Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 16 SEPTEMBER 1884

LEGISLATIVE ASSEMBLY.

Tuesday, 16 *September*, 1884.

The Sergeant-at-Arms.—Petition.—Formal Motion.—Local Authorities By-Laws Bill—second reading.—Crown Lands Bill—committee.—Adjournment.

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

THE SERGEANT-AT-ARMS.

The SPEAKER said: I have the honour to inform the House that His Excellency the Governor in Council has been pleased to appoint Mr. James Warner as Sergeant-at-Arms of the Legislative Assembly; and I produce a copy of the *Government Gazette* containing the usual official notification.

Mr. James Warner thereupon took and subscribed the oath of allegiance.

PETITION.

The HON. J. M. MACROSSAN presented a petition from the Townsville Gas Company praying for leave to introduce a Bill to enable them to manufacture gas, coke, and for other purposes.

Petition received.

FORMAL MOTION.

On the motion of the COLONIAL TREASURER (Hon. J. R. Dickson), the following motion was agreed to:—

That this House will, at its next sitting, resolve itself into a Committee of the Whole to consider the desirableness of introducing a Bill to amend the Queensland Spirits Duty Act of 1880.

LOCAL AUTHORITIES BY-LAWS BILL —SECOND READING.

The PREMIER (Hon. S. W. Griffith) said: Mr. Speaker,—This Bill, as its title indicates, is introduced to declare the powers of local authorities with respect to imposing license fees, tolls, rates, dues, and for other purposes. The question has frequently arisen as to what powers local authorities—municipal councils and divisional boards—have in respect to imposing fees when they grant licenses to vehicles. It has for a long time been thought that they possessed such powers; certainly they have always exercised them. It has, however, recently been decided by the Supreme Court that by-laws imposing fees are invalid. I do not know exactly the grounds upon which that decision proceeded—whether it was that local bodies had no power under that Act to make such by-laws, or whether the by-law they had framed for carrying out their work was in itself inadequate to carry out the object intended. There is no doubt that it was the intention of Parliament that local authorities should have power to impose license fees in certain cases, also power to impose tolls. The section of the Local Government Act dealing with the matter is the 167th, which provides, among other things, that by-laws may be made by municipal councils for "regulating and licensing porters, public carriers, carters, waterdrawers, and vehicles plying for hire"; another, the 9th clause of the same section, is, "regulating markets, market dues, fairs, and sales"; the 24th provision is "collecting and managing tolls, rates, and dues upon roads, bridges, wharves, jetties, and markets under the control of the council." I need not refer to others; there are many others in the same section. If municipal councils have not the power by that section to impose fees, the power to collect them is of course idle. It has been supposed hitherto that they had power to impose them. It is unnecessary to consider particularly what was the ground of the decision of the Supreme Court. We know at any rate that the law is defective and requires amendment. The Divisional Boards Act of 1882 repeats in effect the same enumeration of the subjects on which municipal councils may make by-laws. The same powers are given to divisional boards by the 46th section of the Divisional Boards Act Amendment Act of 1882. Well, sir, we all agree that it is desirable that local bodies should have power to impose license fees in these matters, and also to impose reasonable tolls and dues. In fact, they should have legal power to do what they have been in the habit of doing. This Bill is simply brought in to declare their power. The 2nd and 3rd sections are the only ones material. The 2nd section provides that—

"Every local authority constituted under the Local Government Acts"—

The term "Local Government Acts" means—

"The Local Government Act of 1878, the Divisional Boards Act of 1879, and the United Municipalities Act of 1881, or any of them, and any Acts amending or in substitution for the same respectively."

The 2nd section, as I said, provides that—

"Every local authority constituted under the Local Government Acts is authorised and empowered to impose by by-law, and to collect, receive, and retain, reasonable fees or charges for and in respect of any license granted under any by-law which the local authority is by the Local Government Acts or otherwise authorised or empowered to make, and to impose in like manner, and to collect, receive, and retain, reasonable tolls, rates, and dues, for the use of roads, bridges, wharves, jetties, or markets, under the control of the local authority."

It is proposed in the next clause to declare that—

"Any by-law heretofore made by a local authority which would have been valid if made after the passing of this Act is hereby declared to be and to have been valid."

Of course nearly every local authority in the colony has made such by-laws, assuming that they had the power to do so. It is not proposed that they should be required to make these by-laws over again. The 4th section removes any doubt as to the proper mode of making by-laws of a united municipality under, when the component bodies consist of municipalities and divisional boards. The mode of making by-laws under the Local Government Act is different from that under the Divisional Boards Act. It is therefore proposed that the more elaborate mode of making by-laws shall be adopted by joint boards in the case of united municipalities comprising local authorities of both classes. These are in short the provisions of this Bill, to which I apprehend there will be no objection. There is one thing to which I should like to draw attention. After this Bill was laid on the table—I mention the point now in order that it may be considered before we go into committee—it was suggested to me that there should be power given to impose a wheel-tax. The case mentioned to me was that timber waggons passing through a division, not plying for hire, did not come within the definitions laid down in any of the Local Government Acts, but that they, nevertheless, cut up the roads very much, the owners of them not being even ratepayers. The point which has been suggested is whether the powers given by this Bill to impose tolls, rates, and dues are sufficient to authorise local authorities to impose a tax of that kind. I believe that the provisions of the 2nd section are sufficient to cover that case, but if it is not thought so it may be remedied. I beg to move that the Bill be now read a second time.

The HON. SIR T. MCILWRAITH said: I do not think there is any doubt in the minds of any members present that the local authorities in the colony ought certainly to have the power to impose license fees, tolls, rates, and dues; but I should like to have heard the Premier explain how this Bill came to be necessary—how it has come to be necessary that we should require a Bill of this kind. I understand that it was with the full intention of giving the local authorities just such powers as this Bill now proposes to give them that we passed the Local Government Act of 1878, of which the hon. member was the parent, having stolen it from Victoria with all its imperfections.

The PREMIER: No.

The HON. SIR T. MCILWRAITH: I want to know where that Act was imperfect. If it was imperfect the hon. gentleman should have explained that, and we could have passed an Act giving those bodies power which they have not got. It seems to me that the hon. gentleman should have put the preamble in this Bill in this way, as it is a "declaratory" Act: "Whereas we, the Legislature, intended to give the local bodies such powers, and whereas the judges have found out that we really have not given them those powers at all"; then we go on to declare that the judges are wrong and that the local bodies have such powers. That is not very complimentary to the bench. If the bench are right we should commence anew and give in proper English the powers which we always intended to give when those local bodies were instituted; but here, instead of that, we declare that the judges are wrong and that the Act really carried out what we intended to do. We are actually giving the powers by a clause of this Bill which we ought to have given by the Local Government Act; but we go beyond that and make this Bill retrospective. The hon. gentleman should have stated at once that this was a declaratory Act, and I should not be surprised to see him get into some mess over the

passing of a retrospective Act of this kind. Clause 3 provides that—

"Any by-law heretofore made by a local authority which would have been valid if made after the passing of this Act is hereby declared to be and to have been valid."

I do not think that is a proper provision to make in any Act, and certainly not without very good reasons being given for it. If these men who have been paying license fees have been paying them unlawfully, they are properly entitled to recover them. It ought to be a caution to us at all events to exercise a more careful supervision over Bills taken wholesale from the other colonies. This might easily have been saved with more attention. Nothing could be plainer than the intention to give these boards power to impose fees; but it seems now that they have not the right to impose fees, but have only the right to collect.

Mr. SCOTT: I do not know whether this case is provided for in the Bill:—It seems that some of the boards and councils in the neighbourhood of Brisbane have summoned people for plying for hire in a district or shire without a license, and the cases have always been dismissed by the police court here. Why, I do not know; but I have been informed that in the case of the Toowong Municipality the bench declined twice to have persons punished who plied for hire within the shire without licenses. The council could not get a conviction; the cases were simply dismissed with expenses. I do not know whether this Bill covers that or not, but, if it does not, I think there should be some provision made to meet cases of that sort.

The HON. J. M. MACROSSAN said: I understood the hon. Premier to say, in introducing this Bill, that he did not know on what ground the decision had been made by which the by-law passed by the divisional boards or municipalities was rendered invalid. I think he ought to be acquainted thoroughly with that.

The PREMIER: I read the report which appeared in the papers.

The HON. J. M. MACROSSAN: If the decision was come to by the judge who presided, on account of the by-law being badly worded, there can be no necessity for this Bill—none whatever; and for this reason the hon. gentleman should have been acquainted with the grounds for the decision. Another matter mentioned in connection with the Bill was that of a wheel-tax. I think if this Bill does not cover a wheel-tax, and we are to pass it, it should be made to cover such a tax. No kind of vehicles cut up the roads so much as vehicles engaged in the timber traffic. I know that after the divisional boards were first instituted, and when I was Minister for Works, constant complaints were made to me by boards of their roads being cut up, and of their not being able to tax the people who cut them up. Something should be done in that matter, though at the same time the boards should be restrained from imposing a tax that would practically stop such traffic.

Mr. MACFARLANE said: Mr. Speaker,—I rise simply to make a remark or two in reference to the wheel-tax referred to by the Premier in introducing this Bill. I may say this has caused a great deal of discussion in the West Moreton district already; and as efforts have been made to tax the timber-getters, we had better discuss the matter slightly before the second reading of the Bill passes. Municipalities and divisional boards feel very much indeed the way in which their roads are cut up; but one great difficulty in the matter is that these timber-getters have to pass through as many as four divisions, I am given to understand, and frequently through three divisions, and here the difficulty comes in. Is each divisional board to have the power to tax the timber-getters going through their division? If they are to have this power, it will simply put an end to the timber-getters passing through these divisions at all, unless a very slight tax is imposed. If a very light tax is imposed it may be done, but if the different boards have the power to tax these timber-getters by the by-laws made by themselves, without any maximum or minimum being fixed, it will very likely be a very serious matter for the men engaged in that particular business. To the Bill itself I have no objection, but as the question of a wheel-tax has been raised I think it is well worth thinking over before the Bill goes into committee.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said: Mr. Speaker,—I do not think there is anything very unusual in a Bill of this kind. It is very frequently the case that the intention of the Legislature with regard to a matter which it believed itself to have provided for has not been so clearly expressed as to convey that intention to those with whom rests the responsibility of administering the law. Now, in this case it was an open question whether the words "regulating and licensing," as used both in the Local Government Act and the Divisional Boards Act, carried with them the power to impose such a reasonable charge as was necessary to defray the expenses connected with regulating and licensing, not to speak of the damage to roads done by vehicles under these Acts. The matter has come before the Supreme Court, and the full court has decided that as the Local Government Act now stands there is no power under it to impose a tax in the shape of a licensing fee on vehicles that ply within a municipality. Now, under these circumstances, it having been for the first time judicially decided that the law does not clearly express its meaning, this Bill has been framed, not with the intention of reflecting in any way on the judges, but simply to declare that the intention which was not so fully expressed originally as it should have been shall thus be expressed, and the doubt which formerly existed shall be entirely cleared up. As to the 3rd section, which declares—

"Any by-law heretofore made by a local authority which would have been valid if made after the passing of this Act, is hereby declared to be and to have been valid"—

that is simply a convenient method of doing away with the necessity which would otherwise have existed for every division and municipality throughout the colony that has imposed a charge or fee to make its by-laws over again. There is another consideration—the by-law would be illegal, and the provision in it with regard to the charge might have the effect of invalidating the entire series of by-laws. I think it is a very convenient method of avoiding the difficulty and expense which the municipalities and divisions would be put to in consequence of the decision which has been arrived at. With regard to the matter mentioned by the hon. member for Leichhardt, I know that some time ago there was a decision adverse to one shire council, but that decision rested upon the defective character of the by-laws that professed to deal with the matter, which was the subject of inquiry by the bench. The other matters the hon. gentleman referred to I have not heard of; but it is quite as likely that the decision going against the boards and councils has resulted as much from the defective nature of the by-laws as from any defect in the Local Government Act or Divisional Boards Act.

Mr. NORTON said: It appears to me that the decision given by the court the other day decides all cases of a similar character which might be brought before the court until a validating Act

is passed; so that, if we pass this Bill in its present form, the effect will be to make legal what the court has declared to be illegal. That is rather a peculiar position to place ourselves in, and to place the Supreme Court judges in. Now, the decision given in the Supreme Court the other day did not point out that it was in consequence of the imperfect expression of what the Act intended. The decision of the court was that the intention which the Legislature might have had was not expressed at all; and, therefore, it appears to me that to pass a Bill of this kind would be to go beyond—not the powers the House possesses, but the powers the House ought to exercise. I shall read this judgment; it is only a short one, and it is just as well that it should appear. It was given in the case Kluver *v.* the Woollongabba Divisional Board :—

"The Chief Justice said the court thought that, upon the ground that the by-law made a tax and was consequently *ultra vires*, the rule should be made absolute for a prohibition. On looking at the different portions of the by-law relating to this matter, and particularly at the 3rd, 8th, and the 14th clauses, together with Schedule C, which formed a part of the by-law, it became tolerably clear. After quoting the 3rd clause of the by-law, as read by Mr. Lilley, His Honour said the user of the vehicle was, according to the latter part of that clause, *primâ facie* evidence of plying for hire. By section 8 every license was to be granted at the office of the Woollongabba Divisional Board upon certain terms, and by section 10, 'for every such license there shall be paid to the divisional clerk annually, for the benefit of the divisional fund, the several rates set forth in the schedule hereto annexed, marked C.' It was clear that there was no power to enforce a license fee in the nature of a tax, and unless the statute had spoken very vaguely there was no power to levy such a fee. Mr. Sheridan had contended that there was no charge on a license issued to a proprietor, and that, therefore, the by-law No. 3 was not *ultra vires*, because no tax had been made in respect of a license granted to a proprietor. Reading clause 10, and looking at Schedule C to which it referred, it was seen very clearly that there was a tax upon the proprietor, because a tax upon the omnibus was a tax upon the owner, to the extent of £3 per annum. In Schedule B, which contained the form of the licenses to be granted to proprietors, drivers, or conductors, there was no language to make a separate license with respect to mere ownership or possession, and the license fee must be a tax upon the owner. He had to pay it, and he (His Honour) thought —and his brother Harding was of the same opinion— that this was a license fee charged upon the proprietor. It would be a very narrow construction of the 3rd by-law if the court were to hold that it referred to a mere personal license; and there was an analogous case with respect to publicans. He was called a licensed person, but he was not merely himself licensed, but also the house in which he carried on his business. He thought, therefore, the rule must be made absolute, and with costs."

Well, sir, it appears to me that that judgment does not declare that the Act imperfectly expresses what the framer intended, but that it does not express it at all.

Question put and passed.

The committal of the Bill was made an Order of the Day for to-morrow.

CROWN LANDS BILL—COMMITTEE.

On the motion of the MINISTER FOR LANDS (Hon. C. B. Dutton), the Speaker left the chair, and the House resolved itself into a Committee of the Whole to consider this Bill.

Question—That the preamble be postponed—put.

The HON. SIR T. McILWRAITH said the nature of the Bill had been considerably altered since the preamble was first written. The preamble said :—

"Whereas it is desirable to make better provision for the occupation and use of Crown lands."

That was not the object of the Bill now. Its object was to alienate a large portion of the lands of the colony; but that was not mentioned. In all previous Land Bills the preamble said :—

"Whereas it is desirable to consolidate and amend the laws relating to the use and occupation of Crown lands."

But not a word was mentioned about alienation, which certainly would take place under this Bill. Occupation did not mean alienation, or anything like it. However, he was not going to oppose the motion for the postponement of the preamble; but the hon. the Minister for Lands would have to consider the point he had raised before the preamble came up again, which he expected would not be for a very long time.

Question put and passed.

Clauses 1 and 2—"Division of Act" and "Short title"—passed as printed.

On clause 3, as follows :—

"This Act, except where otherwise expressly provided, commences and takes effect on and after the first day of January, one thousand eight hundred and eighty-five, which date is hereinafter referred to as the commencement of this Act."

The HON. SIR T. McILWRAITH said the clause they had just passed said :—

"This Act shall be styled and may be cited as the Crown Lands Act of 1884."

That clause was in the future tense, but the one under discussion jumped into the present tense when it said :—

"This Act commences and takes effect," etc.

The hon. gentleman ought at least to preserve decent English.

Mr. MOREHEAD said: Perhaps the Minister for Lands would explain why he had altered the phraseology in the two clauses? There must be some reason for it.

The MINISTER FOR LANDS said he could not see anything in the objection the hon. gentleman had raised to the phraseology of the clause——

Mr. MOREHEAD: It may be good German, but it is certainly not good English.

The MINISTER FOR LANDS said he could not see where the difficulty came in. There was no difference between the phraseology of the two clauses, and the language was perfectly right.

Mr. STEVENSON said the Committee must feel gratified at the enlightenment it had got from the Minister for Lands. The hon. gentleman ought to be able to reply to the objection that had been raised, without looking to the Premier for what he should say. If the Minister for Lands was unable to take charge of his own Bill he ought to hand it over to the Premier.

The HON. SIR T. McILWRAITH said it had always been the custom, when errors in the language of a Bill were pointed out, to amend them at once. The hon. gentleman must see quite well that the language complained of was not right. The clause ought to read, "shall commence and take effect," and not "commences and takes effect," and then it would be in accordance with the preceding and following clauses. However, if the hon. gentleman did not think fit to make the alteration they had better get on with the Bill.

The PREMIER said that was the best thing to do—to get on with the Bill. The modern method of drafting Acts of Parliament was to put them in the present tense, instead of in the future, as was formerly the case.

The HON. SIR T. McILWRAITH: But this is a mixture of both.

The PREMIER said the language was perfectly proper, and in accordance with the best modern style. Of course the present tense was never used in connection with the short title.

Clause passed as printed.

On clause 4—"Interpretation"—

The HON. SIR T. McILWRAITH said the clause began in the future tense, "The following terms shall in this Act." Did not the Premier intend to follow what he called the modern style throughout? Surely the language of the Bill ought to be consistent! A blunder had evidently been made, and they were not going to be bounced by the criticism of the Premier. What did they care about what he chose to lay down as the rule? The hon. gentleman said the rule was to stick to the present tense, but in the present clause the future tense was again reverted to. The thing was nonsense. If a blunder had been made, why not acknowledge it and alter it?

The PREMIER said he would suggest, as an amendment, to please the hon. member——

The HON. SIR T. McILWRAITH: Do not do it to please me.

The PREMIER: There is no other reason for doing it, except to give the hon. gentleman gratification.

The HON. SIR T. McILWRAITH: If that is the case I will point out amendments that will give me far greater pleasure.

The PREMIER said he was willing to challenge a comparison between the language of the Bill and that of any Bill which the hon. gentleman had introduced to the House. If the hon. gentleman was prepared to move an amendment, he was willing to consider it.

The HON. SIR T. McILWRAITH said he would ask the Minister for Lands, at that stage, if he intended to make any change in the constitution of the land courts. He did not wish to raise a discussion on that point now, but, after the discussion which took place upon it on the second reading, the hon. gentleman might, perhaps, tell the Committee whether he intended to so alter the constitution of the land court as to make it one over which he himself (the Minister for Lands) would preside.

The MINISTER FOR LANDS said that, even if any change was contemplated in the constitution of the land court, he did not see how it would affect the interpretation clause. The authority would still be called a board.

Mr. MOREHEAD said he was very glad to hear that a change was contemplated in the constitution of the land court.

Clause passed as printed.

On clause 5, as follows:—

"The third and fourth parts of this Act extend and apply to"—

(1) The part of the colony described in the first schedule to this Act;

(2) Any other parts of the colony to which the Governor in Council, on the recommendation of the board, from time to time, by proclamation, extends the provisions of those parts of this Act;

(3) The land comprised in any run the pastoral tenant whereof makes application to the Minister to bring such run under the operation of Part III. of this Act.

"The remainder of this Act extends to the whole colony."

Mr. MOREHEAD said the present would be a very good opportunity for the Minister for Lands to give the Committee the reasons why he had prepared the first schedule as they saw it outlined on the map. The southern boundary was of a very "gerrymandering" sort, and the hon. gentleman explained on the second reading that it had been so drawn as to prevent the settlement there of people from the adjoining colony. Surely that was not a good and sufficient reason, and perhaps the hon. gentleman could give them some further explanation of it.

The MINISTER FOR LANDS said that, as he had stated on the second reading, the reason why the southern boundary was so fixed was because he did not wish to induce settlement from New South Wales until the colony was in a position, from the extension of its railways, to carry away the produce of the men already settled there; and he thought that was a perfectly sound and legitimate reason. Other hon. members might not think so, but he did; and that was the reason why the boundary was altered when it got beyond the reach of the railways at present in operation. As for the course it took after that, the object was to bring within the scope of the Bill all lands that were likely within the next few years to be brought within a reasonable distance of the railway, especially of the main trunk line. The object of the "gerrymandering," as the hon. member termed it, was to draw the line, after leaving the Warrego, so as to keep outside the boundaries of certain runs and not cut through them, particularly of runs held in a block, not so much by individuals as by corporations. After leaving the watersheds on the Barcoo or Thompson it took a course straight down to the southern boundary of the settled districts.

