Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 24 SEPTEMBER 1884

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LEGISLATIVE ASSEMBLY.

Wednesday, 24 *September*, 1884.

Questions.—Motion for Adjournment.—Question of Order.—Native Birds Protection Bill.—Petition of Leonidas Koledas and Thomas Fleeton.—Crown Lands Bill—committee.—Adjournment.

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

QUESTIONS.

Mr. PALMER asked the Attorney-General—

1. Whether, in view of the increase of population in Burke district and Normanton, and the increased facilities of steam communication between Brisbane and Normanton, he intends to establish a district court at Normanton?

2. And if he has arrived at such determination, when will it be carried into effect?

The ATTORNEY-GENERAL (Hon. A. Rutledge) replied—

The Government recognise the necessity for the establishment of a district court at Normanton, and purpose making such arrangements as will admit of their intention to establish a district court there being carried into effect early next year.

Mr. STEVENS asked the Colonial Secretary—

Whether the Government intend to appoint anyone as German interpreter in Beenleigh in place of Mr. Thorsborne, resigned?

The COLONIAL SECRETARY (Hon. S. W. Griffith) replied—

The question of the best mode of providing interpreters for the German population of the Beenleigh district is at present under the consideration of the Government.

MOTION FOR ADJOURNMENT.

Mr. BAILEY said: Mr. Speaker,—I shall conclude with the usual motion for the adjournment of the House. I wish to call the attention of hon. members to what I consider rather a curious fault in the practice of this House. It is customary when a Bill has passed its second reading and gone through committee to consider its third reading as a formal matter; but when the third reading is made "not formal" the Bill, I submit, again becomes a subject for discussion. To illustrate what I mean I shall have to refer to a recent debate, and I hope I shall not be out of order in so doing, because I shall say as little as possible on the subject-matter of that debate. On the 18th instant the Local Authorities By-laws Bill stood on the paper for its third reading and was read out by you, sir, from the chair. I pronounced it "not formal," thereby indicating that it was to be reopened for discussion again on some point or other. I think the point on which it was to be again discussed had been pretty well indicated in the previous debate. It was certainly on record that several members of the House misunderstood the Timber Regulations which affected a certain class of men who would be seriously affected under the provisions of this Bill. Having declared the third reading of the Bill "not formal," when it came to be discussed I found there was no such Bill in the possession of hon. members. I asked that the Bill should be distributed to hon. members, and a Bill—but not the Bill we passed in committee—was circulated amongst hon. members. I myself had to go to the Clerk to get the manuscript copy of the amendment passed in committee. I think there was plenty of time—five days—in which to have furnished hon. members with a copy of the Bill containing that amendment. The amendment was a most serious one, and it gave an enormous power to local authorities to impose a tax which would be seriously embarrassing to a large class in the community. Still, when the third reading of the Bill came on, not one hon. member had a copy of the Bill with that amendment appended to it. I only bring this under the notice of the House because I think that in the future, when the third reading of a Bill is objected to as a formal matter, hon. members should have an opportunity of seeing the real Bill they are about to pass, and not as brought in in the first instance, without amendment. I beg to move the adjournment of the House.

The PREMIER (Hon. S. W. Griffith) said: Mr. Speaker,—It is so unusual in this House for the third reading of a Bill to be taken otherwise than as a "formal" motion, that I do not wonder copies of the Bill were not circulated to hon. members. I certainly think it would be a convenient rule that the third reading of a Bill being declared "not formal" should of itself be considered a sufficient indication of a desire that it should be circulated amongst hon. members in the form in which it passed through committee. I understand that there are always two or three copies in the House, but not sufficient to go round to every hon. member. I think it is desirable that, when it is known that Bills at their third reading will be opposed, they should be circulated to hon. members the day before in the form in which they left committee.

The HON. SIR T. McILWRAITH said: Mr. Speaker,—The remark of the Premier does not apply in the present case at all, because the hon. member for Wide Bay called "not formal" and the Bill came on immediately.

Mr. BAILEY: No; five days afterwards.

The HON. SIR T. McILWRAITH: Not only in a case where a motion for the third reading of a Bill is made "not formal," but, I think, in every case, before a Bill passes its third reading it ought to be in print, and be in a position to be distributed to hon. members if necessary. I had thought that was always the case, and this is the first case in which I have found it was not so. At the third reading of a Bill hon. members should be able to get a copy of it embodying all the amendments carried in committee.

Mr. SCOTT said: I think the practice has been, when important alterations have been made in a Bill, even when it is going through committee, to have the Bill reprinted for the convenience of hon. members. I think it is only right and proper, when important alterations are made, that hon. members should have an opportunity of seeing them in the Bill before going on with it further.

The SPEAKER said: I may state for the information of hon. members that, on making inquiries, I find that it has not been the practice to have a Bill reprinted for the third reading; but if the House now expresses its opinion that it is desirable for the third reading, whether objection is made or not, and more particularly when the alterations are important, then care will be taken that copies of the Bill are distributed to hon. members. Up to the present time, as I say, it has not been the practice.

The HON. SIR T. McILWRAITH: Not where important amendments have been made?

The SPEAKER: The practice has been as stated by the hon. member for Leichhardt. When important amendments have been made in committee, they have been printed.

The HON. SIR T. McILWRAITH: Exactly.

The SPEAKER: I find that it has not been the practice to issue copies of a Bill for the third reading; but, if it is the wish of the House, care will be taken that it shall be done in the future.

Mr. BEATTIE said: I take this opportunity to bring a matter under the notice of the House which I think deserves some consideration. I think it is my duty to bring it before the Government. The matter is this: Lately, officers have been appointed in the various departments of the Government in connection with different works in the country; and in the exercise of their duty—I do not know whether it is their patronage—they have adopted a course which I think is very objectionable. What I mean is that when inspectors or overseers of works, or even superintendents of works, are required, these newly appointed officers from the south send to New South Wales and Victoria for men. Now I think that is a very undesirable thing to do, because I know there are plenty of men in this colony who are qualified for these positions—competent and capable men. I think it is unfair that these newly appointed officers under the Government should send to those colonies for men when we have here persons of talent—individuals who are quite capable of carrying out these works. There is no doubt that it might be a convenience for the new officers to have men with whom they have been associated in the other colonies; but I think when they came here, and were employed by the Government of Queensland to expend money judiciously for the taxpayer, they ought to have

left their old loves behind, and taken some of the material that is placed at their disposal here to superintend works. I hope the information I have received on the subject is not correct. I have heard a great many complaints about it; but I hope, for the sake of those men whom we have in the colony, that the rumours I have heard are not correct. I take this opportunity of bringing the matter under the notice of the Government because, if there is any foundation for the statements, then I think the course taken by the new officers is a very wrong one.

Mr. JORDAN said: There is another matter which I should like to bring under the notice of the Government and the House. It is an "application for Indian coolies," and, as published in this morning's paper, purports to be a copy of a petition to Lord Derby:—

"The following copy of a petition addressed by a number of Queensland planters to Lord Derby was yesterday handed to us for publication. We obtained it as the result of inquiries made, because it had been reported that communications had been exchanged between Lord Derby and Mr. Garrick on the subject."

That petition is signed by certain gentlemen, two of whose names are given—namely, J. S. Davidson and R. J. Jeffray. It is, as I say, addressed to Lord Derby, and asks that coolies should be sent into the colony from India without being subject to any regulations. The paragraph to which I wish to draw particular attention is this:—

"At the same time it has been ascertained, by inquiry from the proper department in the colony, that if the Indian Government will consent to the engagement of their subjects for private employment in Queensland there is no legislative obstacle in the colony to their coming, and, moreover, that the Colonial Government will not interpose any difficulties."

If I did not know something of the subject, I should suppose from that that the Government of Queensland are willing that the sugar-planters should be enabled to make private arrangements for the introduction of coolies for the cultivation of their plantations in this colony; and that the Government would not interpose any difficulties in the way, but would rather encourage the immigration of Indian coolies under ordinary regulations. Of course, this astonished me, and I think it will astonish other hon. members; and I have therefore brought the matter under the notice of the House and the Government.

The PREMIER said: I ask the permission of the House to speak again on the motion in order to refer to the matter brought forward by the hon. member for South Brisbane. I observed this petition this morning, and the statement in it to which the hon. member referred. I was not aware, until I saw it in the *Courier*, that there was a copy of the petition to be procured in the colony, although I became aware on Monday of some action being taken in London on the subject. The statement that—

"It has been ascertained, by inquiry from the proper department in the colony, that if the Indian Government will consent to the engagement of their subjects for private employment in Queensland there is no legislative obstacle in the colony to their coming, and, moreover, that the Colonial Government will not interpose any difficulties"—

is not, it will be observed, accompanied by any statement as to the time when those inquiries were made from the proper department. I presume that the Colonial Secretary's Office is the department from which inquiries should be made. It is quite true that no legislative obstacle exists at the present time, because there has always been sufficient legislative obstacle in India. That is one reason. As to the statement that it has been ascertained that the Colonial Government will not interpose any difficulty, I have only this to say: that if it refers to the period that has elapsed since the present Government came into office it is entirely and absolutely untrue. Nothing of that kind could have been ascertained from any department since the present Government came into office. What is intended to be conveyed, I do not know; but if it is intended to convey that that is the attitude of the present Government, then I say it is distinctly and entirely untrue. Now, sir, I will take this opportunity of saying what the Government have done. It came to their knowledge on Monday that negotiations of this kind were on foot, and yesterday morning I telegraphed to Mr. Garrick informing him that I understood negotiations were being carried on in London for introducing coolies without regulations into Queensland, and asked him to communicate with the Colonial Office requesting that nothing might be done in this matter until this Government had an opportunity of dealing with the application. To-day I received a reply from him informing me that an application of the kind had been made to the Colonial Office, and had been forwarded to the India Office; but that he had received a verbal assurance from the Colonial Office that they regarded the concurrence of the Colonial Government to any proposition of that kind as absolutely essential. I think hon. members may rest perfectly assured that no concurrence of that kind will be given so long as the present Government is in office.

The HON. SIR T. MCILWRAITH said: Mr. Speaker,—No doubt I shall receive the consent of the House to the few remarks I intend to make. When I was in London I was waited upon by one of the gentlemen who signed this petition, Mr. R. J. Jeffray, who told me that it was the intention of several gentlemen in London to present a petition to the Government, the tenor of which would be something like that which was published in the paper to-day. He told me also that his representatives in Queensland—Mr. R. J. Jeffray is the principal partner, I believe, in the firm of William Sloane and Company—had received from the Premier, Mr. Griffith, an assurance that the Government would put no obstacle in the way if the Indian Government and the English Government consented to allow Indian coolies to come out under the Masters and Servants Act. I was very much astonished at this——

The PREMIER: I should think so.

The HON. SIR T. MCILWRAITH: And I asked him before he took any action to satisfy himself that the matter was in that position; at the same time expressing my disbelief. I could scarcely believe that a man would turn round so soon after election and make a nullity of all his previous political actions. Mr. Jeffray said, "I had better telegraph and find out," and he did telegraph, and told me afterwards that he found it was absolutely true that Mr. Griffith had informed his representative that there was no existing legislative obstacle, and that the Government would put no obstacle in the way whatever, provided the Indian Government allowed these coolies to come out without regulations. There is no reference whatever in this petition to any consent obtained from the previous Government, because such consent was never asked from the previous Government.

The PREMIER: Or from the present Government.

The HON. SIR T. MCILWRAITH: The hon. the Premier must understand that I am not saying he gave such consent; I am telling the House what took place between myself and Mr. Jeffray in England. I doubted if he had been correctly informed, and he cabled out and received a reply stating that Mr. Griffith the Premier of

Queensland, had said that there was no legislative obstacle, and that certainly no objection would be raised by the Government.

The PREMIER: I ask permission to repeat that no such information was given by me.

Mr. BLACK said: I think, sir, that as I have been connected in some way with the article that appeared in the *Courier* this morning, I may as well state to this House the real facts of the case. My attention was directed last evening to a short paragraph in the *Telegraph* to this effect:—

"News of a very neat stratagem has just been flashed per cable from London to Queensland. It is to the effect that vigorous attempts have been made on behalf of the sugar-planters from Mackay to induce the Indian Government to agree to the introduction of Indian coolies into Queensland to work on sugar plantations without being under the ban of any regulations made by the Queensland Government. These are very straightforward, upright, and honourable tactics for members of a conscientious Opposition to pursue. The probability is that the Hon. J. F. Garrick will make himself acquainted with the desires of the sugar-planters and th ir solicitude to lighten the burdens of the present Government, but in the long run the sugar-planters of Mackay will discover that neither Earl Kimberley, as head of the Indian Government, nor the majority of Queenslanders, will countenance a condition of things which prompted the writing of 'Uncle Tom's Cabin.'"

I thought that was rather a sensational paragraph, and it was quite evident to me that the hon. the Colonial Secretary or his department was not in possession of the facts of the case—that, as this article implies, a telegram had been received from home intimating that something of the sort was going on, but that the Government were not in a position to define exactly what it was; otherwise they would have been able to supply more ample information to their newspaper organ, the *Telegraph*. I was in possession of a copy of the actual application that had been made in London to Earl Derby, and having been questioned last night as to whether there was any truth in this statement, I expressed my perfect willingness to hand it over for publication. This article states that the sugar-planters of Mackay have been doing this. Now, the sugar-planters of Mackay have done nothing of the sort, although I am quite prepared to say that the movement has very likely the sympathy, not only of the sugar-planters of Mackay, but of the whole of Queensland. This movement was originated by certain gentlemen in England who are interested in the sugar industry, and one of them sent out to me a copy of the memorial that is published in this morning's paper. Now, sir, when the Coolie Act was repealed by the present Government last session, I pointed out that by that repeal the Government had virtually removed the only safeguard to the introduction of coolie labour into Queensland. That Act provided that without the sanction of the Government and both Houses of Parliament no coolies could be introduced, but when the Act was repealed it became quite possible for any private individuals to introduce coolies without being hampered by any regulations, if they could possibly influence the Indian Government; for the only restrictions which at present exist to the introduction of coolie labour are imposed by the Indian Government and not by our Government. The Indian Coolie Emigration Regulations provide expressly that no coolies shall be allowed to emigrate unless the country to which they are going to emigrate is in accord with the Indian Government; but they except domestic servants and they also except coolies employed on board ships. There is nothing at this moment to prevent any person in Queensland or in the Australian colonies going over to India and bringing down as many domestic servants as he likes. The Indian Government, so long as they are assured that the coolies are to be used only for domestic purposes, will not interpose any difficulty in the way; and I think that I need hardly tell this House that there is no law on the Statute-book which prevents British subjects coming from India to Queensland. They might have done it before they repealed the Coolie Act last session; but, as the law of the country at present stands, coolies, if intended for domestic servants or to be employed on board ship, can come freely into the colony. The position the planters hold is this: The Government, for certain political reasons, may not be prepared to pass regulations allowing the introduction of coolies into Queensland, but if the Indian Government consider them as British subjects, coming to a British colony, who will receive the same protection that the law affords to our own British subjects; if they are content that those laws are employed for the protection and regulation of the coolies coming here, there is no reason whatever why the Indian Government should not relax their regulations; and I may point out now that the only thing which prevents coolies coming here is the action of the Indian Government, and not of our Government. I think a matter of this sort, which is very likely to be of considerable interest in certain parts of the colony, should receive most ample discussion and fair explanation, and that is the explanation which I have very much pleasure in giving the House now; and should I receive any further information as to the progress of these negotiations with the Home Government I shall be most happy to lay it before the House when the proper time comes.

The MINISTER FOR WORKS (Hon. W. Miles) said: I must refer to a remark which fell from the hon. member for Fortitude Valley. The hon. gentleman must be aware that some short time ago applications were invited from competent persons to fill the office of Colonial Architect, and Mr. Clarke, who was one of the applicants, got the appointment; and a very good officer he is. Some time afterwards—in fact, during last session—the House voted a considerable sum of money for the erection of bridges in the North—one over the Pioneer River at Mackay, another over the Endeavour River, and another over the Annan River. I applied to the Harbours and Rivers Department to ascertain if they could provide a gentleman of sufficient ability for the purpose of designing and constructing those bridges, and they were unable to recommend anyone. I then applied to Mr. Ballard, to see if he had an officer in his department who would be capable of carrying out those works. You must remember, Mr. Speaker, that bridge after bridge has been erected over some of those northern rivers and been swept away by floods, and I therefore came to the conclusion that if such a large expenditure was to be made it should be made under the supervision of a man who understood the subject well. Mr. Ballard told me that he had not an officer in his department competent to undertake the work, unless he did it himself. I knew that Mr. Ballard had other work to do than to design bridges, and I therefore applied to the Railway Department if they could supply anyone, and they recommended me to employ some professional men by the name of Brown and David; and their proposition was that all the expenses should be paid of taking levels, etc., and they wanted 5 per cent or 10 per cent. commission upon the construction of the work, which was out of the question. I then communicated with the Colonial Secretary of New South Wales, and asked him if he could recommend a gentleman suitable to undertake the work. The New South Wales Government recommended Mr. Daniels, who was second in

charge of the department there. That gentleman, who was most strongly recommended, was appointed, and arrived here a short time ago and proceeded to Mackay to inspect the river, and will shortly have the designs prepared. Mr. Daniels applied for a draftsman and a clerk who, he said, had been under him for a considerable time in New South Wales, and I sanctioned the appointments. Next time I am in want of anyone to construct bridges, I will apply to the hon. member for Fortitude Valley. I am sure he would be quite prepared to undertake the work.

