Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 30 SEPTEMBER 1884

LEGISLATIVE ASSEMBLY.

Tuesday, 30 *September*, 1884.

Warden Hodgkinson's Report.—Townsville Gas Company Bill.—Questions.—Bills of Exchange Bill.—Succession Act Declaratory Bill.—Petitions.—Errors in Bills.—Maryborough Racecourse Bill—third reading.—Crown Lands Bill—committee.—Adjournment.

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

WARDEN HODGKINSON'S REPORT.

Mr. BROOKES laid on the table of the House the Report of the Select Committee appointed to inquire into the report on the Palmer Gold Field by Warden Hodgkinson, and moved that the paper be printed.

Question put and passed.

TOWNSVILLE GAS COMPANY BILL.

The HON. J. M. MACROSSAN presented the Report of the Select Committee appointed to inquire into the Townsville Gas Company Bill, and moved that it be printed.

Question put and passed.

On motion of the HON. J. M. MACROSSAN, the second reading of the Bill was made an Order of the Day for Thursday next.

QUESTIONS.

Mr. T. CAMPBELL asked the Minister for Works—

1. When will the contract by Bashford and Company for the construction of the first section of the Cooktown and Maytown Railway expire?

2. Will the Minister have the plans and specifications for the second section prepared before the end of the present session?

3. If not, when?

4. Will the Minister for Railways promise to call for tenders for the second section of the Cooktown and Maytown Railway before the termination of the present contract?

The MINISTER FOR WORKS (Hon. W. Miles) replied—

1. 30th June, 1885.

2 and 3. It is not expected that working plans and specifications will be ready before the end of February, 1885.

4. Until necessary plans, etc., are ready and funds voted, it is difficult to state positively when tenders for the second section may be invited.

BILLS OF EXCHANGE BILL.

The SPEAKER announced the receipt of a message from His Excellency the Governor stating that, on behalf of Her Majesty, he had assented to this Bill.

SUCCESSION ACT DECLARATORY BILL.

The SPEAKER announced the receipt of a message from His Excellency the Governor stating that, on behalf of Her Majesty, he had assented to this Bill.

PETITIONS.

Mr. FOXTON presented a petition from the Vernon Coal and Railway Company, Limited, praying for leave to introduce a Bill to authorise the petitioners to construct and maintain certain lines of railway in the Wide Bay district.

Petition read and received.

Mr. PALMER presented a petition from certain residents of Normanton and the Burke district, with reference to a railway from Normanton to the Cloncurry.

Petition read and received.

ERRORS IN BILLS.

The SPEAKER announced that he had received the following letter:—

"Legislative Council Office,
"Brisbane, 30th September, 1884.

"SIR,—In accordance with the 20th Joint Standing Order, I have the honour to report that in the Patents, Designs, and Trade Marks Bill, an amendment having been made in clause 10, substituting the words 'recommend that a patent be granted' for the words 'seal a patent,' a similar amendment becomes necessary in clause 83 of the original Bill, now clause 84.

"I have the honour to be, sir,
"Your obedient servant,
"H. W. RADFORD,
"Clerk of the Parliaments.

"To the Hon. the Speaker of the Legislative Assembly."

On the motion of the PREMIER (Hon. S. W Griffith), the report was ordered to be taken into consideration to-morrow.

The SPEAKER announced that he had also received the following letter:—

"Legislative Council Office,
"Brisbane, 26th September, 1884.

"SIR,—In compliance with the 20th Joint Standing Order, I have the honour to report that in the Native Birds Protection Act Amendment Bill there appears to be a clerical error. The title is 'A Bill to amend the Native Birds Act of 1877,' no such Act being in the Statute-book, the Act referred to being 'The Native Birds Protection Act of 1877.'

"I have the honour to be, sir,
"Your most obedient servant,
"H. W. RADFORD,
"Clerk of the Parliaments.

"To the Hon. the Speaker of the Legislative Assembly."

On the motion of Mr. ARCHER, the report was ordered to be taken into consideration to-morrow.

MARYBOROUGH RACECOURSE BILL—THIRD READING.

On the motion of Mr. BAILEY, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council by message in the usual form.

CROWN LANDS BILL—COMMITTEE.

On the Order of the Day being read, the Speaker left the chair, and the House went into Committee to further consider this Bill in detail.

Question—That the clause as read stand part of the Bill—to which the Hon. Sir T. McIlwraith had moved as an amendment the omission of all the words in the clause between the word "constituted" in the 31st line and the word "this" in the 37th line, 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."

Whereupon, question that the words proposed to be omitted stand part of the Bill, put.

The HON. SIR T. McILWRAITH said that when the Committee last sat he had moved the amendments which had just been read, and, on the same day, the Minister for Lands gave notice of his intention to introduce two new clauses, by which certain alterations would be made in the administration of the Bill. To a certain extent those clauses met two important objections to the scheme of administration as laid down in the Bill. He thought it better, therefore, in order to show his whole scheme, to reverse the order of his own amendments, and commence in clause 11 with the land court instead of the local land board. Of course, hon. members would see at once that the proposed amendments followed the scheme of the Bill, so that, if they should be adopted, as little trouble as possible would be given to the Minister. He asked leave, therefore, to withdraw the amendment standing in his name, with a view to substituting the amendments which were circulated on Friday or Saturday.

Amendment by leave withdrawn.

The HON. SIR T. McILWRAITH said that the land board, as provided by the Bill, consisted of two men occupying to a certain extent the position of judges, and who were entrusted with the administration of the most important functions connected with the Bill; in fact, with the exception of some powers that were given to the commissioners by clauses 19 and 21, they had the whole administration in their hands. The

commissioners were to hold courts in each month, but every act of theirs was subject to the approval of the board. Of course that scheme was bold and impracticable, and the Minister had since provided that there should be an appeal of a certain character from the board. The new clause was 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 case in open court and shall proceed to a rehearing thereof accordingly.

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

That did not at all meet what he thought was the view of the Committee with regard to the appeal to a higher authority. It simply provided what was provided by the ordinary machinery of law, that in case fresh evidence turned up the matter might be remitted. It would be absurd for the Minister to remit the matter to the board unless some fresh evidence had turned up to change the aspect of the case. It would be an insult to the board to direct them to rehear the same evidence simply because the Minister on reading it over disagreed with their decision. That new clause, then, did not provide anything equivalent to an appeal to a higher court. The next new clause, which was to stand as clause 20, read :—

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.

That was an amendment which improved the Bill very considerably, though it struck at what the Minister had called a principle of the Bill—that Ministerial action was to be left out altogether. They were now coming back to the system which gave the Minister power to give a decision—the system which had been so much condemned by the Minister for Lands. When the board disagreed the Minister was to act as referee. He did not see anything in the amendment to commend it to the consideration of the Committee, and he might say that he did not think it was a satisfactory solution of the question. For one thing it disagreed with the principle laid down by the Minister himself—namely, that he should have no executive authority; and, in the next place, he did not think it would be a success to have the Minister sitting in open court in Brisbane, assisted by the commissioners, one on each side of him. He might be a capital Minister for Lands, a man fitted for the position in every respect, but he might make a very bad judge in open court when the public and the reporters were listening to him. The scheme he proposed was a very different one to that contained in the Bill. In the first place, he thought the land court should be constituted by one single judge. To that judge would be referred for decision all questions connected with the rents to be paid or any money matters connected with the land. At the same time the amendments provided that he should have certain information furnished to him by another court, and there would be put upon the shoulders of the judge the decision of appeals from a lower court, which he proposed to provide for—that was to say, the judge would consider appeals from the local courts if any party considered himself aggrieved. The local courts would consist *ex officio* of the commissioners of the district, and other persons elected by the ratepayers who would have all the powers that were given to the commissioners in clauses 19 and 22. Clause 23 of the amendments would not be proposed, and hon. members would understand that it had been put in by mistake. It had been wrongly copied, because it would be seen that he had taken out the whole of the powers of the commissioner. As he had said, the power of the local court would be equal to the power given in clauses 19 and 22 to the commissioners, and they would consist of the commissioner himself, who was to be chairman *ex officio*, and who was to be appointed by the Governor in Council, and the number of members who would assist him was not a matter of vital importance. The fact, however, that they would be elected by the ratepayers and be amenable to them was a point to which he attached the greatest importance. The evil which he had guarded against in the constitution of the land board would be guarded against in the constitution of the local court, and that was the power to fix or assess the rent of parties who might have land in the district. He held that the local boards could exercise, a great deal better than the commissioner could, the power which was given to the commissioner by the Bill. They could, for instance, give the comparative value of the different leases applied for; they could classify the land as Nos. 1, 2, and 3, and being local men elected by the ratepayers, it could fairly be expected that they would act in the interest of the district; and, in addition to that, it could not be conceived that they would be opposed to settlement. The great object of those men would be to induce as much settlement as possible in their districts and prevent the aggregation of leases, which was a worse evil than the aggregation of land, if their aggregation was detrimental in any respect to the interests of the people themselves. On all local matters they could decide much better than the commissioner, who, from the very nature of things, could not know so much about the value of the land as representative men. He thus provided machinery by which a judge would be the person to decide as to the quality, etc., of the land, and he provided a land court, which would, from its nature, have the greatest inducement to act fairly and honourably on behalf of the district and the country. Those were the principles of his amendments, and instead of a district working against the operation of the Act they would have it working in favour of it. A great many of the powers given to the proposed land board in the original Bill were also given to the local land boards, and that, it would be seen, would be an advantage, because the more one studied the Bill the more it would be seen that it would break down on account of the immense amount of work and responsibility that was put on the shoulders of two men, whom it was impossible to imagine could perform the duties that would be thrust upon them. For instance, by clause 17 the board was asked to determine the rents and compensations. That was to be their principal work, and going on to clause 18 it would be found that they had to decide disputes as to the boundaries of holdings. By clause 19 all the commissioner's districts had to be appointed and marked out by the board, and then by clause 22 immense powers were given them, by which they could reverse, vary, or confirm the decisions of the land commissioner. Clause 23 gave them power to subdivide runs, and clause 24 gave them a mixed power. By one part of the clause they had the power of entirely performing certain work, and by another part it was remitted to the Minister. By subsection 6 of clause 25 the board had a duty imposed upon them—namely, that if they did not conform to the decision recommended by them they had the power of varying it. Then, by subsection 3 of clause 25, they had to determine the rent payable for the first five years of the term of the lease; and, by subsections 4 and 5, they had to determine the rent