Mr. ARCHER said they knew there were some very nice maps of Queensland in existence, and as the Committee were not likely to get through the Bill during the present week he thought it would be well if they had one of those maps, indicating the runs near to which the lines were placed, laid before them, before they came to the schedule of the Bill alluded to in the clause. He should like to know whether the Minister for Lands had any objection to lay one of those maps on the table—not a blank map, such as was now before the Committee, but a map indicating the runs, and showing how the line went; so that they might be better able to judge of the reasons given by the hon. gentleman for adopting such a line. The blank map only indicated the runs in a vague way.

The MINISTER FOR LANDS said he had no objection to lay such a map on the table. He might state, in continuation of what he had already said, that the line after leaving the watershed went in a direct line to Isisford, thence to the River Darr, and then on to the coast line. He would endeavour to get a map showing the boundaries and the line within which it was intended the Bill should be carried out.

Mr. NORTON said that one object of the Bill was to place the control of the land in the hands of a board, and that the Minister should not be able to interfere with it in any way. Now, however, he gathered that the board was to recommend what land should be included in the first schedule; and that under this clause the powers of the board were limited, because the hon. gentleman had explained that, while the board would have power to make recommendations as to what land was to be included, it would not be done until railways were made. Now, how long would it be before a railway was made to Warrego? Probably not within four or five years. If the direct line to Warwick was to be made, according to hints that had been thrown out, it would take five or six years before the railway was made right through. Surely that country, which was occupied, was not to be excluded the whole of that time! If railways could not be taken to bring the traffic, that was no reason why the land should be excluded. How did the people there live at present? Surely this colony could compete with New South Wales for that traffic! It seemed absurd to take such a course as was now indicated. He thought it was a most desirable thing that the country referred to should be included.

The MINISTER FOR LANDS said that of course the board would recommend that the land to the southern border be included in the schedule, and it would then be for the Executive Council to decide whether that recommendation should be carried out. It might be done if the board so recommended. For settlement such as that proposed under the Bill it was necessary to have railways within reach of the settlements: and railways could not be made at once, especially when there was a great deal of inferior country in the colony. The whole of the country down to the Warrego and the Barcoo and the Thompson was inferior and quite unfit for close settlement. It was not by any means desirable that there should be isolated settlements in different parts of the country without being able to get labour, or without any certainty of similar settlements being formed near to them. To isolate portions of good country in the midst of a mass of bad was certainly not desirable. To take men into the far country and isolate them in that way was a blunder both socially and politically which no Government would make.

Mr. MOREHEAD said they were told the other night that one of the reasons why the southern portion of the Warrego was not put into the schedule was that it would bring persons from New South Wales who would select and take trade to that colony. Now the hon. gentleman had told them that he did not see why these districts should be included until they had railway communication with Brisbane. But there was no fear of the people there agitating for that. So long as the present action of the Railway Department was continued, and so long as they could send their wool by a cheaper route, they would not agitate for a railway. The traffic would go into New South Wales. With regard to Warrego and Balonne—no doubt not included for the special purpose of depreciating him (Mr. Morehead) in the eyes of his constituents, though it would not have that effect—he maintained that there were some of the richest portions of Queensland there. It seemed an extraordinary thing that the long-settled portions of the colony should not be included in the schedule. It looked as if there was some sinister reason beyond what had been exposed by the Minister for Lands up to the present time. He would ask the Committee whether a sufficient reason had been given for the exclusion of that particular portion of the colony from the schedule? His personal opinion was—and it was an opinion he had expressed before—that if there was any good in the Bill the whole colony should be included. It should be share and share alike. A certain amount of land should be resumed from runs in the settled districts, and a lesser amount should be resumed from runs outside than from those inside; but that was a question which could be discussed afterwards. If there were any good in the provisions of the Bill—and he held there was no good—the colony should be dealt with as a whole, and the Committee should deal with it as a whole, and not allow it to be dealt with by a board hereafter. As regarded that division, any man who knew anything about the colony knew it was absurd and unjust and improper. The Government said the lands on the Warrego and the Balonne were too bad to be thrown into the schedule, but they might be thrown in with very much more reason than a large portion of the northern part in the schedule, and no one knew that better than the Minister for Lands himself.

Mr. SCOTT said the Minister for Lands, in giving a reason why that extraordinary line should be drawn, stated that it was done for the purpose of allowing the extension of railway communication. They were told that part of the Ministerial programme was that there should be a railway up to the Cloncurry. If that railway were proceeded with, it would not be very many years before it was out to that point, and there was no provision made in the schedule for occupation in that district; so that he could hardly think it was simply the matter of railway communication that guided the hon. gentleman in drawing that peculiar line. He did not see why the people in the Gulf country and in the neighbourhood of the Cloncurry should be left out of the schedule, or why those who were within that schedule should be treated in a different way.

The MINISTER FOR LANDS said they were simply left out of the schedule because, as he had explained, they were beyond the reach of railway communication, and a very long way beyond it. Within that schedule, if the railways made any progress at all within the next few years, no portion ought to be more than eighty miles from a line. Therefore, what he maintained was, that all that country would be brought within the reach of railway communication within the next two or three years at the outside. The reason why the whole colony was not included in the schedule was—and it certainly would not happen while he was administering the Act, but there might come a time when it would be differently administered through the land board or the Minister holding different views—that they did not want to have the people spread all over those tracts of land. That was very much to be deprecated and avoided by any Government. The object of the Government in settling people on the land under the Bill would be to concentrate them in certain portions of the colony where the country was best suited for settlement, and gradually extend settlement afterwards. That was the only object the Government had in recommending that that line should be drawn.

Mr. STEVENSON said they were having most extraordinary reasons given and most contradictory statements made with regard to why the southern portion of the colony should be left out of the schedule. They were first told that the hon. gentleman had not brought it into the schedule because it did not come within the scope of railway communication; and in the next place they were told by him that he was afraid that settlers from New South Wales might settle there, and he did not want them to go there. What did the Minister for Lands mean? Did he mean to pretend to increase the settlement of the colony under the Bill? He should like to ask the hon. gentleman what principle he was following with regard to that most extraordinary line from north to south on the map. He told them he went by a straight line from such-and-such a place to Isisford. He could not see a straight line. What straight line had he taken from any place to Isisford? If the hon. gentleman would look at the map behind him he would see that there was no straight line, but a very large dent. He would like to understand how that dent occurred. Why was not that line taken straight? He knew that country pretty well, and the hon. gentleman could give no reason why he had left that part out of the schedule. Was it because he knew it was so bad that it would not be taken up? The hon. gentleman must have some other reason, and he (Mr. Stevenson) would like to have some other reason why he did not make that a straight line instead of having that dent in it. He should also like to know why all those dents had been made in the boundary line as they went further north. What did the hon.

gentleman mean? There was no reason—in fact, from what he knew of the country, he knew that the hon. gentleman's argument about the boundaries of runs did not apply, because the line went round the boundaries of some and split up others, so he should like to know what was his reason for that most extraordinary boundary from north to south. Perhaps the hon. gentleman would be good enough to give some explanation.

The MINISTER FOR LANDS said in some places the watershed had been followed, in some cases the boundaries of runs had been followed, and in other places the course of a creek had been followed.

The HON. J. M. MACROSSAN said he would ask the Minister for Lands if he did not know that the people who lived in the southern part were almost within railway communication at present with New South Wales, and would not the same reason he had given the Committee apply to taking away the lands from those people? Surely he ought to know that! Those people took their produce to New South Wales, and got their goods from New South Wales; and the New South Wales Government were pushing their railways on towards the Queensland border. It was a most extraordinary reason that the hon. gentleman had given, and he did not think it was the right one. There was some other reason than that he had given behind, and it would be as well for the Committee to have it. Then, with regard to the New South Wales trade. Was it the intention of the Government to look upon the people who dealt with New South Wales the same as they would on French convicts, because they would not deal with Brisbane? Surely Brisbane was not the colony! The people out there could not be expected to deal with Brisbane, but with New South Wales or South Australia; and he did not see why they should, simply for that reason, be prevented for all time from having the benefits or otherwise of the Bill. The Minister for Lands must have a stronger reason than the one he had given.

The MINISTER FOR LANDS said he did not suppose he could disabuse the mind of the hon. gentleman of the suspicion which had taken possession of it. He had given his reasons, and whether the hon. gentleman considered them bad or good, he did not care one straw. It was a wise policy, he maintained, to secure to themselves their trade, and to induce settlement wherever it could be done; and that was the only object he had in regard to that part of the country in the south spoken of by the hon. gentleman; and the only object he had with regard to the land further on was to bring the people within a reasonable distance of railway carriage. He knew that there would be no settlement under the Bill if the people were far removed from railway carriage, and for that reason the country described in the schedule was confined within the lines marked on the map. As to dealing with the people near the New South Wales border in the manner they should probably treat a foreign State, it was not for a moment intended by the Government to do anything of the kind; but he maintained that they were justified in looking after their own trade and interests before those of New South Wales. No doubt there was good land both near the border and elsewhere; but the Bill provided for the throwing open of an ample supply for a long time to come; and he would much rather see concentrated settlement take place within reasonable distance of the railways than small settlements in isolated patches in different parts of the colony. With regard to the character of the country spoken of by the hon. member for Balonne, he did not think much of the hon. member's judgment if he considered the Lower Warrego superior to the Upper Warrego. It was very fattening country, but it took a great deal of country in proportion to the number of stock to carry on grazing there. The Upper Warrego would carry, in many instances, five times the amount of stock carried on similar areas on the Lower Warrego.

Mr. MOREHEAD said they had now got an exposition of the Government policy. The schedule was "Queensland"; and Queensland was "Brisbane." That was exactly what the Minister for Lands said. He did not intend to apply the benefits of the Bill to any part of the colony outside the red line on the map—at any rate, in the meantime. He would not in any way attempt to bring over settlement from New South Wales, because the trade done by those settlers might be with the colony from which they came. With regard to his remarks about the Lower Warrego—and to the Lower Balonne, to which the hon. gentleman did not refer—he (Mr. Morehead) maintained that the Lower Balonne was as fine pastoral country as any in Australia. And so was the Lower Warrego. He would go further and defy the hon. gentleman, with all his knowledge of the country, to show better pastoral country in Australia than the land excluded from the schedule, on the watershed of the Warrego, contained between the southern boundary of the schedule and the northern boundary of New South Wales.

Mr. NORTON said he wished he had a run on the Lower Warrego. What he rose to point out, however, was the advantage it would be to the colony to settle people on the country, even if they might trade with New South Wales. The Colonial Treasurer told them the other night that every man who came to the colony contributed £8 18s. 6d. towards the revenue; therefore, if his argument was a good one, as he applied it, every man who settled on the Lower Warrego, though he might trade with New South Wales, would contribute £8 18s. 6d. towards the revenue of Queensland. He, therefore, could not see the slightest reason why the whole of that country should not be thickly inhabited. When railway communication was established the colony would take its chance of getting the carriage to which it was entitled. He quite understood the object of the Minister for Lands—to include in the schedule only country on which settlement could take place, so that the settlers could live as close together as possible, and where they could have railway or some other communication; but what was the use of throwing in that strip of country along the northern coast? They knew that no settlement could take place there except in isolated spots; and it was simply throwing open country that was neither suitable nor required. About Cooktown, and two or three rivers and creeks in that part of the colony, there might be settlement; and if there was any occasion to open up sugar lands it would be easy to do so at any time; but to take in the whole of the strip along the coast because it happened to be in the settled districts was interfering with the tenure of runs not likely to be wanted for many years. Even if the hon. gentleman's arguments applied to the lower part of the country contained in the schedule, the part about the Gulf and about Cooktown was perfectly useless for close settlement.

The HON. J. M. MACROSSAN said he did not intend to enter into a discussion about the quality of the land on the Upper and Lower Warrego, but he recollected very well how, not very long since, the praises of the Warrego district resounded in that House when the Warrego Railway Bill was under consideration. It was a

splendid country then; one individual held a very large portion, and wanted to buy—how much? Four million acres! Yet that land was excluded from the operation of the Bill, under the pretence that it was not good enough for close settlement, and that people from New South Wales would come and settle on it. Those reasons were not good enough for the exclusion of that country from the schedule. He did not mean to imply that the hon. gentleman had any personal interest in that country, but, if he had not, his friends had; and the people who occupied the Government benches at the present time were very good to their friends, and were keeping up their goodness to the extent of altering the schedule of the Bill. He (Hon. J. M. Macrossan) maintained that the whole of that portion of the country ought to be placed in the schedule. If the land was good two years ago when the Warrego Railway Bill was before the House it had not deteriorated so very much since. The hon Minister for Lands had told them that there could be no settlement there. He did not know what the hon. gentleman meant by settlement. He (Hon. J. M. Macrossan) did not expect settlement by 160-acre men; but did not that Bill provide for grazing farms? Did the hon. gentleman mean to say that there would be no grazing settlement on that country? Was that land not likely to be taken up by the 20,000-acre men? Did the hon. gentleman mean to protect his friends against those men when he said there would be no settlement? If he meant close settlement—settlement so that the people could look at one another when they got up every morning—of course there would not be much of that. But he (Hon. J. M. Macrossan) believed that that part of the country would be more readily taken up by 20,000-acre men than almost any portion inside the schedule. He did not see why those young men whom the Premier pleaded very strongly for during the second reading of the Bill, who were willing to come from New South Wales and Victoria, should be prevented from coming, simply because they could not bring that part of the colony into railway communication with Brisbane. If they wanted to come, let them; they would be a benefit to the colony whether they traded with Brisbane or Sydney. It would be much better, certainly, if they traded with Brisbane, but they could not force them to do so, even by making a railway down the Warrego to Cunnamulla. He did not believe they were likely to get the trade if they made a railway to Cunnamulla; at any rate they would have to compete with New South Wales; and if they had to compete with New South Wales they should endeavour to settle the country in the meantime.

The PREMIER said if there was likely to be close settlement on the Warrego immediately he thought that would be a sufficient reason for including the land in the schedule. But he did not understand the hon. gentleman. He talked about the Government being good to their friends. He (the Premier) did not understand what he meant. Who were the friends the Government wanted to be good to? It was a recognised principle with the Government that they knew nothing whatever of friends or foes in dealing with the lands of the colony. Some person or other had coined a phrase of that kind, and put it into the mouth of a Minister, and then it went through the country, and it was said that the Government said so. He knew that some immoral and disreputable newspapers had said that the Government had said such a thing. He had had reason before that to say that many falsehoods were told about the Government in the public Press. It was very much to be regretted that it should be so; it was to be regretted that statements were made in the public Press which could not be relied upon as having some foundation of truth. If the land referred to was fit for settlement, and likely to be wanted, he should join in urging upon the hon. the Minister for Lands to include it in the schedule to the Bill.

Mr. NORTON said he did not know that anyone had put it into the mouth of the Government that they intended to be good to their friends. The Minister for Works was reported to have said it, and he had never denied it in that House.

The HON. J. M. MACROSSAN: He has repeated it.

Mr. NORTON said the hon. gentleman had repeated it. The thing had been referred to there over and over again, and it would not do to try to get over hon. members in the way the Premier had just now by saying, "We know nothing about it." Hon. members on that side of the Committee knew something about it; and let him tell the hon. gentleman——

The PREMIER: Tell us all you know.

Mr. NORTON said they would tell the Government something, and probably more than they would care to hear. Why did the Government not treat all the contractors alike? Why did they treat one man differently from others?

The PREMIER: We do justice to all men.

Mr. NORTON said the hon. gentleman might think it was justice. He did not wish to accuse him of doing anything he knew to be absolutely corrupt, but at the same time corrupt things might be done without a person believing that they were corrupt. With regard to the Warrego lands, the hon. member said he would be quite willing to include them in the schedule if it could be shown that there would be close settlement on them. The hon. Minister for Lands said there would not be close settlement in that country. If the Premier was to take the opinion of his colleague he might just as well have left unsaid what he said just now. He (Mr. Norton) also remembered the time referred to by the hon. member for Townsville. Hon. members who at the present time sat on the Government side of the House then sang the praises of that land. There was then nothing like the Warrego lands in the whole of Queensland. But suddenly they got very bad; something or other must have happened. Formerly hon. members opposite were very anxious that those lands should not be included in the lands to be given to a syndicate for constructing a railway. Now they were anxious that they should not be included in the schedule of lands allowed to be taken up under the present Bill. What was the cause of that? It seemed to him that the only conclusion they could arrive at was that the Government wished to protect those lands for some purpose. It was, however, not at all surprising when hon. members remembered—to quote the words used a short time before the Government came into office—that the Government "would be good to their friends."

Mr. STEVENSON said he was not satisfied with the explanation given in regard to the northern and southern boundaries of the land comprised in the schedule. Surely some principle should be observed in marking out the boundaries! In some cases the boundary was a watershed, and in others a creek. He knew what the hon. the Minister for Lands did about creeks on the Barcoo. He knew how the hon. gentleman ignored, not only creeks but rivers, in taking up his own runs. It was a very strange thing that the hon. member should go upon that principle in marking out the schedule of his Land Bill which was to affect the colony so much. Surely the hon. member

could tell them why he had made the boundary in the way he did? Surely the hon. gentleman could give them some intelligent reason for making the indents in the boundary shown on the map, as near Isisford? He was not following a watershed or the boundary of a creek there. They should have some intelligent reason given for his action—some reason they could believe in, and not like the paltry reasons the hon. member had so far given them.

The MINISTER FOR LANDS said he thought he had made it sufficiently plain to hon. gentlemen. The reason the indents appeared in the boundary was because it was thought desirable to follow the outer boundaries of the runs. It was thought desirable to include the outer boundaries so as to take in the whole of the runs held by one man, or company, or corporation; and the shape of the runs in the district caused the indents in the boundary line shown on the map, which followed the boundary of a creek running into the Barcoo at Isisford. He did not consider it a matter of very great importance whether it extended twenty or thirty miles west, or twenty or thirty miles east, so long as there was sufficient country within the line to meet all possible requirements for two or three years.

Mr. STEVENSON asked if the hon. gentleman meant to say that the whole part represented by indentation in the boundary, as marked on the map, belonged to one man?

The MINISTER FOR LANDS: Not necessarily. The line follows the outside boundaries of the runs.

Mr. STEVENSON said he would like to know the reason why the runs west of the boundary line and opposite the indentation in it had been left out. Were there not a number of people holding land in them, whom the Minister for Lands wished to leave out of the schedule? Why should not the hon. gentleman have taken the outside boundaries of those runs instead of the inside?

The MINISTER FOR LANDS: There would have been a bend the other way then.

Mr. STEVENSON said he knew perfectly well who the men were, and the Minister for Lands could not excuse himself by saying "There would have been a bend the other way then," because those runs could easily have been taken in, if the hon. member had not some object, as the hon. member for Townsville had stated, in leaving certain men outside the schedule.

Mr. MOREHEAD said that if the Ministe for Lands wished to settle the matter agreeably he would probably have made the boundaries parallel with the lines of latitude and longitude and taken a line along the southern border. As the thing stood it certainly looked very suspicious, and after what had been stated that evening it was very suspicious. The Premier had stated that evening that, after the representations made, he would advise his colleague to have the schedule amended and take in the land down to the border, and he thought that was the best thing they could do.

The MINISTER FOR LANDS said that if the boundary had followed the lines of latitude and longitude it would have cut through the runs and made it awkward to divide them.

Mr. STEVENSON: Excuse me; it would not.

The MINISTER FOR LANDS said that would be the case on the Warrego. It was all inferior country that the boundary line cut through, right down to Charleville. There were, of course, patches of good country here and there, but no extent of it.

Mr. STEVENSON: Is it only the southern line that cuts through runs?

The MINISTER FOR LANDS: I do not think the other does.

Mr. GOVETT said the western boundary line neither followed watersheds, creeks, nor the boundaries of runs. In his own case it not only cut through runs but through several blocks on the one run; as well as taking out portions of a run, it cut through blocks of that run. It did the same with his neighbours' runs, and there was no necessity for making a zigzag line. With regard to another matter, the lower part of the country had much better communication than they had, and would have for years. He could tell hon. members of the Committee that he had sent wool along the Barcoo down to Bourke and on to Melbourne, as cheaply as he had been able to send it to Rockhampton. The people on the Warrego had much better communication than they had. The boundary line, as he had said, not only cut through runs, but through the blocks of which the runs consisted.

