisement clause, because they had lost by it in the past.

Mr. MACDONALD-PATERSON said that there was no explanation at all in that. They were first of all told the Government had no experience, and then that they had had experience. No wonder the many financial and squattorial conditions which existed had prevented the country from getting a fair value for the runs.

The MINISTER FOR LANDS said that under the Act the rent was fixed at 10s. a mile when the first seven years had expired. Under the appraisement clause the minimum was 7s. a mile, and out of seventy-nine cases submitted to arbitration fifty went against the Government, and the minimum was adopted. That proved it would be idle, fruitless, and expensive to have recourse to the appraisement clause.

Mr. GRIFFITH took it, then, that the Government did not intend to take any steps to raise the rents, but to leave them at the minimum rate fixed by law. If so, they would be wantonly sacrificing an enormous income to the State. With the rise which lately had taken place in the price of station property, he could not understand why appraisement should not be resorted to. Would any be put down at less than 10s. a mile? To suppose so was absurd.

Mr. LUMLEY HILL said the leader of the Opposition had talked so much to them about law that he ought to be glad to allow the rents to remain at the rates fixed by law. He believed that the Gympie Gold Field had taken a turn ahead lately, and the ground was turning out rich and profitable. He did not know how long this was going to last any more than they did how long the pastoral prosperity would last. Was there any member who would advocate the advisibility of increasing the rents and taxation upon these claims—upon the mining leases? Would any hon. member of the House suggest that, as they were getting a far greater revenue out of these, consequently the rentals they paid for their mining leases should be increased to the benefit of the country? He believed they could very well afford, some of these rich claims, to pay 100 per cent. more rental than they were at present doing. It was just the squattorial cry that the hon. member for Rockhampton had introduced there, and which he must have borrowed from the senior member for Enoggera. His (Mr. Hill's) idea was that it was just like the old habit of newspapers raising the old hostile anti-squattorial cry in their temporary prosperity. The squatters next year, for anything they knew, might be down lower than ever they had been, and then Queen street would probably not do so well as at present. He did not think it would, as the prosperity of the one greatly depended upon that of the great producing interests.

Mr. GRIFFITH said this was a very important matter indeed, and let him tell the hon. member who had just sat down, and who talked about the anti-squatting cry, that it was gentlemen who made such speeches as that he had just delivered who had raised the feeling of antagonism in many parts of the country against the squatters as a class. It was found that they always endeavoured to profit at the expense of the country, and there was no wonder, therefore, that the people got up a feeling against them. The hon. gentleman assumed that because the rents of the squatters were liable to increase they should attempt to raise the rents on goldfields; but the latter rents were fixed at certain prices. The Legislature in 1869, however, never thought of giving rents to the squatters at fixed prices. They provided carefully that at fixed intervals the country should have an opportunity of sharing in the general rise of squatting properties. What had not been done since 1869! How much money had not been spent since 1869 in improving their means of getting to the markets! The law provided that periodically their rents should be revised—within very narrow limits, certainly, but still such as would bring in £20,000, £30,000, or £40,000 a year to the Crown without burdening the pastoral tenants in the least. The attention of the Government had been called to it now, and the answers given were an insult to the intelligence of hon. members. If the Government were bent on administering everything for the benefit of the pastoral tenant, it would not be a good thing for either the Government or the pastoral tenants in time to come. When they found that the old instinct was even stronger than it used to be, to advocate the rights of one class against the community generally, it could only result in intensifying a feeling that he had hoped was dying out.

The PREMIER said the hon. gentleman had put a great many questions: would he himself answer one? The bulk of the leases that were taken out in and previous to 1869 fell in in 1876. The hon. gentleman was the leading spirit of the Government in that year, and it was only in that year that the leases were subject to appraisement. The question to which he wished an answer was—Why did not the then Government take action? If the hon. gentleman would answer that question he would find an answer to the action which the Government were taking at the present time.

Mr. GRIFFITH said it was his business to ask questions, not to answer them. He would, however, remind the Premier that the time for appraisement extended only during the year ending in June, 1876, and at that time he was a junior member of the Government, having nothing whatever to do with the administration of the public lands. The late Mr. T. B. Stephens, who was Minister for Lands at that time, could no doubt have given very good reasons for not taking action.

The PREMIER said the hon. gentleman had tried to escape giving a straightforward answer to a pertinent question by shifting the answer to the shoulders of a dead man. The hon. gentleman might have been young in office at the time, but he had made his position in the Government by taking the whole of the land legislation upon himself. He had also shifted back by a whole year the time during which appraisements could be made, which was from the 1st July, 1876, to the

30th June, 1877, when the hon. gentleman was anything but a junior member of the Ministry.

Mr. MACDONALD-PATERSON said the real reason why the Government declined to make the appraisements was because the leaseholders would lose by it.

Mr. NORTON said he should like to know the hon. member's authority for that statement. The Opposition wished the Government to administer the Land Act in the way they thought proper in the interests of the country, and the Premier wished to administer it in the way he thought proper for the interests of the country. He (Mr. Norton) had seen a good deal of those appraisements of land, and he believed the Government were right in coming to the conclusion they had done. It was only by offering the most liberal leases that land in the unsettled districts was taken up at all; and he believed that if it was appraised now the arbitrators would in many cases decide in favour of the leesees. In some the rent would no doubt be raised, but on the whole very little difference would be made one way or the other.

Mr. STEVENSON said hon. members opposite seemed to think that because high prices had been fetched at the recent sales, therefore rents all over the colony ought to be increased. Hon. members ought to remember the circumstances under which those high prices were obtained. Those blocks were, as a rule, isolated blocks which had been forfeited by the lessees in bad times, and which they wished now to recover. Competition, for some reason or other—sometimes to keep out an objectionable neighbour—took place, and high prices were the consequence—far higher than the runs were really worth. On one occasion, he himself had, through a mistake of his opponent—a brother of the hon. member for Blackall—at the sale, to pay £5 a square mile for a run which he had forfeited, and which after again forfeiting he got at the next sale for 15s. a square mile. The blocks sold the other day were put up under peculiar circumstances, and because they realised high prices that was no reason why all the rents of the pastoral tenants should be increased.