payable during the second and third terms, and the quality and fitness of the land for grazing purposes. By clause 26, power was given to the board to fix the annual rent; by clause 27, they had the power to make the lessee reduce the number of his stock; and the Minister had not the power of deciding, without the recommendation of the board, what were agricultural, and what pastoral, areas. That was a most dangerous power to put into the hands of any two men, who must necessarily be ignorant of the condition of the colony. But those areas must be determined at once, the object of the Government being to acquire a larger rent from the land. They must lease, either as pastoral or agricultural farms, the whole of the land within the red line in a very short space of time—in far too short a time to enable any two men to come to a decision whether any particular portion of it should be agricultural or grazing. By clause 45 the board had the power to approve of the surveys made by the licensed surveyor, and by the next clause the board had to confirm the approval of the commissioner with regard to such surveys. In the next clause, again, they had the power to determine the value of improvements. Power was next given them to grant an extension of twelve months' time in cases where reason was shown to the board by selectors who had not been able to put up their fencing. By clause 53 the board were empowered to determine the rent of each period of five years after the first ten years, and subsection 8 of the same clause gave them power to recommend the Governor in Council to declare certain leases forfeited. Additional powers were given to the board in clauses 57, 58, and 65. By clause 67 they had the power to determine the rent to be reserved under the lease for the first ten years, and the price to be paid in purchasing the selection—which was certainly a most extraordinary power to give to a board. Under clause 69, it was only on the recommendation of the board that the Governor in Council could set aside certain lands as scrub lands. By clause 72, if the commissioner approved of a lease, it had to be confirmed by the board; and by the same clause it was provided that those scrub leases might be forfeited on the recommendation of the board. In occupation leases it was for the board to determine the area to be occupied and the rent per square mile; and it was on their recommendation that the Minister had to give notice to the licensees that the next year's rent would be increased. On those leases the board might reduce the number of stock to such an extent as they thought fit. When the question of compensation for resumption was considered the Government could only act on the recommendation of the board as to the quantity of land, or as to the amount of reduction of rent in consideration of partial resumption. He had noticed the most prominent powers given to the board, and the objection that was taken on the second reading by hon. members on both sides was that those powers were greater than should reasonably be given to such a body. An attempt had been made to meet that objection by giving to the Minister the right of referring any decision back for final decision, and by giving to the Minister himself power to decide where the whole of the members of the court did not agree. But that, he held, did not meet the case, because they had the fact of the vast responsibility cast upon those two men staring them in the face still. What he proposed he believed to be a good deal better; and it was this—that the court should be a judge. As he had said before, there were grave objections to a Minister acting as a judge in public. What was wanted was a man accustomed to take evidence, and placed in as good a position as a judge of the Supreme Court. They could fancy a man of that kind, acting in public, and giving his decisions in public, well qualified to perform the functions that were given by the Bill to the land board. The judge was not supposed to travel, although it would do him no harm if he did—he was not to be an itinerant commissioner, as were the members of the land board proposed by the Bill. The judge would have evidence brought before him by machinery better than that provided for in the Bill; he could get the whole of the facts put before him by the commissioner for the district as the chairman of the local land court. There was also the best possible provision against dummying in a local court. He believed that dummying would be practised under the Bill to a much greater extent than it had been under any previous Land Act that had ever been in force in the colony, and they ought to make special provision for it. People living in a district had a special interest in preventing dummying. Whatever people outside might say, there was no question that the ratepayers in a district were very much opposed to it; the tradespeople, at all events, were, and they would form a fair minority, if not an absolute majority, in nearly every district; and the election of the local boards would be to a great extent in their hands. They would give information that could not be got from a commissioner, and they would not be subject to the influences to which a commissioner was liable. No doubt they would be subject to other influences, but they would not be subject to the same influences, to the same degree, as a commissioner. They would have a very natural interest in looking out for the material prosperity of their district. The commissioner, if a good-natured man—a quality all the worse for the Government interest—would generally give his decision as easily as he possibly could for the district. He did not think that would be the case with the land boards; they would look out for the interests of the district. An objection had, of course, been made: "Well, these men will be interested in the district to this extent, that it might be an advantage to them to get their lands cheaper from the Government than they could get lands in other districts." That objection would be a strong one to this scheme, provided he had not taken away the fixing of the rents and assessments from them and given them to a higher court. The boards only furnished facts on which the judge might determine, and among those facts were the settlement of the character of the different lands, whether it was agricultural or pastoral; and if it was either, in which degree—first, second, or third. He thought they might be safely trusted to do that; and he did not think it was a likely thing that they would classify their land in the third degree simply for the purpose of getting their lands at a less rent. There was a capital way, at all events, to catch them doing that if the Minister for Lands approved of the scheme. He believed himself they never would get rid of dummying until they made the people in the district interested in extinguishing it, and the only way it could be done was by bringing to bear a higher amount of public opinion. They got that public opinion in the local court, and what he wanted to do beyond that was to see that no interest really existed that might make them work against the good of the general revenue. The way it might be got over was this: It could easily be provided that a portion of the land rent that came from each district—a certain fixed percentage—should be given to those local boards instead of a certain subsidy from the general revenue. Thus each local board, if they got a certain amount, and had the power to fix

the rate, and were to be allowed to raise a certain proportion of the subsidy they would otherwise get from the general revenue, would see at once that those rents would be fixed at a rate that would give them that amount and no more. It was in the power of the Government to take away what little objection there was. The only objection was that they might be induced to classify the whole of the lands as very inferior; but he said the Government might take away that inducement by giving them a certain amount of interest in making the rents as high as the district would allow, and they could do that by working the Local Government Act. And, in the next place, he did not conceive that they could get a local board that would classify the whole of the land as third-class pastoral land, because they had the option of putting first-class land down to third-class. Another objection made to the local boards was that they would not work for the good of the colony as a whole. He considered that they would, and they would act as well in that capacity as they had done in regard to local boards which had been subsidised by the Government to a certain extent—rather grievously so, according to the Treasurer's account, because he pulled a long face about it the other night. However, it had been a success all through except from a financial point of view in the Treasurer's opinion, and he thought they would be able to get some local opinion to bear on the question of land. He wanted to argue in favour of the scheme that the local governments would have an interest in getting the best price they could for the lands in their district, if they were interested in the matter themselves. To recapitulate what he considered the advantages of the scheme would be: It met the great objection to the present scheme put forward by the Minister for Lands, and that was the ministerial responsibility. The ministerial responsibility was a great deal, and the Minister was anxious to shove it on to other men; but his scheme provided for ministerial responsibility being brought to a minimum. He had put in higher class officers, and had taken away from the Minister, therefore, all that power of which he complained. The next consideration was the appointment of a judge appointed at a high salary, sitting constantly in open court in Brisbane, to make all rents and assessments, and to hear appeals from the decision of the local boards. They were likely to get a man of competent knowledge, experience, and skill, who would occupy as good a position with regard to land as a judge of the colony held with regard to law. Then it met another objection, he thought, better than did the amendments proposed by the Minister for Lands—and that was, that there was an appeal from the land court, by petition to the Governor in Council, by the party aggrieved. That was a power that, in any case, the parties who considered themselves aggrieved ought to have. It did not provide for an appeal as was done in the amendment, notice of which had been given for the Minister for Lands. He had also provided in his amendment that the Minister, when he was aggrieved—or rather when he disagreed with the decision of the judge—should have the power also of referring the matter to the Governor in Council. That matter was provided for, as far as it possibly could be, when the decision of a judge was taken exception to, by referring every party to a higher tribunal. An objection might be made to this, that if the Minister considered that the decision of the judge had been wrong, by referring this matter to the Governor in Council it was simply referring it from one man to himself; but he did not look upon it in that light at all. The under secretary of the department who had charge of the case would prepare all the facts, which would be put before the Governor in Council afresh by the Minister for Lands, and there would have to be some important new evidence brought before them before they would alter the decision given by a judge in open court. He thought that justice to the public would be secured in that way. Any Government would have to be furnished with good reasons before they would reverse the decision of a judge. He had not thought it worth while to trouble the Committee with the matters of detail that would follow, if the amendment were passed, in clauses 12, 13, 14, 15, and 16. Then he went on to clause 17, and substituted for that a new clause providing for matters of administration by the judge. After that followed the clauses constituting the local land courts. Clause 23 provided that—

"No decision of a board shall be final unless and until it has been confirmed by the judge, who may confirm, vary, or reverse any such decision."

Hon. members would understand that he had explained the objects of his amendments. He was as anxious perhaps as the Minister for Lands to see ministerial action brought down to as small a point as possible, and to take the matter as much as possible out of his hands—consistent, of course, with his responsibilities to the House. He wished to attain that object. He thought, however, that the land board, either as regarded the emoluments provided for them or their physical capacity to do the work, would not have been a satisfactory land board. In the next place he had struck out the work of the commissioners and left it to the land boards, the most important reason being that they would enlist for the administration of the land laws of the colony the whole interest of the different districts of the colony. He moved that clause 11 stand part of the Bill.

The CHAIRMAN said he did not think the amendment could be put in that form.

The HON. SIR T. MCILWRAITH said that he had obtained the leave of the Committee to introduce an amendment. He supposed that, if he withdrew that amendment, the right to propose another still existed. If the Minister for Lands proposed the clause it would be another thing.

The PREMIER said it was a matter of form for the Minister to move that clause 11 stand part of the Bill, and that was the motion before the Committee. The hon. gentleman proposed to amend part of that clause, but he thought it desirable to make that amendment in another form, and asked permission of the Committee to withdraw his amendment. That permission was at once given, and the motion now was that "Clause 11, as read, stand part of the Bill." The hon. gentleman could leave the 1st line as it stood, and substitute his amendment for the other part. He could not move the amendment he spoke of, because the Minister could not withdraw the clause itself. The first lines of the clauses were the same.

The HON. SIR T. MCILWRAITH said there was not the slightest trouble over that. What he wanted to know was how he got in his substitute for clause 11? What did the Chairman ask the Committee to do, when he got leave to introduce his amended form of clause 11?

The CHAIRMAN said the motion was to omit all the words after the word "constituted," with a view of inserting the amendment. The Minister for Lands had moved that the clause stand part of the Bill.

The HON. SIR T. MCILWRAITH said that if that had been said before there would not have been the slightest trouble. He thought that the Minister for Lands had withdrawn his clause 11

to allow him to propose his amendment. He therefore moved that all the words after the word "a" in the 31st line down to the end of the 36th line be omitted, with a view of inserting—

Court to be called the land court, which shall, from time to time, be holden before a judge of competent knowledge, skill, and experience.

Such judge shall be appointed by the Governor in Council, by commission under his hand, and the Great Seal of the colony, and shall have and exercise the powers and duties hereinafter described.

The MINISTER FOR LANDS (Hon. C. B. Dutton) said the first thing that occurred to him on reading the amendment proposed by the hon. gentleman was—Could he possibly have believed in it himself? Could he really have thought that those proposed amendments to the Bill before the Committee were really of a kind that would reduce or moderate the evils that even he himself admitted had existed in the previous administration of their Land Acts? He thought it would be quite the contrary; they would have the other effect and would increase them immeasurably. In the first place they were to have one judge, and what his powers would be he could not very well see. He was to deal with cases when they came from the local land boards, and the local land boards were to be representatives of the taxpayers and those interested in the lands of the district. They were to send their reports down to that judge—whatever they might be—and he was to decide from their statements what course he would take—what decision he would come to in the case. The interests of all the people in the district were alike, and the judge had nothing at all to deal with except the recommendation that came from them: he would not know anything of his own personal knowledge. And then again, whatever power he would have, and it was of a very questionable nature, the Minister actually had power to capsize his decision in all cases. The judge was simply a puppet set up for the Minister to knock over when he chose. The object of the Bill was to take a certain amount of dangerous power out of the hands of the Minister and put it in the hands of men who were free from any influences that were liable to lead men astray from sound and cool judgment. The amendment provided no safeguard of that kind at all. And then the local boards—what were they? There was one commissioner appointed by the Governor in Council as an *ex officio* chairman of a board. Then the rest of the members of the board might consist of from two to six persons elected by the ratepayers. It could be easily understood, in such important matters as dealing with land, what they would represent. The local board would represent the dominating party in the district whatever it might be, whether they were shopkeepers, land speculators, traders, or anything else. Whatever they might be, they would direct the action of the local court. They had all seen many evils in the working of divisional boards, and the duties of divisional boards were very insignificant in comparison with those which would have to be performed by the local land boards. Any errors of judgment, or want of proper administration in the expenditure of the ratepayers' money, were very easily and quickly corrected; it was not a lasting evil; but those men who composed the local land board might commit a lasting evil. Wherever, in any district, whether pastoral or agricultural, those men's interest might tend in the direction of dummying—as the hon. gentleman had alluded to—they might secure the whole district by that dummying tendency. There had been districts in Queensland before now—on the Darling Downs, for instance, in the olden times—when every man—owners, servants, and every person in the district—seemed to be all in the one box, all going with the stream and one assisting the other in carrying out the dummying scheme. They knew perfectly well that some of the leaseholders came into the towns and got the tradespeople to dummy land for them. The very same thing might take place if a local land board were to deal with it. He did not know anything which to his mind could possibly tend more to carry on and perpetuate evils of that kind than such a system as that of local land boards. The hon. gentleman said that the people resident in a district would be the persons most interested in seeing that the land was properly dealt with. That was all very well from a theoretical point of view, but they knew very well that, practically, nine-tenths of the people would be influenced by their own petty desires, advantages, and interests. That was why he said they could not be too careful in seeing that the administration of such a Bill as that should be in the hands of men removed as far as possible from such influences. Another thing those local boards were supposed to do was to classify the land. Land fit for cultivation was to be described as agricultural land, and land fit for grazing only was to be described as pastoral land. Then such class of land was again to be divided into three classes—land of good quality was to be deemed to be of the first class, land of medium quality of the second class, and all other land of the third class. They could easily imagine a district in which very little agriculture had gone on and in which the persons representing the pastoral interest were the dominant party, and they could very soon determine through their representatives on the local land board that there was no agricultural land there at all. It would necessarily follow that agriculturists would be kept out of the district, and the converse might also be the case if there were a majority of agriculturists in a district. They might say that there was no pastoral land there and that nobody should come in to use the grass, and that it should be theirs for all time. That was a small danger compared with the other. Most of the districts where no agriculture at present existed were held by pastoralists, and of course it would be to their interest to continue the present state of things; and the local land boards would decidedly be carrying out the interests of those who returned them by preserving the state of things at present existing. Then, again, those local land boards would have the power of throwing open districts for settlement or withdrawing them. That was a power which at present rested with the Executive or the Governor in Council—to decide what districts should be open to settlement. According to the amendment also they would have to define the areas that might be taken up under the Bill. That would perpetuate what was already an evil. It was well known that it was already an evil under the present administration of the land that it had been left to the Minister to determine whether a district should be open to settlement or not. Great mischief had been done under that power already, and that would extend and perpetuate that evil. They might prevent settlement in districts where settlement was necessary, and they might open out other districts where there was no need for it. Both those things had been done, and they would continue to be done under such amendments as those the hon. member had moved. He felt that local land boards would be injurious to every interest in the country, pastoral as well as agricultural. He did not care whether

the interest was pastoral or agricultural, those boards must be a danger to every interest in the country. The pastoralists would in many cases suffer severely, and the agriculturists would suffer quite as severely in other cases. The hon. gentleman had pointed out that the people in the small towns would very soon get the power in their hands to deal with the pastoral interests. In some districts the people in two or three small towns would practically deal with the whole district, and that, he thought, would be a very undesirable state of things. It was undesirable that the people in a district purely pastoral should have the power to exclude all persons who did not propose to enter upon an occupation similar to themselves. He thought the whole machinery in the amendments was of such a complicated and elaborate nature that, even if there were no other objections to it, that itself would be fatal. There was no finality about it until it reached the hands of the Minister; and it left the power in his hands as it at present existed. That was what he desired to see curtailed. As the object of that Bill—as he considered, and the Government considered—was to limit the power of the Minister, he should not accept any of the amendments in any form. They were utterly repugnant and subversive of the whole principle of the Bill as introduced by him. As they were entirely inconsistent with the spirit of the Bill, he was consequently not inclined to accept them.