Mr. MOREHEAD said that, after that information, so utterly at variance with what the Minister for Lands had stated, he hoped the hon. gentleman would withdraw the schedule with a view of amending it. The statements they had just heard from hon. gentlemen had clearly proved that the statements made by the Minister for Lands were incorrect, though perhaps not intentionally incorrectly stated. He took it that, from the additional information which the hon. gentleman had received that night, he would withdraw the schedule, as it was evidently not the one referred to in the clause, and bring it down in a more perfect form.

The MINISTER FOR LANDS said he did not see any necessity for withdrawing the schedule, as he did not see anything in the objections raised. As to the statement made by the hon. member for Mitchell, he doubted whether the line cut through any runs north of the Warrego. Up to the Warrego it certainly did cut through certain runs. He did not think the objections raised by hon. members opposite were sufficient to warrant his withdrawing the schedule.

Mr. MOREHEAD said that the Premier himself had said that he would advise his colleague to amend the schedule so far as the southern portion of the colony was concerned, and it had been pointed out that it required further amendment.

The PREMIER said he thought it was a very good thing that they had had a discussion upon the schedule before they came to it, as it was a matter which required very careful consideration. The boundaries should be very carefully considered. Hon. members especially acquainted with that part of the country could throw additional light on the subject, and their information would be received with every consideration. He should be very glad to hear the opinions of other hon. members who were acquainted with that part of the country. If it were shown that the boundary was not the best that could be chosen it could be altered, but, as his hon. colleague had said, up to the present no good reason had been given for altering it.

The HON. SIR T. MCILWRAITH said he had intended to reserve his criticism of the schedule until it came on, but he thought they had a right to know upon what principle the schedule had been framed. So far as he could gather from the discussion, the Minister for Lands said he had included within the red line the parts of the colony which he considered fittest for close settlement, either from climate, soil, or facilities for communication with the coast; that he had made

an exception to that general principle in the case of the lower boundary, and had left out the whole of the Lower Warrego and Maranoa, because he considered that if it were thrown open at the present time it would be selected by people doing business with New South Wales, whereas, if it were reserved till the Government had made railways there, they could by differential rates divert the trade to Brisbane. He should be glad if the hon. member would state whether he had correctly interpreted his expressions on those two points—the principle by which he had been guided in fixing the boundary of the land included in the schedule, and the principle upon which he had excepted the lower portion of the Warrego and Maranoa.

The MINISTER FOR LANDS said that the hon. member was quite right in saying that his reason for excepting that part of the country was that it was beyond the reach of our railway communication, and also because, with the exception of a small tract on the Macintyre, it was not land of a kind so well suited for close settlement as that on the heads of the rivers. The country was more sparsely grassed, the watercourses were further apart, and the climate generally was more unfavourable. On the heads of the rivers, and nearer to the means of communication with the coast, was an ample extent of country which should be dealt with first, and which, of course, was put in the schedule at once. He did not think it was desirable to induce settlement on the New South Wales border before they had tried the inner country, which was provided with railway communication, where the close settlement was progressing at present, and where the country was best adapted for it.

The HON. SIR T. MCILWRAITH asked if there had not been another principle adhered to —that no more land should be provided than was necessary for the probable requirements within a reasonable time—two or three years? It had been pointed out that afternoon by the hon. member that it would be a bad thing to throw open the whole of the colony to selection, because it would encourage scattered settlement. He quite agreed with the hon. member there. That, of course, had had to do with the determination of the schedule. The Minister had reasonably considered the wants of the colony for the next two or three years, and reasonably expected that that part would all be taken up within the next two or three years. He had intimated that the railway would by that time be within eighty miles of the farthest point of the boundary, and that then the boundary could be extended as desired.

The MINISTER FOR LANDS said he thought they might reasonably expect that the railway would be within reach of the outside boundaries within the next two or three years. Of course the object they had in view in fixing upon the boundary line was to include sufficient land within reach of railway communication to serve all purposes of settlement within that time. He would repeat what he had said before, and what he thought would receive the approval of the hon. the leader of the Opposition — that he had a great objection to isolated settlement, as he thought that—socially, at all events—nothing could be worse for the colony than any kind of free selection which would tend to scatter the people broadcast. The object of the Bill would be, under proper administration, to settle people in certain districts most favourable for settlement. The hon. member for Port Curtis had said that with 20,000-acre blocks there could not be close settlement; but close settlement was only comparative, and this was close in comparison with what now prevailed, when stations were forty or fifty miles apart. They would be close enough to keep up something like social intercourse, and people would feel that they were not absolutely isolated. He would rather see the outer line of the schedule curtailed than extended at first, because they would have the power to extend it at any time. He would rather see it narrowed towards the coast, though he did not think even that would be desirable. As for the Warrego country, if it came rapidly into demand for settlement it would be the easiest thing in the world to throw it open. As for the insinuation that he had been influenced by certain holders of runs on the Warrego or anywhere else, he thought he could afford to treat it with contempt. He did not even know who were the owners of the land outside the boundary, nor did he know the owner of any run from near St. George till the boundary reached Isisford. Beyond that he did know the owners of a good many runs.

The HON. J. M. MACROSSAN said they were told a few minutes before by the Premier that he was glad to get information from people who knew the circumstances of the country; and he had got a great deal of information from those who seemed to know much more about it than the Minister for Lands. Yet the Minister for Lands told them he did not feel inclined to make any alteration in the schedule, notwithstanding that the Premier had said he would recommend him to do so. Whose dictum were they to take? If the Premier wanted any more information about the Warrego, let him read the Warrego Railway debate. No doubt the hon. gentleman would laugh now at the absurdity of the arguments used by himself and his colleagues at that time.

The PREMIER: Certainly not.

The HON. J. M. MACROSSAN said he had not forgotten them, if the hon. member had. The contention of the hon. gentleman, and of those who assisted him, was that the Warrego land was too valuable to be given away for railway purposes. Now they were told by the Minister for Lands that it was not good land fit for settlement. Even if it was not good grazing land—he would not say it was not, but admitting for the sake of argument it was not—yet this Bill provided for different classes of lands. It provided for a class the maximum of which would be 5,000 acres, and for another class of 20,000 acres. Under the clause all that was to be left to the board to decide. He did not think they could make any mistake whatever in including the portion mentioned within the schedule of the Bill, even supposing the land was not so good as stated by the Minister for Lands. Let that portion be given to the 20,000-acre men, and let the better class of land be given to the 5,000-acre men. He hoped the hon. gentleman would take into consideration the information he had got, because he (Mr. Macrossan) knew from what had been said by the hon. member for Mitchell that not only were runs cut up but even blocks of runs. The Minister for Lands must have been extremely ignorant when he drew the schedule, or else he would not have done what it was stated he had done—namely, drawn the line through blocks of runs. Instead of following the water-courses and ridges, as it was said he had done, it would have been much better for him to have done what the hon. member for Normanby suggested —and have drawn a straight line. Then he would have served everyone alike, and have made no distinctions. Why should the runs of the hon. member for Mitchell and his neighbours be cut up as they had been? And yet the hon. gentleman told the Committee that he had

no information on the subject from hon. members on the Opposition side. The whole thing was ridiculous.

Mr. NORTON said they might form some idea whether the Warrego country was valuable from the prices asked by those gentlemen who had runs in the district. They asked enormous prices that in no way corresponded with the amount of stock on the runs. Hon. members could not ignore that fact, nor could they ignore the fact that great numbers of applications had been put in for the pre-emptives of those runs. He had heard that a great many Warrego people had put in applications for pre-emptives, and they would not do that if the runs were of so little value. If it was poor country they did not care to secure the pre-emptives, but they were obliged to secure them in order to keep selectors out. They did not do it simply for the sake of paying the 10s., and therefore the conclusion was come to that their object was to secure so much land which would be taken up by others if it was thrown open to selection. Therefore that was a strong argument in favour of the Warrego lands being valuable. There was one thing referred to by the Minister for Lands which he had forgotten to notice when speaking before. The hon. gentleman had said that the Act might be administered differently by succeeding Ministers as they came into power. He (Mr. Norton) thought that the object of the Bill was to prevent any Ministry administering the Act at all. What was the use of making provision for a board if each succeeding Ministry was to come in and upset the arrangements of its predecessor? That was one of the vital principles of the Bill; he should say the most vital principle. The very object of the existence of the board was to take out of the hands of the Minister any interference with the administration of the Land Acts. He thought that was a matter which required some explanation, because, if it was to be left in the power of future administrations to administer the Land Act in any way they pleased, it was of no use making provision for the appointment of a board.

Mr. PALMER said it was stated by Ministers, in advocating the second reading of the Bill, that there were thousands of young men with capital in New South Wales who were believed to be waiting for the passing of this Bill, and that they would come across the border and take up the lands as soon as they were made available. He thought such a class would be very desirable, especially if they brought capital. He would ask the Minister for Lands what provision he was making for them by cutting out a large skeleton of valuable country in the schedule? They had been told that these young men had no other opening, and were waiting for such a measure, and that that was one of the principal inducements held out for passing it. It would certainly only be a fair thing to give these men a chance to settle down near it instead of keeping them away from the border.

Mr. STEVENSON said the more he heard about this matter the further he got convinced that the Minister for Lands did not know on what principle he drew the line in the schedule, or he made hon. members believe that he had got no other reason than the one given by him. The hon. gentleman had even admitted that he did not draw the line himself at all, and had told the House that he himself would like to see the present boundary of the schedule curtailed; but, thinking that some of his colleagues might object to that statement, he added, "although it might not be desirable." Had not the hon. member anything to do with the schedule, and what was the good of his not having made up his mind upon the question? The hon. gentleman told them also in the same breath that he hoped in two or three years the boundaries would be extended. One moment he wanted to curtail the boundaries, and another to extend them. Did he remember what the Premier said on the second reading, that he considered they had got enough land within the schedule to answer the purposes of settlement for the next fifteen years?

The MINISTER FOR LANDS: No.

Mr. STEVENSON said he could show that statement in print; and he remembered the Premier saying so most distinctly. There seemed now to be such a difference of opinion amongst Ministers that they did not know what to believe, and the Minister for Lands seemed to think that he would like the boundaries curtailed. What did the hon. gentleman mean? Why did the Government not appoint the board at once, and send them out to get information, making the schedule for them as well as administering the Bill afterwards? Then hon. members might be in a position to get some information and know what they were doing. At the present time, if they could not get more information in regard to this boundary, he did not see what was the use of going on with the Bill. The Minister for Lands seemed to have got an idea into his head that he had followed the boundaries of runs. He (Mr. Stevenson) knew he had done so in one or two instances, and most carefully so; but he did not keep to that principle all through.

The HON. SIR T. McILWRAITH said that perhaps there was another principle that influenced the Minister in making the schedule, and that was the length of time some of the leases had to run. Had that nothing to do with the formation of the red line on the map? Had the Minister taken into consideration the number of years that some of the leases had to run?

The MINISTER FOR LANDS: No.

The HON. SIR T. McILWRAITH: Well, he did not perhaps understand the hon. gentleman correctly, but he had understood him to say that he thought the present schedule would do for two or three years, and that after that time the course of settlement would require that it should be extended. What was the opinion of the Minister in regard to the progress of settlement? Had he provided for settlement for two or three or fifteen years, as the Premier had stated? What length of time had he provided for? He must have made some estimate.

The MINISTER FOR LANDS said he had made no estimate of that kind. What he had to do was to see that there was sufficient land for two, three, five, or ten years. If there was not enough, more could be at any time added by the administration. It was always within the power of the Government to extend the area so as to meet all requirements. There was certainly no necessity for curtailing the area.

The HON. SIR T. McILWRAITH asked whether the hon. gentleman was satisfied that he had provided enough, and no more, land to meet the probable requirements of the colony? He quite sympathised with the idea of the Minister for Lands, that solitary settlement outside was good for nobody. Was the hon. gentleman satisfied that he had not erred by giving too great facilities in that direction?

The MINISTER FOR LANDS said there would be no isolated settlement. Settlement would be together, and it would be a matter of administration how it should be distributed over that area. Spots would be fixed upon, and settlement would gradually extend from those points.

The HON. SIR T. McILWRAITH said he scarcely understood the hon. gentleman. Within the red line there were about 160,000,000 acres of land, and according to the Bill one-half of that land would be left in the possession of the present lessees, and the other half would be thrown open to selection by pastoral or agricultural lessees. If that were so, how could the Government, by the administration of the Act, decide where selections should be taken up within those 160,000,000 acres? There would be unlimited selection over the whole of it.

The MINISTER FOR LANDS said that would not be the case. It was true that one-half the runs would be resumed, but it would be for the Government to say where settlement should take place. Portions would be thrown open from time to time, in given localities, for settlement; which was a very different thing from allowing settlement over the whole of that enormous tract of country. Wherever settlement was most desirable land would be set apart by the Government from the resumed halves of the runs, for occupation either by surveyed selections, or selections before survey.

The HON. SIR T. McILWRAITH said he was at last commencing to understand the Bill from the hon. gentleman. It now appeared that the localities where settlement was to take place were to be decided upon by the Government at the instigation of the board. In fact, it would be left entirely to the department. Had the department, up to the present time, come to any general conclusion as to the amount of land that ought to be thrown open for selection in the various districts of the colony, and the probable amount of settlement that would take place within the next two or three years?

The MINISTER FOR LANDS said it would be quite premature, before the Bill was passed, to determine what amount of land should be thrown open, or where.

Mr. MOREHEAD said he was glad they had at last extracted the kernel of the Bill from the Minister for Lands. The hon. gentleman had expressed his disapprobation of the principle of free selection all over the colony, as in New South Wales, which, at any rate, was a straightforward system; and had told the Committee that the principle to be adopted in Queensland was to be free selection in certain localities to be decided upon by the board and the Government. That was a very much more dangerous thing. If the Minister or the board were influenced by a desire to injure any particular individual or locality, they might declare that individual's land, or the land in that locality, to be open for selection. He had never known till now that that was the intention of the Bill, and was glad to have been made acquainted with it. The Minister for Lands had said that it was from runs that had been held by the longest tenure that most land should be taken. Would the hon. gentleman inform the Committee what was the tenure of the bulk of the land excluded from the schedule—the portion lying between the southern red line and the northern border of New South Wales? If the hon. gentleman did not know, he (Mr. Morehead) would tell him. The bulk of that land in the Maranoa district, the Balonne, and the adjacent country, were leased under the Orders-in-Council and had been since held under the Act of 1869. In the Warrego district the lands had been held for almost as long a time. They were certainly held in 1869, and most of them under a twenty years' tenure. And yet those runs were to remain intact, while others only a very few miles north of them were to have half their area taken away. Those southern runs dealt with New South Wales; it must be a blessing to deal with New South Wales. Instead of being cursed for it, those runs were to be specially blessed, and they were not to suffer any invasion whatever from selectors. Had the hon. gentleman ascertained what portion of the runs within the schedule dealt with Brisbane, and what with New South Wales? The hon. gentleman had evidently been grossly misinformed on the subject. If he had made the proper inquiries on the subject there would have been no such "gerrymandering" southern boundary to show what particular runs dealt with New South Wales and what with Brisbane. He hoped that the promise made by the Premier that the lands lying between the southern boundary line and New South Wales should be embraced in the schedule would be carried out. He thought that after the ignorance shown by the hon. gentleman with regard to the nature and quality of the land, not only inside but outside the schedule, and the effusive gratification and thankfulness with which he had received information on that point given by hon. members on both sides, it would have been as well if he and his colleagues—including even the hon. member for Maryborough—had travelled about a little, or at any rate appointed a commission to inquire into the subject before bringing forward such a Bill. He was perfectly certain the Premier knew very little about the portion of the colony that it was proposed to deal with; and he thought it would be as well if the Government, even at the eleventh hour, were to take steps to get the best possible information relative to the value of the land before they asked the Committee to agree to such a measure as that before them.

Mr. NORTON said he thought that what the Minister for Lands had told them was really very important. He had understood that there was an object in bringing in the Bill; but it appeared there was none. If the whole of the land contained in the schedule was not to be thrown open at once, what was the object of it at all? Why should they not include the whole of the colony, and let the board recommend what portions should be thrown open? At present it was utter folly. He did not think a single member of the Committee imagined for one moment until now that it was not intended to throw the whole of those lands open at once. That was the basis of the argument of the hon. member for Townsville the other night. He took the whole of the land and calculated that the Government would receive so much per acre from it. The whole of the arguments hitherto used had been misleading. For his part, he did not know why the schedule should be introduced at all. He took the same view as the hon. member for Balonne. He thought that what was "sauce for the goose was sauce for the gander." The result would be, he knew, that on one side men would "eat, drink, and be merry," and that on the other they would be snuffed out. It meant that those outside would have to give advantages to those who were inside the red line, and that really was a most important point. He should like to know what they were doing, as at the present time they were working in the dark. He was quite sure that the country thought exactly as did hon. members—that the whole of these lands were to be thrown open. There had not been a single article or letter written on the subject, in which there had not been evidence that that was the opinion of the writers. Now the Committee were told that the schedule was only a matter of form.

The PREMIER said that really the statement of the discovery that had been made by two hon. gentlemen was quite refreshing.

Mr. NORTON: I am glad to hear it.

The PREMIER: The only way he could account for it was either that they had not read the Bill or listened to the debate. It had been the practice since 1868, that only a portion of any of the country available for selection should from time to time be thrown open; that was the principle upon which land legislation had been based, and the Government had not proposed in the present Bill to depart from it. They proposed to include what they thought was a sufficient quantity of land, so that from time to time it could be thrown open as required. That differed from the principle in New South Wales, where there was free selection over the whole colony. A sufficient quantity would be made available for settlement, and other portions would not be disturbed until they were required. That was the principle of the Bill.

Mr. NORTON: What is the principle of the schedule?

The PREMIER said the principle of the schedule was this: It was proposed by the Bill to throw open for settlement a portion of the land occupied by pastoral tenants. That was an important part which had been explained at very great length. It was thought that it would be better to give pastoral tenants a more secure tenure, and that they should give the State a better price for the advantages they got; the remainder of the land would be thrown open. It had been pointed out that it was not desirable that that principle should be applied all over the colony at once, because there were many parts in which the present tenure for present purposes was sufficient—parts which had not been long enough occupied by the pioneers. That had been assumed throughout the debate up till now, when that extraordinary discovery had been made.

Mr. NORTON said he was quite sure the hon. gentleman must have made the discovery himself. If he looked inside the schedule there were runs that had not been occupied for the last two years.

The PREMIER: We cannot help that.

Mr. NORTON: But why should they be included in the schedule?

The PREMIER: Some of the runs in the schedule never have been occupied and never will be occupied.

Mr. NORTON: Then what was the use of putting them there? They were told that land was put in the schedule in order to be thrown open for selection; but if it was not put in the schedule, what was the use of the schedule at all?

The PREMIER: The schedule is the boundary.

Mr. NORTON said he was quite aware of that; but he did not see that the hon. member defined what it was the boundary to. It seemed to him that they were trying to make "fish of one and flesh of another." The hon. gentleman said that the principle of the present Act was to throw open for settlement only such country as was required for use. But the Bill was different to that. Nobody ever dreamed for a moment that the present Act could be applied to this Bill; the two were different altogether. Hon. members on his side had every reason to feel surprised at the admission made by the Minister for Lands a short time ago, that it was not the intention of the Government to have the whole of the lands included in the first schedule thrown open for selection as soon as they were brought under the Bill. The argument used by the Minister for Lands for not including the Warrego lands was, that if it was thrown open a number of persons who lived in New South Wales would select them, and would take their trade to New South Wales, and it would be difficult to get it brought back to Queensland; also that their railways were still so far from that part of the country that by the time they reached there the trade would have settled down to New South Wales. But having made that admission that the intention was not to throw open the whole of those lands for selection as soon as the Bill became law, he (Mr. Norton) thought the force of that argument was done away with altogether; because, if the land were to be thrown open here and there, that part of the country need not be thrown open until it was required. Therefore there could be no possible chance of those men coming from New South Wales and taking up selections all over it. Under those circumstances, it was absolutely impossible that those men could go there and enter into any trade which would go permanently into New South Wales. The one statement was absolutely at variance with the other. But setting that question aside, the Premier got up to defend the statement of his colleague. He said the intention was not to throw open all those lands at once, but they were to be guided by the principle that had been followed hitherto. The lands were to be available for being thrown open, but were not to be thrown open until they were wanted. The object of including so large a piece of country inside the schedule was that the Government did not think they had paid enough rent, and the reason the hon. gentleman gave for leaving other runs outside the schedule was that they had not been occupied sufficiently long for the lessees who had possession of them to derive the full benefit of their lands. That argument would not apply to the Warrego, in which district runs had been held almost as long as any in the colony; and why should other runs be brought into the schedule and forced to pay a higher rent on the ground that they had been held longer? They had all along understood that the Bill was intended to throw open land for settlement because it was wanted; but now they were told that it was not wanted at once. Certain runs were to be included in the schedule that they might be forced to pay a higher rent than they could be made to pay now; and it was simply a matter of extortion to bring them into the schedule under the circumstances. One argument of the Minister for Lands was completely upset by the other; and which of the two the Premier intended to support they could hardly tell, but the supposition was that it was the second. To his mind the whole object of including so many of the runs in the schedule was to extort from them money, which the Government wanted, but for which they were not entitled to ask under the present Act.