Mr. GRIFFITH said he would quote the words of the present Colonial Secretary on the subject of appraisement, when the Pastoral Leases Bill was under discussion in 1876, on the 14th November of that year:—

> "It has been asserted in this House over and over again, and it has never been controverted, that the appraisement system is much more likely to bring in higher rents to the Crown—although I do not for one moment believe that the only advantage to be gained, or that should be looked for to be gained, is simply a higher rent—it has never been attempted to be controverted that the system of appraisement recommended by the Legislative Council will bring in a larger amount of revenue than is likely to be got by the auction system."

And yet now they were told that whenever the appraisement system was introduced it had always resulted in loss to the Crown.

Mr. SIMPSON said hon. members on the other side were arguing a good deal, without looking at what was going on close at hand. The appraisement system had recently been tried in New South Wales, and the result was that, while times were supposed to be so good, the Minister for Lands had actually been compelled to repudiate the appraisement of nearly all the runs, on account of the rents turning out so much less than he had anticipated.

Mr. MACDONALD-PATERSON said the hon. member must not forget that in New South Wales free selection obtained all over the colony, and it was therefore not at all improbable that the Minister for Lands should take into reconsideration the appraisements arrived at. But the lessees of the grass right in Queensland were protected against free selection in the greater part of the colony. They could not have the eyes picked out of their runs by anybody who pleased. In the settled districts the rents ought to have some revision. The hon. member for Port Curtis said that when he (Mr. Macdonald-Paterson) said anything he generally had some basis for it. He thought he had some basis for what he had said that night; and the best argument in proof of that was given by the hon. member himself in his concluding remarks, when he stated that no doubt if appraisement took place some runs would be more highly assessed——

Mr. NORTON: And some less.

Mr. MACDONALD-PATERSON said that, as the hon. member had just ejaculated, some would be less. Would that not be better for the country? Lots of people made fortunes in the colony out of the grass of their runs.

Mr. STEVENSON: Where are they?

Mr. MACDONALD-PATERSON said the official records of the colony would testify to the fact, and so would the stamp duties paid from time to time during the last two or three years. He referred two or three years ago to the poor man being assessed at 15s. stamp duty for his £60 allotment if it passed to another, while the squatter's right to the grass when sold practically contributed nothing. The property of the hon. member for Port Curtis was in the settled districts, and he could sympathise with him in his observations with respect to those districts that the lease was not what it ought to be. The outside districts should have a better tenure and pay a higher rent; though the tenure at the present time was very good—so good that intercolonial capitalists had for a considerable time past paid high prices for Queensland country. No one could advance any good reason why appraisement should not be instituted at the present time with great advantage to the revenue of the colony. The hon. member for Port Curtis said he (Mr. Macdonald-Paterson) had no basis for saying that the leaseholders would be losers. He did not say that they would be losers on their squatting properties; but they would have to contribute to the revenue an extra rent. The payment in many cases—he did not suppose the increase would be general—would be a mere bagatelle to the profits. And as a basis for what he had said in respect to the institution of appraisement, was it not to be considered that they had telegraphic and railway communication to a much greater extent than before? They had the latter almost to the Belyando, in the Central district; it was to be extended to the Mitchell, in the Southern district, and plans had been passed for a railway to Hughenden, in the Northern district. Was it not the passing of those railway plans that gave a lift to what he might term the grass-right interest? There was no comparison between the present time and the time referred to by the leader of the Opposition, when the Pastoral Leases Act was passed, and when it was intended to reserve the right to adjust the rents. At that time the wool market was fickle, and the crisis of 1866 came with cattle worth almost nothing; but of late the wool interest was in a very healthy state all over Australia. He had not heard one sentence to justify the action of the Government in failing to exercise the right to appraisement of the runs.

The PREMIER said the hon. member for Rockhampton said the records of the colony bore evidence to the large fortunes made by the Crown lessees. But, the matter being in his

department, he (the Premier) could say that nine-tenths of the stamp duties received in the colony were from the pastoral lessees for duties on mortgages; therefore, when the hon. member said that the amount paid for stamp duties was a proof of the pastoral lessees making a fortune, he was saying that the amount of a man's debt was a proof of his riches. The hon. member seemed to have a lively sense of the Rockhampton election that night. All his speeches had nothing to do with the Estimates—he was talking to the electors, and they did not care a bit about what he was saying. If the hon. member took up the time of the House on the land question he might forget the coolie question, because they would come to that before the election was over. He had better let the Minister for Lands get on with his Estimates.

Mr. MACDONALD-PATERSON said he quite agreed that the Estimates should be gone on with; but the Rockhampton election never entered his mind that night. He was taking little or no interest in it, but it was evidently a lively subject in the mind of the Premier. It was nonsense to say this was not the proper time to discuss the land question. When was there a better time than when the Minister was there to listen to their opinions with respect to matters that had been under discussion before, but had been smouldering for the last year or two? The late hon. member for Leichhardt (Mr. Macfarlane) told him that squatters were prepared to give 3d. an acre per annum for the choice portions of their runs; and that the great majority of the squatters in the Barcoo, Diamantina, and Peak Downs were prepared to pay 5 per cent. per annum on the value of the freehold, for the best of the lands.

Mr. DE SATGE said this was too large a subject to be talked about generally. The large bulk of the squatters in the outside districts were prepared to pay an increased rent, provided they got a continuance of their tenure as it now existed. But with respect to the appraisement and increase of rents in the western portion of the outside districts, the squatters were prepared to pay an increased rent, provided the tenure was not attacked by such a scheme as that proposed to be introduced for the construction of railways by land grants. He would not have spoken on this question had not the squatters been threatened by that scheme with the land being taken up and sold under their feet. When that scheme was brought forward the squatters would express themselves through their representatives to the effect that they were prepared to pay increased rent, provided the measure were not passed. If railways had to be made—he did not think that in every case there was such an alarmingly active demand for them—they should be made on a different system. The land-grant system would only force capitalists and mortgagees to purchase large blocks of land to save themselves. That was the real state of the matter.