The HON. SIR T. McILWRAITH said he did not think the Minister for Lands had studied the amendments very closely—in fact, he had proved by his remarks that he had not done so. He would not have made the remark he closed with—that they were utterly inconsistent with the whole spirit of the Bill if he had studied them carefully. He had purposely framed them so that they should not be considered inconsistent with the spirit of the Bill, and so that the other clauses of the Bill might be altered by small consequential amendments. The hon. member knew perfectly well that the remedies he had offered had been offered for the purpose of meeting evils admitted by members on both sides of the Committee, and especially by members on his own side. He had done his best to do that, and he was sure that no impartial man could say that they were utterly at variance with the principles of the Bill. The hon. member had further proved by his opening remarks that he had not read the amendments, by saying that he had put up a puppet judge, whose only power was that of listening to appeals. The hon. member was perfectly wrong. If he had read clause 18 he would have seen that the judge had the sole power of fixing the rents and all the amounts payable for the lands to the Government. The hon. member never referred to that at all; but said—at all events the inference from his remarks was that he (Hon. Sir T. McIlwraith) proposed to delegate that power to the local boards. He did nothing of the sort, but he tried to provide the machinery by which he could get the most useful information to enable the judge to give a correct decision, and by which all his decisions were to be given in open court. One thing he wanted to say, and it was this: The Minister for Lands was becoming alive to the possibility that there might be great and lasting evils under a Land Bill. It was the great and lasting evils which might come out of a Land Act that made him (Hon. Sir T. McIlwraith) so anxious about that Bill. The hon. member was proposing that the lessees should get the land into their hands for thirty or fifty years, and yet he said they should not get land in one locality; and he said, "For God's sake, remember what you are doing!" Was not that what they were doing? Were they not proposing to lease the lands for thirty or fifty years? He (Hon. Sir T. McIlwraith) was taking away that power from two men acting upon their own opinion, and substituting another machinery, by which the opinion of those interested might be ascertained. The hon. member did not recognise that that was getting at a different result—that it was aiming at preventing the possibility of the land being locked up for thirty or fifty years. Did not everyone in the Committee—could not a child see—that the machinery provided by the hon. gentleman—namely, two irresponsible men, each with a salary of £1,000 a year, who might do wrong—might have a very injurious effect? Those men might do wrong in the next year or two, seeing that they had unlimited power to lock up the land for thirty years. It was not a light matter, as the hon. gentleman said. The hon. gentleman had just awakened to the fact that the evils connected with his Land Bill might be actually frightful, and he (Hon. Sir T. McIlwraith) believed they would be frightful. He believed the effect of that injurious system would be to reduce the whole of the colony to a pastoral property, and that it would lead to more dummying than they had ever had before. The machinery provided in the Bill was most ingeniously adapted for that. The sympathies of the Minister for Lands were all with the pastoral man. He perhaps bent down to a stockman, but he was still the squatter. He did not seem to understand that local government in the colony had worked well, not only to the people, but also in the interest of good government. He (Hon. Sir T. McIlwraith) had provided capital machinery by which dummying would be prevented. He knew the hon. gentleman was drifting with his Land Bill. The hon. gentleman had an idea at first that he had got a magnificent thing; but he had so altered it that he hardly knew it now. At first he embodied the principle of leasing; but gradually that had been done away with, and he had provided for the land being sold, and sold too just in places where private property would be likely to make it valuable. Then he got rid of the finest inducement to immigration that they had in the colony; but now there were amendments to bring in the homestead clauses. His colleague pointed out that those clauses had been the ruin of the colony, but the hon. gentleman ignored his colleague's opinion and reintroduced them. Then he told the House that the two commissioners would never disagree; but, giving way to opinions on the other side, he agreed that there should be an appeal to the Minister. Why, the hon. gentleman had gone ever so far back before they had got into the Bill at all; and he (Hon. Sir T. McIlwraith) had not the slightest doubt he would give way on most of the amendments now before the Committee. It was no answer to those amendments for the hon. gentleman to say that he could not accept them. They would be accepted if the Committee desired them. The hon. gentleman had no more than his vote in the matter; and it would have been better had he given better reasons for accepting his Bill than he had given up to the present. To the hon. gentleman it seemed that there was always a dominant party in the divisional boards. He (Hon. Sir T. McIlwraith) would like to know how they were to get on without a dominant party? Why, the hon. gentleman was a member of a dominant party just now. They would not have heard very much of that Bill had he not been made the mouthpiece of an infatuated Premier. Were it not that the hon. gentleman was the spokesman of that dominant party he would be nobody. The hon. gentleman could not understand the democratic spirit at all,

There must always be a dominant party; and the dominant parties in divisional boards had done an immense amount of good in the colony; they had carried out a great many improvements which would not otherwise have been adopted. The hon. gentleman never rose without referring to the dummying on the Darling Downs. Of course there was dummying there; and what was the conclusion to draw from it? The proper conclusion was that if there had been local boards it would not have taken place. If the hon. member for Toowoomba had been the chairman of a local board, did anyone suppose there would have been so much dummying between Toowoomba and Jondaryan? If there had been a Jondaryan local board, they would have had none of those scandalous cases of dummying that they had heard of.

The PREMIER: We would never have heard anything about them.

The HON. SIR T. MCILWRAITH: The hon. member drew hundreds and hundreds of guineas for appearing in those cases.

The PREMIER: I say that if there had been a local board we should never have heard anything about them.

The HON. SIR T. MCILWRAITH said he had no doubt the hon. gentleman would like to be put in a position that he could forget them. The Minister for Lands had almost made a personal appeal that the Committee should not accept the amendments; but he (Hon. Sir T. McIlwraith) thought the way in which he put them before the Committee made them worthy of discussion. He thought, at the same time, that they were worth discussing because of the evils that would come to the colony by such a Land Bill. The hon. gentleman ran the greatest risk in his Bill. He had launched into a new scheme in which the risks were greater than they had ever had before; and, therefore, it was necessary for the Committee to be cautious in making as many safeguards in the Bill as possible to prevent the colony falling into those evils which the hon. gentleman himself said would affect the colony for the next thirty years. He was glad that the hon. gentleman had awakened to the responsibility of the great error he had made. He (Hon. Sir T. McIlwraith) would admit that local boards might lock up the land for a long time; but he thought the evil to be apprehended from the machinery provided in the Bill would be ten times as great; because if the two commissioners were "got at"—and the hon. gentleman knew the meaning of the term, for he had used it in the House—it would be the means of locking up the land for thirty or fifty years. The hon. gentleman acknowledged that too, and yet he wanted to carry out his scheme.

The PREMIER said he agreed with his colleague that the amendments were entirely inconsistent with the Bill. The hon. gentleman claimed that they were quite consistent. He admitted that they agreed with the grammatical construction of the Bill; but grammatical construction was not the scheme of the Bill. The hon. gentleman proposed to substitute for the central board proposed by the Government, first of all local land boards to be elected by the ratepayers; secondly, a judge to sit in Brisbane; and thirdly, an appeal to the Minister. Now he thought anyone who read the speech delivered by the hon. gentleman last Wednesday evening must have been struck with the fact that, in those amendments, the hon. gentleman had apparently changed his views and brought in an entirely new scheme—a different scheme to that he put forward last week. Some of the arguments he had adduced last Wednesday evening were addressed to parts of the scheme as he then put it forward, which were absent from the present scheme. The hon. gentleman proposed, first of all, that there should be local land boards, and their functions were—he was referring to the hon. member's speech—not to assess the rents, but were, first, to entertain applications for selections; second, to deal with evasions of the law; and third, to classify the land. The hon. member's printed scheme practically conferred another function on the board—that of fixing the rents without appeal, as he should show later on. He would deal with those functions separately. First, with regard to applications to select; was there anything in dealing with those which the board could do and the commissioner could not do? He failed to see that the board would be in any respect better than the commissioner. As to the next point, dealing with complaints of evasion of the law: he for one thought that a local board would be an extremely dangerous tribunal to entrust with such a power. It would seem very much like setting the wolves to keep the sheep, regarding the sheep either as the general public or as that portion of the public who were desirous of becoming selectors. A little consideration would show them who would be likely to be elected. They must remember that the board brought nothing to the ratepayers—unless indeed they adopted the scheme suggested by the hon. member in one of his speeches, that the land revenue should be handed over to the local land board. But then they would have to make the divisional board the local land board. Of course, in that case there would be a temptation to get as much rent as possible; but he did not think it was a desirable thing to hand over their land revenue to the local authorities. They required it for the general revenue, and to meet the interest on money borrowed to carry out works which enhanced the value of the land; and he did not think they were likely to adopt so entirely novel a policy as handing over the land revenue to the local authorities. What interest, then, would the general ratepayers have in seeing that the best men were chosen for the local boards? It seemed to him that the elections would of course fall into the hands of persons interested in the land. He did not know whether all the ratepayers in the district were to be entitled to vote; but practically those who would vote would all be persons interested in the land, either immediately or prospectively, and who desired that the board should carry out their views. It was impossible to get persons to take an interest in matters in which they had no concern. The local board would represent the dominant party in the district; and in a squatting district it would be composed of squatters. Without desiring to say a word against squatters—giving them credit merely for being human beings—would anybody entrust a board of squatters with the administration of a new land law in a purely squatting district? If that would be the best way of doing things, then all the colonies had been going on entirely the wrong track up to the present time. In Victoria, there were local land boards long ago, but they did not appoint boards of squatters to facilitate the selection of land in the various districts. He considered that in most instances they would be actually disqualified, but the practical result of the system proposed by the hon. member would be that they would be elected. Next, there was the matter of inquiry into evasions of the law—into dummying. Considering that if several men in a district had been guilty of evasions of the law, they would use every effort to see that the land board was so constituted that they would not be disturbed; and as they would probably have much more interest and influence than those who did not evade the law, and had no

interest in getting anything but justice, it seemed hardly desirable to entrust them with that power. If they had a local board it should certainly not be an elective one; and if they had not an elective one, it should be a board of one. The present system provided about as good a board as they could get—for judicial purposes certainly, and for purely administrative purposes quite as certainly. Then, with respect to classification: While he was quite prepared to admit that persons familiar with the country might be able to give valuable nformation as to the classification of land, yet there again their interest would conflict with their duty. Now, those were what the hon. gentleman had said were to be the principal functions of the local land boards. But, in addition to that, the printed scheme gave them absolute power to fix the rents. There was to be a judge, according to the hon. gentleman's proposal, to sit and determine between the tenant—who was to pay rent or receive compensation, and who was interested in paying as little rent or receiving as much compensation as possible—and the Crown, which was interested in getting the biggest rent possible and paying the lowest compensation. But what was the judge to decide upon? Simply the report of the board and the claim of the tenant. Now, considering that the board would represent the tenants, he did not think it was likely that there would be much difference between their report and the tenant's claim; so the judge would have nothing to determine between; he would simply have to sit there and record that both parties agreed—simply give effect to their decision. That was inherent in a scheme of this kind. Now the Government, on the contrary, proposed that the purely local work should be performed by a commissioner. One man would be quite sufficient to do the administrative work of receiving applications and dealing with them; he would be competent to deal with valuations in the first instance, as he would represent the Crown, and his interests were not opposed to those of the Crown as in the case of the local board; and in the matter of classification, also, his interest and duty would not conflict. But the Government proposed that the appeal from him should be to two persons instead of one. In what respect would a professional lawyer be better qualified to decide questions of value than two laymen? He had a very great respect for members of his own profession, but he did not think that a single judge was the best person to determine questions of value; on the contrary, he thought he would be a very unsuitable person. He thought it would be a most unfortunate thing to entrust all those questions—mainly questions of valuation—to one professional man. One non-professional man would do just as well; but he thought one person would not give satisfaction to the country. There was another point to which he wished to refer. What sort of a judge would he be whose decisions would be subject to the approval of a Minister? He did not know what the tenure of office was to be, but he gathered it was to be something analogous to the Supreme Court judges. His decision might be summarily reversed by the Minister writing a note saying he disagreed with the decision, and the Governor in Council would reverse it. The real effect of the amendment proposed by the hon. member would be this—that instead of there being a commissioner representing the interests of the Government there would be a local board representing the interests of the tenants. There would be a nominal appeal from the board representing the interests of the tenants to the judge, but, as they represented the interests of the tenants, the tenants would not be likely to appeal. That would be as unsatisfactory a scheme as could be devised. The scheme that the Government proposed was not open to that objection. They had the local authorities, local inquiries, local information, and they had a board consisting of two men supposed to be perfectly conversant with their business. They had, as he had said the other night, mainly to fix values. That was a duty which they were specially fitted to perform, and it was altogether out of their power to lock up the land in the sense that that phrase was just used. He had never been able to see how they would have the power to do anything of the kind. He could conceive that if they had a board which would recommend that the whole of the colony should be thrown open to selection at once in maximum areas of 20,000 acres and the price fixed at a minimum, and if the Minister confirmed that recommendation, then the greatest injury would happen. He could quite conceive that being possible, but he could not conceive that any two sane men could be found to make any such recommendation, or that any Minister could be found insane enough to adopt such a recommendation. Every Land Bill that had ever been brought forward left a certain amount of discretion to the Minister. Surely they might entrust some discretion to a man in that position! The hon. member sometimes contended that the Minister should have greater discretion; and he would point out that by the Bill the Minister had all the responsibility with the exception of fixing value. As to the rent to be paid—the original amount, he meant—the Minister took the responsibility, being aided by the recommendation of the board. That seemed to him the most satisfactory scheme that could be propounded. He believed the hon. member's amendment was deserving of very serious consideration, but he had considered it since it had been circulated, and he could not help thinking that the hon. member had not quite made up his own mind on the subject. He sincerely hoped the Committee would not accept the amendment.