Mr. MOREHEAD: He would have done it too.

The MINISTER FOR WORKS: Seeing the results of the badly designed and constructed works over those rivers previously, I thought it as well that there should be a competent engineer employed to undertake the work. I am very sorry if anything I have done should have given the hon. member for Fortitude Valley any trouble. It seems a most extraordinary thing that the hon. gentleman should know more than anybody in the Harbours and Rivers Department, or the Works Department, or the Railway Department. He is always finding fault. If the hon. gentleman had recommended any officer suitable for the undertaking I should have been very glad to have taken his advice. He has a very good opinion of himself, and if there is a vacancy again I shall apply to him to fill it. I firmly believe in employing men in the colony, if I can get suitable ones. It is an old fact that there are a great many people about who have come to the conclusion that the Government employment is a paradise. They will spare no pains or trouble—they will apply to any hon. member of the House—to try to get them into the Government Service; and when they get there they are perfectly useless. As far as lies in my power, I shall employ competent persons in the colony; but I will take care to get rid as soon as possible of anyone who is unfit for his work.

The HON. J. M. MACROSSAN said: After the extremely sarcastic speech of the Minister for Works, the hon. member for Fortitude Valley ought to feel very small. From my experience, when in office, of that hon. member—and my experience was longer than that of the Minister for Works—I always found him to be a very practical man; and in this particular case he very likely has reason to find fault with the Minister for Works. The hon. gentleman says he could not find men, either in the North or the South, competent to make a bridge; and he also stated that the bridges over the rivers in the North have been swept away time after time. Will he tell us where those bridges were placed?

The MINISTER FOR WORKS: There was one over the Pioneer River, and another over the Endeavour River.

The HON. J. M. MACROSSAN: The bridge over the Pioneer River was not swept away; it was only damaged at the ends—a thing to which any bridge in any part of the colony is liable, no matter by whom designed. The Endeavour Bridge was swept away, and also a bridge in the South—the Miva Bridge. The only real bridge in the North is one which Mr. Ballard, the Engineer for Railways in that part of the colony, thought fit to turn into a railway bridge—I refer to the Burdekin Bridge; and the individual who designed it must have been a very competent bridge-builder indeed. That is the only bridge in the North that is worth calling a bridge; the others are simply little structures over creeks. The Endeavour River is nothing more than a creek at the place where the bridge alluded to by the Minister for Works was built. There is another bridge in the Central district, designed by a bridge-builder in the Government Service, which has been turned into a railway bridge, and has stood the test of railway work for many years—the bridge over the Dawson River. I am at a loss to know why the Minister for Works sent to New South Wales to find an ordinary bridge-builder, and accepted a man on the recommendation of the New South Wales Government. Did he think they were going to send their best man up here? Without wishing to say a word against the gentleman who has been appointed, whom I have never seen, and whose name I do not know—I only know what I would have done had a similar application been made to me, and I am quite certain the New South Wales Government would act in the same way. In making a recommendation they would see that their own interests did not suffer. As to the statement of the Minister for Works, that he could not find a bridge-builder in the North, I know he could if he had chosen. He would have found Mr. Macdonald, a brother of Mr. P. F. Macdonald, formerly a member of the House; but for political reasons, perhaps, he did not feel inclined to employ him.

The MINISTER FOR WORKS: The hon. member does not know what he is talking about.

The HON. J. M. MACROSSAN: It is strange if I do not, after having had four and a-half years' experience of Mr. Macdonald, whom I found one of the most competent officers in the service. If it is true that Mr. Ballard could not find the hon. gentleman a bridge-builder, all I can say is that I am extremely sorry for Mr. Ballard's staff, which must be a very inferior one indeed if it does not possess a man capable of building a bridge over the Endeavour, the Pioneer, the Annan, or Ross's Creek. Either Mr. Ballard is served with extremely inferior men, or else, like the New South Wales Government, he was not inclined to have his best men taken from him to build bridges. Even if the Minister for Works found it necessary to send to New South Wales for a bridge-builder, why should he send there also for a staff of clerks and assistants? Surely we have enough men in Queensland competent for that sort of work, and to send abroad for them is extremely unfair to the taxpayers of the colony. We ought to employ our own people first, and not send abroad until it is ascertained that there are no local men competent enough. As long as the hon. gentleman carries on the public works of the colony in that style—asking outside Governments to send him a good man—he will find that the work will not be done. I again assert that the hon. gentleman could have found competent bridge-builders in Queensland, though for political reasons he would not appoint them—first and foremost of whom is Mr. Macdonald, of the North.

Mr. T. CAMPBELL said: I must take the liberty of correcting the hon. member for Townsville in one or two particulars. With regard to his statement that the Endeavour River is little more than a creek where the bridge was built, I can say from my own knowledge that it is a great deal more than a creek, although the structure over it could hardly be called a bridge. It was so flimsy, indeed, that with the very first flood-water away it went. Early this year I mentioned the matter to the Minister for Works, and urged him to erect the new bridge as speedily as possible, pointing out that the settlers on the other side of the river were entirely cut off from communication with Cooktown. The hon. gentleman dealt very fairly with me. He said it was not possible at the time to obtain a competent man to put up a bridge that would stand the pressure of flood-

water there, and that, instead of wasting the public money in erecting another structure like the one destroyed, it would be better to wait until a competent bridge-builder was found. The hon. member for Townsville is also somewhat mistaken when he says that the Minister for Works was actuated by political reasons in not giving the appointment to Mr. Macdonald. I happen to know that Mr. Macdonald is by no means a political supporter of the party to which the hon. member for Townsville belongs—quite the contrary—and it is hardly likely that the Minister for Works could harbour any political animosity against him. I fail to see, therefore, how that accusation can hold water. As to the hon. member for Fortitude Valley, he deserves the thanks of the House and the country for bringing this matter forward—although the Minister for Works did not exactly catch the point raised, which was, that he should not have gone to the southern colonies for the bridge-builder's assistants. I hold the same opinion. That gentleman ought to have employed Queensland material instead of bringing up his former employés, to the detriment of the mechanics in the colony. In the North, particularly, there is abundant material for bridge-making—there are plenty of men who can do the subordinate work, when directed by someone who understands the matter thoroughly. I quite agree with the hon. member for Fortitude Valley that it is a wrong principle to adopt altogether; and I think that hon. member deserves the thanks of the country for having brought the matter forward. I do not say that the Minister for Works is in the slightest way to blame in the matter. Possibly it may have been a matter of neglect. But the hon. member for Fortitude Valley has brought no accusation against the Minister for Works; and I do not see why he should be singled out in the matter. The hon. member referred to some member of the Government; I do not know whether it is the Minister for Works or not; but if anything of the kind referred to has been carried on I think it has been more a matter of neglect than of intentional doing. I understand that the instructions given with regard to the bridges in the North are, to proceed first with the bridge over the Pioneer, then that over the Endeavour, and afterwards that over the Annan. I repeat that the hon. member for Fortitude Valley has done good work by drawing the attention of the House and the country to the irregularity that has occurred, because I am certain it is an irregularity; and if it has been done it should not be repeated.

Mr. ANNEAR said: Two gentlemen have recently been brought to this colony, one by the late Ministry, Mr. Clarke from Melbourne; and the other by the present Minister for Works, from Sydney, Mr. Daniels. I am confident that Mr. Clarke is an acquisition to this colony, and I am also confident that Mr. Daniels will prove himself the same. At the same time I fully understand the remarks made by the hon. member for Fortitude Valley. What he objects to, Mr. Speaker, is that when we can find competent men in the colony capable of performing the duties of clerk of works, or of staff to either of those gentlemen who have come from Victoria and New South Wales, those men should be employed, and we should not go out of the colony for others. I am aware that the additions to the Government Printing Office have been commenced within the last few weeks, and what do we see, sir? Scores of competent men, citizens of Brisbane—and the same may be seen in Maryborough and Rockhampton—walking about with nothing to do; while others are brought up from Sydney and Melbourne for that work. The men here are not considered good enough! I maintain that this is an injustice to the tradesmen of this colony. When competent men cannot be obtained here then it will be time enough to send elsewhere for them. I think the Minister for Works has acted quite right in the interests of the people of the colony in sending to New South Wales for a bridge engineer. When Mr. Ballard said he had not a man, he meant that he had not a man he could spare—that he had sufficient work for the staff he has employed. I have seen bridge-builders in the colony before. The hon. member for Cook seems to confuse a bridge-builder and a bridge-designer. They are two very different things altogether; I am sure he knows that. We have a bridge at Maryborough, sir, which cost £31,000; and I could pick up many men in Queen street, who do not call themselves bridge engineers at all, who could make a far better structure than it is. It will have to be taken down and rebuilt before very long; and the man who built that was supposed to be a great bridge engineer. I know something about Mr. Daniels and Mr. Clarke, whose work I have seen in the colony; and I am sure both those gentlemen will prove an acquisition to the colony.

The HON. SIR T. MCILWRAITH: Who was the engineer of the Maryborough Bridge?

Mr. ANNEAR: Mr. Byerley was the designer of the bridge. I believe he designed it as it was built, from day to day. We want men who can design and construct bridges, and I am sure that Mr. Daniels will be able to design the three bridges mentioned by the Minister for Works properly, and in such a way that contractors can see what is required and send in proper estimates. Mr. Daniels is a very competent man, which I maintain Mr. Byerley was not. I think the Minister for Works deserves the thanks of the country for what he has done in respect to that appointment, but I hope the other matters referred to will not occur again. I may say that a great number of tradesmen have waited upon me since I came to Brisbane—knowing I am a mechanic myself—with regard to getting work; and I think a great injustice has been done in sending to the other colonies for men to form the staff of the gentlemen referred to, when competent and suitable men are to be found in the colony.

Mr. MOREHEAD said: I must say that I feel rather sorry for the Minister for Works, as he seems to be getting it, so to speak, all round. He got it very properly, in the first instance, from the hon. member for Fortitude Valley, who I think has not done with him yet. Then the hon. member for Cook, Mr. Campbell, tried to square matters with both. He told the hon. member for Fortitude Valley that he was a very excellent and able man; that he quite shared his views up to a certain point. Then he told the Minister for Works that he was really a magnificent man; and then he wound up by telling the hon. member for Townsville that he was very ignorant of the wants of the North. So far as regards his two first statements, possibly they may be right; but as to the third I am sure that it will not be accepted by the House or by the public outside. But I daresay the hon. member for Townsville does not require any sympathy from me or anybody else. I daresay he will survive the statements of the hon. member for Cook, who knows so much about the North. He knows a great deal! He says he crossed the bridge referred to three times—that he was there three times altogether. I suppose he might have been there several other times, in pieces. At any rate he was there three times altogether, and knows

all about it. The hon. member quite adopts my views with regard to importing labour from another colony that can be obtained in this, and I only regret that he does not follow me also with regard to the Immigration question. If he would only apply the same arguments that he does to the introduction of skilled labour from the other colonies to the introduction of labour from other countries—dealing with the British Isles first before going abroad—he and I would be very much more in unison than we are at present. At any rate he is following in my steps, and in time may complete the cycle, and fall into the ranks of those who are thoroughly in earnest on that matter, which I am sorry to say some hon. members on the other side of the House are not. I quite agree with what has fallen from hon. gentlemen opposite, who have protested against the introduction of labour from another colony when we can find competent men here to do the work. I think, sir, the sneers cast by the Minister for Works, with regard to the ability and energy possessed by the hon. member for Fortitude Valley, beneath the contempt of that hon. member. I consider that hon. member quite as competent, or a great deal more competent, from his special knowledge, than the Minister for Works, to discharge the duties of that office. That hon. gentleman has made the construction of public works a special study. It may be that they are on a small scale, but still he has done so, and it is admitted on all hands that he has done really good work in the division in which I live. I think, therefore, that it ill became the Minister for Works to sneer as he did even at an opponent; and still more so to sneer at an hon. member who has always supported him, and whose objections are such as I am sure will commend themselves to the majority of members of this House. I am certain that if the House were divided to-night on the question raised by the hon. member for Fortitude Valley — that while we have within the colony men competent to fill Government appointments or to do Government work, we should not go outside for them—the vote would be in favour of that hon. member. It has been admitted that the Minister for Works made a great blunder in the first instance in this matter; but he has blundered still further in getting the staff of this gentleman from another colony. He went further and further into the mire; and I hope that, if he is not too old to learn, this will be a lesson to him—that while we have in our midst men capable of doing Government work, those men should be employed, instead of going to other colonies to get men. As regards the remarks made by the hon. member for Maryborough—Mr. Annear—in reference to Mr. Byerley, I think they were perfectly uncalled for, perfectly unjust, and not based on fact.

Mr. FERGUSON said: I quite agree with the remarks that fell from the hon. member for Fortitude Valley. The course adopted by the Government lately is not confined to the bridge-building branch, as I know it is adopted in the building branch. I know several competent persons who applied, not very long ago, for the appointment of foreman of works. The answers they received were to the effect that there was no such officer required in the department; but only a week or two afterwards an appointment was made, either from New South Wales or Victoria, of a foreman of works, or, at all events, of some officer within the branch of that department. I do not know whether more than one such appointment has been made, but I am certain one has been made. There were a great many applicants for the appointment I have referred to. I think the course taken by the department is very wrong to many of the taxpayers in the colony, who consider that they have a prior right to an appointment of this kind, if there is nothing known against them to prevent their appointment. There is not the slightest doubt that they are competent—quite as competent as any who have been appointed from the other colonies. And it is not altogether just that the old servants of the colony should not be considered when these appointments are made; they are neglected very often. There are several old servants, who have been very faithful to their duties, and who have always carried out their works without the slightest fault being found, and who have proved themselves to be competent men in every manner, who have been overlooked. New appointments have been actually made over their heads, and the new officers have been paid a higher salary; yet at the same time I know that the old official has had to go, on several occasions, to correct and put straight the work of the new officer when it had got out of order. It showed that the newly appointed officer was not so competent as the old servant, who had worked well for fifteen or sixteen years. I know several cases of this kind which have occurred in the Railway Department. Naturally the Colonial Architect preferred the men he had been used to, and in whom he had confidence; but at the same time we know that there are quite as good men in the colony, or in the town of Brisbane even. I believe myself that equally good men can be found in Brisbane as are obtainable in the southern colonies. At the last exhibition in Melbourne, several exhibits which had been sent down from Queensland took the leading prizes in the building line itself, thusshowing that Queensland stood very high in that line at that exhibition. I believe that it is a great mistake to go out of the colony for our officers, because as a rule we do not get the best men by following this course; we only get the refuse. Any head of a department in Victoria or New South Wales would only send their third-class men away; they keep the best men for themselves, and if they are applied to for anyone of the class they send their third or fourth class men. I quite agree with what was said by the hon. member for Fortitude Valley, and I hope it will have some effect on the works carried out by the Works Department.

Mr. BEATTIE: Mr. Speaker——

Mr. SPEAKER: The hon. member has already spoken.

Mr. BEATTIE: I ask permission of the House to say a few words in reference to the remarks of the Minister for Works. I think it is only fair to myself that I should make some sort of explanation. The Minister for Works spoke evidently without having heard what I said. He started with the idea that I had condemned the appointment of the Colonial Architect and the Bridge Engineer; I simply referred to officers who have been appointed. My complaint was that those gentlemen, after receiving their appointments, were allowed to make the appointments of their subordinate officers from the other colonies. But the Minister for Works went a great deal further; he wanted to lead the House to believe that I was in the habit of going to the Works Office and to other departments for the purpose of recommending people for appointments. I ask the hon. member for Townsville if I ever went to his office when he was a Minister and recommended people for appointments, or if I ever went to the office of Sir Thomas McIlwraith for such a purpose? They never saw me in their offices. Only on one occasion have I spoken to the hon. gentleman, and it was to recommend a man, who was already in the Government employ, for another appointment. He was a man in whom I had every confidence, otherwise

I would not have recommended him. Whilst I have the honour of being a member of this House I will enter my protest against any measure which is a waste of the taxpayers' money. If I think I can suggest a better plan to save the money of the taxpayers, I will do so without any fear of the hon. Minister for Works. I can tell him that, and, what is more, that with reference to my experience I flatter myself that he was not very far wrong. He was not very far wrong; and I think I know a little more than he does of the practical working of a good many departments. And I know many things occurring in his department that I do not approve of; but I am not going to speak to the House about them. This is a public matter, and I think the taxpayer has a perfect right to complain of men being brought here from the other colonies to fill up appointments, when we have plenty of competent men in this colony to take the position of foreman of works or inspector of works. I think that practice is objectionable, and I hope this discussion will have the effect of preventing any similar appointments being made in the future. As to the competency of Mr. Clarke or Mr. Daniels, I never for one moment called it into account; and I do not see there was any necessity to bring any man's name into this discussion. I did not do so; I did not speak of a single individual in an offensive manner; but the Minister for Works did. He referred to some firm of Brown and David. A request was made by the Works Office to that firm. I may say that Mr. Brown has made a speciality of bridge-building.