Mr. MOREHEAD said he was inclined to ask the Minister for Lands whether any arrangement had been come to between him and the Premier in regard to the exclusion of that southern portion of the colony from the schedule, because they had received a distinct expression of opinion from the Premier that it should be included, after what had been heard from hon. members.

The PREMIER: That is not what I said.

Mr. MOREHEAD: The hon. gentleman did say so.

The PREMIER: I did not.

Mr. KELLETT: No.

Mr. MOREHEAD said he did not want the answer of the hon. member for Stanley, who appeared to act as a sort of buffer for the Government.

Mr. KELLETT: I say "No" again, whether you like it or not.

Mr. MOREHEAD said he neither liked nor disliked it; but he wished to get an answer from the Premier, and not from the hon. member for Stanley. When he asked the Premier a question he thought he was right in protesting against that question being replied to by the hon. member for Stanley. They were not going to duplicate the Premier in that way, he hoped; for, low as his opinion of the Premier was, he should be sorry to see him duplicated by the hon. member for Stanley. What he asked the Premier was whether, after the nature of the country excluded from the Bill had been pointed out—which he admitted was information to him—whether he was going to carry out the certainly assumed promise he made that those lands should be included in the schedule?

The PREMIER said he did not quite know what the hon. gentleman wished to know, and he was sorry he did not express himself more clearly. The hon. gentleman said that he promised that the lands in the southern portion of the Warrego district should be included in the schedule; but what he said was that if it were shown that those lands were likely to be required for settlement immediately he should advise his hon. colleague to propose an amendment in the schedule to include them. He invited an expression of opinion from hon. members who had a knowledge of the country, of which he himself had no personal knowledge; and he was surprised that they had not met his suggestion. He had explained the principle on which the schedule was framed. If those lands were likely to be required they ought to be included in the schedule, but if not they ought to be left out till required for settlement.

Mr. MOREHEAD said that all he now asked was that an unrevised proof of what the Premier did say should be served out to hon. members to-morrow morning.

The PREMIER: You will get one in the morning.

The HON. SIR T. MCILWRAITH said the Premier had informed the Committee that he had explained the principle on which the schedule was framed; but that was just the information they had been trying to get. He had asked the Minister for Lands whether the time pastoral lessees had held their runs was one principle on which the schedule was framed; and the hon. member said it was not, and the Premier rose within five minutes, and distinctly said that was one of the principles on which it was framed; that the pioneers of the Western and Northern districts had been considered, and that it was not right that they should try to force closer settlement on the men who had not enjoyed their leases for a considerable time. That was a most distinct contradiction.

The PREMIER: Not at all.

The HON. SIR T. MCILWRAITH said in that case he must plead guilty to not understanding the Bill, and, further, to not understanding the Premier when he spoke clearly — and the Minister for Lands, too. He thought the position to which the Government had reduced themselves in framing the schedule was a proof that no schedule should have been framed. All lands comprised in the first schedule were those to be operated on by the 3rd and 4th sections of the Bill; but when pressed to say what action the Government were likely to take under those sections they said they would be guided by the Bill, which left it to them to throw open for selection the amount they considered necessary for selection. The Government now said that not more than a certain part of the land was required at present, and they reserved the power to say how much should be thrown open. The Minister for Lands said—and he said rightly—that it would be very injudicious to throw open land for selection in such a manner as to lead to scattered settlement; but did he not consider that that remark would apply to a great deal of the land contained in the schedule? And if all the land were not thrown open, what became of the calculations of the Treasurer, which were based on the increased rents to be got from selectors of the whole area inside the schedule? He had tried all he could to get from the Minister for Lands what portion would probably be selected within the next two or three years. The hon. gentleman said he did not know whether it would all be taken up within the next two or three years, or seven years; he went as far as that. It was well that they should know what were the calculations of the hon. gentleman. He said all that was wanted was to pass the Bill. What hon. members on that side wanted to know was, what would be the effect of the Bill on the country? Would it induce settlement? The only effect of the schedule, as far as he (Hon. Sir T. McIlwraith) could see, was that it would educe a sympathy from the outside squatters in the meantime, by telling them that they would not be interfered with; the other power was kept in the background to prevent any opposition to the Bill. The Government reserved the power of altering the red line on the map whenever they thought proper; within that red line they held the power over every pastoral lessee of throwing open all the reserved part of his run. Was that a power to be delegated to the Minister? The hon. gentleman who now held the office of Minister for Lands claimed that such power as he at present possessed should be taken out of his hands; still he sought for himself greater power than was enjoyed by any previous Minister for Lands. He (Hon. Sir T. McIlwraith) thought the Government should declare their policy at once. They ought to have made a schedule of such restricted area as, from their calculations, would be taken up in a reasonable time, and to have indicated what other portions would probably be taken up afterwards. The whole Bill was simply to give the Ministry of the day power over the pastoral lessee. It was claimed by the Government that pastoral leases had not been properly defined; that the tenure was bad for the lessees and bad for the country; but they were now placing the Crown tenants in a worse position than before. The hon. gentleman had told them that he had no idea what amount of settlement would take place. If it was going to be left to the Ministry of the day—at the instigation, of course, of the land board composed of two commissioners—to say what portion was to come under sections 3 and 4 of the Bill—and, further, if it was to be left to the Ministry of the day to say what portions inside the schedule boundaries were likely to be thrown open for selection—then he considered that was a very unsatisfactory position for Parliament to be placed in. They did not wish to delegate any such power to the Ministry. They wanted to declare now what portion should be thrown open to selection, and to disturb the lessees as little as possible. But the Bill would leave their position as undecided as it had been hitherto, and would afford no better means for the settlement of the country. No reason had been given why the schedule should be put in the Bill. Every reason that had been given showed that the whole colony ought to be in the schedule. That was the only conclusion he could gather from the arguments of the hon. member.

The PREMIER said the hon. gentleman stated that there was an inconsistency between what he (the Premier) had said and what his

hon. colleague the Minister for Lands had said. There was no inconsistency whatever. The hon. member asked why the whole colony was not included in the Bill. He (the Premier) gave a reason why it was not—namely, that the 3rd part of the Bill dealt with existing tenures, and that it did not appear necessary or desirable that all existing tenures should be dealt with at once. That was the reason he gave. Another question was asked: Whether, in tracing the exact position of the western boundaries of the schedule, any attention had been paid to the length of time the land on the boundary had been held under lease?—and the Minister for Lands said "No." Those were two entirely distinct things, and there was no inconsistency whatever in the matter. The questions were asked with reference to two entirely different matters, and two distinct answers were given. Of course, if it was determined not to require all existing leases to come under the operation of the Bill, that was a very good reason why the line should be drawn somewhere. Where it should be was another question, but it was a good reason for not applying the Bill to the whole colony at once. It was a reason which the Government considered sufficient. With respect to allowing the Government on the recommendation of the board to determine what area should be thrown open to selection, as he had pointed out before, they were simply following the existing law. What the hon. member seemed to argue was, that there should be free selection in the whole country included in the schedule.

Mr. NORTON: On the resumed halves of runs?

The PREMIER said, of course, over the resumed portions. The hon. gentleman also stated, in effect, that he saw no objection to extending it over the whole colony. As the hon. member had two or three times that afternoon expressed entirely opposite views, it was impossible for him (the Premier) to follow the hon. gentleman. He might not be bound to take any view; he might content himself with criticising; but why should he express contradictory views when he asked for information?

The HON. SIR T. McILWRAITH said the information previously given to them was in answer to a question. He asked the hon. gentleman one question and sat down. The question was—Had the hon. the Minister for Lands taken into consideration the length of time the pastoral lessees had held their lands, in defining the area comprised inside the schedule?—and he distinctly answered "No." The Premier was out at the time the reply was given, and could not have heard what was said.

The PREMIER: I heard it.

The HON. SIR T. McILWRAITH: The Premier afterwards rose, and in one of his claptrap speeches said—"Why should we harm the pioneer squatters at the present time? They have not enjoyed their leases long enough; we have purposely kept them outside the schedule." The hon. gentleman said he did not understand him (Hon. Sir T. McIlwraith). He said that he (Hon. Sir T. McIlwraith) had made two or three speeches and contradicted himself. Now, he had only spoken once on that point, and he had confined himself very much to asking questions. The Minister for Lands had distinctly said that the schedule had been framed so as to include those portions of the colony in which settlement was likely to take place from the nature of the soil and climate, and from the extension of railway communication. The Colonial Treasurer, afterwards, in several speeches, had certainly given the country to understand that as soon as that Bill passed, the resumed halves of the runs would be thrown open to selection, both agricultural and pastoral. In fact, the whole financial position of the Government depended upon that Bill. The hon. Minister for Lands must know, if one was drawing information, he was not bound to show what he knew of a matter. Perhaps, by a little more of the same kind of diplomacy, they would get some other information from the hon. member. He (the Hon. Sir T. McIlwraith) was perfectly well aware of the fact that the Government had reserved power to themselves—that they could proclaim certain districts open to selection. From the speeches made on the Government side of the House on the intended operation of the Bill, it was to be assumed by hon. members on that side that all the halves of runs were to be thrown open to selection at once. Not only that, but it might all be taken up at once. That was what he wanted to get at. He wished to point out what a very great danger that was. What he said was that the Government had the power under the Bill to bring the whole colony under the Bill, by their own action with the board—of course, at the instigation of the board. They nevertheless made a defined line and said only the portions inside that line would be brought under the operation of sections 3 and 4; but they reserved the additional power. They said, "We do not want to bring it all under the operation of the Act at once, but only as we ourselves proclaim it." If they had the power of saying that the land within the schedule should be proclaimed, and the further power of extending the schedule, why in the name of common sense could they not at once say to Parliament, "Put the whole of it under the operation of sections 3 and 4, and take that quibbling power out of the hands of the Government"? It was a most enervating power, and a power which the Government should not have, to hold in terror over the heads of the pastoral tenants in the colony. They had seen the effect of it already. It had been filtered through their supporters to some of the squatters. They had been told—"You are not going to be touched. You keep just as quiet as you like. You will not be touched." That sort or thing would go on until they passed the schedule, but the power was reserved all the time. It was a power which they should not have. The Government ought to let those men clearly understand what their object was, and they should let them know as clearly as they possibly could what they meant to do with themselves and their leases. He said the Government ought undoubtedly to have full power, under certain restrictions held over them by Parliament, to throw open for selection of certain kinds any part of the colony. He said they ought to have that power, but it ought to be clearly defined by Parliament; and they ought not to pass a Bill leaving a great number of squatters outside of it and others inside of it, and the Government, with that double arrangement, having a power over both of them. They had got an immediate throttling power over all the men inside the schedule—inside the red line—and they had got the same power a little extended, over the men occupying the land represented by the white space on the map. It might happen that the very centre of the white space, by the discovery of a goldfield or something of the sort, might become a very suitable place to bring under the operations of sections 3 and 4; and he said that if it was a good thing for the Government to have the power to bring the part within the red line under the operation of those sections, let them have it all over the colony, and let them define strictly what those powers were, and let them not try to pass an Act of Parliament

under false pretences. At the present time the Government were trying to do everything they possibly could to let the outside squatters know that they were not to be touched; and it was quite possible that they would not be touched for some time, but it was a very bad thing that those men should not be definitely told what their actual position was. He said the Government wanted to hold them in terror, and it would be a better thing for the Government, if they wished to carry out the object of the Bill, to include every part of the colony inside the schedule.

The MINISTER FOR LANDS said the hon. gentleman had said that the land comprised within the schedule was either too extensive or not extensive enough, and that they should define the portions thrown open for settlement. The object in making the line was to resume enough land for possible settlement.

HONOURABLE MEMBERS: For how long?

The MINISTER FOR LANDS said he did not care how long—it might be for two or three years. The only reason why the schedule was not to be extended to include the whole of the colony was that in the greater portion of the district outside of it the runs had only recently been taken up, while the runs inside the schedule had been held for some time, with the exception of those near the New South Wales border. He did not take particularly into consideration the length of time the runs were held, in arranging the schedule, the object chiefly being to include in the schedule the land which was most likely to be resumed for settlement. Squatters outside as well as inside the schedule knew perfectly well that, when their land was required for settlement, they would have to move on; and he believed they would be prepared to move on. That was the opinion he held, and the opinion held by a great many squatters. The hon. member must have a very poor opinion of squatters if he thought they could be fooled into thinking that because they were outside the red line they were to be free from settlement, if settlement were found to be necessary upon the lands they held. They were not likely to be fooled in that way; they knew perfectly well the powers the Government had under the Bill, and that they could bring their runs under the Bill at once if it were necessary to resume their lands for settlement. Squatters could not, therefore, fancy for a moment that they were deluding them by leaving them outside the red line, nor could they think that they were holding that power *in terrorem* over them. They would all come under the Bill, both far and near—inside and outside the schedule—if their land was required for settlement; but the portion within the schedule was that which would be required for settlement in the first instance, for the reasons he had already stated. The hon. gentleman said the position of the squatters was a very uncertain one within the schedule; but he thought their position was a very sound one indeed. They had half their runs for a certain fixed time, and a portion of them was resumed for settlement; and if that portion was not immediately required for settlement the squatter held it under the present rates. There could not be a fairer way than that. Each man held his land until it was required for settlement, and he always had recognised the fact that when a portion of the land was required for settlement he would have to give way.

Mr. STEVENSON said that, after what had fallen from the Minister for Lands and the Premier, however sound the position of the squatters inside the schedule might be, the position of those outside it was very uncertain indeed. They were told by the Minister for Lands that he had taken enough land inside the schedule to satisfy *bonâ fide* settlement for two or three years; and they were told by the Premier that they had taken enough land to satisfy *bonâ fide* settlement for fifteen years.

The PREMIER: I never said anything of the kind.

Mr. STEVENSON said the hon. gentleman contradicted him before that evening, and if he now said that he never said anything of the kind, he did not know the meaning of his own words. The hon. member thought probably that he had sufficiently corrected his speeches to be able to contradict him as usual.

The PREMIER: If you think so, read the daily *Hansard*.

Mr. STEVENSON: Would the hon. member listen to him instead of snarling like a native dog? The hon. gentleman said in his speech on the second reading of this Bill:—

"What we propose to do is to take a sufficient quantity of land to satisfy the demand and accommodate *bonâ fide* settlers for fifteen years, within the schedule area."

The PREMIER: Hear, hear!

Mr. STEVENSON: What did that mean? Did the hon. gentleman fancy that he had not eyes, and could not read? How were Ministers going to explain that? One Minister had shown that they had got enough land to last for fifteen years; and the Minister for Lands, who was supposed to be in charge of the Bill—though he knew very little about it—he thought at first he could bring in a Bill, but he had got so mixed up with his colleagues that he did not understand what it was, and he said they had only sufficient to last for two years. They should not leave people in the dark. Let the Premier explain upon what calculation he based his statement that they had enough land inside the schedule to last for fifteen years; and let the Minister for Lands explain why he was of opinion that they only had sufficient to satisfy the demand for settlement for two or three years. Let them give them something satisfactory to go upon, and give them some information by which they could understand something about the Bill.

Mr. MOREHEAD said that there was one point which had been pressed ever since the commencement of the debate, so far as his side of the Committee was concerned, but had never been properly dealt with by the other side, and that was the revenue question. The hon. member for Townsville, in a speech which he did not think had had its equal in any debate that had taken place on the Land question, asked questions with regard to the revenue-producing effects of the Bill, which had never yet been answered. They ought to have heard something from the hon. the Colonial Treasurer—who, perhaps, was not so wise as he looked—as to what income they could expect to derive from the lands under this new system, more especially as they found that the area from which this income was to be derived was becoming very much circumscribed, instead of the whole colony being included, as it must have been included, in the calculations made by the hon. the Minister for Lands when he was travelling round the colony, and made this bastard production—as the Minister for Lands must confess it to be. Three Ministers had stated that they were prepared to bring in a Land Bill which would produce a revenue sufficient to allow the borrowing of nine millions; the hon. the Colonial Treasurer had since increased it to ten millions in his Budget Speech, in order, perhaps, to get into the decimal system. But he was very reticent about the way in which the interest

was to be provided from the public lands for such an indebtedness; he had not told them how this excessive revenue was to be produced; in fact, he had actually hinted in his speech that evening the area from which the increased revenue was to be derived. He had told them that not only was the whole colony not to be dealt with immediately, but that he was prepared to still further limit the area from which rent was to be obtained. The hon. the Minister for Lands and the hon. the Premier had talked a great deal about throwing open the lands to the people, but when they were cornered on the subject it appeared that they were only prepared to throw open such of the land as it might suit the Minister for Lands of the day to throw open. This great gift they affected to make to the people was a sham. He (Mr. Morehead) was prepared to prove that the Act of 1869, which it was proposed to abolish, gave very much more liberty to the people of the colony to get access to the land than the measure which he held in his hand. The tenure of the squatter under the Act of 1869 was a six months' tenure, subject to certain conditions which had never been enforced as regarded the land being restored to the hands of the people when required. If this Bill passed, and the area open to selection were limited by the schedule, and still further limited by the action of the Minister, the people would be in a very much worse position than under the Act of 1869. So far as he knew, there had been no cry on the part of the people for land which had not been satisfied under the Act of 1869, and the other Acts worked in common with it. The Minister for Lands should have shown that by allowing the present Bill to become law, and agreeing to the schedule, one of two things, or both, would have been brought about—either that the people would have easier access to the land and be able to acquire it more readily—which should be the first motive to induce a legislature to deal with the Land question—or that there would result such an increase to the Treasury that extensive public works could be carried out to open up the lands and make them more valuable to the individual and to the State. If the Minister had done that, his position would have been intelligible; but he had not shown either of those things. He (Mr. Morehead) maintained that, under the Act of 1869, there existed all the machinery necessary to throw open to the people, not only the land included in the schedule, but every acre of the colony. That Act had been in existence for fifteen years and had never yet been abused in any way whatever. Hon. members opposite might laugh, but it was true; and he maintained that, no matter what Government had been in power, whenever an application was made for land to be thrown open under the Act of 1869, it was acceded to. He defied the Minister to point to one single instance under any Government, even under the Government of which he (Mr. Morehead) was a member—which might account for the stupendous hatred of the hon. member towards that Government, though it was hard to see why it should—he defied him to point to any instance since the passing of the Act of 1869 where an application for land to be thrown open for settlement was refused. He (Mr. Morehead) could point out where, during the short *régime* of the hon. gentleman, he had refused facilities for forming commons to townships in his (Mr. Morehead's) district; but he made no complaint of that, because he expected no other treatment from the hon. member—he got exactly what he expected from him. He contended that the Act of 1869 contained within itself every power, and every privilege, and every opportunity for the people to get land when they required it that the present Bill could give. When the voice of the people, as heard through the Parliament, demanded that land should be thrown open to them, there was no power in the colony to prevent it. There could be no doubt about that. If it came to a question of increasing rents, that was another question altogether. He held that the rents paid upon the Crown lands of this colony was a matter that was not of very great consequence so long——

The MINISTER FOR LANDS: Hear, hear!

Mr. MOREHEAD: The hon. gentleman said "Hear, hear," and he said it in a sarcastic way. He (Mr. Morehead) said it in a serious way. He repeated that it was not of much consequence so long as the present holders of the land were compelled to utilise it in some way or other. He would prefer to assess the value of each block of country at its minimum capability, and tax the holder at per head on the stock; but to interfere, as the Bill proposed to do, with rights already established—with rights that had been highly paid for—and in many cases where not highly paid for, at all events very hardly earned—was an act of what he might call spoliation. He would again ask hon. gentlemen's attention to the 1869 Act and ask them to read it carefully, comparing it with the present Bill, and then say seriously whether they did not consider it the best system. The 1869 Act gave the absolute right of resumption on the part of the Crown, whereas the Bill that he held in his hand entailed the absolute blocking up of the lands of this colony for many years in the hands of the squatter. Those were the two contentious points, as far as he could see. In the one case they had the absolute right of resumption, and in the other, the locking up of the country for fifteen or twenty years. That was not what he would have expected from a Liberal Government. He trusted that after what had fallen from the Premier, and after what had been pointed out to him with reference to his lack of memory with regard to the fifteen years' business, that he would have regard to what had been said that night, and consent to the extension of the schedule to the other portions of the colony; more especially as it had been pointed out that that portion of the colony was highly rented country, and was at least as valuable as four-fifths of the country included in the schedule.