The HON. SIR T. MCILWRAITH said the hon. gentleman started by trying to find out something inconsistent between the amendment proposed now and the amendment he had proposed on Wednesday night last. There was nothing inconsistent except that he had altered the number of the members of the board. He had proposed "one" on the spur of the moment, but he had duly considered it, and he had used his time since to show how the amendment would work in other parts of the Bill. The hon. member in arguing just now had argued purely as a lawyer, without apparently the slightest knowledge of practical life, although he had plenty of it; and the one fallacy ran right through the whole of his speech—namely, that the two men who constituted the board under the present Bill were to be honest men, notwithstanding the immense temptation to which they were to be subjected; and he assumed that they would not act otherwise than honestly all through. The hon. member assumed also that all men when they selected or desired to select, or had any dealings with land, acted according to their own interests whether it was honest or not, and the two exceptions he made were the members of the board. That was absurd on the face of it. If the board proposed in the Bill were to be such a very honest board, surely the men who would sit on the local boards, with public opinion gazing at them, would act equally as honestly, and surely some guarantee could be obtained that they would act in the interest of the colony! The hon. member said the interest of the district would be the interest of the squatters in a squatting district.

The PREMIER: Of course it will.

The HON. SIR T. McILWRAITH said the hon. member could have had no experience, because when a few selectors entered a pastoral district the power of the squatter was completely broken. If the hon. member had studied the action of the Divisional Boards Act he would have seen that; and but for the fairness with which the divisional boards had actually acted, the squatters would have been persecuted. In no case had the ruling power been in the hands of the squatters. The Bill when passed would be applicable simply to the districts brought under the 3rd clause. It would not be in operation until a certain portion of the colony had been proclaimed to be subject to be leased or resumed, and if it was to be a success there would be a great many different interests under it. They would have the small pastoralists, and it was to be hoped they would have agriculturists, and also those who were neither agriculturists nor pastoralists, but simply a number of people who were interested in the selection of land. The hon. gentleman would find that even in a pastoral district the pastoralists and agriculturists were always in a minority, and that the majority did not consist of what the Minister for Lands had been pleased to call the dominant party. The hon. the Premier had not been content with reading the clauses, or rather taking them as they were read, but he actually distorted their meaning. Why he should do so he (Hon. Sir T. McIlwraith) did not know. He had said nothing which would lead one to suppose that it was the desire to put power in the hands of the Minister, yet the hon. member characterised his amendment as giving the whole power to the Minister for Lands. That was what the Premier said, but the clause meant nothing of the sort. The court, according to the amendment, received certain information, and acted upon the Act of Parliament within certain limits. The decisions would not be dissented from unless special reasons were given, and the amendment constituted a court where the judge actually sat in public. The public would be interested in the decisions. They had always been interested in them, and no Land Minister, unless he had very good reasons, would dare to overturn the judgment of the judge or board without good reasons. The hon. member assumed that when the Minister interfered it would be always to reduce the rents, but it was possible they would be increased. He could not conceive of the Minister having any desire to exercise the power of interference, unless he had some excellent reason for so doing. Then it was said that it was practically putting it in the power of the local courts to fix their own assessment. He (Hon. Sir T. McIlwraith) hoped he spoke according to his convictions, and he was satisfied that the machinery was provided by which that power was taken out of the hands of the local courts. It was his desire to take that power out of their hands, and in spite of what the Premier had said he believed they had succeeded in doing so. If not, it was quite possible to introduce further restrictions. The scheme was that they should tender certain advice to the judge—it was more in the shape of advice possibly than of evidence—and that the judge should get evidence from any other source that he considered advisable; and on that or on any other information he might have he would be in a position to come to a decision. The hon. gentleman shook his head. He (Hon. Sir T. McIlwraith) was describing the theory of the proposition, and that was that the judge should get his information from whatever source he could, and that on those facts he would make his decision in public. Then, under the circumstances he mentioned, the Minister might appeal to the Governor in Council to reverse it. From a long experience in the working of a Cabinet, he knew that in a case of that sort the Minister for Lands would require to give very good reasons, not only to the public but to the Cabinet. The Minister for Lands, disapproving of the decision of a judge, would find that he would not have it all his own way in the Cabinet. The Government would always insist on such a power being exercised cautiously, and the question would be discussed by each member of the Cabinet, perhaps, as much as by the Minister himself. An analogous case was that of an appeal from a sentence of death. The question was no business of any particular Minister, but of all; and he did not see why a power of the sort proposed should not be exercised with as great an amount of anxiety in the one case as in the other. There was one thing, at all events, very apparent, and that was the want of faith the Government seemed to have in the popular voice. His object was to try to bring all elements of the people to work towards good government, but whenever he mentioned it the Government asserted that it would never do, and the Colonial Treasurer was especially frightened lest the people should deplete the Treasury. He held that the power given to local bodies had been a great advantage, and the hon. gentleman knew it, or else he was acting a very disingenuous part, and so were the whole of the Ministry, for it was one of their election cries how much more they would give to the divisional boards than the late Government did. Now they turned round and said that unless those boards had been pampered in the way they had been they would have been a great failure. Who was endeavouring to make them a still bigger failure? The Ministry, who, for the sake of popularity, were endeavouring to still further pamper them. But there was a much larger principle involved in the question—which was the government of the people by themselves; that was what he wanted to attain. The lands of the colony belonged to the people and should be utilised for them.

The PREMIER: Hear, hear!

The HON. SIR T. McILWRAITH said he was glad to hear the hon. gentleman say "Hear, hear," for he intended to carry the principle a step further. The hon. gentleman had said that the money from the lands of the colony ought to go into the general Treasury. He (Hon. Sir T. McIlwraith) contended that that was a wrong principle, and one which, if it was not acknowledged as such before long, would lead to the separation of Queensland, not into two colonies, but possibly into three or four. Why, for instance, should they be spending in Brisbane money acquired from land in the North and West in carrying out the "fads" of the Minister for Lands or the Colonial Treasurer, as they were doing at present? The people of those districts ought to have something to say as to the destination of the money, for it was the people who ought most to be considered in the settlement of the country. There was a great deal of truth in his contention, no matter what the hon. member for Bundanba might think or say to the contrary, and it was in the hope of getting a little nearer the truth that he had proposed the present amendment. Hon. members would find the amendment well worthy of consideration, and he should like to hear their opinion upon it.

The PREMIER said he was utterly unable to see any similarity between the administration of the affairs of the Crown by local bodies, and the administration of the affairs of localities by local bodies. He entirely failed to see how the interests of the general body of the public could best be promoted by a small number of the public

whose interests were in conflict with those of the great majority. Local government properly applied was a very good thing, and he had the greatest faith in it, but it must be confined to matters of purely local concern. If it was a question as to how means of communication in a particular district ought to be provided, the people who had to use those means of communication were the most interested, and ought to be the most competent to determine upon them. But if it was a question as to what was a fair contribution to the general revenue to be made by a particular district, the people of that district were by no means the most competent persons to determine it. The hon. member said he contrasted the distrust shown by the Government to his proposed local boards with the confidence they reposed in the central board proposed by themselves. He (the Premier) distrusted every man put in a position where his interests and his duties conflicted. That he considered a general axiom—an absolute axiom—which ought never to be lost sight of ; and to appoint any body of persons to perform a duty with which their interests would conflict was essentially wrong. In the case of the central board their interests and their duty in no way conflicted. They were made impartial—as far as men could possibly be—by giving them an assured position and securing them from temptation. In the case of local boards their interests and their duty would conflict; and so there could be no comparison between them as was sought to be set up. The hon. gentleman apparently thought that a judge, appointed as proposed, would be able to act on his own knowledge.

The HON. SIR T. McILWRATH : I said nothing of the kind.

The PREMIER said he did not think the hon. gentleman remembered what he said when he got on his feet. What the hon. gentleman had just said was that the judge would not be confined to the materials put before him by the board.

The HON. SIR T. McILWRAITH : That is a different thing.

The PREMIER said the hon. gentleman would not allow him to finish his sentence before. The hon. gentleman said the judge would not be confined to the material to be put before him by the persons who were to submit the information —the local board and the tenants. But that was exactly what he would have to do ; he would be confined to that information. How could a judge, sitting in open court with all the evidence put before him, and no conflict of evidence, say, "I do not care for that; I shall act on something else"? Of course he would be confined to it. Every judge was confined to the evidence before him ; and there the scheme must break down ; and the only possible way to get a satisfactory solution of that difficulty was to have two sides, the Crown as one and the tenant as the other. The tenant would represent himself, and opposed to the tenant must be somebody to represent the Crown; but he contended that the local board would in no sense represent the Crown. They would represent the interests of the locality ; in no sense would they represent the interests of the general body of the public as against the individual tenant.

The HON. SIR T. McILWRAITH said that the Premier had misinterpreted what he had said. What he did say was, that a judge was not to be confined to the evidence given by the two parties there ; and he held to that still, because special provision, so far as his legal knowledge went, had been made to meet that. He had quite foreseen the possibility of its happening that the interest of the land boards and the interest of the pastoral and agricultural lessees might be in the same direction, and against the Crown ; and in order to guard against that happening, it was provided in subsection 4 that in a case of this sort—

> "Before deciding, the judge may call such witnesses and take such evidence, whether on oath, affidavit, or declaration, as he thinks fit."

So it was not proposed that the judge should simply decide on the evidence that actually came before him. The hon. member had let it be understood that that gentleman was to embody in himself, but in a higher function, the powers that had previously been exercised by the commissioner; but the judge would get information from a great many sources, and would take great care, in the interests of all parties, that the proper information was brought before him. It was not a case like two litigants, where all the judge had to do was to decide between them. This was a place in which the judge was to decide in the interests of the country ; it was his first business to see that proper information was brought before him. The only justification for the remarks of the Premier about confining the duties of a judge was the legal definition of his duties at the present time to decide on the evidence brought before him by the two parties. If the Premier had given due consideration to subsection 3 he would have seen what was intended. He (Hon. Sir T. McIlwraith) could have got over the argument by using "high commissioner" or some other term, and if he had done so the Government would not have raised an objection, and would have seen that the judges would come to a decision in the interest of the country.