An HONOURABLE MEMBER: Was he in the Railway Department?

Mr. BEATTIE: I am informed that Mr. Brown was trained in England as a bridge and drainage engineer. A letter was sent to his firm asking on what terms they would prepare plans and specifications, and see to the construction of the bridges over the Pioneer, the Annan, and other rivers. I think they sent in the usual professional commission, which is, as the Minister for Works has said, 5 or 10 per cent.

An HONOURABLE MEMBER: Oh!

Mr. BEATTIE: Well, 5 per cent. I believe they offered to do the work at 2½ per cent., their expenses being paid for going up to examine the sites and take the levels. Their terms were not accepted, and that ended the matter; but I do not see why their names should have been dragged into the discussion. If the Government did not want to employ them they should say nothing about it; and I do not see that the Minister for Works is justified in holding up these men as having made some exorbitant claim upon the Government for superintending work, or for offering to carry out work that the Government wanted done. We know very well, and I may tell the Minister for Works, that in England bridge-building is a speciality. No Government officer constructs bridges in England; the work is done by private professional men, whose ordinary practice is to give plans and specifications for the construction of some bridge; and if their plans and specifications are approved of they have the superintendence of the work. Precisely in the same manner, Brown and David, as professional men, sent in their offer to make plans and specifications for the construction of these bridges, and the Government would not agree to their proposal. I think this firm acted very reasonably indeed if they offered to make plans and superintend work at 2½ per cent. Of course I do not know that I am actually correct in saying it was 2½ per cent. It would have been a much more pleasing duty if, instead of making an attack upon me for bringing this matter before his notice, the Minister for Works had simply replied to it in the manner in which it was put. I did not attack those gentlemen who have been appointed as professional advisers to the Government; but I simply said I thought it was unfair on the part of those gentlemen, having received those appointments, to go to the other colonies for their subordinates and men they wanted as supervisors over the work they had in hand. That is all I said, and I hope for the future, when an hon. member brings a matter before the House, the hon. gentleman will reply to it in language more becoming a Minister of the Crown. The hon. member thought he was giving me, or tried to give me, a castigation, but I tell him I consider it a great compliment from him to think I had sufficient knowledge to give some information, which some of the gentlemen in the other departments would never have taken in the offensive manner in which he took it.

Mr. MACDONALD-PATERSON said: Mr. Speaker,—To use a colloquial phrase, I am prepared to back the hon. member for Fortitude Valley level with the Minister for Works in that or any capacity in regard to the administration of the Works Department of the colony. I believe that opinion is founded on common sense, and I respectfully submit that opinion to the House, and specially address it to the hon. the Minister for Works himself. It is nonsense for him to think that he should become a despot in his department, and use his own opinion without regard to the opinions of different members on both sides of the House, who are representing the people of the colony. I am very pleased indeed that the hon. member for Fortitude Valley has brought this matter up. It enables me to say that the Estimates that will be placed before the House will require the closest scrutiny. I find that "new chums"—and when I say "new chums" I refer to men who have been here even for three years as against men who have been here twenty-five years—have been shoved ahead in the matter of salary and promotion as against those who have had a great deal more experience. How is this brought about? Is it by earwigging, or by the heads of the departments? I know, at any rate, that gross injustice has been done to a number of Civil servants in the Works Department. I think any gentleman occupying the position of Minister for Works should have a close knowledge—an intimate knowledge—not only of the chiefs and lieutenants of his department, but of the officers under them, and should be able to discern who really are the deserving ones, in the interests of the colony. The men who should have the loaves and fishes are the men who have borne the heat and burden of the day in the time gone by, and not the men who have jumped up within the last five or seven years. Yet these latter men are the men upon whom have been lavished the extra £50 or £100 a year; and older men in the service—and equally deserving, if not more so—have been entirely forgotten and omitted. The hon. Minister for Works truly expressed his opinion—I believe he expressed his true opinion when he said that some men regard the Civil Service as a paradise. The hon. gentleman thinks himself it is a paradise; but I believe it is not a paradise for a good man. I know many hon. members on both sides of the House agree with me that it is the very worst place possible for a good man. The good working bee of the hive is the man who is ignored, but the drone, provided he has always a civil word, and is able to present himself attractively before the head of the department for the time being, is the man upon whom is lavished all the sweets of office. I hope that before long we shall begin to inquire about the chiefs of the departments and learn what their

abilities are, and upon what experience their positions are founded, and upon what the very high salaries attached to those positions are founded also. We require a very searching investigation of the Works Department. We were promised, year after year—and especially by the Minister for Works, who said that, when he had the portfolio of Works, things would be sweetened—things would be put right, and there would be no complaint. What do we find? He has had the portfolio for some time, and rumours are beginning to be heard; and I say they are not without some justification. We expected a thorough reform. Where is the reform? Is the reform to take place by having £50 or £100 added to the salaries of special officers? It must take place in a different way altogether. There must be a complete readjustment throughout the service, and one that will satisfy the country. The thing has not been taken in hand, and there has been plenty of time for it. With these observations, and indicating, as I intended to do, that upon this side of the House, at any rate, there will be a close scrutiny of these favoured individuals, in the consideration of the Estimates, I will sit down, promising that these matters will have my best attention.

Question put and negatived.

QUESTION OF ORDER.

Mr. BAILEY said: Mr. Speaker,—I rise to a point of order. I wish to have your ruling as to whether the proceedings of the House on the third reading of the Local Authorities By-laws Bill are vitiated by the following facts:—That, on the 17th September, in committee on the Local Authorities By-laws Bill, with twenty-three members present, an amendment on clause 2 was passed by a majority of 16 to 7. That on the following day the third reading of the Bill was declared "not formal," and, therefore, to be discussed again. That, on the 23rd September, with forty-one members present, the third reading was passed by a majority of 22 to 19, but the amended Bill was not in the possession of members. In place of the real Bill, as amended, being in the hands of members, the original unamended Bill only was exhibited. I ask your ruling as to whether such facts as these have not vitiated the proceedings of the House on the third reading of the Bill?

The SPEAKER: The Bill which passes its third reading here before it is sent to the Legislative Council with the Legislative Assembly's message is compared, by the Chairman of Committees, with the Bill which passes through committee, and is certified by him to be correct before the third reading takes place. So that no mistake whatever has occurred in this case, and the Bill which passed its third reading is the Bill as it left committee.

NATIVE BIRDS PROTECTION BILL.

The SPEAKER announced the receipt of a message from the Legislative Council stating that the Council did not insist upon their amendment in this Bill, to which the Legislative Assembly had disagreed.

PETITION OF LEONIDAS KOLEDAS AND THOMAS FLEETON.

Mr. ISAMBERT, without notice, asked the Minister for Lands when the papers for which he had moved in connection with the case of Leonidas Koledas and Thomas Fleeton would be produced? He had postponed the matter for the production of the papers, and he should like to know when they would be presented.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said it would take two or three days, at least, to prepare the papers. They were very voluminous and had all to be copied. He would, however, endeavour to produce them as soon as possible.

CROWN LANDS BILL—COMMITTEE.

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

Question—That the new clause stand clause 6 of the Bill—put.

Mr. McWHANNELL said it was an unjust clause, applying simply to a section or class, and he hoped the hon. gentleman in charge of the Bill would take into consideration an extension of the period to pastoral lessees outside the schedule. A very large proportion of the runs of the colony were not included in the schedule, and the holders of those runs would in many cases be precluded by the clause from availing themselves of the privilege of pre-emption. He thought they should be allowed sufficient time for the construction of such improvements as would entitle them to make application for the purchase of the land.

The MINISTER FOR LANDS said he did not feel at all disposed to accept any such proposition. The holders of runs outside the schedule areas, unless they elected to come under the new Act, were not debarred from making application to exercise their pre-emptive right within six months from the passing of the Act. He certainly could not consent to any extension of the time beyond that; the whole object of the clause was to allow them to secure by pre-emption such improvements as had been made now or up to the time of the passing of the Bill.

Mr. McWHANNELL said the hon. the Minister for Lands appeared to have misunderstood his question. In the Gregory district there were a great many runs which had not been taken up for a sufficiently long time to allow of the construction of the improvements in the manner specified by the clause, upon the block selected under the pre-emptive right. From the difficulties those settlers had to contend with in getting up supplies, it would be utterly impossible for them to complete their improvements by the time the Act passed, and so they would be altogether cut off from pre-emption. He thought it would be only fair to extend the time either till the expiration of the lease or until the runs were brought within the schedule. As the clause now stood, it simply benefited the settlers who were within easy reach of railway communication or of the seaports, and shut out those in the far West who had not completed their improvements, either from want of sufficient time, or because they understood that they could exercise their right at any time before the expiration of their lease. The Bill would deprive them of their right at a day's notice, and the putting up of improvements in the western districts, as the hon. member well knew, was a matter of years. He thought, therefore, the hon. member might modify the clause so as to allow those settlers some chance of erecting improvements, and give them equal justice in comparison with those inside the settled districts.

The MINISTER FOR LANDS said that of course the hon. member's object was to indefinitely extend and continue the right of pre-emption, and that was what the Bill was intended to restrict, so far as was possible, consistently with anything like justice to those who had expended money on improvements. If

they had been led to put valuable improvements on their land in the expectation of being allowed to purchase 2,560 acres at 10s. an acre, then the clause would allow them to purchase it ; but if they had not any improvements on their leaseholds they had to be content to come under the new condition of things, whereby they would get compensation for their improvements when their runs were resumed, or at the termination of their lease. If they constructed valuable improvements necessary for the working of the runs, and did not exhaust them during the currency of their tenure, the Government, on resumption, would pay them the full value.

Mr. McWHANNELL said that, notwithstanding the hon. member's explanation, he could still see that a great amount of injustice would be done to outside settlers in comparison with those inside the schedule. The runs in the settled districts were mostly within easy reach of communication, and in many cases were largely improved, and under the clause the holders would be able to avail themselves of pre-emption ; but those farther west, who had not been in a position to make improvements, would have taken away from them a right which was a very valuable one ; and the hon. the Minister for Lands ought to consider whether they should not get some valuable compensation. The hon. member had said that they would get compensation for the improvements ; but in the settled districts they would get their pre-emptives to secure their improvements, and also get compensation for improvements outside the pre-emptions.

The MINISTER FOR LANDS : No.

Mr. McWHANNELL said there was nothing in the Bill to prevent it, so that the settlers in the far West were suffering in a double manner. He hoped the hon. gentleman would see some way of rectifying that before the adoption of the clause by the Committee.

Mr. SCOTT said there was a good deal in what had fallen from the member for Gregory in regard to the matter. The outside squatters were placed in a curious position ; they had only lately taken up their runs, and the Government had acknowledged that they had a moral pre-emptive right if not a legal right ; in fact, they were placed in the same position as conditional selectors. They had certain conditions imposed that they might obtain the pre-emptive right, and it was not fair that those who had not had time to fulfil those conditions that the Government insisted upon should be deprived altogether of that right. It was not fair that the squatters who had only taken up their runs within the last three or four years should be practically debarred by political differences from the right that others had. The time should be extended—a certain number of years should be allowed from the time a run was taken up—to fulfil those conditions, and if the Minister for Lands could see his way to make some specified time for the conditions to be fulfilled it would be a great improvement.

Mr. PALMER said he was quite certain that without some extension of time that new clause would be very little better than the old one. He considered that an extension of time was the principal part of the whole question. Hon. members would not or did not understand the conditions which obtained at present in the western country ; how impossible it had been for improvements to be carried on within the last eighteen months, or would be for the next two years. Unless the clause was extended he considered the whole clause would be just so much waste and of no real use whatever. He had no doubt that the spirit of the original Act was that, in according those pre-emptions, it was intended for improvements made upon them ; and it was only within the power of the Governor in Council, or the Premier for the time being, to withhold any pre-emptions of which he had not sufficient evidence that they had *bonâ fide* improvements. He considered that great injustice was being done through their having conceded a certain right and then withholding it from a large class who had not had the means to avail themselves of the conditions of the Act under which they took up country, and on the strength of which the greater part of Queensland had been settled. He thought that a Minister for Lands who had placed the pastoral tenants in the far West in such a bad case as he had done, by compelling them to come within that schedule, was really breaking the conditions under which the country was held. No pastoral tenant would have any faith in any Act under which he would hold his land in future. He would have no faith in any Act under which he held land under the Crown, if the conditions could be done away with by any Minister for Lands who came into office with any ideas in his head which were not practicable or to the point.

The MINISTER FOR LANDS said he wished the hon. member for Leichhardt and the hon. member for Burke to understand that he, as well as the whole of the Government, regarded leaseholders as men who were ready to occupy or did occupy Crown lands on a lease-hold for grazing rights. It seemed that the contention of those gentlemen was that the leaseholder had a different object in view. He was not satisfied with the lease he had, and the many conveniences that he received by the extension of railroads and other expenditure of public money ; he also wanted in the far future —he did not say how long—but he wanted a time when he could secure a large freehold. That was what he wanted, in addition to the many advantages he at present received. And he must admit that they were advantages. They had had drawbacks, but they had also had advantages. To men who had gone out into the country, the idea of exercising their pre-emptive right had never entered their heads. It had never been an element in their calculations at all. He had been an outside man on each station that he had formed, and he had never heard a man yet who referred to the day when he could look to the privilege of exercising his pre-emptive right at all. It was never done until land got very valuable, and close settlement came as it did on the Downs, and at Clermont, and Springsure, and, within the last three or four years, on the Barcoo. As soon as they saw settlement approaching they set to work to enclose the township by a cordon of pre-emptions, or else by securing as much as they could of the different runs. The object of the Bill was to limit the time under which pre-emptions could be taken up. He did not intend to recede from that position one inch. He desired to see the squatter limited to what he was in reality—a leaseholder—and with a more fixed tenure than he had at present. That was a concession that he would get for the removal of that supposed privilege. It was nothing but that, and it was passed at a time when there were only half-a-dozen squatters in the country in a position to exercise that right—at all events, outside the Downs. The sooner it was recognised, at all events by hon. gentlemen on the opposite side, that the Government did not intend to recede from that position one inch, the better.

Mr. MOREHEAD said it was very gratifying that the Government had at last arrived at a position that they were not going to recede from. That position appeared to have been arrived at by two amendments—one moved by a member on

his side of the Committee, and in the other case moved by the hon. member for Stanley, and suggested by the Government. He might point out to the hon. Minister for Lands that he did not know, nor did he care, who his friends might have been who took up country without having regard to the pre-emptive right. He knew hundreds who had taken up country, and who had bought country, and who had regard to the rights that existed and did exist at present under the Act of 1869. The hon. gentleman's contention was simply that he knew some person who did not care for those rights. That was not what the Committee had to deal with ; they had to deal with those who did regard those rights, and had taken up country having regard to the existence of those rights. The hon. member's argument was nothing at all. Last night, and again to-night, he had pointed out that at the time the Act was passed the improvements were very small. The Parliament of the day was well aware of that, and granted the pre-emptive right of 2,560 acres for permanent improvements with that knowledge. To that right those men held, and very properly held. Last night the Premier made the following statement, and he (Mr. Morehead) wished to know if it was a correct interpretation of the Bill. The hon. gentleman was reported to have said :—

"If a man had a lease running till the year 1890, he would be entitled, under the Bill, to an extension of fifteen years for one-half of his run and compensation for his improvements."

The PREMIER said he was speaking at the time in answer to a question put by the hon. member for Mackay, who pointed out what he conceived to be the unfortunate position of a man whose lease would run out in 1890. He (the Premier), in answer to that, said that if a man had a lease that ran out in 1890 he was entitled under the present Bill to get the lease of half his run renewed for fifteen years with compensation for the improvements taken from him ; and that if he did not take advantage of those terms he would not deserve much commiseration.

Mr. MOREHEAD said the only interpretation he could put upon the words was that any leaseholder who held a lease terminable in 1890 was entitled to a fifteen years' lease for half his run and compensation for his improvements. That was certainly what the hon. gentleman said.