The MINISTER FOR LANDS said the hon. gentleman who had just sat down stated that the Act of 1869 gave ample power to resume in the unsettled districts of the colony all the land that could possibly be required for settlement. He granted that it did, and he was doing his best to frame a measure in such a way as to abolish such an injurious method, which might be used at any time to wipe out entirely half the pastoral lessees of the colony. The present Bill proposed nothing of that kind. It secured the pastoralist by restricting his holdings to the smallest possible area, and under it not more than one-half of a run could be resumed. Under the Act of 1869, the Government, at their own sweet will, could wipe out any squatter they pleased. That was a very wrong power for any Government to possess, yet the hon. gentleman said it had been worked by every preceding Government in such a way as to make ample provision for settlement in the pastoral districts. He knew of two or three districts, and more especially the Mitchell district, where the lands were thrown open round about Blackall in 640-acre blocks, and it was only in consequence of the representation of Mr. de Satgé, who was the member for the district, that the area was increased to 1,280 acres. No man

knew better than the hon. gentleman that 1,280 acres was about as useless for any man to settle upon as it would be to give a man a rock instead of a loaf of bread. It absolutely excluded settlement. Then there was an attempt made to further increase the area, but that was resisted. Every squatter knew that if he was screwed down to 1,280 acres it was perfectly useless to him, yet at the time the Mitchell lands were being dealt with in that way the sugar lands in the far North were sold at 5s. an acre for 5,120 acres. The Mitchell lands were comparatively poor as compared with the sugar lands of the North, as far as their use for agricultural purposes were concerned; yet the price of the land around Blackall was 10s. an acre, and the limit 1,280 acres. The hon. member claimed credit for the late Government for looking at the question in a sensible way; but he maintained that it was the very reverse. They gave unlimited powers to the absorbent desires of men in the sugar land districts and restricted settlement elsewhere. That was not the way in which to encourage settlement or to give a chance to the small pastoralist, and that was not what the present Bill was intended to do. It was desired to so shape the measure as to give a fair chance of success to the small pastoralist, and it was not the desire or the intention to injure the present pastoral tenant in any way. He had got a fair holding and a fair tenure, and all he would have to do would be to make room for the extension of settlement, as it was required, by giving up portions of his run. One-half of his run he had upon a fixed tenure; and no squatter would be foolish enough to maintain that it was not a fair thing to ask him to give up the remaining half when required for closer settlement.

Mr. MOREHEAD said he knew very well about the resumptions that took place round about Blackall, Aramac, and Tambo. They were made when he was member for the Mitchell, and at his representation; and he had no doubt about this: that, had the hon. gentleman owned Tambo at the time that the resumption was made round it, he would have been one of the most violent objectors to the scheme. The hon. gentleman was one of the most tyrannical and impounding owners of country he had known as an occupant of Crown lands. A bigger tyrant never existed. The hon. gentleman might laugh as he liked; it was true, nevertheless. The firm at that time was Bell and Dutton, and the hon. gentleman was the most tyrannical and overbearing of neighbours. He (Mr. Morehead) maintained still, and would continue to maintain it until he was contradicted by a better man than the Minister for Lands, that the Act of 1869 itself provided for everything that the present Bill provided for, and provided for it in a very much better way. With reference to the 5,120 acres which the hon. gentleman spoke of, he believed that settlement could be encouraged in that way; but if the proposed 20,000-acre selections were to be gone in for, no sooner would one of those immense areas be mopped up than others would follow, and it would be found that large portions of the colony would be dummied. That would not exist under the other Act, and he did not think that the hon. member would get up and tell him that the towns of Tambo and Aramac had languished in any way on account of the areas that had been thrown open there for selection—on account of the maximum area being fixed at so low a rate. He knew that around Aramac the lands had not been taken up, and yet the hon. gentleman pretended to tell them that the reason why they had not been taken up sooner was because there was no land to be obtained for selection. There had been no desire by people in those localities to ask for those larger areas being thrown open, and the Minister for Lands knew that as well as he did.

Mr. BROOKES said he would honestly confess that he laboured under the disadvantage of not understanding the land laws of the colony; he believed they would fill a tolerably sized book; but this he did know—that it was utterly absurd for the hon. member for Balonne to talk as he had done about the land law of 1869. The hon. member might just as well talk about the land law of 1669. The land law of Queensland of 1869 was, to all practical intents and purposes, obsolete and unintelligible. He was aware that that remark would be received by hon. gentlemen on the opposite side with derision, but he would repeat that that land law was obsolete and unintelligible. Hon. members might wonder how he arrived at that extraordinary conclusion. Some eighteen months or two years ago he took up a number of a London newspaper called the *Field*—which he need not tell the Committee was a paper devoted to such questions, amongst others, as the one they were now discussing—and there he saw a short letter which struck him with a great deal of force. Someone had been writing to the editor of the *Field* asking him on what terms young men with capital would be able to settle in Queensland. That question was of some little interest to him, because some thirty or forty years before, when he thought of coming to Australia, he had asked himself, "What shall I be able to do when I get to Queensland with a small amount of capital?" The editor did not reply, but a correspondent did, and that reply was to the effect that it was no use going to Queensland or any other part of Australia, unless the person wishing to go out had command of a great deal of capital; that the land was locked up, that it was in the possession of a clique, and that unless a man could get into that clique he had no chance of getting a run. The letter further explained the way in which runs were sold. If, for instance, the price of a run was £50,000, the run could be bought for £10,000 in cash, but the buyer must be able to give bills that would be taken for the balance. That meant, "Do not go to Queensland." It meant, "You should give up Australia." It was of no use a young man, or an old man, with only a small amount of capital, coming to Queensland, because the lands were in the hands of a clique—of a vested interest; and that vested interest it was sacrilege to try to break into. Unless a man possessed a very large amount of money or a very large credit he could not break into that sacred ring. What he wished to point out was that that letter was true; that it had been perfectly preposterous and chimerical for any person to think of coming to Queensland with a moderate amount of capital to join the ranks of the squatters. The figures and the names he (Mr. Brookes) read the other day would show that what he had said was not without foundation. One reason why he liked the present Bill was that it held out the hope that they would be able to break through that ring. He had always understood—taking an outside view, and perhaps a very verdant view, of the matter—that the Orders-in-Council from the Imperial Government were the basis on which all squatting tenures in this colony rested, and that that basis was that any squatter should give up his run when it was wanted for public uses. That was his simple view, and he believed it was the correct view; and when he remembered that, he could well understand the sort of talk they had listened to from the opposite side of the Committee. The moment people began to speak about opening the lands for a more extensive public use, they threw open the door to exactly such talk as that to which he referred. The hon. member talked

about the Act of 1869, but really he must speculate very much upon the credulity of the Government side when he attempted to describe to them the advantages of that Act. If that Act had any advantages at all, he did not think it would have been possible for him to have produced such a list as he read the other night, which showed that a very large proportion of the land of the colony was held by a very few people. That system it was the object of the present Bill to break through, and to break up, and to entirely alter. If he understood the Bill, it was to enable persons with a small amount of capital to enter upon the lands of the colony with a fair and reasonable hope of doing well. A very long while ago he heard it said by a gentleman whose name, if he were to mention it, would carry the respect of the whole Committee, that he regretted the time when a departure was made from the system of annual tenure. That gentleman said, "We were all right as long as the system was one of annual tenure, but when we shifted from that we were at sea, and we have never been at anchor since." The contention on the other side was that the Bill was imperfect, because it did not finally and for ever say for what length of time the squatters should have their land. He maintained that it was not requisite that the present or any Parliament should say at what precise time the land on either one side of that line or the other should be wanted, because no human foresight could see when the land would be wanted; it depended entirely upon a thousand circumstances. He thought if the lessees were wise they would not reject the terms of the Bill. They were the very best terms that had been offered in respect to land for squatting purposes since he had known Queensland, and they were the best the squatters would ever get. There was another view which he wished to give in order to show that he was not talking as a mere theorist. He would like to give his opinion of the way he thought a banker would look at it. They knew that most of the squatters were in the hands of the moneyed men; very few of them held their own leases. When he said that, he did not wish to urge it as an innuendo against them; it was a perfectly legitimate business for gentlemen who held land from the Government to borrow on it. But he thought that a moneylender or banker would be better pleased with the terms which the squatter could offer under the present Bill, than those which he had hitherto been in a position to offer. It was a great objection on the part of bankers, in lending money on leases, that it was possible that some Parliament or other might alter their basis; but, fortunately, Parliaments had so managed hitherto that the basis had not materially altered from one five years to another. He took it that the real virtue of the Bill—and he thought if he were a squatter he should accept it as such—was that for the first time it enabled a squatter to go to a banker and say, "This is my lease; I think it an indefeasible lease for a long time." He therefore failed to see any sense in the remarks of the leader of the Opposition and the hon. member for Balonne; they were not sincere; they were only talking against time. He believed they were talking merely because they conceived it to be their duty to talk, and if they were on the Government side of the House their talk would take an entirely opposite direction. But whether that was so or not, he thought it was only fair to say—speaking as a city member, with his judgment unbiassed in any way, as he was not a squatter nor concerned in squatting—that if hon. members on the Opposition side were wise they would allow the clause to pass.

The HON. SIR T. MCILWRAITH said that the Minister for Lands had led the Committee to believe that there had been some partiality shown in different districts in the administration of the land laws of the colony. He understood the hon. gentleman to say that, under the Act of 1869, only a minimum amount was thrown open about Blackall, where a large amount was required for pastoral purposes; and that only in the sugar districts in the North were people allowed to take up 5,000-acre lots. But if the hon. gentleman would just consider the action taken by the various Governments under the two Acts he would see that he was perfectly wrong. Under the Act of 1869 hon. members who sat on the other side never took action; not a single acre was thrown open at Blackall until he (Hon. Sir T. McIlwraith) came into power, and it was thrown open at the desire of the people themselves. The then Government certainly did not provide large blocks in places where the hon. gentleman would like to have seen them; but they had an idea of the amount that would be required, and they provided for settlement as the land was demanded. In the same way the sugar lands in the North had been taken up in 5,000-acre lots. It was through the laches of the present Government that all the sugar land not so taken up was thrown open for selection as second-class pastoral land. Reverting to the important matter of the schedule, the hon. gentleman had not replied to his contention. He (Hon. Sir. T. McIlwraith) had tried to show that it would be a great deal better for the settlement of the colony, and for the pastoral lessees, were there no line such as the red line on the map. The hon. member had managed to contradict himself. At first he said that the time for which the pastoral tenant held his land had nothing to do with the making of that schedule; now he said it had a great deal to do with it. The hon. gentleman said it would not be right to include men who had only a small part of their lease to run. What he wanted to impress upon the hon. gentleman was that he should not try to impress upon the world a fact that did not actually exist. The hon. gentleman wished the people outside to know that those pastoral lessees who were in the white portion of that map really held a better lease than those inside. They did not at all. They were entirely at the mercy of the Government. They could be brought in at any time by the action of the Ministry. So long as the Government had the power of proclaiming what was inside the schedule, and the amount which was open for selection, the only effect it could have was to put men in a false position, and make men outside believe that they had a better tenure than those inside. But they could be brought, at the caprice of the Ministry, inside the schedule; and why not let the whole world know it? In the present position it was deceiving, not only the pastoral lessees themselves, but the men to whom they went for money obligations. That was not a thing that a Government ought to do or support. The Government ought to try to let the actual position of the pastoral tenants be as plain as possible. He had pointed out the great danger of that "leg of mutton" schedule that the hon. gentleman had put upon the map, and it was this—he need not direct the attention of the Government to two facts: a strong desire to get money, and the lengths that they were bound to go in order to get the highest rents possible for the lands inside the red line. They were bound to get money for the extravagant programme they had put before the country; and they had indicated very plainly that it was from that portion of the Crown lands that they intended to get it. They had also the additional fact that they saw from the

speech of the Minister for Lands that all his sympathies lay with the 20,000-acre men. The pastoral man was the favoured of the Minister for Lands. What would happen to that land would be this: it would be thrown open to selection if the Government had the slightest idea that it would be taken up, and there would be a very great demand for it. It did not matter at what price the land was put up at; if it was 2d. or even 6d. per acre, he believed they would get men who would go in and tender for it just in order to get it. There would be a rush of men; not men who intended to actually settle there and work it themselves—that was, to take up pastoral or agricultural pursuits. There would be, in the first place, Crown lessees whose every interest consisted in conserving as much property as they possibly could—men who thought that if the land were taken up they would be bound to sell it at some higher price. The result would be, inevitably, that the great bulk of the land would be taken up in the first two or three years, if not sooner. He wanted to get this information from the Minister for Lands—when he thought that that land would be taken up; because if it were taken up within the next two or three years, what had they got? They had a piece of Queensland—about 190,000,000 acres—that the Minister for Lands said was the best adapted for settlement at the present time, as regarded climate, soil, and proximity to a port and a market. They had that thrown open for selection, and had one-half of it that was given on a definite lease, which they could not touch for fifteen years. They had the balance of it, which was to be wiped out in two or three years, on long leases of from thirty to fifty years. In the course of three years what inducement had they to offer for immigration from the old country? Men from the old country would have to walk back 400 miles, with the prospect of getting the lease of a piece of land that the Minister for Lands said it would be starvation to put him on with less than 5,000 acres. Was that the kind of settlement they were to offer immigrants from the old country in future years? Talk about unlocking the land! Members on the other side did not understand the tendency of the Bill. If ever there was a Bill brought forward for the purpose of locking up land to prevent the real agriculturist from settling, it could not have been more ingeniously framed than the present one. Every possible precaution had been taken that it should be so, and he could quite understand it emanating from the Minister for Lands. He could now quite understand his reticence as to when the land would be taken up. The Premier modestly declined to be responsible, for he said that he thought that perhaps it would last for fifteen years; a little more, and they would have got him to say that he believed it would be taken up in two or three years, which was very likely, because the inducements offered to those big pastoralists would assist to take the land away. There would be an immense amount of land taken up—more than was thought by the hon. member for Fassifern, who thought he would get a good piece of land for himself at 3d., 4d., or 5d. per acre. He saw the possibility of that. They knew there was a large body of men ready to take up that land, and they knew perfectly well from the admissions made by the Minister for Lands that they would not be evicted. The hon. gentleman said twice since he had heard him speak—that the Government would not evict. What other means had they of getting their rent? He would like that question answered. The hon. gentleman could not possibly understand what a strong body of men, actually having a power against the Government, could do. He said, why should those men join together and say they would not pay a certain rent, any more than a body of railway passengers should join together and say they would not pay the railway fares? In the one case a bad season came, and they had a body of men together who could control elections in a dozen electorates—he was not saying a dozen from calculation, but just instancing that number. Those men had the power to return members, and could bring pressure to bear upon the Government which made it certain that the Government would give way and not ask the rents for that year; and what these men could find means to do in a bad year they could easily do in a good year. That was a very different thing from a body of men saying they would not pay railway fares. The Government in that case would have the thing entirely in their own hands, and would have no trouble. He did not see any analogy, yet that was the only way in which the hon. gentleman could justify himself or frame a simile. He considered the the whole thing a one-sided scheme to lock up lands of the colony, and he looked forward to the time—a few years in advance—when there would be an outcry for land that could not be possibly settled by people outside. New immigrants were not going away to the interior of the country. They required colonial experience that could only be acquired nearer the coast; yet, by the way in which the Minister for Lands gave them to understand the Bill would be carried out, he saw no other possibility than that those lands would be locked up, and that there would be no land for immigrants in the course of a few years. The hon. gentleman did not seem to have taken that into consideration; but it would be thoroughly thrashed out in committee before they went on with the Bill.

The PREMIER said it was hard sometimes to argue with the hon. gentleman, because he used words in a singular sense. He talked about locking up the lands of the country. Did he really know what he meant? What he described as locking up the lands of the colony meant that the land would all be occupied by a large number of persons, occupying selections of from 320 to 20,000 acres; a separate occupier for each block of land. The hon. gentleman called that locking up land. Could he suggest any better mode of occupying the land? He (the Premier) could not. If they took, for instance, land which it was admitted could not be used profitably in smaller areas than 20,000 acres, what better use could they make of that land than putting a man on it and giving him a chance of making a living? That was what he called opening up the land, but what the hon. gentleman opposite called locking it up. Because they used words in an entirely different sense from the sense in which they were used by the hon. gentleman, it was hard to follow him. The Bill was designed to lock up the lands of the colony in the sense in which the hon. member used the word, but in the ordinary sense of words it was intended to open up the land and promote settlement.

Mr. STEVENSON said the Premier had asked them to explain what they on the Opposition side considered to be locking up the lands. He (Mr. Stevenson) considered it to be what the Minister for Lands had described as throwing them open. The Bill, it was said, was one by which the squatter could not be wiped out whatever land was required for settlement—that a portion of the squatter's run only could be taken for certain purposes under the Bill, and that for the rest he could get an indefeasible lease for a certain time. That was what he (Mr. Stevenson) called locking up the land. Up to the present time he always understood that the squatter got his lease for twenty-one years, subject to resumption at six months' notice whenever

the land was required for settlement. There was a difference of opinion on the part of the Government as to the demand for settlement, one member being of opinion that the land contained in the schedule was sufficient for fifteen years, and another considering that it would last for only two or three years; and with that uncertainty, surely it was injudicious for any Ministry to try to lock up any portion of the lands of the colony for squatting purposes. The squatter perfectly understood his position—that he could make use of the land as long as no better use could be made of it, and that when that time came he must move on; but the Bill was misleading. Whatever Bill they passed, the squatter could only stand in such a position, and it was only misleading him and those who lent him money to utilise his run to say that he should have any other position. When the Minister for Lands said he was going to lock up lands so that the squatter could not be wiped out, even though the land should be required for settlement, he was doing an injustice to the people of the colony, because in any way the squatter must make way for settlement. Had not hon. gentlemen shown, with regard to the Acts of 1869 and 1876, that it did not matter what Act was passed, as they could step in and repudiate anything? Therefore of what use was the tenure they proposed to give? If they induced people to come to the colony, they should lease the lands with such a tenure that they must be given up when required for closer settlement; and, as he said on the second reading of the Bill, he should never be a party to giving an indefeasible lease to any squatter. As the hon. member for Balonne said, when the Minister for Lands held a station close to a township he did not like to move; and therefore he proposed that when land was required for settlement the squatter need not give up more than a certain amount. That was a wrong principle. If a squatter was unfortunate enough to have taken up land where it was afterwards required, he had done so at his own risk, and he ought to move on when required.

The MINISTER FOR LANDS said he should be sorry to see or hear of any squatter being wiped out. He had a very great admiration for the squatters, who represented one of the most valuable producing interests of the country. But they could see very well where the shoe pinched by the way in which the hon. member for Balonne received some of the remarks of the hon. member for Normanby just now. Under the present Act the squatter might hold his land until required for other purposes — he might hold it in perpetuity in many cases; but under the Bill it was proposed that land should be resumed when required for the same purposes under different conditions, or smaller areas and longer terms. That was where the difference came in, and hon. gentlemen on the other side were trying to lead others to think that the Government were trying to lock up the lands, while all the time they knew that the squatter's land could be resumed at six months' notice only for other purposes—agricultural purposes—and that he therefore had, under those conditions, almost as good a tenure as freehold—practically a lease in perpetuity. The leader of the Opposition alluded to the difficulty of getting the rents out of those men who took up selections, but he could not conceive that it would be any more difficult than in the case of a large body of the pastoral tenants. He did not think that the pastoral tenants of the Crown had a monopoly of the patriotism of the colony, but that the 20,000, the 5,000, and the 320 acre men would have just as high a sense of the duty they owed the State as the pastoral tenants. The hon. gentleman also said that he (the Minister for Lands) had not the heart to exact the rent from some of the men now holding selections. That was perfectly true. Those men had been charged rents which made it utterly impossible for them to exist on their land. In many instances they were three and four years in arrears; and he could not make good the laxity—if it was laxity—which prevailed before he took office. He sympathised with the men whose rent had been allowed to get into arrear, and he considered that such rent, as it was impossible for selectors to pay, should never have been exacted. There were men occupying purely grazing areas of 640 acres on the Downs, for which they paid 30s. an acre; and anybody who knew anything of sheep-farming knew that on those blocks it was impossible for a man to contend against bad seasons. After the first bad season, or the first reverse, the man must go under. He had no scope for increase, because he was bound down to a miserable 640 acres, on which he had no chance of living, however well he might manage.