Mr. NORTON said he thought the hon. the Premier had taken a very one-sided view in dealing with the case. The hon. gentleman had said that the local board would be composed of people who would be liable to be subjected to corrupt influences. Why should the Premier say so? If that was the case, why should not the members of the central board, proposed to be appointed by the Government under the Bill, be equally liable? Was there anything to secure actions of conflict between interest and duty? Surely that did not place those men, who were to be paid £1,000 a year, above suspicion ! The duties of those two gentlemen were something enormous. In the first place, it was simply impossible to carry out the work that it was intended they should do. He defied any ten boards, similarly constituted, to get through the work which the Bill provided they must do. Every paltry matter in connection with the administration of the Land Bill must be submitted to them ; and it was expected that two men should undertake to perform all the duties appertaining to the working of that Land Bill, and should be satisfied with salaries of £1,000 per annum. The work that those men would have to do would be as much as all the Ministers together would have to do. It would be simply impossible that they could do the work ; and if they could, why should they be removed from temptation at £1,000 a year? Did that place them above temptation? Did they not know that the interests of all leaseholders who came under the Act were all in favour of getting favourable consideration from those gentlemen who were appointed to the board ? They knew there were lots of corruption—lots of men who were ready to corrupt, if they could, for their own purposes ; and if they could tempt any gentleman holding a high position such as those would hold, they would certainly bring influences to bear to tempt them. There would be plenty who would be ready to do it. He did not suppose that everyone would be ready to do it, because he did not believe they would do such a

thing. He admitted there were those who, to further their own ends, would corrupt; but not the slightest reason had been shown why those two gentlemen, to be appointed to work themselves like horses, or even worse, would not be open to temptation. Let the Committee imagine for a moment those gentlemen, occupying that position, attempting to keep up the work required of them under the Bill! They would not be eight-hours-a-day men, and in order to do the work they would have to work from sunrise to sunset, and even were they to do that they would not get through all the work. Was it possible that men working in that way would not listen to the persuasions of others who wished to work out their own advantages? Was it not possible that men in that position would be inclined, for the sake of what they could get to ensure a competence, to listen to the voice of the tempter? There was an old saying that every man had his price, but he did not know whether that was always true. Those gentlemen would no doubt be subjected to temptations on the part of those leaseholders whose pockets they had to get at; they would always be subjected to temptation on the part of those men who were disposed to try to corrupt them; and if they judged from what they knew of history, then he could only say that the great probability would be that some men who occupied that position would listen to the voice of the tempter. They would make things easy for leaseholders, and they would provide for themselves in such a way that in a few years' time they would acquire a very ample and competent fortune. But why, he asked, should not the ratepayers have the right to select the men to work the local board? No reason could be given against it. The Premier had told them, and the Minister for Lands had also told them, that it would be to the interest of the ratepayers in the different districts to keep down the price of the land. Why should it be? Surely not all the men living in any particular district were going to be selectors of land! They knew that was impossible; they knew that lots of men now in possession of land—freeholders—would not select; and those were the very men whose interest it would be to keep up the rents of land. The men who owned land now would find it to be to their interest to keep up rents in order to increase the value of their freeholds; and it would be to the interest of all men who were not selectors to keep up those rents. It was quite a fallacy to imagine that in any district—whether it was inside or outside, he did not care which—the people to exercise the influence would be the squatters. It would be nothing of the kind. There was no one district, even in the latest occupied land, where the squatters would be able to command the votes which would have the effect of returning the members of the board. They all knew that there were districts where there was a large population of men who had not the slightest interest in the leaseholds under the proposed tenure, and it would be their business to see, if a Bill of the kind now before the Committee were passed, that the men who were elected would get the best rents that could be got for that district. He did not think for one moment that they would attempt to crush the leaseholders by raising the rents as high as they possibly could, or be willing to sacrifice the interests of the district by fixing them at too low a rate. The object of those courts would be to act as fairly as they could. There was not the slightest reason to urge, from what they had seen of the working of divisional boards, why the same principle should not be extended. Why should they not trust the people who returned members to divisional boards—to return them to the boards proposed in the amendment? They returned members to Parliament, and enabled them to deal with the lands of the colony, and yet the Ministry argued that those men were not capable of electing boards which were to deal with land in their own respective districts! He could not understand that argument. Hon. members on the Government side professed to be the friends of the people, and yet when it came to the time to prove whether they were so or not it was found they had no faith in them, and said they were not fit to have a right of that kind. Hon. members wished to appoint their own nominees; that was why. The Minister for Lands, in bringing in the Bill, declared that his object was to remove as far as possible all the administration of the land laws of the colony from the hands of the Ministry. He claimed to appoint the men who were to administer the land laws of the colony himself. If the lands were the lands of the people, as the hon. gentleman said, surely they had some right in the matter! The hon. gentleman was in that House by their will, and yet he said they were not competent to appoint boards to recommend that a fair price should be put upon Crown lands in their own districts. The statements were incompatible. He did not want to say much about it, because he thought it must strike hon. members on the other side that even the Minister for Lands must see that the argument was a contradictory one. That was to say that the arguments he used to-day were contradictory to the statement he made before—that the lands belonged to the people. Ministers were there as trustees for the people to do the best they could for them with the lands, and yet the men to whom the land belonged were to have no voice in the matter at all. The hon. gentleman must see that, when he sat there as a Minister by their will, they had a right practically which he was denying to them, and which the leader of the Opposition was giving them.

The MINISTER FOR LANDS said he thought he would be able to show that the hon. gentleman who had just sat down was contradicting himself. He commenced by saying that the land board, as constituted in the Bill, would be corrupt.

Mr. NORTON: No; I did not.

The MINISTER FOR LANDS said the hon. member said there would be great danger of its being corrupt. Influence might be brought to bear upon it in many ways; he did not deny that. He did not claim that it would be immaculate in purity, but he would say that they would have got as near the attainment of that quality as it was possible to get, and he believed that the machinery proposed in that Bill was the nearest approach to perfection that they could get in human beings. The members of the board would be removed from all influences that would have a demoralising effect upon men. The hon. gentleman contended that the local land boards could not be subject to any of those corrupt influences.

Mr. NORTON: No; I did not.

The MINISTER FOR LANDS said the hon. member claimed that they were distinguished from the board constituted by the Bill by being less liable to influences of that kind. That was a most absurd thing, because, as the Premier pointed out, where they had men's duty and interest conflicting the probability was that they would have the men giving in morally; their interests would take precedence, and their duty would come last. That, at all events, was his general experience in the practical working of things of that kind. He maintained that the constitution of the board had put that fear out of the way as far as possible, inasmuch as the members of it were

unable to take part in the general business of life. They were confined simply to their work, and had no common temptations unless they received bribes. They could not get men anywhere who were not liable to things of that kind. If a fair judgment were exercised in the selection of the board they would get as near impartiality as possible. He did not claim that they would be absolutely perfect; but there would not be much tendency to depart from the honest course. There was one thing the leader of the Opposition dwelt upon in his last speech, and that was upon the duties of the judge as constituted in the amendment. He said the judge would give his decision according to the reports of the local land courts; but he could, if he liked, get material or information from other sources.

The HON. SIR T. McILWRAITH: I said nothing of the sort.

The MINISTER FOR LANDS said he understood the hon. gentleman to say so. Was he right in saying that he was confined to the information he obtained from the local boards?

The HON. SIR T. McILWRAITH: No; certainly not.

The MINISTER FOR LANDS said he could not understand from what source he was to get information.

The HON. SIR T. McILWRAITH: Then why don't you read the amendment, and then speak?

The MINISTER FOR LANDS said the clause said he might summon people if he chose to take evidence. The fact of the matter was, he had to search about and make up a case to see whether the Crown was properly protected. That was not a proper position for a judge to be put in. It did not matter whether he was called a judge or a high commissioner. He must either depend upon information he received from the local board or from other sources; and if he were dependent upon information he received from the local land board he would have information on one side only—from the people, who were interested in the lands of the district—and there would be no one to represent the other side in the matter. That appeared to be perfectly simple and an unmistakable deduction from the duties he had to perform. As the Premier said, he would simply be a recording clerk for the local land boards. He would record their decisions, and if anyone objected to the decisions that were arrived at, it would be in the power of the Governor in Council to interfere or set aside that decision. So that the whole thing, practically, came back to the one thing—the Minister's judgment; his fiat, whatever he said, had to be accepted; he could set aside the recommendation of the judge or of the local land court, and was, after all, supreme. They were left, in fact, in just the same position as before.

The HON. SIR T. McILWRAITH said he understood the Minister for Lands to say that it was well said by the Premier that, when interest and duty conflicted, interest generally gained the day. That was a very good axiom. Then he went on to say that they had formed their Bill so as to remove, as far as possible, all influences of temptation from the gentlemen forming their land board. That land board would have the most onerous duties ever put upon two men in the colony. They were to be paid a salary of £1,000 a year, and they would have to administer funds, which, from the modest estimate of the Colonial Treasurer, for this year would amount to £150,000, but which, according to his expectations, might reach to £1,000,000. The expectations of other hon. members on the other side also brought it as far as £1,000,000, and it should be remembered that was at the minimum rent. They had the power of raising that minimum, by their own decision, from £1,000,000 to £4,000,000. Still the hon. Minister for Lands said they had done all they could to remove those men from the ordinary temptations. Well, he could not understand that, nor could he understand the arguments they had heard all along against the Minister having so much power, because a Minister might possibly be corrupt. The hon. gentleman surely forgot while proving that a Minister might be corrupt himself; it might be a corrupt Minister who appointed those men from whom every temptation was to be removed. He went for removing every corruption with the additional evil added that they might have done all that mischief to the colony which they could not repair for the next thirty or fifty years, as the case might be. The hon. member and the Premier had been speaking about the defects of appointing a local land board, and had kept back all the advantages of the system. They had dwelt entirely on the disadvantages, and in referring to those disadvantages they had invented every one of them themselves. They insisted that those men's interest would always be to make the rents as small as possible, because they would insist that it lay with the local land board to fix those rents. He held, the machinery had been provided by which they would not require to do that. All they were required to do was to fix the quality of the land in six different classes—three classes of agricultural land and three classes of pastoral land. In his speech in introducing the amendments he went further, and said that even if they had some power in that way it might be made of very great advantage to the country, that they might, by giving the local boards an interest in seeing that they turned all the lands under lease and otherwise to the best advantage, work thoroughly in accord with the Government, in order to produce the best possible results. The hon. Premier and the hon. Minister for Lands evidently misconstrued or misunderstood the working of the Divisional Boards Act. If they remembered, they all came to the conclusion, when they were adopting that Act, that it was a great disadvantage in bringing forward an Act of that kind, that there was so much of the land which did not belong to the people and so little that could actually be assessed—that there was so much Crown land in certain districts. And failure was predicted, especially in pastoral districts, because they had not the power of rating so much of the land in them. Hon. members would remember, also, that in consideration of so much Crown land in certain districts, and so little alienated land which could be assessed, the Government came to the conclusion that the proper thing to do at the present time was what, under other circumstances, would not be necessary—to subsidise the local bodies by giving them £2 for £1 raised by rates. That was the reason of the subsidy. He said something of the kind might be done under that Bill. He took it, for instance, that they could grant to each of those boards—whether they were the same as divisional boards or not, he called them land boards—they could grant them 10 per cent, say, of the amount coming into the general revenue from the lands. That would take away every ground of objection to the local land boards; because it would give them an actual interest in their districts. They would then have an actual interest in seeing that all the lessees paid as fair rents for their lands as could be got from them. The money would be good for the locality because it would be spent in the locality. From the manner in which they were elected they could see at once that they must be closely interested in seeing that the classification

of the land was done properly, because, if a man on one of those boards laid himself open to a charge of corruption in classifying the land, he would lose his seat on the board at the next election. They would be in a position to say what should be the rents for land in their district, and they could assist in fixing those rents for the good of the district and for the good of the State; because it would be to their interest to do so. They could give the best information in the matter of the assessment of the rents, because they would know the whole of the ratepayers of the district, and it would be to the interest of the whole of them to see that the burden was put as fairly as possible on the backs of the various constituents. That was what he was aiming at all along. If the local land boards were given the interest in the district he mentioned, they would assist the Government and the Minister to put down anything in the shape of leases being granted corruptly. As a matter of course, they would look after the interests of their own districts, and see that no dummying took place. That was an advantage which seemed to have been lost sight of by the other side. The inevitable effect of a board of that sort would be to prevent dummying, and not to encourage it, as was hinted once by the Minister for Lands. Giving them in addition the power of classifying the land was another great element of advantage, and which would assist in fixing the rent. That was possibly all they could ask from them at the present time. By giving them a similar advantage as that given to the divisional boards, of two pounds for every one pound, in proportion to the rents raised in their districts, they would have them working in the form of local government, and of good government. Instead of meeting the argument as he had put it, the Premier constantly persisted in saying that they would consider no interest but their own, and they would do that by making the classification as low as possible, and the rates as low as possible. He denied that in the constitution of the clauses he had made, and he said, on the contrary, they could be made the most useful form of local government yet invented.