The PREMIER said the contention of the hon. member for Mackay was that the leaseholder would be deprived of any compensation for his improvements if his lease ran out in 1890, and he (the Premier) pointed out that such a man would have the right to exchange his lease which would run out in 1890 for the terms given in the Bill, under which he would get a renewed lease for half his run and compensation for his improvements. The point raised by the hon. member for Balonne was not under consideration.

Mr. MOREHEAD said he did not wish to use unparliamentary language, but the hon. gentleman did not say anything of the kind. The statement reported in *Hansard* was quite correct, and he (Mr. Morehead) immediately followed by saying—

"The hon. gentleman seemed to forget that in the year 1890 a man had a right to a renewal for fourteen years under the Act of 1869."

However, he would now deal with another phase of the question before the Committee. Hon. members had never yet been asked to consider the financial effect that would be produced by the destruction of the pre-emptive right, and the substitution for it of the proposed compensation given by the Bill. Under the Bill, it was proposed to reserve one-half the squatter's run, giving him a lease for fifteen years for the remainder on terms to be fixed by the board. The other half of the run was to be thrown open for selection in areas up to 20,000 acres at a minimum rental of 1½d. an acre for thirty years. He would ask the Committee to look at the question from a purely financial point of view. Which was the better plan—to allow the squatter to exercise his pre-emptive right by purchasing the land at 10s. an acre, or to lease it at 1½d. an acre for thirty years ? Any child with a knowledge of figures would see at a glance which was the better plan. Taking one year with another, money could not be borrowed at anything less than 7½ per cent., but, assuming for the sake of argument that it could be borrowed at 5 per cent. by selling land at 10s. per acre, the State would receive 6d. per acre for ever. On the other hand, it was proposed by the scheme of the Government to lock up the country for thirty years, in areas of 20,000 acres, at a rental of 1½d. per acre.

The MINISTER FOR LANDS : No.

Mr. MOREHEAD said he was willing to take the average rental for the entire period at 3d. an acre. What would be the result? Some of the squatters would be quite willing to employ themselves and their friends in getting hold of the whole of the resumed halves of the runs for a period of thirty years, at a less cost to themselves than if they had purchased it at 10s. per acre. There was no doubt that that would be the case. Under the pretence of advocating the leasing system, the hon. gentleman was advocating a project which would lead to the locking up of the lands for a period of from thirty to fifty years, and, instead of developing the colony, was laying the foundation for the greatest land syndicates that ever existed in the world. Hon. members might laugh, but when they got the agricultural tenant and the grazing tenant, holding on a somewhat similar tenure—one a little longer than the other—with the same interests at heart, the same desire to continue to hold the country—instead of there being two adverse and competing bodies of men, as at present—the pastoral tenant and the selector—there would be one solid body possessing such an immense voting power that they would make that land inaccessible to the public for ever, or until a revolution took place. Financially, it was a gross error to let those lands even at an average of 3d. an acre, instead of parting with them at 10s. per acre, which, at only 5 per cent., would be 6d. per acre to the State for ever. And they had, in addition to that, to consider—and it was an element also of great consideration—that compensation would have to be given at the end of the tenure to the outgoing tenant. He maintained that sufficient stress had not been laid on that point. He thought further that sufficient information had not been given to the Committee as to the fiscal aspect of the whole Bill. He held, as he had said before, that it would be a great deal better to alienate the whole of the land at 10s. an acre, or even to give it away, leaving it a taxable commodity, than to lock it up in the way proposed under the Bill. The hon. the Minister for Lands could not traverse the figures he had used or the contention he had set forth—that financially, irrespective of its other aspects, it was a very much worse mode of dealing with the lands than if they were sold under pre-emptive right. And if the proposed amendment were passed his arguments would apply with double force, because if the squatters had to pay practically £1 an acre for their pre-emptives, so much stronger

would be the arguments he had adduced in comparing that mode of dealing with the lands with that proposed by the Minister for Lands.

Mr. NORTON said when the Minister for Lands was speaking a few minutes ago he spoke of what was termed the pre-emptive right as "a supposed privilege"; but he (Mr. Norton) did not think the Government looked upon it merely as "a supposed privilege," when they introduced a measure to abolish it, because they did not usually pass legislation to abolish supposed privileges. They all knew very well that the Minister for Lands, when moving the second reading of the Bill, did not regard it as "a supposed privilege." He then spoke of it as "a right," and also as "a power"; and, if it was merely a privilege, he would not be likely to apply the word "power"—which implied something a great deal stronger than a "privilege" or "supposed privilege"—to it. It implied a right—a distinct legal right; and there was not the slightest doubt that the legal right existed. The hon. the Minister for Lands had stated that when he was in the outside districts he never heard a pastoral lessee speak of his intention to make use of the pre-emptive right at any time; but it did not follow from that, that under some circumstances some lessees might not wish to use it. Although those lessees might not have desired to use it then, was it not possible that circumstances might have arisen since to induce them to use it? Even if they never intended to use it, possibly the persons to whom they sold might wish to use it; and why should they be prevented from doing so? If it was a right, it was a right from first to last, as long as the lease existed; and in accepting the amendment the Government had acknowledged that it was what they called "a moral right." But he did not see in this case the difference between a moral and a legal right. If it was a moral right it was a legal right. He would point out that, whereas the Government maintained that it was never intended to give a right, the hon. the Speaker of the House, the other night, in speaking after a member of the Government, declared that at the time it was proposed the country was up in arms at the idea of the right being given. He did not speak of it merely as "a privilege," but as "a right," which was being actually given, and which was condemned because it had had such an injurious effect upon the country up to that time. So that they had in evidence the statement of an hon. member well acquainted with the whole circumstances of the case, that both inside and outside the House it was regarded as a legal right that might have a bad effect upon the country. The Minister for Lands had said it was a fact that lessees did not usually avail themselves of the use of the pre-emptive right until they thought settlement was likely to take place, or that the land was likely to have additional value; and he (Mr. Norton) had said that all along. He did not mind saying that he believed it to be a bad thing for the country that the right should be given at all; but, the right being there, it could not be taken away. He did not know whether the Minister for Lands had ever taken a long lease of a house with a purchasing clause in it. Sometimes a house was leased for eight or ten years, and the tenant had the right of purchase at any time during that term. He did not elect to purchase at the beginning of the term, but waited to see whether the property would rise in value. If it did, then before his lease expired he elected to purchase. It was not likely that he was going to purchase when he did not know what value the property might have; and it was not likely in any case that he would pay the purchase money as long as he had only to pay the rent, which was low in comparison with the purchase money. The result was that if he found it beneficial to himself to purchase he waited until the latest date at which he had the option of purchase, and then notified his landlord that he intended to do so. The pastoral lessees were in exactly the same position. The country was let to them on the condition that they might purchase certain portions of it during the currency of the lease. At the time the Act under which they held was passed, the land had no value whatever. It was not supposed—as stated by the Minister for Lands in moving the second reading of the Bill—that the lessees would avail themselves of the privilege thus given. Hon. members had in the Act of 1868 an indication of the small value that was then attached to Crown lands in the interior. That Act was passed a year before the one to which they were now referring—the Act of 1869—and at that time anyone could take up a selection of unoccupied country, and all he was required to do was to pay 5s. an acre, and he had ten years to pay the whole of the money. Not only had he the privilege of taking up a lease of country, but he might buy the whole of his selection, no matter what the area was—whether it was 10,000 acres or 10,000 miles—because there was no limit to the area that might be selected in the unsettled districts—on the same terms—5s. an acre, payable in instalments extending over ten years. Was not that an indication of the small value attached to lands in the interior at that time? But when the Act of 1869 was passed they raised the price to 10s. an acre, limited the area, and insisted upon a cash payment of the whole sum whenever the land was selected. Hon. members would argue on the other side that the intention of granting a pre-emptive right was to enable lessees to secure their improvements. So far he agreed with them; but, whether the design was a mistake or not, the framers of the Bill in the definition clause, which defined what improvements were, distinctly did it in such a way that if any building were placed on the run, if only of the value of £5, the lessee must secure his block of country. That definition might not have been intended, but still the Act provided that to secure his 2,560 acres he must take that amount; it must not be smaller or greater. The Act also defined the improvements which were to be secured, as follows:—Permanent buildings, reservoirs, wells, dams, and fences. Perhaps some hon. members might say that a slab hut was not a permanent improvement, but he would point out that fencing was included among permanent improvements, and the Act itself defined the life of a fence to be fourteen years. That was the time laid down in another part of the Act; therefore, they might assume from that that any building which had been erected fourteen years might be considered as a permanent building, in the same way that a fence was considered a permanent improvement. Taking the definition clause in conjunction with the 54th clause, he said that any lessee who chose to put up a hut, or stockyard, or paddock, or well, or any of those improvements which were mentioned in the definition clause, whatever their value might be, had a right to secure his improvements. Whether the intention of the Legislature at the time was to compel him to take up improvements of a certain value or not, he did not know. It did not say so; and therefore the only legal definition that could be given was, that if any improvements were put on land the lessee had a right to take out a pre-emptive lease to secure them. Though the mere giving of that right was a wrong thing for the country, he held it was a wrong thing for the Legislature, after having

given the pastoral lessees such right, to say that they should not have it. No man of honour in private life who had made a mistake in omitting a condition out of an agreement would fail to fulfil his agreement.

Mr. JORDAN said he could not allow the opportunity to pass without expressing his views on the question before the Committee. He would not willingly be a party to any wrong-doing, and if he believed the pastoral lessee had a right conferred by law to those pre-emptives, he should be the last person in the world to consent to that right being invaded by the Legislature. It had been maintained very strongly—especially by the hon. member for Fassifern—that in repealing the 54th clause of the Act of 1869 the Committee would be guilty of an act of repudiation. That hon. member maintained that when that clause was passed which said it should be lawful for the Governor in Council to allow the exercise of the pre-emption—now called a pre-emptive right—it was imperative, and was made an absolute necessity when application was made for the exercise of pre-emption that the Governor in Council was compelled to allow that pre-emption. But it had been explained to his satisfaction very clearly by the Premier, in his reference to the Acts Shortening Act, that the expression, "it shall be lawful for the Governor in Council," was permissive, and only permissive. The Governor in Council had power to accede to the request, or power to deny it altogether. He was fully satisfied on that point. There were not many hon. members now in the House who were parties to the passing of the Act of 1869. The hon. member for Port Curtis had again alluded to the words used by the Minister of Lands (the Hon. James Taylor) when he had that Bill in charge in 1869. The hon. member said that Mr. Taylor had alluded to it more than once as a right; but they must not forget that the Premier of the colony, at that time, was an astute lawyer and an out-and-out Liberal. He could not suppose for a moment, remembering all the circumstances of the case, that Mr. Lilley—now Sir Charles Lilley—was so fast asleep as to permit the hon. member, Mr. James Taylor, to frame that clause. The Premier had pointed out distinctly that pre-emptive right had really existed in the Act of 1868. Pre-emption existed in the Act of 1869, but it was not a right—it was simply permissive. His impression was, from his remembrance of the circumstances of the case, that they regarded the clause simply as permissive — as at present explained by the Premier. It would be found in *Hansard*, he believed, that he objected to the clause, because he believed it would be abused. Nevertheless, he regarded it, and he thought it was regarded generally in the House, as permissive only. Now it was claimed by hon. gentlemen opposite that it was an absolute right, and that under it the Crown lessee could claim a right to purchase at 10s. an acre four square miles out of every block of twenty-five miles which he rented from the Government, at an average of 9s. 1d. per square mile. If a man owned six blocks of twenty-five square miles each he could purchase something like 15,000 acres, and he would be able, by an expenditure of between £7,000 and £8,000, to get poesession of 96,000 acres of land, because he might exercise the pre-emptive right, as it was called, in various parts of the country, and in such a way as to command the whole of the water. He could take up all the water frontages; he could take out the eyes of the land and select the very best of it, and in effect would get possession of the whole 96,000 acres of land at an expenditure of about £7,000. Although that was a coalition Government which passed that Act, and there were two men in it who might be called representative men as Crown lessees—Mr. Arthur Hodgson and Mr. James Taylor—still those two gentlemen were no match for Sir Charles Lilley; and to think that Sir Charles Lilley ever intended it to be what it was claimed to be now—an absolute right by which they were to give away the land in such a way as to give entire command of millions of acres to a few country gentlemen—was to say what none of them could conceive for a moment. If Sir Charles Lilley and the members of the House at that time, including himself, had united to do such an act as that—to hand over the colony to a few country gentlemen—then he said they did a wrongful act, and united together to despoil the people of their patrimony and their inheritance. If they did such an act of spoliation as that he would go the length of saying that all the powers of the Constitution should be brought into operation to repeal that Act and redress the wrong inflicted upon the colony. But no such wrong was inflicted, because, as he said, the clause was intended and understood to be simply permissive. Even though it was intended to be permissive, they knew it had been greatly abused; and hon. gentlemen opposite now held that not only could the pastoral lessee get possession of the land in that way, but after he had taken up his pre-emptive he could claim compensation for improvements as well. He thought that should be remedied, and the Bill in its original form went a short and a right way to work in remedying it. It appeared also that gentlemen had claimed the right of pre-emption, irrespective altogether of whether they made improvements upon their runs or not, and hon. gentlemen opposite now said that the pastoral lessee had the right to pre-empt whether he made improvements or not. Although that should be remedied it should not be violently remedied, and he thought the new clause enabled them to proceed with caution and in a spirit of fairness and justice to all parties concerned. He would illustrate what he meant in this way: Many years ago, under the sanction of British law, men went to the coast of Africa and there procured shiploads of black men and conveyed them to the British possessions in the West Indies. They sold them, worked them, and used them as slaves—mere chattels without any rights—yet under the sanction of British law their masters had the right of possession over them and the right of property in them. The British Government awoke at length to a realisation of the fact that they had given a right which they had no right to confer, and their action was in violation of the right which every man possessed of his own freedom, if he did not forfeit it by crime; and they set about repealing that frightful wrong. They said to the planters—"You must give up those men although you bought them under the sanction of British law. We require you to give up possession of them, but we will not require you to do so without reasonable compensation." And it cost the British Government twenty millions of money to do that act of justice, and repeal their unjust law. That was what they were now trying to do in this Bill in its amended form, for the squatters; because those men got wrongful possession of the land under the sanction of their laws they were to get compensation. He thought the case parallel. If they gave an absolute right to take land which did not belong to them but to the people, they had a right to give those men, to whom the right was given, compensation for taking the land from them. It was now sought to redress that evil, and he thought every just claim would be met. If the gentlemen seeking the right had made improvements, expecting to be reimbursed by being allowed to purchase the land at 10s. an acre, he thought it was a fair thing for the Crown to exercise it as if it were

in fact, a right so far as they were concerned. He thought those amendments were a fair and reasonable compromise, and would meet every just claim, and for that reason he gave them his support.

Mr. STEVENS said that, with regard to subsection *(b)* in the proposed new clause, he thought that the sum mentioned there, £1,280, as required to be expended on improvements, was very much more than met the requirements of the case. In the 54th clause of the Pastoral Leases Act of 1869, it was stated that a lessee had the power of purchasing land at 10s. an acre to protect certain improvements. That was actual pre-emption. But the clause said nothing about the value of the improvements. It did not state that the improvements should amount to 10s. an acre on the whole pre-emption amounting to £1,280. He could understand that the reason for framing the clause in the way in which it was done was that it would be absurd for a man to spend more money over improvements than was actually necessary. For instance, a lessee might sink a well at a cost of £200 or £300, or perhaps £1,000; yet its value to him might be many thousands of pounds. Was it not manifestly absurd that the lessee, in order to have the right of pre-emption and protect that improvement to the value of £200 or £300, should have to make fanciful improvements to a further sum of £900 or whatever amount might be required? The 54th clause was made to protect improvements whatever the value might be—£200, or £300, or £1,000. With a view, therefore, of testing the feeling of the Committee on subsection *(b)*, he would move, as an amendment, that the words "twelve hundred and eighty" be struck out, for the purpose of inserting "six hundred and forty."

The MINISTER FOR LANDS said the interpretation he put on the 54th clause, making it lawful for the Government to grant a pre-emption, was that they should have the power of determining whether or not the improvements on the part sought to be taken up were of a sufficiently valuable character to justify them in granting the right to pre-empt. Now it was simply a difference of opinion whether the amount should be £100 or £30—which sum had been mentioned — or £640, or £1,280. The opinion of the Government was that a sum of £1,280 should be expended in improvements before the right was granted to take up 2,560 acres. If he thought £640 sufficient he should be quite willing to accept the amendment, but he thought £1,280 was quite little enough, and so he could not consent to the amendment.