Mr. ARCHER said his hon. friend (Mr. De Satgé) seemed to have transcontinental railway on the brain, and, of course, he must drag it into the discussion. The hon. gentleman said they were not in a hurry to make railways, but if they wished to make them they should be made in another way. The facilities of railway communication had been spoken about, and no doubt it did increase the value of the runs. He did not think it required a prophet to say that in a couple of years the takings of the Central Railway would help to supplement the loss incurred on other railways. He believed that next year, when the Minister for Works brought in his statement, they would find that the railways constructed at great expense would prove of benefit, not only to the squatters but to the whole country, and instead of being a loss would be a gift to the colony. With regard to the land-grant system, until they had something tangible before them they could not discuss the matter properly; and what was the use of dragging in that unfortunate scheme until they knew something about what it was like? The hon. member brought this transcontinental scheme before them like a cold bath, and shoved them into it whether they would or not. He could only say that if the scheme promised to be of benefit to the country it would be approved of, and if not the House would reject it. At all events, it was no use discussing the subject until they knew something about it, and he, for one, knew nothing. At the present time he was in utter ignorance of the whole matter, except as regarded the Bill passed last year, which gave no route. He was so ignorant that he declined to discuss the matter. As to the appraisement question that was now before the House, he thought the Government ought, if they thought they could, to get the rents of the runs raised to the extent that was allowed by the Bill of 1869. If they thought that the country was in a position to bear it, he thought it ought to be tried. If they were unsuccessful they should not persist. At all events, he believed the selectors were able to pay the addition, and to continue to do so. He could understand that circumstances might occur when the country might be just as hard up as it was in 1878 or in 1866-7-8. At those times runs were worth nothing, cattle were worth nothing, and sheep were worth nothing, as they were so far away that the carriage consumed all the profit. That state of things might return again, for no one could suppose that the prosperity of pastoral properties at present would be permanent—that this was a new era which was to continue. If the Ministry could benefit the revenue by appraisement they ought to do so. It was not a matter to be forced upon the present Ministry, or the Ministry in power before them, who had exactly the same chance, as they had had some good times and some bad times. They had just passed through a very bad time, when those whose means were sunk in pastoral pursuits were so poor that they did not know which way to turn to get the rents for their runs; when they could not sell their stock, and could not even sell their sheep when they brought them to market. That was a state of affairs that might return always, and it was not a thing for the Opposition to make a stand on. He believed himself that the Ministry ought to use their discretion in the matter, and do the best they could for the country. They certainly ought not to take the value of the runs to-day as a fixed value which would continue. They might depend upon it that again they would want markets: that again there would be a great outcry. It was a great mistake to think that the present prosperity would continue. He was prepared—and so, he believed, was every squatter—to go in for appraisement if they could benefit the country by doing so.

Mr. MILES said there was a very peculiar change in the character of the debate. Hon. members were making a very great mistake in trying to force the Government into appraising runs. They had been told that if they did so it would result in a loss to the colony. That, he believed, was a fact, for he knew that if they appraised them they would appraise them too high.

Mr. DE SATGE said the hon. member for Blackall had accused him of having the transcontinental railway—a subject he had not mentioned—on the brain. He carried his history back some twelve or thirteen years, and could

recollect when the hon. member had the acquisition of Gracemere always in his head.

Question put and passed.

The MINISTER FOR LANDS moved that £3,465 be granted for the Survey of Land. There were a few increases. There was an extra draftsman and also an increase of £600 in the fees to licensed surveyors—from £1,400 last year to £2,000 this year.

Mr. DICKSON said that, in the face of a statement made by the Government that there would be less land sold this year, he could hardly understand the necessity for an extra draftsman.

The MINISTER FOR LANDS said he need scarcely inform the Committee that the work of the office increased year by year. It might be that the estimate was a little under the mark last year, but he had gained experience, and they had fixed the amount this year at the actual outlay of the office last year. There were a few increases to deserving men. This was one of those offices where there was no room for advancement. Men could not be transferred to any other departments from it. Many had been in the office for years, and the work which had to be done required to be done with great accuracy. He had made inquiries and found they were all very deserving officers.

Mr. GRIFFITH asked what had become of the survey to the border between here and New South Wales; how was that getting on? Then there was the trigonometrical survey of Brisbane; what progress had been made with that?

The MINISTER FOR LANDS said the survey of the border was proceeding under the superintendence of an officer from New South Wales. This colony was at present incurring no expense. As to the trigonometrical survey of Brisbane, he believed that all that was intended to be done had been done, and that was to make a correct map of the city of Brisbane and its surroundings. He understood the survey was not yet complete, and that there was an officer engaged in finishing the work at the present time. The calculations had been handed over to a Victorian surveyor, and it was expected the work would be very soon completed.

Mr. GRIFFITH asked if the survey was going on still? He understood that it was stopped immediately after last session.

The MINISTER FOR LANDS said the Under Secretary had informed him that the survey was still going on.

Mr. GRIFFITH said they had heard nothing more about it since last year. A trigonometrical survey was no trifling thing, to be started to-day and finished to-morrow. It was a most valuable thing if it was done correctly; but if it was wrong it only complicated matters.

The PREMIER said that the survey was for Brisbane and its suburbs. What was done last year was to lay down certain permanent points in and about Brisbane, and up to the present time an officer had been engaged connecting those triangles with the various permanent points. That was nearly done, and then the work of calculation would be commenced. For the purpose of having a correct map of Brisbane and its suburbs, a trigonometrical survey—the base line of which was in the Gardens—was very valuable. They did not intend that the survey should go beyond Brisbane and its suburbs, where some of the surveys had been found to be very incorrect, especially in the connection of one survey with another. It was a most useful thing, and he had no doubt it would be proved to be so.

Mr. DICKSON asked what was the expenditure on it up to the present time?

The MINISTER FOR LANDS said he expected the expenditure would not exceed £400.

Question put and passed.

The MINISTER FOR LANDS moved that the sum of £3,433 be granted for Survey of Roads. That amount included some items that were handed over from the Works Department at the time the divisional boards came into operation, for opening of roads and for miscellaneous services. This vote was a little in advance of that for last year.