Mr. ARCHER said that he had been very much struck in the course of the discussion which was going on, with its resemblance to another discussion which took place in the House some years ago; and it was remarkable in this way—that the party which opposed the Divisional Boards Bill, putting power in the hands of the people and decentralising the government, was now again preventing power being put in the hands of the people. It was all very well for the party sitting opposite to claim the name of Liberals, but if they were Liberals they were certainly not so in the sense that the Liberals at home were so called. The great work of the Liberal party at home had been to put more and more power into the hands of the people as distinguished from the Government, and decentralise as far as possible the Government of the country; but no sooner was there a proposal in this House from what was called the Conservative party to carry out liberal principles, than up started the members on the other side and condemned it. He insisted that the amendment proposed by the hon. member for Mulgrave was an attempt to decentralise the government, and put the management of the land—one of the chief matters which interested the whole community—into the hands of the people themselves, for whose benefit the lands ought to be administered. The Minister for Lands had got up again and again to denounce the corruptions of which former Ministers for Lands had been guilty. He (Mr. Archer) had repeatedly protested against that language, and he considered it very bad taste; but, supposing the charges were true, did the hon. member suppose he was always going to have the administration of this Act; that he was giving the Minister the greatest power of corruption by placing in his hands the appointment of the board? Now the attempt of the hon. member for Mulgrave was to take away a great part of that power, and yet not to remove the responsibility of the Minister. Perhaps the effect of the amendments would be to load the Minister with greater responsibilities than he would have under the Bill, but they would take away from him many of those powers which, according to the hon. member's own reasoning, no Minister ought to have, and replace them by the will of the people. He could not himself see how that desirable end could be better brought about than by appointing these local land boards, because there was not the slightest doubt that much of the injustice which might hitherto have been done had arisen from the ignorance of those who administered the law. If people who had a special knowledge of the subject were consulted as to the administration of the Bill, it was much more likely to be satisfactorily administered than if they had the Minister or land board in Brisbane depending upon reports supplied by commissioners who had perhaps only been a few months in the districts upon which they were reporting. He could not understand why there should be such an objection to the people having some power in this matter, and he should himself most decidedly support any means by which the residents of a district should have a voice as to the disposal of the lands if it were for no other reason than for the sake of taking the people—the rulers of the country in fact—into their confidence, and giving them part of the administrative as well as the elective power. He had not heard a single argument that appealed to him, from either the Premier or the Minister for Lands against the proposal, and it seemed to him that the Government were actuated by a determination that they would carry the Bill through with as few amendments from that side of the Committee as possible. They were very liberal in proposing amendments on their own side, but he was afraid they had made up their minds not to accept any from that side, however much they might be for the advantage of the country.

The PREMIER said that the hon. member who had just sat down had spoken of the Liberal party in England as always being willing to trust as much as possible to the people. So was the Liberal party in this colony, as to matters that might fairly be entrusted to them; but he did not think it had ever been proposed in any country to entrust to a committee of a portion of the country, to decide what contribution it should make to the general revenue. If the hon. member had supported his argument by showing that the Liberal party in England had proposed that the income tax, for instance, should be assessed by a committee of income taxpayers in different parts of the country, the illustration would have been an apt one, although perhaps they might not regard such an example as worthy of being followed. Such a proposal had never been made by the Liberal party in England; on the contrary, matters of that kind had always been left in the hands of the central Government, and so he thought they ought to be. The hon. member had said that no arguments had been used against the proposal; but that was a matter of opinion. He would not retort by saying that no arguments had been put forward in support of the proposal, because assertions of that kind would not advance the matter any further. The

Government had advanced reasons which appeared sufficient to them. They had no desire to reject amendments simply because they came from the other side of the Committee; they were perfectly prepared to accept any amendments which would make the Bill more practical and more beneficial to the country; but they objected to proposals, from whichever side of the Committee they came, which were calculated to defeat the main purposes of the Bill. One of those purposes was to secure proper returns to the State from the State lands, and they did not think the amendments of the hon. member would act in that direction.

The HON. J. M. MACROSSAN said he was in a rather difficult position with regard to this amendment. He was something like the gentleman in the play, who said, "A plague on both your houses." He did not believe either in the land board as proposed by the Bill or in the amendments proposed by the hon. leader of the Opposition. He believed in the system of administration which placed the responsibility entirely on the Minister, and in no other—unless they had some system such as had been adopted lately in New South Wales. He should certainly like a system of that kind. If he was bound to accept either the amendment or the Bill, he certainly preferred the amendment for this reason, that it placed more confidence in the people. It placed the administration to a certain extent in the hands of the people, and notwithstanding what the hon. gentleman might say, he and his party had never showed the slightest inclination to place confidence in the people who put them in their present positions. The argument used by the hon. gentleman with reference to the income-tax was an extremely legal argument, but he would point out that the income-tax was a fixed quantity, and there was no assessment required. None whatever. Gentlemen returned their own incomes, and if there was ever a doubt about their incomes the matter was inquired into; but the tax was a fixed quantity in the pound, either 5d., 6d., or 7d. That was, therefore, no argument in regard to the present subject. There was no analogy between that and the case now in dispute as to whether they should trust a certain portion of the people or not. The hon. gentleman spoke on the same subject before that evening, and it struck him (Hon. J. M. Macrossan) that his argument was something like that used by the kings of England some centuries ago. They imposed the taxes, and would not allow the people to have any voice in the matter. The hon. gentleman's argument was the same, only he said he would not trust a section of the people to say what their rents should be. That stood in the same position as a tax, and he certainly preferred a system which placed confidence in the people and in their honesty of purpose. He had already referred to New South Wales. There they had a land board system. It was certainly a nominee system, but it did not relieve the Minister of the day from any responsibility. At the same time it took advantage of the local knowledge of the people who might be appointed to the boards. That was a great object to be attained, because no matter whom the gentlemen might be who were appointed under the Bill, they would not have any local knowledge, and the commissioner was not the only person who should be relied upon to obtain the local knowledge so as to assess the rent as it ought to be assessed. In Victoria they had a system of assessment. He did not say it was a perfect one, but it was much better than the one proposed by the Minister for Lands. Under the 80th section of their Act, if a dispute arose the disputant could appoint an arbitrator; the board of Lands and Works could appoint another arbitrator; and a third was appointed by the judge of the county court. Those three decided the case in dispute, and the matter was decided fairly. If the hon. gentleman had studied the Irish Land Act a little more, which they had heard so much talk about the other night, he would find the system proposed by the hon. the leader of the Opposition was similar in character to that in existence in Ireland, supposing for the moment that the land boards proposed by the amendment were carried a little further than at present. If the land boards were given the power to determine, instead of simply to inquire, it would be a much better system, but being simply courts of inquiry he had not so much confidence in them. If the hon. gentleman would turn to the Irish Act he would find that the landlord and tenant had a right to go to the Civil Bill Court in Ireland, which was similar, he believed, to the County Court in England. If either of the two, the landlord or the tenant, was dissatisfied with the decision of that court, they could appeal to the land commissioner, or if they chose to remove their case from the Civil Bill Court, they could do so to what were called the sub-commissioners. There were three or four of them.

The PREMIER: More than that.

The HON. J. M. MACROSSAN: No; there were not. The land commission was given authority to appoint sub-commissions in provinces or districts as suited them best. They appointed at first three, and he believed they had added a fourth, so as to get through the work of the country more speedily. The landlord or tenant could remove his case from the Civil Bill Court to the sub-commissioner, and then, if he was dissatisfied with the decision of the sub-commission, he had the land commissioner to appeal to. The judicial commissioner, who was a gentleman of very high legal attainments—Mr. Sergeant O'Hagan—was the chairman of the commission. Of course, in this colony they would not require such extensive machinery, because the circumstances of Ireland and Queensland were not quite analogous; but a judge such as was proposed by the amendment would be a more appropriate court of appeal than two gentlemen of whom nothing was known at present: perhaps two ignorant laymen—very much more likely that than competent lawyers, as they ought to be. Now if the hon. gentleman who headed the Government would take the trouble to inquire into the action of the Irish Land Court in administering the Irish Land Act, he would find that the decisions were generally approved of. They had given almost general satisfaction, and the system was very similar to that proposed in the amendment, with the exception that the amendment simply made the land board a court of inquiry as to the facts without giving them the power that the land court had in Ireland. He thought if a police magistrate was appointed as chairman of the land court, besides a commissioner—that was a gentleman who was accustomed to administer the law and decide upon legal questions—he would give more satisfaction than the land commissioner alone. The land commissioner could then act as the Crown agent. Then they would have the tenant on one side and the commissioner as Crown agent on the other, appealing to a court presided over by the police magistrate, assisted by local residents having local knowledge of the case, and an appeal from that court to the court of the judge appointed as a land commissioner. He believed that would give entire satisfaction. It would entirely do away with the objection made by the Premier that the tenant and the court would be holding identical interests, because they would have the

commissioner acting as Crown agent and watching over the interests of the country. He believed that both sides desired to make the Bill workable, and it was a matter of serious importance to the country that it should be so. Whether they adopted one sort of administration or another, seeing that the decision of those in authority would fix the position of the country as far as land was concerned, for thirty years in some cases, and in others for fifty years, it behoved them to do their best. In the case of pastoral lessees also who would get a lease of half their runs, the lands would be in occupation for fifteen years. It was a very serious matter and they could not discuss it too thoroughly, so long as they came to a decision which would be for the benefit of the country. Hon. gentlemen on the other side might rest assured that, as far as the Opposition were concerned, it was no party action. He did not believe in the amendment as it stood, any more than he believed in the Bill as it stood. He would prefer to see such a court as he had described—one which came nearer to the constitution of the Irish Land Court than to either of the proposals before them or to the system adopted by New South Wales; and such a court, he believed, would act as satisfactorily here as it had acted in Ireland.

The COLONIAL TREASURER said he agreed with the last speaker, that the subject formed a very important feature in the proposed land legislation, and that it could not be too fully and deliberately discussed. He admitted the vigorous manner in which the hon. member for Mulgrave had introduced the question, notwithstanding that he, at the same time, accused the Government of endeavouring to keep the people out of their confidence. The hon. member was always vigorous in speech, while sophistical in argument. While the hon. gentleman was addressing the Committee he (the Colonial Treasurer) could not help referring to his speech on the second reading of the Bill, and it struck him that the present amendment was in singular discordance with some of the hon. gentleman's utterances on that occasion. The amendment moved by the leader of the Opposition on the second reading of the Bill was of considerable length, but it contained two paragraphs which were worthy of notice now. One was—

"That the substitution for the Governor in Council of a nominee board would not be in harmony with the principles of responsible government."

Had the hon. member since become a convert to the principle of a land board—to delegating the functions of the Executive Government to a nominee board? The objection was a very strong one when it was raised, because the proposal of the Government formed an entirely new departure in the land administration of the colony. The hon. member for Townsville, on the other hand, did not wish to delegate the Executive authority to any board; he wished it to be retained in the hands of the Government. That was a very consistent position for hon. gentlemen sitting on the other side to take up; and had the hon. member for Mulgrave taken up that position he could have quite understood his opposition to clause 11 of the Bill as introduced by the Government. He was glad the hon. member had now become a convert to the proposal to delegate the Executive authority to a nominee board, because it would give hon. members on both sides greater confidence in the wisdom of the Government in introducing such a new feature into the land legislation of the colony. The dispute was now narrowed down to the question whether that delegated authority should be exercised by the board as proposed in the Bill, or by a board in the shape for which the hon. gentleman had such an affection. It must now be understood that the leader of the Opposition had given his assent to the principle of a board, however that board might be constituted; and that was a step which must give the country additional confidence in the wisdom of the contemplated action of the Minister for Lands. In the amendment moved on the second reading by the hon. gentleman, the following paragraph occurred:—

"Because the Bill materially affects the land revenue of the colony, and no indication has been given by the Minister introducing it of the means by which the probable defect shall be made good."

The hon. gentleman had that evening stated distinctly that something like 10 per cent. of the land revenue ought to belong to the land boards which would be called upon to administer the Act. The hon. gentleman also said that the land revenue of the colony belonged to the people of the colony. They all knew that, but it should be administered by the central Government on behalf of the people of the colony. He did not see, for instance, why the people of Normanton should have a right to the whole of the land revenue of Carpentaria any more than the people of Charleville should have a right to the whole land revenue of the Warrego. It was true that the land revenue belonged to the people of the colony, but the Government represented the people of the colony, and by them that revenue ought to be administered. The hon. gentleman had, he thought, adduced no facts which would lead the Committee to prefer his land board to that proposed in the Bill, and the question was now simply as to the manner in which the board should be formed. It seemed to him that the machinery contemplated by the hon. gentleman was far more complicated than the comparatively simple machinery introduced by the Government. With regard to the proposed judge, hon. members had not yet been told whether he was to be placed on the same footing as a judge of the Supreme Court, or what his status should be. The position of the judge would certainly be a very peculiar one. The opinion of the land board, of which the commissioner of the district was chairman, was to be submitted to him, and his decision was to be subject to revision by the Minister for Lands. He (the Colonial Treasurer) could see no advantage in so many appeals; the sooner finality was arrived at, consistent with the honest administration of the Act, the more satisfactory it would be, and certainly the less expense for the plaintiffs. The amendment was in no way preferable to the original proposition, and it had come before the Committee in a very crude form. With regard to the 10 per cent. of land revenue with which the hon. gentleman proposed to invest the local land boards, how did he intend that that money should be applied? The local board would not be altogether synonymous with the divisional board, although possibly the same gentlemen might hold office on both. But the revenue of the land board, so far as they had heard, would not necessarily form part of the revenue of the divisional board. What was to become of the 10 per cent.? It seemed to him that the amendment would want a great deal of explaining before the Committee could be asked to accept it. He did not imagine for a moment that 10 per cent. of the land revenue of the colony was to be divided into fees to the members of the board. He quite went with the hon. gentleman to a certain extent in the benefits accruing from local government; but at the same time he thought the land revenue of the colony was a matter which at the present time they must look in the face as properly belonging to the consolidated revenue of the colony; and certainly the hon. gentleman who had expressed the opinion that the present Land Bill was likely to create

disturbance in the land revenue of the colony seemed to him to try and give some practical force to that objection by introducing such an insidious amendment as that would be, because, as he (the Colonial Treasurer) said the other evening —and he had not the slightest hesitation in repeating it—the local boards being composed largely of members of divisional boards would in time claim the land revenue of the colony as part of the local revenue. He went with the hon. member when he said that the lands belonged to the people of the colony, but he did not say so in the parochial sense that hon. members of the Opposition had adopted. They belonged to the people in a broad sense; they formed the very basis of our revenue which should be administered for the purposes of the general government of the colony; and it was a very poor compliment, he thought, and went a long way to his mind to inspire weakness in the action of those local boards, of which they had heard so much, if it were really necessary that they should be paid for their services to expect from them honest dealing, and honest administration in protecting not the Government only. He considered they ought not to be paid simply to protect the Government. If they were to be paid it should be to protect the Government, and also to protect the pastoral lessee from unfair rental; but it went a long way to inspire want of confidence in their integrity if it were necessary to give 10 per cent. of the land revenue to prevent them being biased in the evidence tendered by such board to the so-called judge. He trusted that hon. members would make up their minds to adopt the proposal of the Government; and seeing that the hon. member for Mulgrave had distinctly supported the proposition of land administration by a comparatively responsible board, he did not think that the amendments which the hon. member had introduced had in themselves sufficient excellence to commend them to hon. members in substitution of that which his hon. colleague, the Minister for Lands, had introduced.