The HON. J. M. MACROSSAN said he did not think it was any use to argue the pre-emptive right question any further after the speech they had had from the hon. member for South Brisbane. That hon. member professed to subordinate his party feelings to a sentiment of justice, but, from the frame of mind he had displayed in making his speech, it was evidently hopeless to attempt to argue any further with hon. gentlemen on the other side. His (Hon. J. M. Macrossan's) view was that the clause should be allowed to go. It was no use attempting to amend it, because amending it would make it no better. The difference between the amount proposed by the Government and that proposed by the hon. member for Logan was so slight, and would affect so few people, that it was scarcely worth while to say anything about it. But he would like to say something with regard to what had fallen from the hon. member for South Brisbane. That gentleman had stated that the clause was always considered permissive, and he had stated also that when the Bill was under discussion in 1869 he pointed out that it would be liable to abuse. The hon. gentleman had certainly done so, but he did not point out how it would be abused. The fact was, he said he did not believe the clause would be of any use at all to the outside squatters. He would give the hon. gentleman's own words, so that there could be no mistake. He (Hon. J. M. Macrossan) might tell hon. members that so far as he could ascertain there was no division on the second reading of the Bill, and not a single member objected to the passing of the 54th clause. The only member who drew attention to it was the hon. member for Blackall, and in reply to him it was stated that it was a power to pre-empt 2,560 acres. There was not a single member in the House who objected to that, not even the "astute gentleman," as the hon. member had called him, who was Premier at the time. What the hon. member said then was—

> "This provision was liable to be greatly abused, and he did not think that by allowing these squatters to buy, say, 2,560 acres, at 10s. an acre, making them pay cash down, any good would be done to them."

The hon. member's objection at that time was not in the interest of the country, but in the interests of the squatters. He gave his reason as follows:—

> "He must say it did not look at all liberal, for squatters in the central districts could get the land for the same money, and have ten years to pay it."

That was the hon. gentleman who stood up now and said he had given warning that the provision would be liable to abuse. Now he said that the clause was intended to be permissive and not peremptory. For fourteen years the clause had been administered as a peremptory one, except that the Government could prevent a man from pre-empting a piece of land containing the only available water for several miles round, or too close to a township, or so situated in any way that its selection would be prejudicial to the public interest. The Minister for Lands at that time, in replying to the hon. member for Blackall, said it was a positive right to pre-empt so many acres; and he said so in very strong language—in fact he could not have spoken more strongly; so that the "astute gentleman" who was Premier at the time (Sir Charles Lilley) must either have deceived his colleague and allowed him to deceive the House, or else he must himself have believed it was a right. Now, which side of the dilemma would the hon. gentleman take? Would he say that Sir Charles Lilley was guilty of an act of deceit and baseness such as that—that he not only deceived his colleague in making him believe that it was a positive right, when it was only a permissive one that could be withdrawn at the option of the Government, but allowed him to deceive the House also — or would he admit that Sir Charles Lilley looked upon the right as an absolute one? He (Hon. J. M. Macrossan) did not believe that deceit was an essential part of Sir Charles Lilley's character, and he was sure he would not stoop to anything of the kind. The hon. member for South Brisbane was evidently very much mistaken, and he (Hon. J. M. Macrossan) could not conceive how he had been able to bring himself round to that way of thinking after seeing the Act administered in an absolute way for the five years before Sir Charles Lilley's retirement from politics, and ever since that up till the end of last year. While giving the hon. member for South Brisbane full credit for good intentions, it was evidently quite useless to attempt to argue with hon. gentlemen on that side. For his own part he would prefer the total abolition of the 54th clause to accepting the proposed clause even with the amendment by the hon. member for Logan. He would

like to throw the whole responsibility on the Government, without the Committee accepting any share of it by dividing on the subject. Let the Government take it on their own shoulders and do what they liked, and let them stand by it afterwards. That was the position that he intended to occupy on the clause as it stood. He should not vote on it, as he believed it was not worth voting on; he would let the Government take the responsibility; and he advised the hon. member for Logan to do the same thing, because he was certainly doing no good by attempting to improve the clause, any further than that he gave half-a-dozen more men the opportunity of pre-empting; and there should be no pre-emption allowed unless it was allowed to all.

Mr. JORDAN said he should be sorry that any hon. gentleman should suppose that he had said anything that really meant that Sir Charles Lilley had used any deception in the matter. His contention was that the Premier had shown them that the 54th clause, according to the Acts Shortening Act, which was an interpreting Act, really was a permissive act, and he said that his impression was, from what he remembered of that debate, that such it was the intention of the House it should be. He did not say that Sir Charles Lilley had used any deception in the matter.

Mr. STEVENSON said he had no doubt that Sir Charles Lilley meant by that clause what it had been understood to mean by every succeeding Ministry. The right had always been recognised; and if it were not recognised as a right, why did not the Ministry of which the hon. Premier was a member, before the late Ministry came into office, repudiate it then? Why did he not say so instead of doing everything he could to get people to take up land at 10s. per acre, and increasing the power in the two Acts that he brought in himself? The hon. Minister for Lands had tried to make the people believe that he was making a concession to the squatters in lieu of the pre-emptive right. He wanted to know, on the second reading of the Bill, where the concession was to those who did not elect to come under the Bill at all—to those who were outside the schedule, or those within it who did not come under the Bill? There was nothing in the Bill at all to show that the squatters were to get anything in lieu of those rights, and the hon. gentleman knew perfectly well that they did not get anything, and that it was only taking away a right—simply repudiation. He should like to know why hon. gentlemen opposite had changed their opinion so much on the question since the second reading of the Bill. Was not the hon. member for South Brisbane one who got up and told them that he would be no party to depriving the squatter of his pre-emptive right, because he considered it a right?

Mr. JORDAN: No.

Mr. STEVENSON said that, so far as he remembered, he was. He knew one hon. gentleman on that side who said so. It seemed that hon. gentlemen had a very small opinion of themselves, to ease their consciences for taking away that right; because, as the hon. member for Townsville had said, the amendment proposed was nothing at all, and he would as soon see the whole 54th clause wiped out. A great deal had been said about that right being abused. Last night the hon. Minister for Lands was challenged by the leader of the Opposition to show where it had been abused, and if he could show one single instance where it had been abused it would be something. The hon. gentleman himself, since he had been in office, had not been so careful as his predecessor. He (Mr. Stevenson) knew that when the late Ministry were in power not a single pre-emptive was granted during their term of office giving frontage to any permanent watercourse which was considered a main watercourse, and they would not allow any selection to come within ten chains of any watercourse. Notwithstanding what the Minister for Lands had said, he knew that he had granted pre-emptives since he came into office, giving frontage to a main watercourse. The late Ministry were more careful than the hon. gentleman had been, so far as the public interests were concerned, in regard to watercourses. The hon. gentleman tried to make a great point to-night by saying that the pre-emptives were calculated to put the squatter in such a position that he could command a certain amount of country. If the squatter were cut off from the water, as was done by the late Ministry, in granting pre-emptives, how could they possibly have any advantage in securing more country than the number of acres they proposed to pre-empt? It was simply impossible, and the Minister for Lands could do far better than by talking so much and throwing out insinuations; he should give the Committee information instead of trying to mislead them. He had said he was going to have some finality on the question, and he considered that he would be justified in according pre-emptives where improvements had been made to the extent of 10s. per acre. Why should not that be extended to all the selectors and leaseholders under the present Act? If he considered that one man had a right to pre-empt because he had spent 10s. per acre on improvements, why should he not consider that another man had as good a right to pre-empt if he elected to spend 10s. per acre in future? The repudiation must come in somewhere. He did not care whether the hon. gentleman considered it as a privilege or a right, or permissive or the opposite—whatever it was, it ought to remain in the Act as it was; and let the Minister of the day administer it in such a way as to satisfy himself, and take the consequences. That was only a fair thing. If the hon. gentleman considered it only a privilege, and he had a right to decide who should take up pre-emptives and who should not, let him administer it in that way, and then when any other Minister came into power let him use his discretion. The hon. gentleman seemed to think that he was the only man in Queensland who could be trusted, and so long as he was in office he would grant that privilege and administer the Act as long as he could decide himself who were to have those pre-emptives, and who not. He would not trust any other man to have any power, and was going to wipe it out so that no one in future should have any power to grant pre-emptives. Last night he asked the hon. gentleman whether he had approved of any pre-emptives since he had come into office. The hon. gentleman replied that he had granted all the pre-emptions approved of by the late Government, with the exception of some against the granting of which there were special reasons. He would ask the hon. gentleman again if those were the only pre-emptions that had been granted since the present Government came into office?

The MINISTER FOR LANDS said he believed the answer he gave last night was perfectly correct—that only those pre-emptions had been granted which had received the approval of the late Government.

Mr. STEVENSON said he could tell the hon. gentleman that he was wrong. He could show, from letters from the Lands Office, that the hon. gentleman had granted several pre-emptions since he came into office that were not approved of by the late Government. There was one letter dated the 18th April, 1884, addressed to B. D. Morehead and Company, stating that the

plan and survey of the pre-emptions noted in the margin had been approved, and requesting the sum of £1,290 13s. 4d. to be paid into the Treasury, otherwise the application would lapse. That was an application not approved of by the late Government. Another letter, addressed to the same firm, was dated the 24th November, 1883.

The PREMIER : That must have been approved of before the present Government came into office.

Mr. STEVENSON said it was not. That letter stated that the Administrator of the Government had been pleased to approve of the application for pre-emption on the run named in the margin, and requesting the sum of £1,309 13s. 4d. to be paid into the Treasury, otherwise the application would lapse. He had two other similar letters, which he could read if necessary. The hon. gentleman ought to tell the Committee the plain facts of the case, instead of giving them to understand that he had only granted those pre-emptions that had been approved by the late Government. The hon. gentleman had granted several applications that were not approved by the late Government, and he had made fish of one and flesh of another. The hon. gentleman wished to have the power to grant pre-emptives to his friends, and to refuse them to those whom he had no desire to favour. The late Administration, as he had already shown, had not granted a single pre-emptive with a frontage to a main watercourse, whereas the hon. gentleman had done so since he came into power. The late Minister for Lands had shown in his administration of the Act a great deal more care for the public interests than the present Minister for Lands had done.

The MINISTER FOR LANDS said he should be prepared, when next the Bill was discussed, to tell the Committee exactly what had been done since he came into office. Speaking from memory, he believed the answer he had given was perfectly correct. The letters read by the hon. member for Normanby were simply applications for deposits on pre-emptions which had received the sanction of the late Government, and which the present Government were carrying out. But he would be prepared, when next they considered the subject, to say whether that was so or not.

Mr. STEVENS said that the Minister for Lands, in speaking to his amendment, stated that he considered he had a right, as Minister, to decide the amount of money that should be expended on those pre-emptive blocks to entitle the lessee to have the right to pre-empt. He (Mr. Stevens) never admitted that the Government had the right to do away with pre-emptives, and he moved the amendment in order to see whether the Government were really inclined to be less severe on the pastoral lessees than the Bill indicated. But if the Government intended to stick to the amendment as proposed by the hon. member for Stanley hard and fast right through, it was of little use any hon. member moving amendments on it or trying to make the measure less severe than it probably would be. One idea he had was that, although the Government were determined to pass an Act very much on the lines of the Bill before them, yet that they would be inclined to modify it in some degree. They had the power, by numbers, of forcing any Bill through, unless it were stopped by obstruction. He hoped that, in the event of the Bill passing, it would be modified in such a manner as to meet with a large amount of approval from those who were opposed to the Bill, as it at present stood, almost *in toto*. But, as he had said, if the Government intended to stand by the proposed clause in a hard-and-fast manner it would be very little use any hon. member moving any amendment upon it or arguing the question any further. The subject had been thoroughly thrashed out, and no fresh light could be thrown upon it. One party asserted that the squatter had the right to pre-empt, and the other party asserted that he had not. If the Minister for Lands could show him any clause in the Act of 1869, giving him the power of deciding the amount of value of improvements on pre-emptions, he (Mr. Stevens) would give way at once; but he maintained that there was nothing in the Act even indicating that the Minister had that power.

Mr. PALMER said he had already spoken on the question before the Committee, and he now rose to enter his protest against the clause altogether. Unless the time was extended he preferred the original clause as it stood, because they would then know the position they were in. There was only one amendment possible in the new clause that could make it of any use whatever, and that was an extension of time. But the Minister for Lands seemed to have got fresh inspiration on the subject, and had come down in an autocratic manner, and said that he would not move for anyone, or in any way whatever; that he had made up his mind, and it should be so. Where the hon. gentleman had got his inspiration from he could not say. He imagined that it must have been from the Minister for Works when he spoke on the subject in such an autocratic manner last night. Of course, when the Minister for Lands spoke in that way it was intelligible; they could understand it. The only query now was why the hon. gentleman did not from the first utter the same thing, instead of backing and filling in every way, as he had done, to suit his own party—accepting amendments in one quarter, and now putting his foot down and not allowing amendments in any shape or form or listening to reason. Did he think in his wisdom and experience that the proverbial coach-and-six could not be driven through the Bill when it became law? Did he think that the squatter would not be able, under it, to acquire as great command over the lands as ever the pre-emptive right gave him? If he did not, before his measure was in force very long he would find occasion to alter his opinion. He (Mr. Palmer) thought, with the hon. member for Townsville, that it was useless talking. As he had said already in the course of the debate, the squatters were in the hands of men who never showed mercy, and they could expect very little now. The cry now was, "Down with the squatters." The hon. the Minister for Works had explained that, when he said the squatters legislated for themselves, he referred to legislation on the Darling Downs many years ago; but he (Mr. Palmer) had always understood that the hon. gentleman was a Darling Downs squatter, and that when, as he said, they legislated for themselves and not for agriculturists, there were no agriculturists in Queensland in those days to legislate for. But now the hon. gentleman said the agriculturists were to legislate for the squatters; and if that was a sample of the legislation they were going to give them, all he could say was that they had better take to the back tracks for the future.

Question put.

Mr. MIDGLEY said, for his own guidance, he would like to ask if, in the division about to be taken, they were dividing on the whole clause, or upon subsection *(a)*.

HONOURABLE MEMBERS : On subsection *(b)*.

Mr. MIDGLEY : There has been no division upon subsection *(a)* yet.

Mr. MACDONALD-PATERSON said he quite agreed with the amendment moved by the hon. member for Logan. He thought £640 was

an ample amount to be enforced by the Government to be expended in improvements to enable a squatter to make application for his pre-emptive. He did not think that the Minister for Lands had answered the point very satisfactorily. The hon. gentleman said, in reply to the hon. member for Logan, that, in his opinion, the sum mentioned in the proposed new clause was a fair and proper one to be expended on the land to be sold by the Government as a pre-emptive; and, furthermore, he added that that was the sum the Government had fixed upon, and there could be no departure from it. He had great respect for the opinion of the Minister for Lands, but it was the opinion of one man after all; and he thought the opinion of the hon. member for Logan was just as good as that of the Minister for Lands in that regard. The hon. member for Logan understood outside squatting, the interests of the lessees, their rights and their wrongs, just as well as the Minister for Lands; and he (Mr. Macdonald-Paterson) thought the amendment was one which should commend itself to the Committee, and which, at any rate, was entitled to fair consideration.

Mr. MIDGLEY said if he had known last night that it was the intention of the Committee to divide on subsection *(a)*, and that that subsection should be settled by that division, he should have taken part in it. He certainly understood the division last night to be on the question of the omission of the words "portion so sold," with the view of inserting the word "run." Subsection *(a)* dealt with a very different matter from that. He now understood from hon. members that there was no objection raised to that subsection; but to his mind it was the very essence of the whole contention. However, if the other side of the House were prepared to accept subsection *(a)*—that the improvements were to be made within a certain time—then he had nothing more to say upon the question.