Mr. DE SATGE asked whether the vote for miscellaneous services included any of the roads in the unsettled districts.

The MINISTER FOR LANDS said a portion of the sum would be devoted to the unsettled districts.

Mr. BLACK said he understood some of these votes were for works which the Government had in hand at the time the divisional boards began work. He had a similar case which he had brought under the notice of the Minister for Lands several times. He referred to expenditure on roads at Mackay; it amounted to something like £1,100, and the responsibility had been handed over to the divisional boards. It was a sum altogether too large to saddle the board with, and one which they were unable to liquidate. He wished to know whether these miscellaneous votes came under the same category as the item he had mentioned, which had been accumulating for nearly six years. The particular roads he referred to were the Nebia and branch from Bowen roads to the coast. They had been used by the public on the understanding that the Government were going to proclaim them open; but apparently the Government found the expenditure to be incurred was too large, and they simply refused to proclaim them. It was a serious inconvenience, and was at the same time unfair to the divisional boards.

The MINISTER FOR LANDS said no doubt the hon. member might have a case of hardship; but the case had been investigated, and he found the Government had incurred no responsibility. He was unwilling to undertake the opening of new roads whenever there was any expense to the State involved. It was understood that the people interested would give the land required for the road; but now it was found they were unwilling to do so. This vote was simply to complete works that were in progress at the time the divisional boards came into operation.

Mr. BLACK said he would like to have some more explanation as to what these particular votes were for. Did they come under the same category as the roads mentioned by him? He considered it a great hardship and injustice to make the divisional board responsible for so large an amount incurred by the Government before the divisional board took office.

The MINISTER FOR LANDS said he had already explained that this vote was for works which were in progress at the time the divisional boards came into operation. The roads referred to by the hon. member had never been proclaimed at all, and the Government were not liable for anything.

Mr. BLACK maintained that the hon. gentleman had brought these roads under the same category as the ones he had mentioned.

The MINISTER FOR WORKS (Mr. Macrossan) said, if the Government were to take up every case such as the one mentioned, instead of being obliged to borrow £100,000 to start the divisional boards, double that amount would have been required.

The PREMIER said the difference between the two cases was this: In one case the Govern-

ment were directly responsible, and would be guilty of a breach of faith if certain works were not carried out; and in the other no promise had been made. They would be guilty of a breach of faith, not to boards or districts, but to private individuals. The second item would explain what he meant. The Government had actually completed a bridge at the time the boards came into operation, and this vote was for payment of land and for fencing the approaches to bridge. The case instanced by the hon. member for Mackay was very different. There the Government had no responsibility, and the work was handed over to the divisional boards. If the hon. member had been in the House last session he would find that ample provision was made for the divisional boards.

Mr. LUMLEY HILL said he wished to ask the Minister for Lands whether it was the intention of the Government to make any provision for stock roads in the interior—that was to say, reserving the land on each side of the existing road. It was a matter for serious consideration, not only for stockowners but for the people in the city. If stock had to travel long distances on roads of the present width they would not be worth much in the way of food. It was a question of interest to the stock-raiser and to the colony generally. If the land was reserved for half-a-mile on each side of the road it would be a great boon to the stockowners and consumers.

The MINISTER FOR LANDS said at present no inconvenience had arisen from the want of what the hon. gentleman suggested, but no doubt as settlement progressed inconvenience might arise. The difficulty heretofore had been the keeping of reserves after they had been granted. Somebody was expected to look after them, and now the divisional boards had charge of them. The matter was engaging the attention of the Government, and no doubt some action would be taken.

Mr. SIMPSON was understood to say that the present roads for travelling stock on were quite useless, inasmuch as there was not available grass. The difficulty would be more and more felt as the country became alienated. His own experience in Victoria and New South Wales and in the settled districts of this colony went to show that wide roads were a curse rather than a benefit to the colony.

Mr. LUMLEY HILL said the hon. member for Dalby, who lived alongside a railway, and could use it to carry stock, did not appreciate the difficulty of those who lived a long way in the interior. For instance, between Roma and Mitchell, stock had to travel country over black soil along a road two chains wide, which in wet weather was almost impassable. The other day it was choked up with dead sheep, a circumstance which could not be to the advantage of anybody.

Question put and passed.

The MINISTER FOR LANDS moved that the sum of £3,025 be granted for Bailiffs and Rangers of Crown Lands. There was, he explained, a slight increase in the allowance to the rangers, the present scale being inadequate.

Mr. ARCHER said he understood the duties of the rangers were to see that selectors performed the conditions of selection, and to look after a few other matters; if they were required to look after Crown lands generally they would have to be multiplied by dozens. Some time ago, he had suggested to the Minister for Lands that there was room for great improvement in the administration of the waste lands of the colony. Some steps had already been taken in this direction by putting the reserves under the control of the divisional boards, and he believed good would ultimately result therefrom. Hitherto these reserves, instead of a benefit, had been a direct curse to the country. They were no benefit to people travelling stock, but had been occupied by people who, not honest enough to make homes for themselves, squatted on the reserves, ran their stock there, and "duffed" their neighbours' cattle: they were, in fact, nests for bringing up young men as criminals. This state of things had been partly remedied, and he hoped the time would come when the divisional boards would be able to fence in the reserves and keep them for travelling stock when they came along. At the present time the reserves were either destitute of grass or overrun with noxious weeds. He would also point out that a great part of the land in the coast districts was not under any control at all. Under the Act which applied to the coast districts no allowance was made for bad country, and many squatters, rather than pay the high rents demanded, had forfeited their runs. At first, it was said that the land was rejected because so much was thrown open on one day, but as the same thing had happened since then, that could not be the cause. These forfeited parts were now a sort of no man's land, over which people ranged at will. He hoped the Minister for Lands would take some action to bring them under control, and not allow the honest selector to be competed with by a man who made no home and did not pay for his land. He agreed with the hon. member for Gregory in the matter of wide roads, having always regretted that wide roads were not reserved all over the country until railways were constructed. The hon. member for Dalby seemed to forget that, though the quiet stall-fed cattle at home might be trucked to the market with great advantage, the same means could only be used here at the cost of a large percentage of cattle killed or badly bruised. The trucking of cattle to Melbourne had not been found to answer well, nor would it prove satisfactory in any of the colonies where the cattle were comparatively wild. The people of Brisbane, he thought, had suffered very much in regard to the supply of both beef and mutton from the way in which the country had been laid out. He should like to know whether the Minister for Lands proposed to adopt any means of taking the waste lands out of the hands of those who were paying no rent for them, and were putting them to a bad purpose, and of placing them under the control of those who would see that they were made use of.