Mr. STEVENSON said it was quite refreshing to hear a speech from the Government side of the Committee. They had not heard an hon. member speak from that side for a long time, with the exception of the Premier and the Minister for Lands. It was quite refreshing to see the interest that was taken in the Bill by the hon. member. The Premier had told them that he wished to see the Bill discussed by both sides of the Committee, and yet the speech just made was the first attempt at discussion from the Government side of the Committee, excepting by the Minister for Lands. The Treasurer commenced by telling them that the leader of the Opposition had proposed an amendment that was in opposition to what he said on the second reading of the Bill. He (Mr. Stevenson) did not think that the leader of the Opposition had done anything of the sort further than he could help. He understood that the leader of the Opposition believed at that moment thoroughly in what he said at the second reading of the Bill, and believed in the administration of the Land Department being left to the Minister of that department, or to the Executive, which was all the same thing. Supposing the leader of the Opposition had proposed an amendment to that effect at the present time, what would have been the result? The result would have been that the leader of the Opposition would not have carried such an amendment, because the Minister for Works had said, if that board was to be done away with he would recommend the Minister for Lands to chuck his Bill into the waste paper basket. The leader of the Opposition knew perfectly well that it would be simply absurd to introduce an amendment in direct opposition to the principles contained in the Bill, that was, that the administration of the department was to a certain extent to be left in the hands of the boards. The leader of the Opposition knew perfectly well that he must adhere as near as possible to the principle of the Bill, if he had any idea of carrying his amendment at all, and, therefore, of course, he must adhere to the principle of boards; but he tried to amend it in so far that he thought it would be better to leave the administration in the hands of local boards and a court, than to have a board of two men—as proposed in the original Bill by the Minister for Lands—to administer the law. He (Mr. Stevenson) understood that was the idea of the leader of the Opposition—without any consultation with that hon. gentleman at all in the matter, but simply from reading his amendment; and of course the Treasurer must know perfectly well that it was no departure from what the leader of the Opposition expressed at the second reading to propose that amendment. The hon. gentleman was simply trying to amend the Bill now as nearly as he possibly could in accordance with the proposition laid down by the Minister for Lands, or by whoever else was the framer of the Bill, to carry out the ideas expressed in it. The leader of the Opposition wished to amend the clause, adhering to the principle of local boards; to place the administration, as expressed by the hon. member for Blackall, in the hands of the people themselves instead of in those of two men appointed by the Minister for Lands. They had had other arguments from the Ministerial side of the Committee that night in regard to that matter. They had been told by the Premier that the local boards would be no use at all, because they would be appointed by the squatters who had power in certain districts. That statement was reiterated by the Minister for Lands, who never saw the point at all until it was pointed out to him by the Premier. The Minister for Lands never knew that the local boards were to have the whole power until it was pointed out by the Premier—and first of all by the leader of the Opposition—that the board would have the whole power, because, although it might be referred afterwards to the judge, the evidence would come from the local board, who would be a board of squatters, and therefore they would have to judge from the evidence they got from the board of squatters. The Minister for Lands never saw the point until the Premier, with his legal mind, pointed it out, and adopted it afterwards. He (Mr. Stevenson) was glad to see that the hon. gentleman (the Minister for Lands) had changed his seat to one next the Premier, because now he was able to get hints from the Premier as he proceeded with the Bill. He would ask the Premier, seeing that hon. gentleman had so little confidence in squatters, and believed that they were so corrupt that they would conduct matters simply to suit themselves, and give evidence to further their own purposes, why he appointed a squatter to bring in that Land Bill at all?—why, if he had so little confidence in squatters, did he appoint the Minister for Lands to bring in that Bill? They knew it was not the Minister for Lands' Bill now. If the Premier had so little confidence in squatters, it seemed very strange that with so many old experienced men sitting behind him, he did not appoint one of them as Minister for Lands. Why did the Premier appoint a squatter to bring in the Bill? And to a certain extent they understood the Premier had so little confidence in his Minister for Lands that he was not going to allow him to administer the law. The Minister for Lands had shown great incompetency in regard to the matter in allowing the hon. member to supersede him in that respect. His experience of the outside districts, with

regard to divisional boards, was that squatters had not always been appointed to the boards. He had found that townspeople had taken a very lively interest in matters in connection with divisional boards, and he was sure that the same would be the case in regard to the local boards as proposed by the leader of the Opposition. The townspeople knew that the squatters would have to submit to their taking an interest in the affairs of the district, and the squatters had too much sense not to allow them to do so, and so far as he knew they had always managed to work very well together, and had always conducted their own affairs very satisfactorily. It would be just the same with regard to the proposed local land boards. They would find people of all classes in the community upon the board, and administering its affairs in a very satisfactory way indeed. The hon. Treasurer had referred to the fact that members on the Government side had been twitted by hon. members on the opposite side with not having trusted the people. Their action showed that they did not trust the people. The Minister for Works had told them that the divisional boards had been a curse to the country. Did not that also show that the hon. member did not believe in trusting the townspeople? There was not a member of that Committee who did not believe, notwithstanding the opposition that was given to the Divisional Boards Bill when it was passing through the committee, that it was a good thing. The people had managed their own affairs better than the Government could have managed them, and therefore there was no reason why local land boards, as proposed in the Bill, should not be worked as satisfactorily as the Divisional Boards Act had been worked up to the present time. Not only had that Act been worked satisfactorily as regarded the people, but also as regarded the bringing about of a great saving to the State.

Mr. PALMER said he scarcely thought the question of local land boards should be looked at as a party question, as it appeared to be. It was one of the most important features of the new Land Bill. He hardly thought that the leader of the Opposition could be accused of playing into the hands of the squatters by the amendments which he had introduced. He firmly believed that the pastoral tenants would not, as the hon. Premier stated the other night, be the dominant party on the boards. If the members were chosen on the elective principle there would not be the slightest doubt that the result would be, as the hon. member for Normanby had said, that the townspeople would see that they were very well represented on those boards, and would take action accordingly. He did not think it was wise in an Assembly of that sort to copy other colonies in land administration, unless in so far as the circumstances of the colony permitted. He was present in Sydney when the land board was being discussed in the Assembly there, and he would read the clause as introduced by Mr. Farnell in his Land Bill:—"There shall be a local land board for every land district, or for several land districts, and the members of such boards shall not exceed four in number"—that was reduced to three in committee finally;—"they shall be appointed by the Government; one of such members shall be chairman who shall be appointed in like manner." The committee likewise decided that he should be the police magistrate—that the police magistrate should be the chairman of the local board, "and shall be paid such salary as Parliament may sanction. Every other member of the board shall be paid such fee for each sitting as may be prescribed." There was also a provision refuting what was said by the Premier the other evening, when he asked what sort of board would it be if they were all squatters? There was a penalty which provided that there should be a fine of £500 paid by any member of the board dealing with a case in which he was directly or indirectly interested. There was no objection made as to the benefit of land boards at all. The discussion merely turned upon the number of the board and who should be chairman. He could scarcely agree with what the Minister for Lands had said in reference to the local boards; that they would deal in a sinister manner with the lands of the colony. The hon. gentleman objected *in toto* to local boards. His (Mr. Palmer's) argument was that if local boards could not deal with matters connected with the administration of land, how could it be done better by a board 500 or 1,000 miles away? That was centralisation with a vengeance—bringing all the work of the land administration down to Brisbane. They would be bringing witnesses and evidence from the far northern or western parts of the colony to Brisbane that a case might be settled here. He would prefer to have the board constituted as in New South Wales; but in preference to the measure as brought in by the Government he would support the leader of the Opposition in his amendment. He did not profess to have any technical or legal knowledge; but he could look at the question in a general sort of way, and he thought that the land laws of the colony could be better administered locally than by cases being brought down to Brisbane. Although the Minister for Lands claimed that his land board was the highest state of perfection of human machinery, and claimed so many things for his Bill, as well as for his board, hon. members would have to see a great many of them before they could believe them. The Colonial Secretary said those local boards would be very dangerous, and he likened them to wolves and sheep. He believed the hon. member classed the squatters as wolves, but he did not know who the sheep were. He fancied the test would prove the reverse, and that the squatters were much more likely to be fleeced than to become the wolves. He did not believe the pastoralists would obtain the chief power on those local elective boards. He knew, at all events, that if he had a case on he would much sooner have it settled by a police magistrate as chairman, and by people who had some local knowledge, than have the trouble of coming down to Brisbane to have the case investigated. A great deal hinged on the land board. The question of ministerial responsibility was a very serious one. Ministerial responsibility should not be lightly taken away by that Chamber, and he was quite sure that Committee would not let it be manipulated, as it were, out of the working of the Land question.

Mr. GROOM said he did not think there could be any doubt in the minds of hon. members generally but that the clauses they were now discussing in the Land Bill before them formed almost the essential feature of the Bill. That was because it was an entire revolution of the land laws of the colony, and took the administration of those laws out of the hands of a responsible Minister of the Crown and put it into the hands of a board. In 1868, when the Land Bill introduced by the then Government was referred to a select committee for their consideration and report, they brought up a recommendation suggesting the establishment of land boards, not exactly upon the lines proposed by the leader of the Opposition, but more upon the lines of the system adopted by the Legislature of New South Wales; and he had no hesitation in saying that that was a principle which commended itself to his mind very strongly. He gave it as his candid opinion

that he was in favour of local land boards in the different districts of the colony, and he had been in favour of that for a very long time. He did not of course mean to say that his opinion was the correct one, or that the Ministry were wrong in introducing the principle they had introduced into the Bill. He only gave it as the result of his experience of the working of the land laws of the colony that land courts would have been very beneficial in the past, and he was perfectly satisfied they would be equally beneficial in the future. He was not in love with the scheme suggested by the leader of the Opposition at all. He was not going to decry divisional boards. He knew there were a number of gentlemen who had taken an interest in divisional boards, and had discharged their duties very satisfactorily indeed; and he was sure the principle of local government was a sound one where it was carried out for the local administration of the affairs of the colony. He believed the principle was well adapted to the spirit and traditions of the Anglo-Saxon race, and made it more easy to arrive at something like good government. In discussing the question, however, he thought that there were a good many gentlemen who had taken part in many divisional boards up to the present time who had joined them not so much to protect other parties as to protect themselves. That he had no hesitation in saying, but whether they would continue to take the same lively interest in them in the future was quite another question. There would be a time when the divisional boards would have to tax—and tax very heavily—large estates in different parts of the colony, and whether the gentlemen who now took such a lively interest in the consideration of local affairs would then evince the same ardent interest in them was a question which he confessed was open to some doubt. He was not at all disposed to say that those gentlemen had not discharged their duties efficiently. He knew they had done so, and they had made £1 go as far as £5 would have gone by Government administration; and at the same time taxation had been reduced to a positive minimum, and he could mention estates comprising something like 50,000 or 60,000 acres of freehold property where the absolute assessment was not more than £40, or considerably less than that of a first-class hotel in Brisbane. He had no doubt whatever that, supposing land courts were established upon the basis laid down by the leader of the Opposition, gentlemen would take an interest in them, as they had done in the case of divisional boards, but at the same time he did not think they would do so on the broad grounds of patriotism as the hon. gentleman believed, but more upon the grounds of self-interest. For that reason he was inclined to think that the dominant party in a district would obtain a majority, and rule the land board accordingly. The land boards, as established in New South Wales, was a system which, as he had said before, commended itself strongly to his mind. He had the Bill before him as passed by the Legislative Assembly of New South Wales, and sent up to the Legislative Council there for their concurrence; and the particular clause which the hon. member for Burke read had not been altered by the Legislative Council. He would read the clause to the Committee, because the hon. member for Burke had made a mistake just now—no doubt unintentionally—in referring to it. He said the Legislature of New South Wales had decided that the police magistrate should be the chairman of the board. That amendment was moved in committee, but was resisted by the Government and finally withdrawn. The following was the clause as finally passed by the Legislative Assembly, and as agreed to without amendment by the Legislative Council:—

"There shall be a local land board for every land district or for several land districts, and the members of such board shall not exceed three in number and shall be appointed by the Governor. One of such members shall be the chairman, who shall be appointed in like manner, and shall be paid such salary as Parliament may sanction. Every other member of the board shall be paid such fee for each sitting as may be prescribed. Any member of a local land board who shall sit or act in any way as a member of such board in any case in which he is or has been directly or indirectly interested, shall be liable to a penalty not exceeding five hundred pounds."