The HON. SIR T. McILWRAITH said they had, he thought, argued the matter sufficiently long; at all events, sufficiently long to show the dogged determination of the Government to do injustice in spite of all reason. The hon. the Minister for Lands had shown that perfectly plainly. The position hon. members on the Opposition side had taken up was this: They held that the pre-emptive right was a right that was attached to all leases issued to pastoral lessees under the Act of 1869, and that neither the present nor any other Government had any power, without incurring the responsibility of repudiation, to violate that right. That was what they had upheld all through. The present Government took the very opposite course, and said there was no right, and that they would wipe out all pretensions to a right by repealing the 54th section. There was therefore a clear and definite issue before them. Then the Minister for Lands brought forward what he considered a compromise; but that compromise had the same fault that the original motion—which proposed to do away with the 54th section of the Act—had—namely, that it was repudiation. It was none the less repudiation because it affected a less number of men. The men who would escape under the clause were, he believed, the men who were not justly entitled to escape. They had no more right to escape from the position in which they were placed than those whose rights were actually proposed to be taken away. In the proposed compromise offered by the Government, a hard-and-fast line had been struck between the men who had made their improvements up to the present time and those who had not done so. There was no justification whatever for that, because the men who had not made their improvements up to the present time might have very good and sufficient reason for not doing so. No doubt, in many cases there had been good cause why they should not do so. One cause, at all events, was perfectly clear, and that was, that if a man had not the money to make improvements he could not make them; and those were the very class of men who were to be deprived of all the benefits they were entitled to under the 54th section. All those rights, however, were proposed by the Government to be wiped away in that compromise. Another class of men whose rights had not been considered were those who had not improved up to the extent of 10s. an acre. Their rights had been wiped out without any reason at all, implying the same fault—repudiation on the part of the Government. Another class of men whose rights were wiped out were those who had not had the good fortune to put their improvements on one spot of ground, on the 2,560 acres, which they intended to pre-empt. The rights of all those men had been wiped out, and the right was to be given now to a class of men who, by good fortune, or by luck, or by long purses, had happened to make a certain amount of improvements on their land at the time the Minister for Lands took it into his head to wipe out the rights of those who were justly entitled to them. It was a compromise that the Committee could not, in anything like honour, accept. The amendment that was moved the night before, if it had been carried, might lead to a proper understanding by which the rights might have been preserved, and they might have made a sort of a compromise. But that having gone, and subsection *(a)* having gone—by which the rights of men who had not made improvements up to the present time had gone—all interest in the amendment had gone for those on the Opposition. What did anyone care whether the amount was reduced from £1,280 to £640, or not? The most important part was allowed to be passed without anyone moving an amendment on it, and with the distinct threat of the Minister for Lands that the Government would stand doggedly by their determination. It was repudiation in the grossest form, and it was not made one single bit better by coming down and conferring a favour on one particular class of men. He should like to know who that class of men were. He had looked with considerable interest for the details of three stations out west. One of them had made improvements to the extent of £17,000; another, improvements to the extent of £14,000; and the other, improvements to the extent of £9,000. The result that would accrue to them under the clause, if passed, would be that they would not be entitled to one single selection on either run, with the exception of one where the head-station and woolshed stood. Was it not a concession to some concealed individuals who would manage to get some benefit under the Act, while all others would be excluded? The Government, in bringing forward that clause, had done an immense wrong to the colony; they had done a wrong that would never be counterbalanced by any right that pre-emptive rights would possibly do to the country. The exercise of the right of pre-emption had been grossly exaggerated. He believed that not one out of fifty runs that it was possible to pre-empt—that was, out of 30,000,000 acres it was possible to pre-empt, as the Minister for Lands had said—he believed there was not 1,000,000 acres that, under any circumstances, would be pre-empted. A great evil would result from that. The evil also that those pre-emptions had done had been grossly exaggerated, in order to gain some popularity by having hit the pastoral lessees in a strong way, and by having given some countenance to the vapid talk of the Minister for Lands in

condemning the aggregation of large estates. The Minister for Lands was condemning his own colleagues more than he condemned any class of men in the Committee. They were not inclined to accept that compromise. The Minister for Lands had better press on his amendment with the light that he had got; he had failed all through to defend the position he had taken up. In the first place, the Minister for Lands failed to defend the position he took up when he threatened to abolish the 54th clause; then he made a bigger failure when he attempted to make a substitute for it, which was still repudiation. There was no logical reason given why that should stand in the place of the other. He should like to see the whole clause wiped out, for the reason that it would go forth to the world as a repudiation of the rights of pastoral lessees. It might have been argued on the same grounds that there were reasons of State, and some compromise might have been come to. When the wrongs that had been done to the pastoral lessees were considered afterwards, it might have been argued by those who wanted to keep up the credit of this colony that that was done for reasons of big State consideration, and ought not to have the effect of depreciating the credit of the colony. It might be supposed by men who could not believe that repudiation could take place, that a law of that sort could not be passed without some very strong reason for it, even although they could not see it. But when they came to see a mean compromise which gave a pre-emptive right to favoured individuals and wiped out the right of other pastoral lessees, it stood forth a more glaring repudiation than ever. The Minister for Lands tried to give an eloquent answer that night to the hon. member for Gregory when he tried to show them that, after all, the pastoral lessee who, in the outside districts, was deprived of his right by not having made improvements up to the present time, would get a benefit under the new Act by getting full payment for the whole of the improvements on the run when it was taken from him. But there was no doubt a large class of men who would not be touched at all. It was only improvements inside the red line that were affected by the Bill. The greater portion of the improvements were outside that line, and the rights of that class of men, representing 90 per cent. of the pastoral lessees, were wiped away at the present time. It did not touch them; they stood in the same position in regard to the Act of 1869 as they did before; because their right under the 54th clause was swept away. They got no benefit from the Bill; they had not come under it, and might not until the termination of their leases. He did not believe they would come under it; he believed that its effect would prove to be so detrimental to the interests of the colony that it would be wiped out on the first change of Ministry.

The PREMIER said that he agreed that the matter had been sufficiently discussed. The hon. gentleman had stated plainly the position he took up; he considered the proposals of the Government a repudiation of a right. The Government did not consider them a repudiation of a right. That was the difference between them. If it was a repudiation of a right, the conduct of the Government was wrong; but they believed implicitly that there was no right of the kind, and that instead of repudiation of the right of an individual it was a deliberate assertion of the right of the country, as against the unfounded claim lately put forward by every pastoral lessee in the country, that he was entitled to make freehold of, on an average, one-sixth of his estate. Believing that, he maintained that they were bound to take the course they were doing.

Mr. MOREHEAD: A maximum of one-sixth.

The PREMIER said the maximum was one-sixth, he knew—four square miles out of every block of country. They believed the claim was entirely unfounded and that the time had come to assert—not to repudiate the right of an individual, but to assert the right of the State. The hon. gentleman believed that no such assertion as that should be put forward. If that claim had not been put forward in the manner in which it had been lately, the attention of the country would not have been called to it. Many evils slumbered until attention was called to them by some person attempting to take undue advantage of the facilities granted for working those evils. Now, their attention was called to that evil, and they conceived it to be their duty to stop it. They were now dealing with it, and whether rightly or wrongly would be for the future to determine. The hon. gentleman said he would have preferred to wipe out the 54th clause of the Act of 1869 altogether rather than concede a right to certain individuals. There also, he believed, the hon. member was utterly wrong, and for this reason: If there were men in the country who could fairly say, "We have expended our money in making buildings, in making improvements in the country's lands in the faith that those improvements would belong to us when they were made, and it would be unfair to deprive us of the right to carry out the expectation which we formed," they should be considered. That was a principle of law recognised amongst individuals. If an individual, the owner of a piece of land, allowed another to make improvements on that land, and encouraged the expectation that if they were made he could keep them, the law would compel the owner of that land to let that man have the land if he gave a fair price for it. So that in recognising the claims of those persons who could show that they had made improvements on that faith, they were not making any distinction between classes or repudiating any law, but were only giving effect to a recognised law of the country governing transactions between man and man. That was the concession the Government proposed to make on rational, logical, and fair grounds. That was the position the Government occupied in the matter. He thought hon. gentlemen thoroughly understood it now, and the Government were prepared to bear the charge of repudiation and to face the possibility of the Bill being repealed at an early date, as the hon. member said.

Mr. MOREHEAD said they had just listened to the most extraordinary speech that had ever been delivered by the Premier or by any Premier in any colony dealing with such a question as the present. The hon. gentleman had told them that the clause which the Government were supporting was simply recognising the law that existed between man and man—that was as he put it last night—that certain individuals had acquired certain moral rights. The hon. gentleman forgot that the clause which he was now so zealously advocating was a clause substituted for one which would utterly destroy any pre-emptive right whatever. He forgot that altogether. Where was the law that existed recognising the right between man and man when he brought in the 6th clause of the present measure? When did that new departure come upon the hon. member? That 6th clause existed when the hon. member brought down the Bill, and it existed until within the last few days. He again asked the Premier where was the consideration of the law which existed between man and man when that 6th clause was introduced? It was one of those sudden and wonderful discoveries on the part of the Premier which, although it did not surprise

them, at any rate did not raise him in the eyes of hon. members of that Committee or of the people, as a statesman. The hon. gentleman came down with that Bill, and with his heaven-born Minister for Lands, to remedy a great injustice which the country was suffering under—the existence of the pre-emptive right. That, he had led them to believe, was one of the great principles of the Bill—the repeal of the pre-emptive right. What happened then? Within the last few days the hon. gentleman, hearing an expression of opinion from hon. members on both sides of the Committee that they were indisposed to go in for repudiation, drafted those amendments on the principle of giving justice between man and man. But where would have been the justice between man and man if the hon. member had had a facile majority at his back to carry the original 6th clause? They would have heard nothing then of the justice between man and man. The hon. member's idea of the right and justice between man and man was this: that the man who had money, and was able to put up improvements, was to have the justice from that Liberal Government—the friends of the horny-handed sons of toil. They were to have the justice, and the poor men who were not in that position were not to receive justice at the hands of the Government. A great deal had been said about the red line, and it had been pointed out that the reason certain leaseholders were included in the leg-of-mutton-shaped schedule was that they received special advantages and therefore had been specially dealt with They should also have been specially dealt with in this case. Let that clause, if it was to go at all—if there was to be repudiation in that modified form—let it apply to those inside the schedule as well as to those outside it. That was to say, let the pre-emptive right, as it at present existed, exist for those outside, and let those inside, the specially favoured—if the clause was to go at all—suffer also from that modified form of repudiation. The hon. the Premier and the Minister for Lands, while acting on the ground that those inside the schedule had been put in there because they were specially favoured, swept all others in the same net with them in so far as the pre-emptive right was concerned. There might be some possible reason why that might suit some capitalists interested, who might possibly have made their improvements to such an extent that they would be able, under that clause, to do what was known in New South Wales as "peacocking" the country. That was, that they might select; the rich man who had an opportunity of improving his runs might have the opportunity of entirely stopping any prospect of selection by the people, by selecting himself all the water, and such improvements as dams for the conservation of water, and so forth; and he might thus prevent settlement upon his run. He could understand that very well, but he could not understand how a Liberal Government could bring in such a measure, or support such a clause, which, as he had said over and over again, and as other hon. members had also said, could only be in the interests of capitalists, and of the wealthy men and corporations who had been enabled to develop their runs. He supposed, as they had been told by the Minister for Lands, that the Government would not accept any amendments in the clause. Though they had accepted an amendment which completely altered the complexion of the whole measure, they would not consent to any alteration in the clause which they had adopted in a way that he thought was not at all creditable to them. The Premier had said that the clause was intended to give fair play between man and man. The whole of his argument tended to show that the pre-emptive was justified by a man having spent so much money under certain circumstances; yet he had allowed a clause to be inserted which did not even give that modified justice which he now pretended to affect.

Mr. STEVENS said that, having ascertained that the Government had no intention of receiving any further amendments, and seeing therefore that it would be a waste of time to go on with any, he begged to withdraw the amendment he had moved.

Amendment withdrawn accordingly.

Mr. McWHANNELL said he was not in the House when the hon. member for Logan proposed his amendment, but he stated previously with regard to subsection *(b)* that he did not move an amendment on it, because he wanted to know the feelings of the Committee, or at least the feelings of hon. members on the opposite side, with regard to the clause. Seeing that a few members were inclined to give the clause some consideration, he begged to propose, as an amendment, that the words "before the passing of this Act" be omitted, with the view of inserting "within two years after the passing of this Act." He thought the clause had been discussed sufficiently to allow hon. members on both sides to understand its meaning, and he would, therefore, not take up time by speaking on it further.

Mr. MIDGLEY said that on that matter both he and other hon. members on that side were under a misapprehension. To decide that pre-emption should be granted, and where improvements should be made, was a different matter from deciding that it should not be granted except under conditions laid down in subsection *(a)*. The hon. member for Rockhampton (Mr. Higson), with whom he had had no conversation on the subject, voluntarily, and out of the fulness of his heart, told him that he should vote against taking away the pre-emptive right from the squatters. But what opportunity had they had to do so? There was evidently a serious misapprehension. If the matter came to a division he should not vote as he did last night. He considered that to grant pre-emptions for improvements made, and where they were made, was a totally different matter from what they were discussing now.

The MINISTER FOR LANDS said he could not accept the amendment the hon. member for Gregory had proposed. To fix a period of two years would be an element of danger. He had pointed out before that pre-emption should only exist for a limited time, and, in fact, the sooner it was done away with the better for the interests of the colony generally.

Mr. McWHANNELL said he did not think the Minister for Lands had taken into consideration the receipt of applications from distant parts of the colony. The Bill would probably be passed within two months from the present, and as that part which they were now discussing would come into force at once, there would scarcely be time for applications to come from distant parts of the colony. The hon. gentleman, therefore, was not giving people in the western country time to send applications to protect improvements—improvements that might have been made for years. He hoped hon. members opposite would take that view of the case. If there was any sense of justice at all they would agree to the amendment, which he considered was a very reasonable one indeed. He had only asked for a limited time, and he thought the Minister for Lands might have given way.

Mr. WALLACE said he thought the amendment was a very fair and reasonable one, and that Ministers should give way on the point. It was a matter of impossibility for improvements to be carried out in the time stipulated—namely, six months. It would, he was sure, take fully two years to complete the improvements necessary to comply with the provision.

The PREMIER said he would point out, in respect to what had fallen from the hon. member who had just sat down, that his argument was based on the idea that improvements were to be made for the purpose of securing the land; whereas the Act said that pre-emption was to secure the improvements already made. The hon. member said it would take two years to make the improvements necessary to secure the land; but he (the Premier) was sure they did not want to encourage land being secured by that means.

Mr. GOVETT said he should like to ask how a squatter was to know where to put improvements so that they would be approved by the Government. That was a question to be considered, supposing they were allowed six months or two years. As he understood it, as stated in the Act of 1869, it was this: A man had the whole term of his lease to make improvements, and after he had made them he had the right of applying for land to secure them. He should like now to ask, if the time allowed was only six months or even two years, how were they to proceed in getting the necessary improvements on the exact spot that the Government would allow?

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

Question—That the new clause as read be clause 6 of the Bill—put and passed.

On clause 7—"Repeal of Acts in second schedule"—

The MINISTER FOR LANDS said that the clause would require a slight amendment consequent upon the adoption of the last new clause. He therefore moved that there be added at the end of the clause the words "except in accordance with the provisions of the last preceding section."

Amendment put and passed; and clause, as amended, put and passed.

Clauses 8, 9, and 10 passed as printed.

On clause 11, as follows:—

"There shall be constituted for the purposes of this Act a board, to be called the land board, consisting of two fit and proper persons, appointed from time to time by the Governor in Council by commission under his hand and the Great Seal of the Colony. The board shall have and exercise the powers and duties hereinafter prescribed.

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

The MINISTER FOR LANDS said it was pointed out, on the second reading of the Bill, that it would be necessary to make some slight alteration in the working of that part of the measure, and he therefore proposed to insert two new clauses after clause 18. The first one read as follows:—

Upon the application of any person aggrieved by a decision of the board, the Governor in Council may remit the matter to the board for reconsideration.

The board shall thereupon appoint a day for rehearing the matter in open court, and shall proceed to a rehearing thereof accordingly.

The decision of the board on a rehearing shall be final.

The purpose of that was to correct any possible mistake from any defect in the evidence or the inability of the board to come to a satisfactory conclusion on any matter. The new clause would enable the board to rehear a motion, and therefore to do justice, which they might not have been able to do on the first occasion. The next clause was as follows:—

If the members of the board certify to the Minister that they are unable to agree upon any question, the question shall be referred to the Minister for decision.

Every question referred by the board to the Minister, the decision upon which ought to be pronounced by the board in open court, shall be heard and determined by the Minister sitting in open court at Brisbane, with the assistance of the members of the board, and his decision shall be pronounced with the reasons thereof in open court.

The decision of the Minister shall be final.

For the purposes of hearing and determining any such question the Minister shall have and may exercise the same powers as are hereinbefore conferred upon the board.

So that in that case the Minister would be empowered—if the board intimated their inability to determine any question, if they could not agree upon it and referred the matter to him—to decide the question, and his decision must be given in open court in the same manner as the decision of the land board had to be given. He mentioned that matter now to show how any difficulty that might arise through the members of the board disagreeing might be dealt with. The board only consisted of two persons, and no provision was made in the Bill for any case in which they might not agree. The new clause would meet that difficulty. He moved that clause 11, as read, stand part of the Bill.