The MINISTER FOR LANDS said that according to the reports of the Crown Rangers the case was not quite so bad as the hon member for Blackall imagined. In most cases the former lessees continued to enjoy the right of grazing, and there had been very little encroachment by persons who went about for the purpose of "cattle duffing." Nothing could alter the present state of things but legislation, as the Act provided no alternative but forfeiture, if the lessee declined to pay £2 per square mile—unless, indeed, he bought and then forfeited, in which case he might be able to take it up at a lower price. As land legislation must form a part of the Government scheme next session, this question would be a prominent matter for attention. He believed he had the concurrence of his colleagues in stating that the Government did not see their way to putting these waste lands under the control of the divisional boards. Difficulties would arise, and as the subject must be legislated upon shortly, it was better not to raise false hopes in the minds of the members of the boards, by allowing them to regard these lands as possible sources of revenue.

Mr. LUMLEY HILL pointed out that if temporary reserves were made along the roads

and afterwards found to be unnecessary there would be no loss to the colony, because they would realise an enhanced price.

Question put and passed.

The MINISTER FOR LANDS moved that a sum of £300 be granted for the office of Colonial Botanist. He said that this item was a new one. It was an increase of only £100, however, as the gentleman, Mr. Bailey, who did the work was down for £200 in the Mines Department. The work was done most satisfactorily.

Mr. WELD-BLUNDELL said he wished to bring before the Committee the possibility of getting a work upon the botany of Queensland—to be published by the Government Printer. Mr. Bailey was more fully acquainted with the *flora* of this colony than any man alive, and he was in constant communication with the other colonies and with the mother-country on similar subjects. He had already taken a vast amount of trouble in collecting information about the plants of the colony, and was prepared to publish the work provided that some hope were held out that the Government would aid him in doing so. He (Mr. Weld-Blundell) thought it would be a great pity if the Government did not assist in the production of the work, as they could do it at a very reasonable expense. There were many plants all over the colony which were good, and exceedingly useful for the agricultural and pastoral interests, while there were others which were poisonous. The utility of such a work would be very great indeed, as it would enable people to discover which were the poisonous plants and which were the useful ones. He trusted that the Government would give some expression of opinion on the desirability of publishing this work, or, at all events, encourage Mr. Bailey to be ready for publication next year.

The MINISTER FOR LANDS said that, though he was unable to make any distinct promise on the subject, he would say that the matter would receive the favourable consideration of the Government.

Mr. GRIFFITH asked what were the duties of the Colonial Botanist?

The MINISTER FOR LANDS was understood to say that they were to collect plants, etc.

Mr. NORTON said that he was sorry to see the old item "Herbarium" omitted. There was very little expense to the colony in connection with it. Most of the plants were presented by the people, and the only slight expense was for package paper and posting, which did not amount to very much. There was also a small expense in providing cabinets to protect the plants when they arrived out here. He believed that £50 would be enough to cover the whole expense for the year. It would prove to be of great use in many ways. People would get information about plants they were not now acquainted with, and in that way the investment would be a very good one. So far as the appointment went, he believed it also would be a very good one. He did not profess to say what the duties were, but he knew that Mr. Bailey always seemed to be very fully occupied when he saw that gentleman in the Museum.

Mr. GRIFFITH said he again asked what were the duties of the Colonial Botanist? Was he to stop in his own house and work, or was he to be in a Government office under proper direction? The Minister for Lands would have to answer the question.

The MINISTER FOR LANDS said that the officer would be connected with the Museum, of which he would act as Curator, besides conducting the correspondence with the other colonies, and in other ways assisting the Government.

The PREMIER said that the Colonial Botanist was now employed temporarily as Curator of the Museum. When this item was passed he would be appointed to do the work of Government Botanist.

Mr. DICKSON said he saw that the gentleman employed as Curator was down for £200 in the Mines Estimates, whereas it was £300 here. Was it intended to degrade him?

The MINISTER FOR WORKS said it was just the other way—*vice versâ*. He would go up to £300.

Mr. DICKSON said the Minister for Lands was very reticent. He might tell the House if the gentleman was to act as Curator of the Gardens, to which he must be more attached than to the Mines Department. If he was to be removed to the Mines Department, who was to act as Director of the Gardens, or was the office to be entirely abolished?

The MINISTER FOR LANDS said that the Colonial Botanist was not to act as Director of the Gardens. If the item was passed, Mr. Bailey would be appointed to perform the duties of Colonial Botanist. That was all he knew.

Question put and passed.

The MINISTER FOR LANDS moved that a sum not exceeding £1,788 be voted for Botanical Gardens. He said that this was a lesser sum than was voted last session. There had been a considerable reduction owing to the Curator being removed and his place taken by a head gardener. He might inform the Committee that the late Curator of the Gardens considered himself entitled to a pension, and that was a question which would have to be settled soon.

Mr. NORTON said he hoped that the hon. the Minister for Lands would tell them what had become of the board of inquiry into the conduct of the late Curator—the second board of inquiry which was appointed, he meant. He put the question with regard to this to the Minister some time ago, and the answer given was that the inquiry was going on, and that as soon as it was completed the papers would be laid before Parliament. He would like to know now if the inquiry was finished, and, if so, when the papers would be laid on the table. There were matters in connection with Mr. Hill's ceasing to occupy his position in the Gardens which, no doubt, required very full explanation, and the sooner the House was acquainted with the whole of the facts the better it would be for everybody.