Mr. MIDGLEY said the hon. member for Balonne had remarked some time since that the hon. the Minister for Lands was becoming "sicklied o'er with the pale cast of thought," and he (Mr. Midgley) thought that if the treatment they had had that day was to continue much longer the hon. member would see them all turned nearly idiotic. Hon. members on his side had been taunted that evening with not understanding the Bill before the Committee. He thought he did understand it once, but he must really plead guilty that in this respect, with some others, he was getting gradually, almost hopelessly, obfuscated. Members must learn to distinguish between the number and the quality of speeches: they might have two very different effects. He remembered reading somewhere lately of a Sunday-school teacher explaining to a little girl the meaning of the word "enough." "Now," said the teacher, "supposing you had a cat and you gave her any quantity of milk, and meat, and potatoes, as much as ever she could eat, what would she have?" The little girl promptly replied that she would have kittens. Hon. members were not, he thought, likely to be much enlightened by some twenty or thirty speeches on every clause of the Bill. So many speeches were not likely to produce greater intelligence or clearness. He was not blind to what he considered to be the defects of the Bill. He was not enamoured with the Bill, but he thought some of the speeches made that night were not necessary. The measure was introduced with the intention of securing immediately an increasingly larger amount of revenue from the pastoral lessees, and of securing a larger amount of agricultural and small grazing settlement. Perhaps that fact had been lost sight of to some extent. The object of the Bill, as he took it, was not only to induce closer settlement upon the land in the schedule area and in other parts of the colony, but also to ask and receive from the tenants who were now there a larger rental for their leases than was paid at present. The Premier had well pointed out that, if the state of affairs which would obtain in the future might be designated shutting up the lands, it could in no measure be called shutting up the lands in comparison with what existed now. If they did not have as many people on the land as it was capable of sustaining—if they had not so dense a population as there was in China, India, or Germany—it would be much closer settlement than there was at present; and under the measure the land would be much more densely populated in after years when the pastoral leases expired. A much larger number of persons would be deriving their living from grazing pursuits than was the case

now. There were members on that side who would watch the progress of that Bill, and in the meantime they were thankful for any indications of weakness in the measure. He thought their political enemies were perhaps giving them some wrinkles—some useful information in the matter. It struck him at the outset in reading the Bill, that a very dangerous power was given in connection with grazing farms—a power that might lead to the creation of monopolies. Instead of allowing a man to take up a grazing farm in different parts of the colony—to take up one or a dozen according to the number of districts—he thought it would be well if the Government would consider, between now and the time that clause came on for discussion, whether it would not be advisable to make personal residence imperative on those selections, or at any rate to prohibit a man from having more than one grazing selection if it was of any considerable magnitude. He believed there was danger in the measure in that direction if it was not carefully guarded. When they came to that part of the Bill, hon. members on his side would have something to say upon it. They had been silent so far, because they did not see anything in the clauses under consideration to call for a discussion occupying a whole sitting of the Committee.

Mr. MOREHEAD said the hon. the Minister for Lands had admitted that such a demand had been made upon him, in connection with the Allora lands, that he (Mr. Morehead) believed that he could not resist it. He had a heart, and he could not resist giving way even against the law. At the same time, the hon. gentleman pointed out that if a 20,000-acre man was to come to him, under the Bill before the Committee, and appealed for mercy, he would say—"No; get you away. I have created this Act; if you cannot pay your rent get out." He (Mr. Morehead) could conceive of a man taking up 20,000 acres being in as bad a state as the small agriculturist. He could conceive of such a state of affairs existing at the present time. But to a man in such a position the hon. gentleman would give no succour—he would not help him. Could the hon. gentleman, with his knowledge of the western country, not conceive this position: that a man now holding a large area of country, with a considerable amount of stock on it, and where the rainfall was partial—sometimes at one end of the run and sometimes at the other—might not be able to manage his property, or would, at any rate, suffer great loss? If a man in such a position were to come to the Minister for Lands—whoever he might be—for relief, was he to be refused simply because he occupied a large area, while assistance was given to the agriculturist who occupied a small one? There appeared to be some inconsistency in that matter. He thought, himself, that the subject might have been dealt with by a modification of the existing law relating to selections. Large areas had been thrown open under the Act of 1869 without much interference with the great pastoral industry of the colony; and he had not yet heard from the Minister for Lands that the matter to which he had referred could not be dealt with under that Act. The hon. gentleman had abandoned the main principles of his outside utterances. "Henry George" had disappeared, he did not know where. The hon. member would probably explain, himself, how he had dealt with the theories of that gentleman. They had in their hands that night the new homestead clauses, which were certainly utterly at variance with the statements which the hon. gentleman made on the second reading of the Bill. The hon. member had better take the Bill home and look over it again; or perhaps it would be as well if he looked it over again with the hon. Premier on board the "Kate," which appeared to be the place in which they usually held their councils. Let them go to sea again with the Bill, and he hoped when the hon. member came back he would not be more at sea about it than he was at present. It was at present only a semi-digested measure, and he hoped the hon. member would bring it down in a way which would lead to less cavilling from his (Mr. Morehead's) side, and possibly also less obstruction.

The PREMIER: Hear, hear!

The HON. SIR T. MCILWRAITH said the hon. member was very fond of catching at a word of that sort; but if the hon. member thought that was obstruction he was very much mistaken.

The PREMIER: I do not think it is obstruction.

The HON. SIR T. MCILWRAITH said the hon, member was very glad to catch at a word of that kind; and he would sooner catch a word like that than reply to an argument. He had not intended that they should have had a discussion upon the schedule at that stage, but have discussed it when the schedule itself came on, and he still intended to have a full discussion upon it when the schedule came on. He was very glad however that the present discussion had taken place, because he was satisfied it had opened the eyes of hon. gentlemen to parts of the Bill, and given them a knowledge of it which they did not possess before. Hon. members, at all events, would have time to think over that clause; and the hon. Minister for Lands would have to give some reasons why he did not include the whole colony; and he would have to give better reasons than he had given why he did not include the Lower Maranoa and the Warrego; and he would have to give some reason also for the extraordinary bend which the schedule boundary line took towards the coast in the northern part. In indicating that he did not want to speak any more upon that clause; he wished to refer to the argument which the hon. gentleman had given them with regard to the tenants—that there would be no difficulty in collecting their rents. The hon. gentleman seemed to think that the squatters always paid their rents like gentlemen, and never banded together to deprive the Government of their rents. He had known the time when the squatters did band together for that purpose; and when public opinion was strongly in their favour the Government of the day declined to push them. There was a strong reason why the Government did not require to make the squatter pay; but in the case of the men who were to take up the land proposed to be reserved they would have the working of the elections in their power, and they would just state whether they wanted no payment of their rent, or a reduction of their rent. The Government always had a power over the squatters, and could simply sell his lease, but he defied any Minister for Lands to undertake the wholesale evictions of the selectors which might be necessary under the Bill before them.

Clause 5 put and passed.

On clause 6, as follows:—

"The 54th section of the Pastoral Leases Act of 1869 is hereby repealed.

"Such repeal shall not affect any right, title, obligation, or liability already lawfully acquired or incurred by Her Majesty or any other person under the provisions of the said Act.

"This section takes effect from the passing of this Act."

The HON SIR T. MCILWRAITH said, surely the hon. Minister for Lands had something to say upon an important clause like that! Did he think for a moment that there was no intention to initiate a discussion upon an important

clause of that sort, after the amendments which had been spoken of, and the wholesale system of spoliation initiated by the present Government? What the hon. gentleman had said on the second reading was not sufficient. The clause required a much longer discussion. If the hon. member knew his duty and wished to shorten the proceedings he would inform them in what way the discussion should take place. They wished to confine themselves to the clause, but the hon. gentleman could not expect that it would pass without discussion.

The MINISTER FOR LANDS said the object of the clause was perfectly apparent. It was to prevent any more land being parted with by the State in the form of pre-emptives, which had been, in his opinion, heretofore grossly and shamelessly abused. Under the Bill a squatter got what the Government considered an ample equivalent for the pre-emption on his run. Under the Bill he would get compensation in full for all improvements, and he maintained that pre-emptions were granted to the squatter simply for the purpose of securing to him all permanent improvements. But that principle had been entirely departed from in practice, and the object of the Bill was to prevent any such abuses, and any such losses of the State land in the future. The Bill fixed clearly what the pastoral tenant was to expect at the termination of his lease. Under the Bill he would get an equivalent for all his improvements, at the termination of his lease or upon the resumption of his run. It had not been the rule under the pre-emption system to secure permanent improvements, but simply to secure the choicest parts of the land, either in one block or upon different parts of the holding. That was the state of things which they desired to prevent in the future; and they considered that in giving the squatter compensation in full for all of his improvements they gave him an ample equivalent for the pre-emption which he claimed under the clause which the 6th clause in the present Bill proposed to repeal.

The HON. SIR T. MCILWRAITH said he would have expected that, where the national faith was concerned, the Minister for Lands, who proposed in such cavalier style to take away the rights of men who had laboured to acquire them for years, and to whom the national faith was pledged, would have given a great deal better reason than he had given at the present time. His one reason was that those rights had been grossly and shamelessly abused; but was it any reason that men who had rights should be deprived of them because those who had gone before them had grossly and shamelessly abused those rights? They still had their rights; and yet though those men might have nothing whatever to do with the abuses of which the hon. gentleman complained, they were to be deprived of their rights. If the hon. member had any sense in his head he would have seen that. He was simply trying to raise a prejudice against the men who had those rights, instead of speaking plainly and straightforwardly to the question whether those rights existed or not. Every hon. member on the Government side of the House had admitted—he would not say every hon. member, because there were some whose opinions he did not know—but every prominent member on that side of the House had, before now, acknowledged the right of the squatter to pre-emption, according to clause 54 of the Pastoral Leases Act of 1869. He would give in a few words his reasons for thinking the House should not commit this Act of repudiation. He would direct attention first to the words of the clause itself:—

"For the purpose of securing permanent improvements it shall be lawful for the Governor to sell to the lessee of a run without competition, at the price of ten shillings per acre, any portion of such run in one block, not being more nor less than two thousand five hundred and sixty acres; and the boundaries of any such block shall, as nearly as the natural features of the country and adjacent boundaries will admit, be equilateral and rectangular."

The hon. member said that his interpretation of the Act was that this concession was only for the purpose of securing permanent improvements, and that if there were not permanent improvements to the extent of £2,560 the right did not exist. Now that could not possibly be the interpretation of this clause. It was an absolute right to pre-empt 2,560 acres of land if the occupier had any improvements at all, because the Act would not allow him to take 10 acres if he had only £10 worth of improvements, and 2,560 acres if he had £2,560 worth. He must select neither more nor less than 2,560 acres. Anyone would at once say without going back to the debates that there must have been some design in this; and if they went back to the debates they would see at once that the object was to allow a man, who had under his lease given a certain value to the property, to go in and secure a freehold when his lease expired, or at any time before that. It did not matter one straw whether the improvements were on that block at all. That was not a singular contention; every Minister who had administered that clause since 1869 had taken that view of it, and none of them had ever seen their way to administer it in any other manner. The squatter was always regarded as having an absolute right to select 2,560 acres. The hon. member had said it was a privilege, and the hon. the Premier had sneeringly remarked the other night that it was called a pre-emptive right only in the side-note—

"Pre-emptive right over improved lands."

That spoke for itself. If there were any improved land on the block he had the right here—of course with the approval of the Governor.

The PREMIER: Hear, hear!

The HON. SIR T. MCILWRAITH: The hon. member said "Hear, hear!" He took the law into his own hands, and said, "As long as I am in power I will not grant any pre-emptive right." That was just the position the hon. member would like. He would like to be retained in office because he was expected not to do something which the law said he should do. He would far rather allow the clause to stand in, so that people would say, "As long as he is there, he will not give anything to the squatters." He (Hon. Sir T. McIlwraith) maintained that this was a right, and that the hon. gentleman himself thought it was a right, as was proved by the speeches he had made. It had been said that it had led to abuses, and that the privilege was one which it was a pity the squatter should ever have got. That was a matter he would not discuss; because, if the squatter had a right, the fact that it was a bad thing for the country was no reason why faith should not be kept with him. They ought by all means to keep faith with the man with whom they had made a bargain. The question of pre-emptive right came to be considered when the Western Railway Act and the Railway Reserves Bill came on. Those were the productions of the hon. the Premier, and it was the force of his logic which put them through, in spite of all the opposition he got from his (Hon. Sir T. McIlwraith's) side of the House. The Acts proved disastrous, as the hon. member himself admitted. One part, however, came clearly under discussion; that was, the acknowledgment by the party in power, and by the hon. gentleman specially—because he was the principal speaker—that the squatters had these

rights; and they were continued in those two Bills. Not only that, but the hon. gentleman and his colleagues took up this position, so different from the one they were advocating now, that one would fancy they had never done anything to encourage the aggregation of large estates. They introduced into the Pastoral Leases Bill and the Western Railway Bill the principle that the squatters had the absolute right to consolidate their runs, and take the whole pre-emptive out of one block. They not only allowed that, but also the further privilege that if the squatters had too big runs, in their opinion, they could divide them into a certain number of blocks, with the additional privilege of cutting up those blocks into blocks of not less than seventy-five square miles, and get 2,560 acres on each of them. Those privileges were given by the House on the strong advocacy of the hon. member and the hon. members with him, and against the strong opposition of Mr. Macrossan. He (Hon. Sir T. McIlwraith) did not want to take up the position that, because the squatters had undoubted rights under the Railway Reserves Act and Western Railway Act, therefore they should be held to have them under the Act of 1869; but what he did say was that those two Acts were a fair interpretation, according to the views of the hon. members of the House, of the clause in the Act of 1869. The then Attorney-General (Mr. Griffith) and the Premier (Mr. John Douglas) repeated to the House over and over again that no additional right was granted to the squatters under these two Acts beyond what they had under the Act of 1869. As in the opinion of the Premier, therefore, the clauses, as they appeared in the Railway Acts, gave a fair interpretation of the clauses as they were in the Act of 1869, and as that was the interpretation given to them by Parliament, that was a strong argument why it should be acknowledged as a right now. If a right were at one time doubtful, and after strong discussion received the sanction of Parliament, it should be taken as confirmed; and he held that that right had been confirmed by those two Acts. In the original Bill there was no provision made for the consolidation of the pre-emptive, or for cutting up the blocks; but Mr. Macdonald, a squatter, who sat on the other side of the House at that time, moved the following amendment:—

"Provided that it shall be lawful for the lessee of two or more runs adjoining each other to consolidate in one block the pre-emptive selections which may be made in respect to each of the adjoining runs as aforesaid."

The effect of that was to allow consolidation and allow the pre-emptive to be taken up in one block. Well, on that subject Mr. Garrick delivered a very straight opinion:—

"It seemed to him, on reading the Act, that he was entitled to only one pre-emptive; but that had been got rid of by subdividing, so that he was entitled to a pre-emptive on each subdivision. This amendment would not only fix that which was now doubtful, but would give the lessee a further right either to consolidate or take up his pre-emptive on each block."

That was, that Mr. Garrick, who was then a Minister of the Crown, considered that there was the absolute right under the Act of 1869 to pre-empt on each block, but it was evading the Act to allow them to divide the blocks in order to increase the area. Now, in order to get rid of the debate—

"The ATTORNEY-GENERAL suggested that the difficulty might be got over by striking out all the words after 'lessee to' for the purpose of inserting the words 'exercise his right to pre-empt to the same extent as if the run had been subdivided into runs containing not less than twenty-five square miles each.'"

So that, on the amendment ingeniously made by the Attorney-General, they altered the words, but in no way altered the sense. That amendment of Mr. Macdonald's was carried through. Then Mr. Macdonald moved the next amendment:—

"Where a run comprises a larger area than 25 square miles of available country upon which rent has been paid, it shall be lawful for the lessee to make a pre-emptive selection in his run, in proportion of 2,560 acres for each 25 square miles of available country as aforesaid contained in the run, exclusive of every pre-emptive selection which may have been or shall hereafter be made within the limits of the said run, and the area so selected shall be consolidated in one block."

On that, the Attorney-General (Mr. Griffith) said:—

"Under the present law a lessee was entitled to one pre-emptive for every run. A lessee was allowed to subdivide his run into as many blocks as he liked, provided they were not less than 25 square miles each, and the object of the subsection was to consolidate these blocks."

That was Mr. Griffith's opinion — that the squatter had the absolute right to select on every block, and if the block was subdivided, then the right of pre-emption attached to each separate block. That was his reading of the law at that time. Then a great amount of discussion took place, and the Attorney-General said:—

"The alarm expressed by the hon. members for Kennedy and Toowoomba arose, he believed, from the expression 'rights of pre-emption'; but it was quite unfounded. In the Western Railway Reserves Act, which was certainly not intended to increase the pre-emptive rights of pastoral lessees, almost the same language was used; and he was decidedly of opinion that no additional right was conferred by the proposed new section."

He (Hon. Sir T. McIlwraith) thought an additional right was conferred, but that was not a matter for discussion. The hon. member referred to it as a "right." Then he said further:—

"He did not believe there was any real difference of opinion upon this point after all. Although there was no right that had the force of law, there was practically a right to have the land subdivided, and it was the intention of the Legislature that it should be subdivided unless there was some good reason to the contrary. The run having been once subdivided, they had nothing to do with the motive of the lessee. The right to pre-empt must have the approval of the Governor in Council, and must follow certain improvements. The only question before the Committee was, whether this clause gave a new right; and he repeated that it gave no new right."

That was, that the squatters actually had no right of pre-emption for one block, but the right of claiming that the Government subdivide the runs was given, and if they did not exceed twenty-one miles the right of pre-emption attached to each block. The hon. gentleman was followed in the same strain by Mr. Garrick, who argued against the right to consolidate, but admitted the right to pre-empt. He had been quoting from the discussion on the Railway Reserves Act, and he would now come to the Western Railway Act, called the Continental Railway Act at that time. This was a quotation from the Attorney-General's (Mr. Griffith's) speech:—

"Hon. members would also remember that in every block of country there was a right of pre-emption over four square miles; so that if, out of twenty-five square miles, only half were resumed, that would be twelve and a half square miles, and four would be taken under pre-emptive right, which would continue up to the time the land was declared open for selection. Therefore the lessee would, under the provisions of the Act, have at least one year and nine months from the present time to make his pre-emptive selections, and out of the block there would be only one-third left."

He spoke about the pre-emptive right, and the actual amount the squatter would have the right to pre-empt. Now let hon. members just consider the quotations he had read. The right of pre-emption the squatters claimed was attached to each block according to the Act of 1869, but there was something more claimed by

them in 1875 and 1877. Some runs would be, perhaps, 200 square miles; but the right of pre-emption extended to only 2,560 acres. Others again might be only twenty-five square miles, and the squatter had the same right. The question then came to be, would he be allowed to subdivide his runs in order to increase the amount that he could pre-empt? The Attorney-General of the day, the present Premier, decided that he would—that he ought to have that privilege; and it was granted in the Western Railway Act and the Railway Reserves Act. Not only was it granted, but it was allowed to every squatter who applied under the Government of which the present Premier was Attorney-General. The hon. gentleman put that interpretation on the clause, and applied it to every application that was made under it. If that did not confirm the right, he did not know what could. But the hon. gentleman went further. At that time it was considered a hardship to take away so much land as was taken away for the railway reserves; and not only did the Attorney-General give the squatters the right to subdivide their runs, thereby increasing the amount of the pre-emption, but he gave them the right to consolidate a dozen or half-a-dozen blocks, or as many as they had, into one, and to exercise the right of pre-emption on one block. Without exception, those who claimed that privilege got it under the Administration in which the present Premier was Attorney-General. If they had not that right at that time on lands which were so near to the centres of population as the applicants then were, why in the name of justice to the colony were they granted? The Government made no exception; in every instance the application was granted; and of course they were only applied for where population was so pressing that it became a matter of advantage to the squatter to take them up at the price of 10s. per acre. That Ministry went out of office, and it was succeeded by the one over which he (Hon. Sir T. McIlwraith) presided. It was still held that every squatter was entitled to his pre-emption. The applicant did not, as a matter of course, always get it where he applied for it, but he got it as a matter of course, provided that the actual position of the selection made did not militate against the interests of the public. Whenever the latter was the case the Government said, "It is not a right thing for you to take up this pre-emptive; it is too near town; it will block settlement; you must go further away." Such had been the position of the squatter up to the present time; he had had that right, and had exercised it all through without the slightest check; and now he was told that he never had the right at all. It was not only a breach of a contract; it was a great deal worse. The pre-emptive clause was one of the means by which men were encouraged to go to the far West and take up land there which at the time was unprofitable, and which was only profitable in the far future, when they saw they would be able to get at some time or other a pre-emption of 2,560 acres for each block after their own labour had made it of very considerable value. In taking away, therefore, that right of pre-emption they took away what those men had been working for since they took up their runs. Those men had worked for that land, and in every pound they had spent upon it they had been paying an actual price to the State for it. No doubt the squatter would have to pay 10s. an acre for it before he got his title-deeds, but he had also been paying for it in the shape of labour done to the State, and other advantages derived by the State. Not only so, but money had been advanced on the strength of that right. They knew how sensitive capitalists were to any insecurity in what was pledged for the money they had advanced; and they knew that it was to the interest of the colony that they should not delude those who sent their money here with the object of developing its industries. Those men ought, at all events, to be protected by the State; whatever else might happen, the State ought not to break faith with them. Thousands—nay, millions—had been borrowed from other countries, and in Queensland itself, on the strength of the right of the squatter to pre-empt. The lenders had always taken into their calculations, as a very important part of the security, the fact that if the squatter went wrong they would be able to recover so much by taking up the land; and it was now proposed to sweep away that security without giving the squatter the slightest compensation. He pitched to the winds the idea that it might be a bad bargain that had been made. He did not think it had been. But he pitched it on one side altogether, and asserted that, if it was a bargain made by the State, the State ought to hold to it. They ought to consider the miserable position they put men into who had been upholding the good faith of the country at home, where so much money had been borrowed. He himself had led many intelligent men to believe that pre-emption was a valuable right, and one of the best securities they could have on advancing money, and men had advanced money who but for that right would never have done so; and now the men who had borrowed that money were actually to be forced to break faith with their creditors whom they themselves had pledged. If the Government wished to maintain the good name of the colony, let them by all means avoid the contamination of having repudiated their just debts. They owed that right to the squatters, whether the Government had made a bad bargain or not; and as long as they owed it, in the name of justice they ought to pay it.