The HON. SIR T. MCILWRAITH said it was now six weeks since the Bill was put before the country. He knew it was more than a month since he had spoken on it, and a good many objections were pointed out in various clauses in which hon. members on that side differed in principle from the position taken up by the Minister for Lands. He thought the Committee had just cause to complain of the way in which the amendments of the Minister for Lands were actually shied at the Committee. The hon. gentleman had had the weakness in clause 11 pointed out to him six weeks ago, and had had all that time to deliberate as to what remedy he would propose for the deficiencies so clearly indicated on the second reading of the Bill, and he came down that night and gave them the new clauses for the first time. He (Hon. Sir T. McIlwraith) had never seen them before. The hon. gentleman said, "We will make a proposal that will make clause 11 more acceptable," but he had never given the Committee the slightest intimation that he was inclined to move an amendment such as he had just read. That was not the way an important Bill should go through the Committee. As soon as a Minister made up his mind on an alteration or addition—and he ought to make it up as soon as possible—he should give intimation of the change to the Committee. The new clauses were an important addition to clause 11, and were brought forward without the slightest intimation. The messenger of the House actually handed them round to hon. members as clause 11 was being proposed. That was just of a piece with the amendment that the Committee had just dealt with. Anyone who had seen the position taken up by the Minister for Lands in regard to clause 6 would have said the hon. gentleman would never accept an amendment on it; but an amendment was brought forward by the Government themselves, of course under the pretence that it was introduced by an independent member, altering very considerably their own Bill. If the Premier did not see the mistake that he was making in conducting the Government business, everyone else in the Committee did. The hon. gentleman was doing everything he could to delay the business. He (Hon. Sir T. McIlwraith)

remembered the Minister for Lands propounding the extraordinary doctrine that he could not see how two men could disagree on the board. But after six weeks' deliberation the hon. gentleman had come to the conclusion that they might not agree, and now proposed to add two new clauses to the Bill. He (Hon. Sir T. McIlwraith) objected to the land board altogether, for the reason he gave when he spoke on the second reading of the Bill. He believed, himself, that centralisation was about the worst form of government they could have in any country. They had gone a long way towards decentralisation when they passed the Divisional Boards Act. He had hoped that their legislation would proceed further in the same direction, and he thought they had a good chance in applying that principle to the land administration. He said it was absolutely impossible for two commissioners, sitting in Brisbane, or travelling all over the colony, to do one tithe of the work they would have to do under that Land Bill. That they would not do it was clear to anyone who had read the Bill. He went further and said he thought the country would derive great benefit by adopting a system similar to that adopted in New South Wales, and giving the people in every district an interest in seeing that the lands were well disposed of. There had not, in his opinion, ever been passed in any of the colonies a measure giving greater facilities for dummying than the Bill before the Committee, and he believed the best preservative against that evil was to give the people in each district the power of dealing with the lands. They were on the spot and were the best judges of whether applications were *bonâ fide* or not. The two men who would compose the board would be appointed by the Government, and, although it was said that they were not to be removable by the Government, they were actually removable by a Government when it was strong enough. He did not think such a board was a fit instrument to work a Bill of that sort. He thought the powers given to them were far too great. He believed that no two men, and no ten men, could do the work thrown upon them by the Bill. He would propose, therefore, to lighten their work by making local land boards, where the Government would have the power of nomination, and where the district could also nominate to a certain extent. He believed the Government would preserve their own interests in that way, and the localities could preserve theirs. He would prepare an amendment with that object.

The PREMIER said that no doubt it would have been more convenient if the amendments about to be proposed by the hon. the Minister for Lands had been notified to the Committee earlier; but the Government had had to take into very careful and anxious consideration a great number of arguments in connection with the land board, which had been raised during the debate on the second reading, and a great number of opinions which had been expressed on the subject at that time. One opinion expressed by members on both sides, which deserved and had received very serious consideration, was that there should be an appeal from the land board to the Minister. Another question was raised as to the danger of the two members of the board disagreeing; and one of the solutions of the difficulty suggested was that there should be three instead of two. Much might be said in favour of that, because then they could always be sure of a majority; but, on the other hand, there would be less sense of responsibility, as each member would know the other two could overrule him. That, too, was considered very carefully. Then the question arose, if appeal to the Minister were not allowed, whether any provision should be made for correcting decisions of the board which the Government might think were *primâ facie* erroneous. It was all very well to say that all those matters should have been settled weeks ago. If they had been, the Committee would have received earlier intimation of it; but the means by which the Government proposed to solve the difficulties which arose were determined upon only after long deliberation. He did not feel at all ashamed that the Government had not seen all those difficulties at first. No important measure of the kind could be introduced without light being thrown upon it, and matters for serious consideration suggested, during debate. Errors were pointed out which could not have occurred to the six or seven men who set their heads together to frame the measure, and so he was not in the least ashamed at being able to make and agree to amendments in matters of that kind. He was very sorry that they had not been able to notify to the Committee at an earlier period the amendments they proposed to make. Passing from that to the suggestion made by the hon. leader of the Opposition, which he had stated his intention of embodying in an amendment—the formation of local boards—the hon. gentleman had spoken of that during the debate on the second reading, and unfortunately it was a matter which he (the Premier) had forgotten to refer to in his reply. He admitted that there were many countries in which the system of local land boards would be useful; but when they considered the kind of tenure proposed to be given by the Bill before them he fancied they would see how difficult it would be to get suitable persons to perform the necessary functions. Would they propose a jury of pastoral tenants to fix the rents paid to the Crown? He did not think that would be satisfactory. If the rents were to be received by the local boards for local purposes their interests would not conflict with their duty; but to allow the tenants to fix the rents and also to assess compensation would hardly—in view of the fact that the interest of the tenants was to keep their rents as low as possible and their compensation as high as possible—be the best means of arriving at satisfactory valuations in the interests of the country. He did not think the time was ripe in this colony for those matters to be dealt with by local boards. Even in regard to such matters as dummying, he doubted very much whether they could be best dealt with by local boards. The system adopted in this colony, up to the present time, of having local courts, presided over by the land commissioner, had been found to work very well. It was a decentralising system; and evidence was required to be given orally in open court, in the presence of the public and the Press; so that all the commissioner did was done in the light of day, and could be commented upon in case of any miscarriage of justice. The Government proposed to continue that system, and the commissioner would perform all those functions in his district publicly as heretofore. He did not think it was desirable at present, especially at the initiation of a new system, to introduce the local land boards. To begin with, in many parts of the country the local board would necessarily be composed of pastoral tenants or Government officers. He did not think the pastoral tenants would be the best persons to entrust with the duty of fixing the rents for themselves or for the grazing farmers or agricultural farmers in their districts. He was sorry he had not said that, as he intended to do, when replying to the hon. gentleman's speech on the second reading; but he entirely forgot to refer to the matter at that time. With regard to the amendment of the hon. member, he

presumed the local boards were proposed as a substitute for the commissioners. If so it should be introduced at a later part of the Bill, as it would not interfere with the land board.

The HON. SIR T. McILWRAITH said he gave the Premier and the Government all due credit for having deliberated on the clauses of the Bill, and having paid the greatest attention to the suggestions which had been made; but could the hon. gentleman not see that, if it took the Government six weeks to come to a conclusion on facts which had been put before them, he could not ask the Committee hurriedly to pass a clause of the sort now proposed? Here they had the Government coming forward with what was practically a new scheme, meeting several of the objections which had been raised to the Bill. Had the members on his side known of those alterations before, the position they took up would have been considerably modified. The hon. gentleman had not given them any reason why they should not have had those amendments a considerable time before. At all events it was a misfortune to the Committee, and a misfortune to the Government, that they could not put forward their business in the practical way in which Government business should be put forward. The hon. member had made a very practical objection to the proposition to establish local boards—that it would be a wrong thing for a board of tenants to fix their own rents; but he had not the slightest intention of delegating to them that power, so that that objection went at once. The other point was that if the principle were to be applied in the squatting districts it would not be a proper thing for the local board to consist of squatters, where so much squatting land was to be dealt with. His answer to that was that surely the Government did not contemplate that it should be applied in squatting districts only! The hon. gentleman was still in his cave, looking out of the little hole. He said there would be a larger number of squattages than there were before—but still squattages. The kind of men he would like to see on the local land boards were the men who were elected on the divisional boards at the present time. He was glad to see squatters take just as active a part in it as other men, consistent with their various duties; and in all districts of the colony he saw men of all classes coming in and assisting on these divisional boards, and if they did it in spending what was one-third their own money and two-thirds Government money, surely they could trust them to administer a very large portion of the duties connected with the administration of the land! The duties he would prescribe in his amendment would consist of a large portion, which he would schedule, of those of the proposed land board, barring, of course, those which, from the very nature of things, they were not competent to perform, such as fixing their rents. Following on that, of course, would be the land board over which the Minister for Lands would preside in open court. There ought to be a land court in Brisbane and the Minister should preside there: but that would follow. In the meantime he would submit his amendment as a test of the principle of local self-government in connection with land. He therefore moved that all the words in the clause between the word "constituted" in the 31st line and the word "this" in the 37th line be omitted, with a view of inserting the following:—

In each district, for the purpose of this Act, a land board consisting of not less than three nor more than seven fit and proper persons, to be from time to time elected by the municipal or divisional ratepayers, as the case may be, of each said district in accordance with the regulations prescribed in the schedule of this Act. The board shall have and exercise the duties hereinafter prescribed.

The MINISTER FOR LANDS said that, much as he approved of the general principle of decentralisation in government, he certainly could not see how such a proposition as that made by the leader of the Opposition—such a cumbrous one—could possibly work in any district. Where were the men to be got from to carry out the provisions of a law of that kind, who were resident in the district and were all desirous of obtaining land? Even with the divisional boards it was one of the great defects of the Local Government Act that there was a tendency, in certain districts, for the men who resided in the neighbouring districts to get the power into their own hands. He did not mean to say that power was very great, because they had not very great opportunities. Still it did mischief, and if they were allowed to exercise the power that the proposed board would have they would do a very great deal of mischief. How could men in the squatting districts of the colony deal with the squatters' rents and do everything of that kind? Was it to be done by the squatters, or by the storekeepers, publicans, auctioneers, and other persons in business in town? He did not understand whether they should be elected by the people of the district.

The HON. SIR T. McILWRAITH: It says so.

The MINISTER FOR LANDS said that might lead to still greater difficulties. If the Government had the nomination of a board of three, four, or five, it would possibly be more workable and less liable to abuse. The people would have the power within themselves to prevent the possibility of any law being carried out in its integrity. They knew that in all country districts where there was only a small society or community, and men had been elected to do work of that kind, they always broke up into little cliques. That had always been the case—one set of men working in one direction and another set in another. Considering the temptations there would be to wrong-doing in the administration of the duties of a land board, it was altogether too dangerous a power to give. That was one of the matters in which centralisation, defective as it might be in many respects, was most effective; because it controlled its outside duties, and its work was always subject to supervision. There was no work done in the board office that was free from public inspection. They had to give their decisions in open court, and not as in former times, when the suggestions or decisions had to be sent down to the Minister for approval, and nobody knew anything about them except the persons immediately interested, and the particulars of which could only be known by some hon. member calling for papers in the House. In the proposed board, if anybody objected to the course taken by the commissioner, the latter had to give his reasons in open court. A publicity would be given to the board's proceedings which had never hitherto existed, and publicity which was impossible to many existing divisional boards. In some country districts there was no Press, and local bodies did pretty much as they liked, unless some person took more trouble than others, brought to light their wrong-doings, and urged the Government to interfere. There were instances in which divisional boards had gone to the trouble of putting up stockyards in other districts for the convenience of travellers from their own districts, which was clearly an illegal thing to do. Still they thought they were doing right, and there was nobody to say them nay. But that was trifling as compared with the work the land boards would have to do, and the

corrupting influences that would be brought to bear upon them. That was enough in itself to condemn the amendment. He thoroughly believed in a board constituted as was proposed by the Bill, and not open to any influences outside their work. To say that all men were open to corrupting and improper influences was but to say that they were human; but in a position where there was positively no temptation to do wrong, even an average man would choose the right course, because he had nothing to gain by choosing the wrong one. Local bodies, on the other hand, were liable to all the petty influences which now disturbed the ordinary course of justice in matters committed to their charge.

The HON. SIR T. MCILWRAITH said that if the Minister for Lands had looked at the hon. member for Bundanba (Mr. Foote), instead of looking at him, he would have talked on for another half-hour. That hon. member coloured up with delight when he heard the Minister for Lands repeating the old speeches he himself used to make against divisional boards. The hon. member had kept up his antipathy to those local bodies ever since, and he almost jumped off his seat with delight when he heard the Minister for Lands running down the best effort at self-government that had ever been made in the colony. The hon. gentleman had just repeated the arguments which the "old fogies," as they used to call them, used against the Local Government Act in 1879. It was then said that everything was going to be a failure if the central power was taken away from Brisbane. But nothing of the kind had happened, and men had been found in almost every district of the colony capable of managing their local affairs a great deal better than ever they were managed before. It was quite possible that in some uncivilised district, known only to the Minister for Lands, a divisional board had put up a stockyard where it should not have been, but the fact remained that it was one of the grandest Acts ever passed; and the hon. gentleman in opposing the amendment was driven to denounce local self-government, and to reproduce the arguments that were used years ago by the hon. member for Bundanba. That hon. member saw no doubt a glorious vision in the vista of the future, of Ipswich occupying its old position — Brisbane having the power, and Ipswich swaying Brisbane. He hoped it would be a long time before that state of things recurred, and it certainly would be as long as the divisional boards lasted; and it would be put off still further if they further developed local self-government in the way now proposed. The hon. gentleman's contention that they could not find suitable men for the purpose within the red line was not correct, because that part of the country already possessed numerous divisional boards manned by capable men. He had inserted in his proposition that the local board should consist of from three to seven members, and it was competent for the Committee to decide upon any particular number. Suppose they decided that five should be the number, would the hon. gentleman tell him that in each of those districts five competent men could not be found to perform the duties required of a local land board, and men to whose interests it would be to perform those duties properly? No doubt those men would be liable to certain influences. They would be liable to look after their own interests very much, as town councillors and members of divisional boards were inclined to look after the interests of their particular districts. That was one of the weaknesses of humanity, but it was no argument against local self-government, because if they went to the other extreme, and centralised all power in the Government, they got the same corruption at ten times the expense. They could balance the possible corruption of a local board against the actual and positive certainty of the same kind of corruption in a board constituted as the Bill proposed. The Minister for Lands shook his head, remembering no doubt the iniquity of the divisional board that had put up the stockyard in the wrong place. He (Hon. Sir T. McIlwraith) would rather have himself paid the £10 that that structure no doubt cost than allow a thing of that sort to stand as a tangible obstruction in the path of the hon. gentleman's political education. But no doubt the hon. gentleman would now have better views on the subject, especially if he kept out of the company of the hon. member for Bundanba.

Mr. FOOTE said he fully endorsed all that the Minister for Lands had said. The proposed local boards would be elected by the very same people as the divisional boards, and consquently they might expect similar results from their labours. The experience of the Minister for Lands with regard to divisional boards had evidently been the same as his own. The hon. gentleman had not merely driven around Brisbane, where there were a few good roads, but he had gone into the country; and whoever had gone into the country must have had the same practical experience as himself (Mr. Foote). He approved of the principle of local self-government, so far as this: that it was a good thing for a body of people to be able to govern themselves. The system was especially good for the Government, because when the Government had sole control over all parts of the colony great ravages were made in the revenue, and they must have felt the burden very much. In that sense the move was a good one; that was to say, transferring the responsibility from off the Government to the people, and enabling them to tax themselves, say one-third, while the Government gave them two-thirds. But he should be very sorry to see the lands of the colony placed in similar hands. Of course, if it could be shown that there could be boards established throughout the different districts of the colony that would work well, and have that decentralising effect which they would all like to see brought about as much as possible, it might possibly answer. But for his own part he could not see how the system would work. He was quite delighted with the allusion that had been made by the hon. the leader of the Opposition, to the fact that he (Mr. Foote) had, in his hon. friend the Minister for Lands, a gentleman who had the same experience as himself, and held the same opinion as he did with regard to their system of local government. He highly approved of the new clause introduced by the Minister for Lands. It was one of the points he contended for on the second reading of the Bill, because he could not see how the measure would work without having some court of appeal. The amendment cleared up that point; but he could not at present see how the land boards proposed by the hon. the leader of the Opposition would work. Perhaps as the discussion went on light might dawn upon his mind; but holding the opinion he did, and seeing, as he had already stated, that the boards, if elective, must be elected by the same people—that they would be constituted of the same class of men and the same class of intelligence as the divisional boards—he should very much fear to see such power placed in their hands.