The MINISTER FOR LANDS said that the inquiry into Mr. Hill's conduct had terminated, and the board had sent in their report. Of course, the Committee were aware that Mr. Hill submitted to the jurisdiction of the board after having first objected to it, but that he had absented himself from all their sittings and they proceeded in his absence. On all the charges except one they found him guilty, and in the only one they said he had any justification they stated at the same time that he had acted very indiscreetly—in the removal of plants from the Gardens to Wickham Terrace—and they added to that by pointing out that Mr. Hill had received notice to leave the Gardens at the time, and, therefore, had no right to interfere with the plants. He would be very happy to lay the report on the table.

Mr. LUMLEY HILL said it seemed to him that they held the inquiry without the presence of Mr. Hill. If it was so, it was like the play of "Hamlet" without the ghost. Had the Government no means of compelling him to attend the examination? Was he not accountable for the administration of his office just as much as any private individual would be for any office he held in any other service? Was he supposed to be irresponsible altogether?

Mr. NORTON believed that the position was that Mr. Hill really gave up his appointment and retired; and after his retirement certain facts came to the knowledge of the Government, which called for inquiry. But Mr. Hill had retired and had ceased to be a Government officer, and the Government could not compel his attendance. Very serious charges were brought against him, and he (Mr. Norton) knew there were grounds against somebody; he did not say whether it was against Mr. Hill or not. He heard reports of the destruction of plants, which had taken place in the Gardens; and to ascertain whether they were true or not, he went through the Gardens and saw for himself. He found that they were true—that grape-vines had been cut down in the most wanton manner, and that numbers of pineapples had been injured—every one of them knocked off—not one of them being left. Anyone looking at the plants could see that some of the fruit knocked off was quite young. He mentioned the matter to the Minister for Lands, and the prosecution at the Police Office, which came to nothing, was the result. The charges against Mr. Hill were so grave that, whatever his claims to a pension might be, they should not be entertained until all the circumstances in connection with the matter were properly cleared up.

Mr. SIMPSON wished to know the extent of the Queen's Park.

The MINISTER FOR LANDS replied that it extended from the Edward-street entrance to the Gardens to the first walk parallel with Alice street, as far the river.

Mr. DICKSON said the inference he had drawn from Mr. Hill's case was that Mr. Hill was being persecuted. If the hon. member for Port Curtis had a special knowledge of horticulture his remarks might be worth listening to; but it was clearly demonstrated in the evidence at the Police Court that the alleged injury was done, not to injure the Gardens, but in the ordinary course of conserving the plants. That was his (Mr. Dickson's) opinion, and he had watched the proceedings very carefully. There was an amount of persecution directed against Mr. Hill which was anything but creditable to the parties concerned in it. He hoped the Government would act towards Mr. Hill in a wider spirit than was indicated by the hon. member for Port Curtis; and that, whatever the sentence of the board that inquired into his alleged misconduct might be, it would be considered quite apart from the pension to which he was entitled as an old servant of the State.

Mr. NORTON said he could not see where the persecution came in. He had sufficient knowledge of plants to say that those in question had been wilfully damaged—he would not say by Mr. Hill or with his cognisance—although the evidence showed that Mr. Hill was cognisant, and that he was himself one of those who cut down the plants. Such being the case, it was persecution in a very mild form indeed; and the question arose whether, if those plants were really destroyed by Mr. Hill or by his orders, he was entitled to any consideration by the Government. His own opinion was that if Mr. Hill was guilty he deserved no pension whatever; and if the question ever came before the House he should not only vote against it himself, but would do all he could to induce other hon. members to do the same. Up to the time of those facts being brought before him, he had made a point of saying all he could in Mr. Hill's favour whenever his conduct was canvassed—and it had often been severely canvassed—in that Chamber. Apart from the question of the plants, there were some other matters which he might mention to the Committee. The aviaries had for years been full of birds, which were generally regarded as the property of the Government, and when Mr. Hill went away the birds went away too. He believed Mr. Hill had taken them as his own. He had heard another statement, which could easily be verified. The Colonial Secretary, some time ago, gave a cassowary to the Gardens. The bird disappeared, and it was said that Mr. Hill had, of his own motion, given it to the captain of some vessel that came here. It would be just as well to know whether that was true or not, for, if it was, Mr. Hill was just as likely to take away all the birds that belonged to the Gardens, and which he claimed to have been his own. Then there was another matter. After Mr. Hill had ceased to act, a Wardian case of plants arrived by steamer, addressed to the Curator of the Gardens, and was taken away by Mr. Hill to Wickham Terrace, where the other plants were. What right had he to do anything of the kind when he was no longer the Curator? Then, again, the whole of the horses that had been at work in the Gardens Mr. Hill claimed as his own and took them away. It seemed extraordinary that a man occupying Mr. Hill's position should take upon himself to supply horses for work which had to be done by the Government. There was a history about those matters which required a great deal of ventilation, and, whether Mr. Hill was right or wrong, the facts were such as to throw great suspicion on him.

Mr. SIMPSON said he had been greatly astonished at what he had just heard; and, if the hon. member (Mr. Norton) had good grounds for the assertions he had made, his (Mr. Simpson's) opinion was that Mr. Hill ought to be within the four walls of a gaol. The hon. gentleman ought to have produced his information at the Police Court trial. The allegations ought certainly to be inquired into, and, if Mr. Hill was guilty of theft—that was the proper name for it—he ought to be punished.

Mr. KINGSFORD said he knew Mr. Hill before he set foot in Queensland, and could say that he was by profession a botanist, and a very competent one too, though certainly somewhat antiquated in his notions. With regard to the charges against Mr. Hill, and the surmises against his probity and honesty, it would be better to wait till the matter was clear before they gave their opinion as to his deserts.

Mr. NORTON said he should like the Colonial Secretary to mention whether it was a fact that the cassowary was given by him to Mr. Hill as Curator of the Botanic Gardens.

The COLONIAL SECRETARY said that the eloquence of the hon. member for Enoggera had sent him to sleep; but if Mr. Hill had any friends in the House they had better hold their tongue. He (Sir Arthur Palmer) had taken Mr. Hill's part as long as he could, and much longer than he ought. The cassowary was given by him to Mr. Hill as Curator of the Gardens, and Mr. Hill knew it was given to him as Curator. He (Sir Arthur Palmer) was told that it was afterwards given to the captain of a steamer.