The PREMIER said it was just as well that they should understand one another on that question, and know what was the alleged claim which hon. members opposite had set up. What was the promise that the State had made to individuals? He need not say that if the State had made a bargain that bargain must be kept, no matter at what expense. But when a claim was set up by individuals to plunder the country it was quite time to inquire carefully, and see what was the nature of the claim, and what was its foundation. What was the nature of that vested right? He had heard persons who were prosecuted for offences against the law say, "You did not prosecute anybody else for several years; we have a vested right to commit this offence, and it is extremely hard upon us that we should be punished." The right claimed was one of a kind of which they had an illustration the other day. It had been the practice of local bodies in the colony for the last twenty years to consider that they had a right to impose license fees. Suddenly somebody said—"What right have you? Let us scrutinise it, and see whether you really have it or not." And on investigation it turned out that they had it not. Persons at one time engaged in the highly lucrative occupation of smuggling no doubt considered it extremely unfair and unjust when the Government made a raid upon them and insisted that they should pay duty like other people. He did not, of course, for a moment compare the pastoral tenants with smugglers or other persons of that kind.

The HON. SIR T. McILWRAITH: You said they were plunderers.

The PREMIER said that when a claim was set up to plunder the country it was quite time to investigate the claim and see what foundatio

it had; and the claim, as put forward by hon. members opposite, was neither more nor less than a claim to plunder the country. He did not believe for a moment that the pastoral tenants maintained that they were entitled to take up four square miles for every block of country, irrespective of improvements or anything else. No such argument was ever heard of until the maladministration of the past few years. It was an entirely new claim put forward within the past three or four years; no such claim was ever put forward as a right before. All that the hon. gentleman could find to base his arguments upon as to its being a right were some expressions he (the Premier) was reported to have made use of in the debate on the Railway Reserves Bill, and another debate on the Western Railway Bill in 1877 and 1875, when he was Attorney-General in a previous Government. Supposing that he (the Premier) was wrong then, that certainly would not alter the construction of a plain Act of Parliament. But it must be borne in mind that up to that time the so-called right of pre-emption had never been abused. It had never been pretended by any pastoral tenant that they were entitled to abuse that right for the purpose of preventing the utilisation of the remainder of their runs by the State; and that was what the argument amounted to. That argument had, that afternoon, been formulated in those very words. An hon. member said—"Why would those pastoral tenants want to take up their pre-emptions? Not because the land was worth 10s. an acre, but because they wanted to secure the whole of their blocks."

The HON. SIR T. MCILWRAITH: Who said that?

The PREMIER said the words were used by the hon. member for Port Curtis. He (the Premier) of course knew that that was the reason, but he was surprised to hear that hon. member admit it so plainly. Of course they knew perfectly well that it was so. When a claim was put forward like that—a claim to exercise a right which was clearly prejudicial to the interests of the community—then it was quite time to scrutinise it and see what it was. If they found that there was a right, no matter how prejudicial it might be to the interests of the colony, they must either concede it or buy it out. The principal argument—the only argument, in fact, worth the name of an argument—was based on some observations he made in 1877. At that time nobody questioned the propriety of the pastoral tenants exercising that privilege, and in the discussion which took place on the subject regard was had to that point of view. In the course of that debate he pointed out that the language of the Railway Reserves Bill conferred no new right. The great argument now used was that some words he used in his speech on that occasion conferred the right. Surely that was a singular argument—that a Minister, in speaking to the House, should have power to confer a right not existing before! The language of that Act, he repeated, conferred no new right. In answer to the hon. member for Townsville, then the member for Kennedy, he pointed out that the language conferred no new right. In that debate the rights of the pastoral tenants were treated as doubtful. It was pointed out by members on both sides—amongst them the hon. member, Mr. Macrossan, and the present Speaker—that the privileges of the pastoral tenants with respect to pre-emption were doubtful; and it was in answer to that that he (the Premier) pointed out that the language used in the clause conferred no new right. That was also stated by Mr. Garrick, then member for Moreton but not a member of the Government. It was certainly not present to the minds of any members of the House on that occasion, that any new right was being created; there was a privilege then generally allowed to be exercised—that is, there was power in the hands of the Government to make a bargain with the pastoral tenants if they thought fit to allow the privilege to be exercised. It was only within the last two years than an entirely new view had been put forward in the matter. Now he wondered—supposing that this was a right which could not be interfered with in any way—that some person conversant with the law had not ventured to express an opinion that it was a right. It might have been supposed that hon. gentlemen on the other side would have found their legal adviser, here or in some other colony, hazarding a conjecture that it was a right. If they had inquired into the matter, he was quite sure that they would have been told that there was no right. It was no use endeavouring to argue that the lessees had a right.

Mr. MOREHEAD: But here is your statement.

The PREMIER: The hon. gentleman was absent during a portion of my remarks.

Mr. MOREHEAD: I was not absent during the important speech.

The PREMIER: There was certainly no right conferred by any speech he made in that House in 1877.

Mr. MOREHEAD: In 1875.

The PREMIER: Well, in 1875. It was not in his power to confer a right.

Mr. MOREHEAD: As a Minister; as Attorney-General.

The PREMIER: Let them turn to the language of the Act of Parliament to see what it was that conferred the right. As he had pointed out, the right had not been claimed as such until quite recently. He would take the 54th section of the Act of 1868, and place it in juxtaposition with another clause passed in the previous year which did confer a right—a clause passed by the same House, by the same members, which conferred the right of pre-emption. In the Act of 1869 the words used were:—

"For the purpose of securing permanent improvements, it shall be lawful for the Governor in Council to sell to the lessee of a run without competition, at the price of 10s. per acre, any portion of such run, in one block, not being more nor less than 2,560 acres."

He need scarcely refer to the Acts Shortening Act, which provided that when the words "shall be lawful" were used, they meant that the power thereby conferred might be exercised or not at the option of the persons who had the power. That was the law at that time. The language of that section meant that "for the purpose of securing improvements it shall be lawful for the Governor in Council if he thinks fit so to do, and not otherwise, to sell," and so on. That was its grammatical meaning, as they found by the Acts Shortening Act. Now compare that with the language used in an Act passed in the preceding year—the Crown Lands Alienation Act of 1868—which conferred the right of pre-emption. That was contained in the 14th section. It would be remembered that under that Act half the runs in the settled districts were resumed. The 14th section provided that:—

"Pastoral tenants in settled districts may, previous to the expiration of the twelve months' notice of resumption make pre-emptive selections to the extent of one acre for every 10s. value of improvements at the same time as those demanded from conditional purchasers to secure their homesteads and improvements in lieu of compensation thereof. * * * * In consideration of the above pre-emptive privileges or either of them being exercised, all claims on the Government for compensation for resumed portions shall be relinquished."

There was no option given to the Governor in Council in the matter. Would anybody seriously get up and say, in the face of the Statute-book, that a right had been conferred by the Act of 1869?

Mr. MOREHEAD: Yes.

The PREMIER: Would anybody who understood the meaning of the language used—who would take the trouble to look at it carefully—not say that it meant that the Governor in Council might, if he thought fit, and not that the Governor in Council must, at the request of the lessee? All that was left for argument, besides that Act, was something that he said in 1875 or 1877; and at the time that language was used, the basis of the privilege did not require to be scrutinised. It never occurred when a man walked through a paddock every day to inquire whether there was a right-of-way there, and it was not worth anybody's while to question his right. But if 500 or 600 people were to do so, the owner would inquire what right they had there; so when they found one or two men taking advantage of an Act of Parliament, it never occurred to the Government to inquire what was the exact basis of the claim, but when tens of thousands of people claimed to exercise the privilege it was time to inquire what was that so-called right, and when upon investigation it had turned out that there was none at all, what was the proper thing to do under the circumstances? Suppose they found that the power of the Government to proclaim homestead clauses of a particular area was injurious, what would be the duty of the Parliament? There was another analogous power contained in the Act, and that was a power to sell to an adjoining owner land that was of no use to anybody else. The owner of the land adjoining might ask, why not let him have the land; nobody would make any objection and it would be only a fair thing to do; it was no good to anybody else? But suppose they found a Government in the habit of handing over the fee-simple of a gold claim to a neighbouring owner—who considered he had a claim—what would be done then? A sensible Government would refuse to exercise the power; but if they found a Government who claimed that they had a right to do so, it would be right for Parliament to say the Government should not retain a power that might be exercised with so much detriment to the country at large. That was the position as it stood. In the very debate the hon. gentleman mentioned to show that the right was recognised, it was pointed out that the Act could be amended by the repeal of the clause. Of course it could; there could be no question of that whatever. If that clause conferred a right, it could not be repealed except subject to the right; so that, if there was anything in the hon. member's argument that it was a right, the repeal of the clause would not affect the vested interest at all. Of course they knew perfectly well that that argument was not a sound one. He would point out another thing: The Act of 1869 provided, not that the lessee might select 2,560 acres of land if he applied, nor simply that the Governor in Council might sell him 2,560 acres, but it said that that might be done for the purpose of securing permanent improvements. That was very much lost sight of in the argument.

Mr. MOREHEAD: Look at the interpretation clause.

The PREMIER said he would read what permanent improvement meant. It meant buildings, reservoirs, wells, dams, and fencing. The only purpose for which it was lawful for the Governor in Council to sell those pre-emptives was for the purpose of securing permanent improvements; but where, in the face of that, could even a plausible argument be used to show that the pastoral tenant was entitled to 2,560 acres, merely because he liked to apply? He had been trying to discover what was that claim which was put forward. He had been trying, not only on that night, but on previous occasions, to know what the claim was. The fact was that the hon. gentleman saw that the claim he set up a few minutes ago was clearly untenable. He said he did not mean that. Perhaps he would say what he did mean—what was the claim that had been advocated in that Committee? It was that the pastoral tenant had a right to pre-empt 2,560 acres on his run. It was that or nothing.

The HON. SIR T. MCILWRAITH said the hon. gentleman misrepresented him. What he said was that the Governor in Council had the power, when an application was sent in, to say, "You will not have it here, because it is against the public interest, nor there, but I will give it to you here." He could not take away his right from him; but the Governor in Council could refuse any application that he put in on public grounds.

The PREMIER said he was sorry he did not understand the hon. gentleman before. He was on the point of referring to that exception when the hon. gentleman could not wait, but got up, and although he tried to go on the hon. gentleman insisted upon having his say first. The only exception the hon. gentleman had mentioned was not what he now said, but was this: If a man asked for a pre-emptive selection close to a town the Governor in Council might refuse and say he should take it somewhere else. He had been trying to get at the real nature of the claim by which it was said that every pastoral tenant was entitled to 2,560 acres somewhere on his land. The only power the Governor in Council had to sell was to secure permanent improvements. It could be done in defiance of the law, as it had been. A couple of panels of fencing was sometimes said to be a sufficient permanent improvement to entitle a man to make a selection. If the clause had read thus—"for the purpose of securing the permanent monopoly of the land"—instead of "securing the permanent improvements," the arguments of the hon. member would have had far greater force. What he wanted to know, and what the Committee and the country really wanted to know, was, what was that vested right, and that violation of national faith? Mere words. It was no breach of national faith. Some people might be entitled to some consideration; but to say that men had gone out to the far West, and taken up runs on the faith that they would be able to secure four square miles of land, was perfectly absurd. No man had done anything of the kind.

The HON. SIR T. MCILWRAITH: It is a fact; thousands have done so.

The PREMIER: I do not believe it.

Mr. MOREHEAD said he rose to a point of order. When the leader of the Opposition made a statement, and the Premier said he did not believe his words, it was time they got a gentleman as Premier.

The PREMIER said it would be a good thing if all the members of the Opposition conducted themselves as gentlemen. He did not deny that the hon gentleman believed what he said; but if he asked him to believe as a fact that men had gone out to the far western interior and had taken up land there simply on the faith that they would be allowed to take up four square miles out of every block, he said he did not believe it. If thousands of them went into the witness-box one after the other, he would not believe them.

The HON. SIR T. MCILWRAITH: You are grossly misrepresenting me.

The PREMIER said the hon. gentleman said that runs had been taken up on the faith of that right. What did he mean? If any argument of his was grappled with, the hon. gentleman immediately retreated from it. He could only deal with what he said, and he did not believe that a single pastoral tenant had ever gone out and taken up land on the faith of that so-called pre-emptive right. He admitted that there might be cases where men had expended sums of money in permanent improvements in the belief that they might be enabled to keep the land. He had sympathy for those men; but he had no sympathy for those who had been crowding in application after application for tens of thousands of acres of land to secure a monopoly of the country. He spoke warmly on the subject, because he believed it simply amounted, as he said at the beginning, to plundering the country; and he always would speak warmly, no matter by whose instrumentality such efforts were made. There were, however, persons who might be said to have made valuable improvements on the faith that they would be allowed to get the freehold of the land on which those improvements stood, and he had sympathy with those people, and should be glad to deal kindly with them. But for the others he had no sympathy whatever—not the slightest; and he hoped the country would have no sympathy with them either. An hon. member had asked what necessity there was for repealing the clause? Because it was abused. It was a power intended to be exercised beneficially, but it had been grossly abused; and it had been intimated as plainly as possible by hon. gentlemen opposite that if they had the opportunity they would abuse it to a still greater extent. Was it not well known that if they could obtain the management of the Lands Office for a few days they would alienate hundreds of thousands of acres in that way? Applications had been coming in in shoals for carrying out the so-called pre-emptive right. They knew how the exercise of that so-called right had in times past prevented settlement, and no injustice was done in refusing to entertain those applications. They were bound to take steps to prevent the power conferred by Parliament on Government for a wise purpose being misused in future as in the past. There was no breach of national faith on the part of the Government. All they wanted was to do what was just and honourable, and to keep faith with the public.

The HON. J. M. MACROSSAN said he had just listened to a most extraordinary speech. It reminded him of other speeches he heard from the hon. gentleman in 1875 and 1877, when the hon. gentleman who now filled the chair and he (Hon. J. M. Macrossan) were the only two who opposed the hon. gentleman. For an example of inconsistency and quibbling, he had never heard a speech to equal the one just delivered. The hon. gentleman demanded the time when the right was raised to the position it had now assumed. Did he not remember that he (Hon. J. M. Macrossan) raised it, and that he himself opposed it; that he (the Premier) put him down by force of voting — as he would do that night, no doubt; that he had nearly as many behind him then as now, with a Liberal squatter or two to support him, including Mr. P. F. Macdonald? He then not only acknowledged the pre-emptive right as a right, but he went even further, and did what the squatters never claimed the right to do—he gave them the power to cut up their runs into small blocks of 25 square miles, and take 4 square miles out of every 25. And he gave them the further right, for the purpose of making large estates, to consolidate all the small blocks into one so that a man might obtain 30,000, 40,000, or 50,000 acres of land solely through the legislation of the hon. gentleman. And that was one of the arguments against the right. It was said that the squatters had acquired large quantities of land; but who was responsible? The hon. gentleman at the head of the Government. He was not going to take up the time of the Committee many minutes. He gave his opinion on the pre-emptive question on the second reading of the Bill, and did not intend to go over the same ground again; but he would refer to what the hon. gentleman said earlier in the evening. Then he said that local authorities for the last twenty years had supposed that they had a right to impose a tax, and that it had been allowed to go as such till it came to be tested, when it was found to be no right at all. And what had they done in that case? They had passed the second reading of a Bill making valid what was supposed to be invalid, on the strength of the intention of the Legislature which passed the Act. Now, he would appeal to the debate on the Act of 1869, as to what was the intention of the Legislature then. It was to give the squatter the right to pre-empt 4 square miles—2,560 acres—not an acre more or less—to secure his permanent improvements. If the squatter had no right, to be consistent with their action of the afternoon they should validate the portion of the Act of 1869 dealing with the right, and at the same time pass a law to prevent its abuse. There might have been abuses, but if there were, the hon. gentleman himself, by his action on the Western Railway Act and the Railway Reserves Act, was to a very great extent responsible. He might be told that it was only lately that the squatters had put in their applications. But there was no necessity for doing so before. The land had become valuable through the increase of population and the improvements which the squatters themselves had effected on the land, and they very naturally sent in their applications. And he said that, in every case where improvements could be shown, the squatter had a right to take his 2,560 acres of land. He agreed in 1875 and 1877 that the squatter had the power to take one-sixth of the whole of the land of the colony; so that the idea was not new to the Premier. It was at that time argued by the member for Toowoomba (Mr. Groom), by himself, and by several others that the squatter claimed by the 54th section of the Act of 1869 to have one-sixth of the whole colony to pre-empt at 10s. an acre. Yet in the face of that the hon. gentleman passed one law to allow the squatters to cut up their runs, and another to allow them to consolidate their pre-emptives. The hon. gentleman also said that the men who claimed pre-emptives were public plunderers. But the man who assisted in plundering was certainly as bad as the plunderers; and if they were plunderers the hon. gentleman was an aider and abettor, and equally bad. It was only within the last twelve months that the hon. gentleman had disclaimed the right of the squatters to pre-empt, and what his purpose was he could not pretend to say. The Minister for Lands said that the squatter was to get compensation for his improvements at the end of his lease or when his run was resumed. Did the hon. gentleman see that he had agreed to give compensation to all the squatters? Hundreds of squatters had already pre-empted, and they would have the same right to compensation as those who had not pre-empted. He was placing them all on the same footing—those who had actually pre-empted, and those who had not. He repeated that they were placed on the same

footing, and yet the hon. gentleman said he was dealing out even-handed justice. The hon. gentleman had no right to say to the squatter, "I will give you compensation for your improvements." There was no such law as that in existence. The hon. gentleman himself was making a law to give squatters compensation for improvements—a worse law than the pre-emptive right, bad as it was, because at the end of the term of the leases the value of the improvements would be so great that he (Hon. J. M. Macrossan) was perfectly confident that the squatters would have the whole land to themselves. There would be an end to improvements and everything else; the squatters would be the owners of the land. The 20,000-acre blocks would be taken up by the squatters; it was not the men from New South Wales, whom the hon. gentleman pretended to be afraid of, who would secure those selections, but the squatters, who would have the land for fifteen or twenty years and at the end of that time they would become the owners of it. He would say no more on the subject of the pre-emptive right, but if the clause went to a division he would vote against it. He did not think there would be any obstruction on the question. At any rate he should not obstruct, but he must say that the hon. gentleman at the head of the Government might have occupied a more consistent position that evening if he had taken up a different position in 1877.