Mr. ARCHER said he was not at all surprised to hear the speech just made by the hon. member for Bundanba. Although that hon. member represented the electorate of Bundanba, he was a resident of Ipswich; and for many years the

representatives of that place used to be called the pets or the darlings of the Government. They possessed such power in the House before the divisional boards were established, that they had things all their own way, and it was therefore not surprising that they should see no benefit in divisional boards, when by their establishment they had ceased to have the power of diverting the revenue of the whole of Queensland into their own district, and found that they were limited to their own means to a great extent for local purposes. He remembered, the first session he was in the House, that nothing disgusted him more than the long discussion that took place on roads and bridges. A very distinguished gentleman, who had made a name for himself since then—Mr. George Thorn—entered the House at the same time, and he actually kept the whole House for an hour talking about some beastly place near Ipswich called "the Leg-of-mutton Waterhole," that he wanted drained. On that occasion they found the whole Assembly of the Parliament of Queensland discussing some defect about a paltry waterhole near Ipswich, which it required the whole intellect of the colony to remedy. Of course those hon. gentlemen, who were accustomed to that sort of thing, saw no benefit whatever in divisional boards; but those who were not the pets, but the step-children, of the Government, saw very great benefit in those boards. They were able to spend their own funds and to get a fair share of what was going as well. He denied *in toto* that the divisional boards had been a failure. They might, perhaps, have led to less money being expended in the districts about Brisbane, but they had certainly led to great benefit to the people. The revenue had been very properly administered in most cases. He knew that under the Gogango Divisional Board, in his district, they had more roads made and more bridges constructed than they ever had before; and they had not even applied to the Government for a loan to carry out those works. He therefore—not having been a petted child of the Government, as the people of Ipswich were in days gone by—felt that the divisional boards had been of enormous benefit to that part of the country in which he resided. And he would say further that the people;—at all events in most cases that he knew of—he did not speak of any others;—should not be spoken of in the way they had been by the member for Bundanba, who said that the proposed land boards would have to be elected by people possessing the same class of intellect as the people who elected the divisional boards. What class of people were elected in this part of the colony he could not say; but the hon. member for Fortitude Valley appeared to be a very shrewd man, and a man who would bring common sense to bear if appointed on a land board instead of a divisional board. He did not know many other men who took part in the working of the divisional boards about Brisbane, but he knew that in a great many districts there were remarkably good divisional boards who administered the funds of the divisions, not only justly, but with economy and good sense, and had given to the people much better roads than they would have had if they had remained under the old system. The Minister for Lands had spoken of the divisional boards as having made a great many mistakes. He (Mr. Archer) would not say that they had not made mistakes; but he questioned very much whether they had made more mistakes, or committed more blunders, or expended more money uselessly, than the department did before they took over the work. Was it an improvement, or was it not, that the work had been taken out of the hands of the Government and put into the hands of the people? That was really where the question came in. Hon. members on that side of the Committee did not believe that the administration of the Bill should be left to the board as proposed by the Minister for Lands. They did not suppose for a moment that if the board was elected it would be faultless; but they did believe that, from the local knowledge those boards would possess, there would be far fewer faults committed than if the board was a centralised power in Brisbane. That was to say that it would be in the case of the public lands as was now the case with the roads of the colony,—that the law could be administered by the people who were cognisant of the district in which they were working, and that they would not only carry it out with far less cost to the Government, but would tend to decentralise the great and growing department of the Minister for Lands. In fact it would be a school for educating people into looking after the business of the country, which was practically their own business. He insisted, therefore, that an elective board of the kind proposed would be the most suitable thing to introduce, particularly in a measure like the one under discussion, which was a completely new departure in the administration of the Lands Department. As for saying that there was not intellect enough to be found in the different divisions to carry out the Act, that was not for a moment to be thought of. He was sure there was plenty of intellect to be found there, quite equal to the average intellect of members of that House. But he would ask the Minister for Lands how were the people interested to decide the rent? The hon. member for Mulgrave said distinctly that another clause would have to be added defining the power of the board, if the Bill was to be administered by them; and he especially mentioned that the rent would not be one of the things they would have to settle. He understood the hon. member for Mulgrave to say that there would have to be a clause stating distinctly the work that would be given to the boards to fulfil, and that the assessment of rates would certainly not be one of them. He did not say the boards ought to have that power, but as much of the administration of the Bill as could possibly be left in the hands of local people ought to be so left. It would not only relieve the department of an immense amount of work, but it would probably enable them to administer the Bill a great deal better than if it were kept in a centralised department.

The COLONIAL TREASURER said that the hon. member's eulogy of local boards was a key-note which furnished a valid objection to the amendment of the hon. member for Mulgrave. He did not propose to enter into any discussion of the merits of local boards, but would merely observe *en passant* that whatever excellence they might have shown up to now had been chiefly exhibited through a very liberal lubrication by the Treasury. The hon. gentleman (Mr. Archer) seemed entirely to ignore the fact that boards, in their initiatory works, had been very largely subsidised by the Government, both by a liberal endowment and by the fact that they had been treated liberally in the way of loans. The boards had, therefore, at the outset of their career been largely lubricated by the Treasury; so that hon. members should not forget, whatever excellence boards might have exhibited, it was chiefly due to the large amount of money with which they had been assisted; and, as far as his observation went, he thought that divisional boards showed a great desire to increase their applications to the Treasury. He took it that in the amendment proposed by the hon. member for Mulgrave, giving them opportunity to make a still

further demand on the Treasury, they were in effect creating a spirit of hunger for a portion of the consolidated revenue of the colony which was obtained from their public lands. He thought decentralisation would be extended to the Treasury ; and, having once allowed them to deal with the public lands, the next phase would be that they would make applications to the Treasury to administer the revenue derived from those lands. He certainly objected to that at the outset, and he trusted there was no intention to divert from the consolidated revenue the very large amount of annual income which was derived from their real estate. Even if there were no other objections to the establishing of those provincial boards, in connection with the lands of the colony, he saw this grave objection looming in the future, that once having entrusted them with the administration, the absorption by them of the land revenue of the colony would surely follow.

Mr. MOREHEAD said that he objected to hurried amendments, whether they came from one side of the Committee or from the other, and he most distinctly objected that they should have a new surprise sprung on them that night by the Minister for Lands. No sooner had the amendment proposed by the hon. member for Stanley (Mr. Kellett) been disposed of, than another new amendment was placed before them. He asked the Government whether that was fair play, and whether it was a nice way to deal with such a large public question as that of the public lands of the colony. They had had no indication from the Minister for Lands of his intention to bring in such an amendment, nor did he indicate in any way that he would shift from the position he had taken up. The hon. gentleman told them a short time ago that he had put his foot down and that he would accept no further amendments ; yet, within a few minutes of having made that assertion, he consented to an amendment which was a great deviation from the principle contained in the original Bill. As far as the new clause of the Bill—to follow clause 18—was concerned, it might be best described as an appeal from Philip drunk to Philip sober. The new clause was that—

"Upon the application of any person aggrieved by a decision of the board the Governor in Council may remit the matter to the board for reconsideration.

"The board shall thereupon appoint a day for rehearing the matter in open court, and shall proceed to a rehearing thereof accordingly.

"The decision of the board on a rehearing shall be final."

It meant that they were to send back to those who had come to a decision, and ask them whether they adhered to that decision, and if they said "Yes" it was final. He objected that hon. members should be treated in that way. A measure to deal with the public lands of the colony should have been brought up as a well-conceived and intelligible scheme. Yet night after night, and hour after hour, they had certain surprising amendments sent in, and one of the consequent results was that a hurried amendment had to be drafted by the hon. leader of the Opposition.

The PREMIER : Why ?

Mr. MOREHEAD : Because this was only put into our hands half-an-hour ago.

The PREMIER : The amendment has nothing whatever to do with that.

Mr. MOREHEAD : The Premier, surely, could not have read even the clauses that were contained in the Bill, or he would have known that the amendment of the leader of the Opposition did deal with it as much as the new clause dealt with the powers of boards. He did not say that he was at all in accord with the principle of divisional boards as applied to those boards, any more than he believed in the principle that was contained in Part II. of the administration of the Land Bill. He was a believer in neither one nor the other, and he thought, seeing that they had come to a definite conclusion—so far as that Committee was concerned—as regarded the first portion of the Bill, they should have time to consider amendments that were placed in their hands only half-an-hour before ; they should have time to fully consider the effect of those amendments, before they should be asked to go on with a Bill which was one of material importance to the colony, and which should not be allowed to be hurried on. He trusted that the hon. Premier or the hon. Minister in charge of the Bill would see their way to adjourn. He was not prepared to discuss that night—and many other hon. members were not—the question as to whether the board should be elected on the divisional board principle. It was a very broad and big question which had been opened out by the leader of the Opposition, and one that should be fully considered, and on which no hurried decision should be arrived at. He hoped the Minister for Lands would see his way to move the Chairman out of the chair, since he had succeeded, at any rate, in getting through ten clauses of the Bill, with which he should be satisfied.

The PREMIER said that, if anyone had reason to complain, they might complain that the important amendment of the hon. member for Mulgrave had not been circulated. He did not complain, however, because, from the speech of the hon. member on the second reading, he understood that he would propose such an amendment in regard to local boards. They all knew that the question of the land board was to be discussed that day, but no one had given notice of amendments, nor had any been proposed by the Government in that clause. In order that hon. members might be in possession of the matured views of the Government, amendments were printed and circulated before they came to the time for inserting them. One question to be determined on the clause was, whether two, or three, members should comprise the board. If the amendment of the hon. member for Mulgrave were negatived in its present form they would be precluded from further discussion on the clause, which would be unfortunate. With regard to local boards, he did not see any reason why they should not now discuss what was discussed on the second reading. He failed to see any analogy between divisional boards for local taxation and supervising local public works, and the administration of the public estate. In one case the members of the board were more individually interested than anybody else ; they were minding, in fact, their own business, or the business of those who selected them from their number ; but in the case now proposed, the members of the board were not appointed to mind their own business, but to administer the general estate of the country, which was a financial business to a great extent. He did not see any better reason for local boards administering land laws than the Customs' laws. The country was to receive a certain revenue from certain property, in the one case imported, and in the other, property which was already in the country and required to be utilised. The persons who paid money were not the proper persons to say how much they should pay, and in the same way those who received money were not the persons to determine how much they should receive. They were not the proper functions for local boards. What then was left for the local boards to do—unless they were to investigate cases of alleged dummying, or make recommendations to the Government

with regard to putting land up for selection? He did not see what else there would be for them to do, and he did not think such a board would be a desirable tribunal to determine cases of alleged dummying, which should be determined by someone in the nature of a judge. At present it was done by the Commissioner. In the term "dummying" he included any acquisition of land in violation of the law. If there were local boards, there would be a large number of persons disqualified from acting on them. Both pastoral tenants and selectors should, he thought, be disqualified; and if the pastoral tenants and selectors were disqualified there would be few left. In some parts of the colony people might be found qualified and willing to do a very large amount of the work—people who might be as competent as the members of the board themselves; but in the interior of the colony, where settlement was only beginning, and where the pastoral tenants and selectors would be debarred because they were interested for various reasons, there would be no one left but the inhabitants of small towns, who would not go in the face of the persons from whom they got their living. It seemed to him that those objections were quite sufficient to condemn any local administration of the Land Act in the colony of Queensland at the present time, even if there were any analogy between the administration of local affairs, such as roads and bridges, and the administration of the public estate or the collection of the public revenue—because the Bill was to some extent a revenue Bill. It dealt with the manner in which the State was to be remunerated for the use of its property, and he did not see that local bodies were proper persons to be entrusted with that important function.

The HON. SIR T. MCILWRAITH said it was a great deal more than a revenue Bill. That was not the primary object of the measure. He believed the object of a Land Bill was to settle people on the land, and there was not a better means of preventing the evils which had hitherto existed under the land laws than the local land court. The court over which the Minister presided would be able to appeal to the local courts for the facts of any case which might come up for decision. He did not want the local court to fix the rent, but to decide on all questions connected with the right administration of the lands in their particular district; and there were no men more capable of giving the information required than the men interested. The Premier said that pastoral lessees and selectors would have to be excluded from local courts; but he thought they would be the most valuable members, and he would only exclude them from deciding any case in which they were personally interested. They knew that there were people in each district who could materially assist the Government in seeing that settlement took place according to the land laws of the colony; and that with far stricter conditions than were now proposed they had failed to do so up to the present time. They should therefore have local land boards who would control the wrongful acquisition of both leases and the fee-simple of Crown lands. The hon. gentleman complained that he had not caused his amendment to be printed.

The PREMIER: I did not complain.

The HON. SIR T. MCILWRAITH said he admitted that it would be better to have it in print, and not only that, but also the clauses that would follow—namely, the clauses defining the duties of the local land board under the Land Act. That he was perfectly prepared to do. He did not think they could fully discuss the matter until those duties were defined; and before the matter came before the Committee again he would have them circulated among hon. members. What the Premier said as to the amendments of the Minister for Lands being amendments to follow clause 18 was quite correct, but they could not properly discuss clause 11 without considering them. He did not want to prevent discussion now, nor did he want the Committee to rise before a reasonable time, but he thought they should not come to a decision upon the question of the board until his amendments and the amendment of the Minister for Lands had been longer in the hands of hon. members, and until they had had an opportunity of carefully considering them. He might say that he did not regard the Bill in the same way as the Minister for Lands did—as a party question at all. He thought it was a matter upon which they might all join in looking out for the interests of the colony, and he did not care whether, if his amendments came to a division, he should be left sitting by himself; at all events he thought they were worthy of serious consideration. He knew that in another colony, where they had been discussing a Land Act for, he thought, about eighteen months, they had adopted a system almost similar to that which he proposed. He would go further, and say that it was exactly the same as in New South Wales, if that colony had got to the same degree of civilisation in the matter of local self-government as they had in Queensland.

The PREMIER said he laboured under the disadvantage of not having seen the hon. member's amendment, though it had to some extent been explained. So far as he understood it from the hon. gentleman's last speech, the local boards were not intended to supersede the land board. By the way in which he moved the amendment he thought they were to supersede the land board altogether.

The HON. SIR T. MCILWRAITH: No.

The PREMIER said if the hon. member desired that there should be local land boards for certain specified purposes, his amendment should, if he might suggest to him, come in still in that part of the Bill, but after the clauses dealing with the land board; and should either be in substitution of the clauses dealing with the commissioner, or as additional machinery for the administration of those clauses. As he understood the hon. gentleman, the land board would exist whether there were local boards or not. He had not seen the hon. gentleman's complete scheme, but, if he understood him aright, his amendments should follow clause 18.

The HON. SIR T. MCILWRAITH said it was not his intention to curtail the land board in any way, as put forward in clause 11. The local land boards would perform a large number of the functions of the land board, as described in that Bill, and if his scheme was adopted there would be a court over which the Minister would preside.

The PREMIER: How is the land court to be constituted?

The HON. SIR T. MCILWRAITH: The Minister sitting in open court, and performing his functions in open court on information supplied to him by the local land board. He knew the hon. gentleman would see an immense amount of good in that when he considered it. The great point he wanted to get at was this: In all their previous land laws they had never tried to bring the local knowledge of the district to bear upon the Land Minister. They had known public opinion to be directly opposed to the administration of the Land Acts in particular districts; but though it was against the interests of that particular district, it was lawful, and was allowed to go on. That sort of thing would be stopped

by the system he proposed. What he believed in was getting the best form of settlement for each particular district, and unless they enlisted the people of the district themselves they could not possibly attain that settlement. It was in that particular he wished to get the assistance of the Government. What the local land board might do would be to prevent land being unduly and unlawfully got, or against the provisions of the Act, and he believed that they would be found to be the best assistance the Government could have in the administration of the Act. If the Government believed that, then they would adopt his amendments. He would, at all events, have his amendments printed, including the clauses defining the functions of the land board.

Mr. KATES said they had done a good deal of work that evening, and had got over the *pons asinorum* of the Bill. They had now two amendments placed in their hands, on very short notice, and as they were important amendments he thought the Minister for Lands would do well to adjourn the discussion at that stage, and allow them time to consider the amendments.

Mr. PALMER said he also thought it was possible to have too much of a good thing. He was quite exhausted by the work they had done that evening. The struggle of the Pass of Thermopylæ was literally carried out by the minority fighting the majority that evening, and being at last obliged to give way. He thought the Minister for Lands would do well to give them time to study the amendments he had proposed, and the amendments of the hon. the leader of the Opposition, which they had not even seen yet.

Mr. JORDAN said he thought it would facilitate the discussion upon the Bill if they adjourned at that stage. The amendments which had been proposed were very important, and would require very careful consideration, and he did not think they would forward matters by any further discussion that evening.

On the motion of the MINISTER FOR LANDS, the House resumed. The CHAIRMAN reported progress, and obtained leave to sit again.

The HON. SIR T. McILWRAITH asked if the Government had made up their minds what business they would take next week?

The PREMIER said that on Tuesday and Wednesday they would take the Land Bill. They would see to-morrow whether they would sit on Monday.

Mr. CHUBB said he would draw the attention of the Minister for Lands to something that had just struck him in section 8, which they had passed. The proviso said that deeds of grant were subject to reservations and conditions provided by the Act. On looking into the Bill, he saw that there were no reservations and conditions in it.

On the motion of the MINISTER FOR LANDS, leave was given to the Committee to sit again to-morrow.

ADJOURNMENT.

The PREMIER, in moving the adjournment, said that, if possible, after the private business to-morrow, they would go on with the Defence Bill, which would stand at the head of the paper.

The House adjourned at five minutes to 10 o'clock.