Mr. DICKSON asked why only six labourers were provided for this year, while seven were down for last year?

The MINISTER FOR LANDS said the number set down was the number asked for by the head gardener, who considered six quite sufficient.

Question put and passed.

The MINISTER FOR LANDS moved that £4,000 be granted for Reserves. The only increase was £100 each for reserves at Woollongabba and Southport.

Mr. FEEZ said the votes for places about Brisbane were the only items in which increases

were made; the amounts for the outside districts remained the same from year to year. The railway being carried through the Botanic Gardens at Maryborough would involve a large outlay for some years to come in putting matters right; and, in the absence of the hon. member for Maryborough, he would suggest that it would be only just that the amount for Maryborough should be increased to £500—the amount voted for Rockhampton.

Mr. MACDONALD-PATERSON said he noticed sums down for Government Domain, Albert Park, Brisbane, Wickham Terrace, and Woollongabba. The first three ought to be placed under the control of the Corporation, and the last under the Woollongabba Divisional Board. There was nothing of the kind outside the southern part of the colony. At Rockhampton and other towns the reserves were under the control of the Corporation, who were prepared to improve them out of the funds contributed by the ratepayers. Altogether, the amount for Brisbane was £2,488, as against the very small votes for the different towns mentioned, under the head of reserves. It was not fair that those towns should take charge of the several reserves, while the spots about Brisbane should receive contributions from the Government for their improvement and conservation. He trusted the Minister for Lands would see his way in future to prevent these votes coming up under the head of reserves.

In reply to Mr. McLEAN,

The MINISTER FOR LANDS said the vote for an aboriginal reserve was for Mackay. A gentleman named Brooks was in charge of the reserve, and was working it successfully. In many cases aboriginals found employment and received wages.

Mr. GRIFFITH said that last year he called attention to the strange defect of trees in the Government Domain. It was scandalous that it should be allowed to remain in its present condition.

Question put and passed.

The MINISTER FOR LANDS moved that £8,700 be granted for "Miscellaneous." There were three new items:—Allowance for forage, Mineral Lands Commissioner, Walsh and Tinaroo, £75; forest nurseries, £350; and survey of boundary between New South Wales and Queensland, £1,500.

Mr. DE SATGE said the item "Survey of runs" was of considerable importance. It was important to push on the surveys as soon as possible. The other day the Government offered sundry blocks for sale, for which they received a rent of between £4,000 and £5,000. The locality of the runs was not fully established, and the Government were receiving rents which probably might be altered when the survey was made. A man might have purchased a block of country containing sixty miles of available and forty miles of unavailable country, and it might turn out that it was not in the place marked on the map, or that the block was wholly available. There was no matter to which the Minister should apply himself more actively, especially in the Burke, and North and South Gregory districts, where the Government would at once receive rentals which they could not ask for now; and this would come in the shape of arrears. It was very unsatisfactory to have that money lost to the State; and in the interests of the Treasury the surveys should be pushed on as soon as possible. £6,000 was hardly sufficient for the purpose; and South Australia was far beforehand in the matter of surveys. He had seen several maps of that colony establishing the country, and showing the course of creeks and watercourses in a way which could not be equalled in Queensland. He admitted that the Minister for Lands had been pushing on the surveys as fast as he could, but still there was a great deal to be done.

Mr. McLEAN said he thought the House was entitled to some information concerning the £320 mentioned; how it was to be disposed of, and the system which it was intended to adopt.

The MINISTER FOR LANDS said he could not tell the hon. gentleman the system which would be carried out. He did not consider it part of his duty to inquire into the matter. The growing of sugar-cane was in charge of the head gardener, who was responsible for it. He supposed a competent man would be appointed, in the case of the item passing, for the nursery at Fraser's Island.

Mr. GRIFFITH said he did not know that sugar-cane was grown in that nursery, but he supposed it was, as the Minister for Lands said so, although he thought sugar-cane could hardly be called forest nursery. It was a singular way of describing it. They knew the nursery at Indooroopilly was for cedar trees, and was paid for out of the vote for the Botanic Gardens. What had been done with that? Surely the Minister for Works could give some information!

Mr. PERSSE said he was sorry to see that the Minister for Lands had not placed a larger sum on the Estimates for the survey of runs. The State would be recouped any extra expenditure by the lessees of runs. The amount of £6,000, which was the same as last year, was inadequate to meet the wants of the outside districts; and he was very glad that the hon. member for Mitchell had referred to the subject. He thought a survey was very necessary, as it fixed the boundaries between the runs, and enhanced the value of the property, whether it belonged to the State or not. It would also point out—as the hon. member for Mitchell had stated—the amount of land available and unavailable. When once a surveyor had been over the country, he knew all its characteristics. He knew it was no use asking for a thing that was not down on the Estimates; but the Minister for Lands might take the suggestion for what it was worth for next year.

Mr. DICKSON said there appeared to be a vote for the new indexing of land grants; was that to be an annual vote, or was the compilation nearly finished?

The MINISTER FOR LANDS: Yes.

Mr. DICKSON asked if it was to be published? He would like also to ask the hon. Minister for Lands how the photographic printing answered. He believed it did not answer at first for printing plans. Was it much used, or was the system given up?

The MINISTER FOR LANDS said the apparatus was a success, and a great saving was effected by the use of it. The index of land grants was becoming larger every year.

Mr. DICKSON said he would direct the attention of the Minister for Lands to the fact that there was a great difficulty in obtaining some of the old maps of the districts around Brisbane, on the scale of eight chains to the inch. They included lands which were sold long ago, and were in great request. They were very useful for purposes of reference, and he imagined that the publication of them would be a great convenience, and he trusted that the Minister for Lands would see that some were lithographed. The public would be willing to go to a reasonable expense for the purpose.

The MINISTER FOR LANDS said the matter would be attended to as soon as the

pressure of business at the lithographing office was over.

Mr. McLEAN asked if it was the intention of the Government to place a man in charge of the nursery at Fraser's Island?

The MINISTER FOR LANDS: We are looking for a man.

Mr. McLEAN: What sort of trees are planted there? What is the intention of the Government concerning the island?