Mr. NORTON said that reference had been made to a remark made by him a short time ago, with regard to squatters on the Warrego taking up their pre-emptives. Well, he did not think there was any occasion for surprise. If he was a squatter in an outside district, he should certainly not be disposed to give 10s. per acre for land he was entitled to purchase, so long as he could rent it at three farthings an acre. A man who had the right to pre-empt would never think of exercising that right until it was necessary to do so to secure his improvements. So that he did not see that the hon. member need have expressed any surprise at the admission he had made, though he (Mr. Norton) did not think it was an admission. With regard to the pre-emptive right he wished to say a few words. He had intended to take up the same position as was taken by the hon. member for Townsville, because he thought if they were to arrive at the intention of Parliament in respect to that right they could only do so by referring to the words of the Minister who introduced the Act of 1869, and also spoke on that particular section when moving the second reading of the Bill. The Minister for Lands at that time was Mr. Taylor, and he spoke to the House without any quibbling with regard to the meaning of the words as to his intention and the intention of the Government of which he was a member. He said that pre-emption should be given to the squatter, not as a privilege but as an absolute right. The hon. member for Townsville did not read the passage. He (Mr. Norton) would do so. It was only a few lines. In speaking on the subject Mr. Taylor said, in the 9th volume of *Hansard*, page 173:—

"The next clause he considered to be of importance was the 54th clause, which was as follows"—

The hon. gentleman then read the clause, and proceeded:—

"He thought that was a kind of pre-emption that was liberal, and should be acceptable to all parties. He recollected that the Darling Downs members at one time were very much abused because they would not concede to the northern and outside squatters the right of pre-emption. He must say that he did not see the use of such right to the squatters in the outside districts; for there was not the remotest chance of their runs being interfered with for many years to come."

The Minister there spoke of a right which had existed before the passage of the Act of 1869, and referred to the objections which, it was stated, the squatters, who had a great deal of power at that time, had to conceding that right to others. He then went on to say:—

"However, this clause gave the right of pre-emption, and though it said only 2,500 acres, he had no doubt the quantity might be extended."

Pre-emption was not referred to as a privilege but as a right. He did not think that any one who listened to the Minister's remarks at the time he made that speech would have suspected that it had ever entered his thoughts to speak of the matter as anything but a right which the squatter might claim when he chose. Mr. Archer, speaking shortly afterwards, contended that there was no provision allowing the squatter compensation for improvements, when he was interrupted by the Secretary for Public Lands, who said:—

"He would have a right to buy 2,560 acres for every 15,000 acres upon every run."

The Minister of that day spoke of pre-emption as an absolute right possessed by the lessee; it was not a privilege, and the hon. Premier might argue till he was black in the face as to the legal definition of the words. He (Mr. Norton) did not hesitate to say that no one who heard the speech of the Minister who introduced the Act of 1869 would accept the words in any other way than they were interpreted by ordinary commonplace people. It was not everybody who was up to these legal definitions. He did not suppose there was one member out of every ten in that Committee who knew there was a legal definition of the kind which had been quoted. The question was one which did not concern him personally. He again repeated that pre-emption was an absolute right, and the only power intended to be given to the Government was to refuse to grant it, if the public requirements demanded that it should not be given in a certain spot; but in that case the pre-emptive might be purchased in some other part of the run chosen by the lessee.

Mr. GROOM said that the question was one of very considerable importance to the constituency which he had represented for many years past, and he could not refrain from giving utterance to his opinion upon it. He was in the House in 1869 when the Act to which the hon. gentleman who had just sat down had referred, was passed. Such was the feeling of indignation which the very clause that had been mentioned excited throughout the colony, that it led almost to the defeat of the Government. There were certainly other circumstances in connection with it, but it was the Pastoral Leases Act of 1869 which contributed very largely indeed to the downfall of the Ministry of that day. In the session subsequent to the passing of that Act, a spectacle was witnessed in that House which was unprecedented in the history of parliamentary government. They found the Colonial Secretary of the day obliged to move the Address in Reply to the Governor's Opening Speech. It had to be seconded by one of his colleagues, and the only other member who was bold enough to sit at the back of the Ministers on a division was the present junior member for South Brisbane, Mr. Jordan.

The HON. SIR T. MCILWRAITH: Well done, Jordan!

Mr. GROOM: The result of the division, on a motion of want of confidence moved by the then member for Dalby, Mr. Bell, was—Ayes, 17; noes, 6. He repeated that it was largely owing to the passing of the Pastoral Leases Act of 1869 that the Government of that day was defeated.

Mr. NORTON: You forget the order for the steamers.

Mr. GROOM said the order for the steamers had a great deal to do with it, no doubt. There were a number of collateral circumstances, but the passing of the Pastoral Leases Act was, perhaps, the most important. It was a very material cause of their defeat. They had good reasons at that time for resisting to the utmost of their power the extension of the pre-emptive right, because it had been conferred by the old Orders-in-Council, and had been exercised on the Darling Downs in a most extraordinary way. Because, although the Pastoral Leases Act of 1869 defined the way in which pre-emptives should be exercised, under the old Orders-in-Council there was no definition of the way in which they should be exercised, and the result was that a system of pre-emption was initiated which was known as the "triangular survey" system. Under that system the whole of the water frontages were taken up, and nothing left but a number of waterless ridges and plains, which had since been taken up by other means. From the way in which the pre-emptive right was exercised on the Darling Downs it caused a feeling of universal horror, not only on the Darling Downs, but in a considerable portion of West Moreton, where the system was also exercised, and which suffered greatly from its baneful effects. When he said "its baneful effects" he meant that it had been destructive to settlement, and gentlemen who rode along the railway to the foot of the Main Range would see that the country was in the hands of only a few persons; and that state of things had arisen from the pre-emptive right—not that given under the Pastoral Leases Act of 1869, but under the old Orders-in-Council. He felt it his duty to resist the Act of 1869, and again, when similar provisions were attempted in the subsequent Acts of 1875 and 1877, he joined with the hon. member for Townsville in resisting the further extension of it. He did not suppose there was any member of the House but who would regret the action taken in 1875 in the case of the Western Railway Act; and he resisted then the exercise of the pre-emptive right. If, as the leader of the Opposition said, this clause was going to be a repudiation of the public faith, he should be the first to resist anything of that kind and to say that whatever bargain had been made by the colony should be adhered to, and if it were possible to make a compromise on the subject let them do so by all means. But he was one of those who never recognised pre-emption as a right. The Pastoral Leases Act of 1869 was passed by a coalition Ministry. Unfortunately, owing to the position of the Governments in those days, it was impossible to have a Ministry without at least one or more members from the Darling Downs, and as the Darling Downs—with the exception of himself—was represented in those days by squatters, there was always at least one squatter in the Government. The Government of that day had been called by the Press an "unholy alliance," and the Act of 1869 was the result of a coalition of that kind. He did not think the inhabitants of the colony themselves were prepared to accept an Act passed under false pretences. He had always held his present opinion on the subject, and would act consistently with that opinion upon the present occasion. He had read the amendment to be proposed in lieu of the clause in the Bill, and he would have no objection whatever to support that amendment as an honourable compromise. He thought it would be to the public benefit to repeal the 54th clause of the Pastoral Leases Act of 1869. He repeated that this was no new idea with him, because he had seen the evils which had resulted from pre-emption, and he believed it had been the curse of the country. It had obstructed settlement a great deal more than dummying had done or ever would do, and was in every way prejudicial to the best interests of the country, and he thought that the sooner it was wiped off their Statute-book the better it would be for the colony itself and for their land legislation.

Mr. KELLETT said he had very carefully considered the clause, and he had an amendment to propose upon it, as he was satisfied that there might be an injustice done in many cases if the clause in the Pastoral Leases Act of 1869 was repealed as proposed in the Bill. He was satisfied that there was no intention on the part of the Minister or of the Government to do anything that would act disadvantageously or unfairly to any of the pastoral tenants of the Crown; but it was considered a necessity that they should no longer have the pre-emptive clause as it had been worked lately. There were certain gentlemen who had taken up runs in the outside districts, and, he had no doubt, *bonâ fide* made their improvements with the intention when the time came of exercising their pre-emptive rights. He thought it would be very unfair to deprive them of that right. They had borrowed money to make their improvements, stating that they would be in a position to secure that land, and by taking up that land secure the improvements they had made. It had been already said, and well said, that while that clause was acted upon fairly, and as intended by the Act, there was no question of repealing or altering it in any way; and so long as it was exercised only for the purpose of securing permanent improvements there was no intention expressed to alter it in any way. But it had been found that it had been acted upon lately in a way detrimental to settlement, and opposed to the intention of the Act; and the Bill before the House, if the pre-emptive clause was allowed to stand as it was, would be perfectly useless and have a very bad effect in many ways. The first effect it would have would be that a great many men would try to pre-empt as much as they could before there was any notice of resumption at all. They might be forced by the men who had lent them money largely to go in for pre-emption; and it might be one of the worst things that could happen to them. He thought the amendment he had to propose would be agreed to by both sides of the Committee. His knowledge of squatters who had taken up runs fairly, and intended to secure their improvements by pre-emptions—in fact, all squatters who were not "land-sharks"—led him to believe that they would be satisfied with the amendment he had to propose. He had no doubt there were hon. members opposite who knew as much about squatters as he did; some of them, no doubt, thought they knew more. They knew themselves the squatters would be perfectly satisfied——

Mr. MOREHEAD: Let the hon. member address himself to you, Mr. Fraser, and not to me.

Mr. KELLETT: I am addressing myself to Mr. Fraser.

Mr. MOREHEAD: You must be cross-eyed, then!

Mr. KELLETT said he supposed he could look where he liked. The hon. member for Balonne was very fond of objecting to anybody else, but if anyone said a word while he was speaking he always got very indignant. He did not know what the hon. member thought he was. He must not be looked at now. They would have to put him in a cage directly like a bear for a show. He (Mr. Kellett) was saying that *bonâ fide* squatters would be satisfied with this amendment, which would let every man who had made improvements on any portion of his run take up a pre-emptive. If he had buildings on one portion

of his run to the value of 10s. per acre, he was entitled to a pre-emptive. If he had made a reservoir or dam on another of his runs, he was entitled also to take it up on that; and everyone who had up to a certain date made *bonâ fide* improvements was entitled by the amendment to have the full consideration that he thought anyone considered himself entitled to under the 1869 Act. He proposed that clause 6 should be omitted, with a view to substituting the following:—

"6. It shall not be lawful for the Governor in Council to sell any portion of a run to a pastoral tenant under the provisions of the fifty-fourth section of the Pastoral Leases Act of 1869 except for the purpose of securing permanent improvements actually made upon the portion so sold, and consisting of permanent buildings, reservoirs, wells, dams, or fencing; nor unless the following conditions exist and are performed respectively, that is to say—

(a) The improvements must have been made or contracted to be made before the twenty-sixth day of February, one thousand eight hundred and eighty-four;

(b) A sum not less than one thousand two hundred and eighty pounds must have been actually expended upon the improvements;

(c) The land applied for must not comprise any natural permanent water, nor must it, except when the improvements consist of a reservoir or dam, comprise more than one side of a watercourse;

(d) Application to purchase the land must be made to the Minister within six months after the passing of this Act, accompanied with the particulars of the improvements, and proof of the time when they were made, and of the money expended upon them.

"Upon application duly made and proof given within the period aforesaid, the application shall be approved and recorded, and the pastoral tenant shall thereupon be entitled to purchase the land comprised in the application on payment of the sum of 10s. per acre at any time before the land applied for has by resumption or otherwise been withdrawn from, or ceased to be subject to, the lease.

"Provided that any pastoral tenant of a run who takes advantage of the provisions of the third part of this Act in respect of such run shall not be entitled to purchase under the provisions of this section any land comprised in such run.

"For the purpose of giving effect to the foregoing provisions of this section, and of performing any contract heretofore lawfully made by the Governor in Council for the sale of a portion of a run, the said fifty-fourth section of the Pastoral Leases Act of 1869 shall continue in force.

"Except as aforesaid, the said fifty-fourth section is hereby repealed.

"This section takes effect from the passing of this Act."

The reason of the 26th day of February being put in the subsection *(a)* was that during last session a Bill was brought in to repeal that clause, and the second reading carried by a large majority. A week afterwards the Premier stated that the session was too short to go any further with the Bill, but that he considered the second reading as an intimation that the opinion of the House representing the country was in favour of repealing the clause, and that he looked upon it as tantamount to having the consent of the constituencies. Subsection *(c)* was inserted to provide against the possibility of permanent water being included in a pre-emptive, which might be required for purposes of settlement. He did not think he need say any more. He considered the amendment ought to be satisfactory to everybody, but it was not possible to satisfy some hon. members. If an angel came down and proposed an amendment he did not think they would be satisfied. He was sure the general run of pastoral tenants of the Crown would think they were very fairly dealt with. It could not be said that there was any repudiation, because those who did not come under the Act at all would be paid for their improvements. Where any man had made a comfortable home and wished to live there for the rest of his life, had made good improvements on his run, and had induced lenders to advance him money on those securities, he thought lender and borrower should be secured in some way, and that was what the amendment would do.

The CHAIRMAN said it was not competent for the hon. member to move the omission of the clause. He must wait until the clause was disposed of, and introduce his amendment subsequently.

Mr. MOREHEAD said it appeared by the Chairman's ruling that there was no getting that wonderful amendment unless they took it as a clause by itself. He was sorry, for the hon. member's sake, because that gentleman had a plan ready by which the Chairman would have had to read it through at intervals during the hour. He was glad to find the Minister for Lands had another offsider; and he congratulated him on his assistance. The hon. member was not much to be proud of, but he was a very appropriate man to run in a team with the Minister himself.

Mr. MACDONALD-PATERSON said that, as the hour was late, he would move that the Chairman leave the chair.

Mr. MOREHEAD: Hear, hear!

Mr. MACDONALD-PATERSON said that he intended to resume the debate himself, and that was why he had been about to make the motion; but he had no objection to the official member moving the Chairman out of the chair.

The HON. SIR T. McILWRAITH said that, as it had been decided that the clause must be disposed of before the amendment could be discussed, hon. members on his side were quite prepared to go to a division at once.

The MINISTER FOR LANDS moved that the Chairman leave the chair and report progress.

Mr. MOREHEAD: Are you not prepared to pass your own measure?

Question put and passed.

The CHAIRMAN left the chair and reported progress.

The MINISTER FOR LANDS moved that the Committee have leave to sit again to-morrow.

The HON. SIR T. McILWRAITH: Is it the intention of the Government to go on with this Bill to-morrow?

The PREMIER: No.

The HON. SIR T. McILWRAITH: This strikes me as an extraordinary way in which to manage the Government business. Here we have the most important Bill of the session before us; we have been arguing for some considerable time, and are willing to come to a division, but the Minister for Lands moves the Chairman out of the chair. We have given the Government every opportunity of coming to a division; the question has been thoroughly thrashed out, and the Chairman has given his ruling that no amendment can be brought forward until the clause is disposed of. The Government, however, have got secrets for the conduct of their business which they do not let the Opposition know of. They have adopted obstructive tactics on the other side, and the onus of conducting the Government business is thrown upon me. Surely the Government can see that it is no advantage to carry on discussions in this way. We shall discuss the Financial Statement to-morrow, and probably the Defence Bill next day. What man can possibly hope to assist in the business of the House when it is arranged in such a disjointed manner? I do not see the object of having commenced the Land

Bill to-day. The Financial Statement should have been on to-day and to-morrow, and then there might have been some prospect of making progress with this Bill; but, as it is, all the arguments will have to be gone over again, simply through want of proper management on the part of the Ministry. I do not understand this method of conducting the business of the House.

The PREMIER: I do not expect to be able to please the hon. gentleman, nor do I intend to try. I desire to conduct the business of the country in the way that seems to us most conducive to its advancement. That is the motive which actuates us; and the hon. gentleman is at liberty to think otherwise if he sees fit. I do not think the speech he has made is worthy of him, and it is not usual for a gentleman occupying his position to make such a speech. I explained last Thursday the manner in which the Government decided to dispose of their days this week, and I propose to carry out my promise. We shall therefore not resume this debate until the debate on the Financial Statement is disposed of. I should add that my hon. colleague, the Minister for Lands, proposed to adjourn the debate on the subject at the request of members of both sides of the House. The leader of the Opposition having expressed a wish for the adjournment, and hon. members on this side having done the same, it seemed to be consulting the wishes of the House to accede to the adjournment.

Mr. MOREHEAD: It is very pleasant to observe that the Premier has got into the breeches-pocket style of argument. I am not aware that the leader of the Opposition has said anything to provoke the ill-mannered insolence of the Premier. The hon. gentleman has a majority, and he thinks he can do as he pleases. He told us, and the Minister for Lands told us, what they will do, and if it does not suit the Opposition they will be very sorry for it, but the Opposition must suffer. I do not think the Opposition are likely to suffer. To-night, the statement made by the Premier is one that has disgraced him and put him at even a lower level than he was before. He has done and said many strange things in his time, as you, Mr. Speaker, know well; but I think he has eclipsed all his former efforts in the speech he has just delivered.

The HON. SIR T. McILWRAITH: As a matter of explanation, I may inform the Premier that I thought he understood, from what I said across the table, that I did not ask for an adjournment after the conditions laid down by the Chairman. When the Chairman ruled that before the member for Stanley's motion could be put the other clause must be wiped out, I said —come to a decision at once. I expressed in no way a desire to adjourn until that business was done. As to the courtesy extended to me by the Premier, I may tell him he will have to be a great deal more courteous if he wants to get the business through the House. I can force courtesy from a better man than he is, and I will see that I get it. There will be no brow-beating and putting me down.

The HON. J. M. MACROSSAN: The hon. gentleman at the head of the Government has told us that he intends to carry on the business according to his lights. I am afraid his lights are very small—farthing rush-lights—because I think the reason why the hon. gentleman did not come to a division upon this very important clause was, that he might consider whether he should adopt the amendment of the hon. member for Stanley, and assist by so doing in plundering the country a little more than he did in 1877, and then he or some other Liberal leader may have a chance of bringing in another Bill to repeal the clause introduced by the member for Stanley.

Question put and passed,

ADJOURNMENT.

The PREMIER said: As I intimated before, the order of business will be, for to-morrow, the consideration in committee of the Local Authorities By-laws Bill and the resumption of the debate on the Financial Statement.

The HON. SIR T. McILWRAITH: I did not understand the Premier to intimate that the Local Authorities By-laws Bill would come on to-morrow. I am satisfied the hon. gentleman did not say so, and I do not know how long the discussion on the measure is likely to take. The hon. gentleman intimated that he wished the Bill pushed on a stage further, and that has been done to-day. It is a breach of faith to postpone the Financial Statement for a small Bill of this kind.

The PREMIER said he was under the impression that that was the arrangement he intimated. But the urgency of the Bill was generally recognised, and, as it would not occupy more than half-an-hour, it would be desirable to take it first. By doing so the Bill might become law by that day fortnight, and in the meantime there were many local bodies whose operations were seriously interfered with by the present uncertainty of the law.

The HON. SIR T. McILWRAITH said it was of much more importance that faith should be kept with hon. members. It was distinctly promised that the debate on the Financial Statement would be the first business on Wednesday. If there was time afterwards, he should have no objection to take up the other Bill.

The PREMIER said he declined to be accused of a breach of faith. He had pointed out the circumstances under which he proposed to take the Bill, and if any hon. member, no matter how insignificant he might be, thought it a breach of faith, that was quite a sufficient reason for not doing so. He was surprised that the hon. member should use such language after the explanation he made. If a single hon. member took exception, that was sufficient ground for not letting the Bill take precedence of the debate on the Financial Statement. He might add that it was his duty to conduct the business of the House, and to arrange the order in which it should be taken; and he should perform that as long as he was entrusted with the confidence of the House, and not submit to be dictated to by any hon. member.

Mr. MOREHEAD said he had been much amused to hear that poor wretched creature, who fancied himself a big man—that frog who roared and bellowed and imagined himself a bull—talking about any hon. member, "no matter how insignificant he might be." Who were the insignificant members? On which side of the House did they sit? What a royal and lordly way of treating the House! He did not suppose that even the Speaker, who was the oldest member of the House, ever heard a Premier, even in his wildest moment of extravagance, indulge in such language. The hon. member's language was a mixture of the lordly and the humble. Probably the hon. member belonged to a class of men they did not often see—he hoped not, at any rate. Such a mixture of bounce and humility as existed in that wretched Welshman he never saw in his life. If the hon. gentleman thought he could bounce or bully, or attempt to coerce the House, he would find that there were plenty of members who would put him down if they could. The hon. gentleman was certainly the biggest object of ridicule at the present moment to be seen in any parliamentary assembly. What was it to be an insignificant member? Was it to be insignificant by length, or by shortness of stature? If the former, he

(Mr. Morehead) might be an insignificant member, and if the latter the words would apply to the hon. member for Warwick. Or was it to be insignificant in intellect or ability? Who was to be the judge? Was the hon. gentleman to be both judge and accuser? It was really time the hon. gentleman gave up that *rôle;* he had tried it too long. The hon. gentleman had a docile majority, but even they might object to be called insignificant. It was very probable that the hon. gentleman's followers might at some time become very insignificant in number, and that period was possibly nearer than he thought. He hoped the hon. gentleman would explain to whom he referred as an insignificant member, and apologise to the House for having used the term.

Question—That the House do now adjourn—put and passed.

The House adjourned at a-quarter to 11 o'clock.