The MINISTER FOR LANDS: Pines and other indigenous trees.

Mr. DICKSON said he would ask the Minister for Lands for an answer to the question of his hon. friend. With regard to the £1,500 for the survey to the border, were the Government simply contributing, and how much work had been done?

The MINISTER FOR LANDS said there was no officer checking the work at the present time. In fact, there was an offer on the part of the New South Wales Government under consideration, but it had not been decided whether it should be accepted or not. It was the opinion of professional men that the work was being done actively. An officer would be sent directly to see how the work was being done.

Mr. McLEAN said he wanted to know something about the forest nursery. What did the Government intend to do with the trees?

The MINISTER FOR LANDS said the intention of the Government was not to make firesticks of them, at any rate. They would distribute the young trees among the men who wanted them, and the same with the sugar-cane. He need scarcely point out to the Committee that the vote for the Gardens was very low, and no provision was made to carry on the nursery at Enoggera. If the nursery was not started at Fraser's Island, the money would not be required.

Mr. GRIFFITH asked what was to be done with the trees grown at Oxley. Were they distributed amongst people who wanted them for ornament?

The MINISTER FOR LANDS: They are being distributed.

Mr. GRIFFITH asked whether it was intended to start a system of forest conservancy. The Minister for Lands might have answered his question in two minutes, and then have done with it. He thought they ought to adopt a system like they had in India for reproducing forest trees, and prevent them from being cleared out. Was this merely a scheme for growing plants to distribute to private people?

The MINISTER FOR LANDS: No.

Mr. GRIFFITH said he did not see why the Government should grow trees at Oxley and Fraser's Island for the use of private gentlemen.

The MINISTER FOR LANDS said the hon. gentleman had continued to make use of the words "private gentlemen." It did not matter whether the gentlemen were private or not; if they liked to apply for them, the trees were available and would be distributed. Inquiries were not made whether they grew them to ornament their lands, or at the back or front door, so long as the department was satisfied they would be put to use. As to the nursery at Fraser's Island, the commissioner said that there ought to be a nursery there for young pine-trees, as pines had almost disappeared from the island at the present time. He was not prepared to say more about the matter. Mr. McDowall, the Commissioner, seemed to think it desirable to do what he had done. In ten or fifteen years there might be a great scarcity of forest trees, and the demand could be supplied from this nursery.

Mr. FRASER said this was a matter of long-standing complaint. If it was intended for the preservation of forests there might be no objection, but if the Government were going to stand in the way of those who made this their business it was unfair.

Mr. GRIFFITH inquired if the herbarium was finished, and if so was it a satisfactory one. He also wished to know how the Board of Inquiry into Diseases in Live Stock and Plants were getting on.

The MINISTER FOR LANDS said the formation of the herbarium was progressing. The Board were growing some rice and other cereals at the experimental grounds, but he knew nothing further than that. At the Melbourne Exhibition he saw some samples of rice and hemp grown by the Board which were highly commended.

Mr. FRASER said no satisfactory information had been received with regard to the forest nursery. He felt inclined to move the omission of the vote if private individuals were the only persons to be benefited.

Mr. KING said, in reference to the remarks of the hon. member for South Brisbane, that in America what the hon. member objected to was done. Trees were grown for no other purpose than for distribution among the people.

Mr. McLEAN said some distinct pledge ought to be given with regard to this forest nursery, and that it should be shown that it was for some other purpose than for growing trees for private individuals.

The MINISTER FOR WORKS said the time was not very far distant when every municipality would be asking for trees for street-planting, and for planting gardens. They must have the vote to begin with, but what was to be done with the trees was a question to decide afterwards.

Mr. FEEZ did not think the Minister for Works was quite correct in what he had said. If the southern parts of the colony wanted trees for street-planting, why did they not do the same as people did in the North, where requirements of this kind came out of the small vote granted for the Botanic Gardens. He thought the vote under discussion might be very well transferred to the votes for Botanic Gardens, but he should prefer to see it struck out altogether.

Mr. FRASER said he could not agree with the hon. member. If this vote was expended it would not be for the benefit of the southern parts of the colony alone. He believed that, when the time came for these trees being required, local nurserymen would be able to provide all that would be wanted. He still felt inclined to move the omission of the item.

Mr. McLEAN said he should not support the hon. member if he moved the omission of the item, after the explanation given by the Minister for Works. If the hon. gentleman in charge of the vote had said as much everyone would have been satisfied. He agreed with the Minister for Works that our public streets might require to be planted, and it was necessary to have some stock to draw upon for that purpose.

Mr. NORTON said the argument that had been used with regard to the distribution of these trees to private individuals might apply with equal force to the practice carried on at the Botanic Gardens. It had been the practice for years to give away large numbers of plants from the Gardens to private individuals. He should be sorry to see the item struck out, as he considered it might be productive of great good.

Mr. H. PALMER (Maryborough) said if the object of the vote were to establish a State nursery it was a good and laudable object; and he hoped some day to see it carried out on a more extensive scale. The country in the Wide Bay district and on Fraser's Island was fast being denuded of useful timber, and nothing was being done to replace the trees destroyed. He hoped the question would not be put to the vote, and that it would be allowed to pass with the object of extending operations in this direction.

Question put and passed.

On the motion of the MINISTER FOR LANDS, the Chairman left the chair, reported progress, and obtained leave to sit again to-morrow.

MACALISTER PENSION BILL.

The PREMIER moved that the House go into Committee to consider the message from His Excellency the Governor relating to this Bill.

Mr. GRIFFITH said it would be setting a bad precedent to depart from the practice of not considering a message on the same day that it was received.

The PREMIER said if there was any objection to the adoption of that course he would withdraw the motion.

Mr. GRIFFITH said, if the object of the Government was to be in a position to take the second reading to-morrow, he would make no objection.

Question put and passed.

The House accordingly went into Committee, and affirmed the desirability of introducing a Bill to confer a pension upon Arthur Macalister, Agent-General.

The resolution was reported to the House and adopted; the Bill was read a first time, and the second reading made an Order of the Day for to-morrow.

The House adjourned at twenty-three minutes to 11 o'clock until next day.