It was upon that principle that the land boards were established in New South Wales. Their number was to be fixed by the Governor in Council, and it was not left to each district to elect a land board. The majority of the members of the New South South Wales Legislaturedeclined to fix the number of the boards, because they considered it to be a matter more for administration than for legislation, and it was left entirely in the hands of the Governor in Council to say how many land boards there should be. Hon. members would bear in mind that, according to the constitution of the New South Wales land boards, as defined in their Land Bill, they were not administrative. The hon. leader of the Opposition proposed, as he understood him, that they should have the administration of the land in their respective districts, and should even have the power of fixing the rents. All the local land boards had to do in New South Wales was to decide questions of disputes as between selectors and squatters; or where a selector or squatter thought his rent was fixed too high, he could appeal to the local land board in the case, and the matter was submitted to the Minister sitting in open court to adjudicate upon such cases. He thought that if in a colony like New South Wales, where districts were more easily approachable than in Queensland, and where they were rapidly extending railways, local land boards were considered desirable, they were also desirable in a colony like Queensland, where the interior was more difficult to approach, and where enormous expense would be entailed by appeals to the different commissioners. As he had said, that opinion was not a new one with him; he had entertained it for many years. He supported the principle in 1868, and he recognised it now. As was said by the leader of the Opposition, he was perfectly certain that if a land court had sat in Toowoomba years ago—in 1860, for instance, when the Legislature passed the first Land Act—they would not see that unfortunate state of things which now existed in that district, where huge estates were enclosed with a wire fence, and were owned by absentee proprietors living in princely splendour, and contributing very little, if anything, to the taxation of the country. That was a state of affairs they did not wish to encourage. He had been glad to hear the hon. member for Townsville say that they ought not to discuss the matter on party lines at all; he did not think they ought to consider it as a party question. If they could in their wisdom formulate a land system suitable to the colony, they would not have sat during the present session in vain. If they could establish a land board free from Ministerial control, and which would be free from corruption and bribery, then they would have accomplished a great deal of good. There was something he should like to draw the attention of the leader of the Opposition to in connection with his scheme. As he (Mr. Groom) understood it, the hon gentleman intended to introduce the administration of

local lands by those boards. It might be asked —"Has that system ever been tried? Is there any instance of local administration by boards; any instance where local boards have had the entire disposal of Crown lands?" Such a system had been tried. He dared say that those members who were conversant with colonial history knew something of the provincial government of New Zealand, under which the local councils were charged with the control of the waste lands in their respective districts. To such an extent, however, were the lands literally wasted under that system that one gentleman—now the Colonial Treasurer, Sir Julius Vogel—brought in a Bill abolishing provincial councils, vesting all the Crown lands in the general Government, and consolidating their debts. As far, therefore, as the local administration of land in the colony of New Zealand was concerned, it was not attended with good results; and he was confident that if the scheme of the leader of the Opposition was carried out, in a sparsely populated colony like Queensland, something analogous to those results would take place. He thought that in the administration of the lands the officials entrusted with that duty should be well paid for their services. In New South Wales the chairman of the board was to be paid a salary fixed by Parliament, and he was to be assisted by two others who were to receive fees; and no member was to sit in connection with any case in which he was interested, under a penalty of £500. There was no such protection as that in the hon. member's clause—nothing to prevent a person interested in a case sitting on the board. In the interior of the colony there might be five or six distinct cases, and five or six persons interested in them might obtain positions on the local boards. Then there was nothing in the amendments to show how the local boards were to be elected. In the district of Brisbane there were municipalities and divisional boards; so also in Toowoomba and Rockhampton. Who were to elect the members of the local boards? Were the townspeople to have any voice in the matter? Or was it to be only the ratepayers in divisions? Those were defects in the amendments which the hon. gentleman had submitted, which might prove fatal to the Committee adopting them at the present time. His (Mr. Groom's) great objection, however, was that if the Committee decided to have local land boards at all they should be on the basis of the land courts in New South Wales —appointed by the Governor in Council. The chairman should be a paid official, and should be assisted by commissioners, who should also be paid. It was very possible that police magistrates might make very good chairmen, but he thought they had quite enough to do to attend to in their respective courts without having anything to do with the administration of the land. He thought there were plenty of officials in the Lands Department—gentlemen well acquainted with the land laws of the colony —who would make very good chairmen of those boards should the Committee decide to have them. He could not agree with the hon. gentleman that they would be at all witholding confidence from the outside public if they decided to accept the proposal now. He was quite prepared to trust the electors generally with the management of local affairs, particularly in the matter of taxation, because they had a guarantee that where the people taxed themselves the money would be judiciously laid out. He was not one to decry the efforts of divisional boards or local government; he believed they had been a source of great good in the colony; but at the same time he did not think it would be wise at the present time to apply the principle fully to our land administration. He much preferred the system adopted in New South Wales. He would rather have five or six local land boards established in different parts of the colony, with the right of appeal to a board in Brisbane. In New South Wales, he thought, the matter was dealt with a little more liberally than it was here. There it was provided, in the 18th and 19th clauses, that—

"The land court shall consist of the Minister (hereafter termed the president) sitting in open court.

"The land court shall have power to hear and determine all appeals, and to make such orders for the payment of costs incurred in such appeals as the said court may think fit; and such appeals shall be heard and determined in open court, and the parties to such appeals may be heard by counsel, attorney, or agent, but no fresh evidence shall be adduced before such court except in cases of voidance or forfeiture, and the decision of the Minister shall be given in open court, and shall, when recorded, be filed with the proceedings in the case. The decision of the land court, upon any appeal in respect of any matter arising out of a conditional purchase or conditional leasehold, shall, for all the purposes of this Act, be final and conclusive."

As he had said, there was a little more liberality in that than even in the proposal before the Committee; and he was in favour of the boards as appointed in New South Wales.

The HON. SIR T. MCILWRAITH said that he quite believed the hon. member when he said he had for many years been of opinion that local land courts would be a good institution. The hon. gentleman was consistent in his expressions of approval of the legislation of New South Wales, not only as regarded the land, but in all departments of politics. He was continually upholding New South Wales legislation as a model, and had so often set up Sir Henry Parkes as a deity to be worshipped, that they could never forget his veneration for New South Wales statesmen. He (Hon. Sir T. McIlwraith) had studied the New South Wales Land Bill before framing his amendments, and he very much approved of the local land courts as constituted by that Bill. The reason he had not embodied a similar principle in his amendments was that in this colony we had got to a further and better stage of legislation than they had in New South Wales. They had acclimatised local self-government as he might say, in Queensland, while in New South Wales they had never even reached the point of bringing it before the House. In New South Wales they had nothing but the old system of centralisation, and, in fact, were far behind Queensland in legislation for the general good of the people of the colony. For the circumstances of that colony, the system of local land courts as constituted by the New South Wales Bill was far the best, or, at any rate, a great improvement on what they had before; but here there was a system of local self-government, and it should, he believed, be utilised as far as possible, by giving the local authorities —not the administration of the Land Act, as hon. members had represented him as saying— but the administration of certain parts of the land laws. The hon. gentleman opposite had two or three times said that he would oppose any attempt to place the power of administration in the hands of the local land boards. But there was no such power proposed to be given. The clauses spoke for themselves:—

"The board shall have power to hear and determine any question relating to the granting or refusal of any application to select, raised at any local court, and to inquire into any objection made thereto, either on public or private grounds, and to examine witnesses on oath in relation thereto, and from time to time to postpone any application or the hearing or decision of any question or objection.

"The board shall also have power for the purposes aforesaid, or for the purposes of any inquiry held under the provisions of this Act, to summon any person as a

witness, and to examine him upon oath, and for such purposes shall have the same powers and authorities as any two justices of the peace in petty sessions have in respect of offences punishable on summary conviction."

All the powers to be given to those local land boards were powers which for the most part were, at the present moment, given to commissioners; and he considered that local land courts would be far better able to perform these duties than the commissioners. The object of the amendments was to utilise the local government in giving information which would enable the higher court to come to a final decision. The local boards would have qualifications which the commissioners, from their want of local knowledge, or their prejudice or the method of their appointment, would not possess. It must be remembered that the object sought was to prevent the lands going into the hands of people who would not work them for the good of the district or the good of the colony. The local board would represent the people of the district, and would be composed of very much the same kind of men as those who were elected at the present time. They would be elected on the same franchise, and for somewhat analogous duties. They would have an interest in seeing that the district progressed, and that fair play was given to all classes. He did not see what ground there was for the argument that it would be to the interest of those boards to make the rents of the pastoral lessees or the agricultural lessees as low as possible. If that were the case he would give up his proposal; but his object was a very different one. His idea was to make those representatives work with the general Government and for the good of the district, in getting a fair rent from the pastoral or agricultural lessees. The boards in fact were at present interested in getting a very high rent; because they got 5 per cent. of the annual revenue from the land, and the higher the rents, the greater would be the amount of their share. That took away the whole of the objection as to the interest of the board being to decrease the rents. He thought they might utilise the spirit which existed in the local boards by going further than giving the 5 per cent. they were entitled to exact under the Divisional Boards Act. If they gave them 10 per cent. of the actual rents raised, it would to a certain extent secure the influence of the boards on the side of the Government by making it their interest to obtain at least an equitable rent, if not the highest rent that could be got for the land; and that might be done without necessarily increasing the aggregate amount paid out of the Treasury. He did not at all believe in the doctrine of the hon. the Colonial Treasurer, that the land fund ought to be treated as part of the general revenue, and he did not think his argument was met by the hon. member's assertion that the revenue received from land at Normanton should not go for local improvements. What he said was that the people of Normanton should get something for their local expenses out of the money derived from the land in the district. He looked forward to the time when the colony would be divided into districts, each of which could claim a very large proportion of the land revenue, and that he considered would be a step towards perfect self-government. He did not think the hon. member for Toowoomba was fair in instancing New Zealand as a country in which local administration of the lands had completely broken down, and that they had returned them to the central Government. It was not at all on account of the administration of the lands in different districts that the agitation for the formation of the provinces into one whole took place. It was the fact that each district claimed—and it was acknowledged by the various districts—that it was a right that they should benefit by the sale or otherwise of the lands in the different districts. It was because it was acknowledged by all parties that that was a just thing that prevented the consolidation of the provinces years before it took place. He forgot the compromise that was come to at the time, but he recollected perfectly well that the compromise recognised substantially the rights of each province to the benefits to be derived by them from unsold land. So far from that being an argument in favour of the centralisation of the power of dealing with the land, he put it to hon. gentlemen themselves whether it was not an argument in the other direction, and for the reason that he had stated? Since the hon. member spoke he proved his memory was quite correct—that was, that they settled the matter by leaving substantially to each distinct province the benefit to be derived from the sale or disposal otherwise of the Crown lands of the colony, as the hon. member would find in the 16th clause of the Act of 1875 abolishing the provinces. It was a long clause, and he would not read it, but it proved what he said to be correct. Well, they actually did away with local government to that extent, but that was no argument that local government had been a failure in that part of the world. The hon. member again used a very curious argument against local government, which was that, from his experience, a great many people got upon boards through interested motives and to protect themselves. He would like the hon. member to call up his experience of Parliaments in this colony. All over the world it had been and still was the practice of people to go into Parliament for lower motives than possibly they ought to do. A great many did that, but it was no argument against local government, or against responsible government in any way. It was one of the evils attaching to it, but it was in no sense an evil that was exclusively attached to local self-government all over the world. It was found everywhere, and in no place more familiarly before the hon. member than in the House of Parliament of Queensland. He should not have spoken in opposition to what the hon. member for Toowoomba had said, because he made the strongest possible speech in favour of the proposal he (Hon. Sir T. McIlwraith) had put before the House. The hon. gentleman had spoken of the New South Wales system. Well, he adopted it far in preference to the proposal of the Minister for Lands, but he put it aside because local government was so far advanced in this colony that it could be applied with advantage to the administration of the lands. They had no such local boards in existence in New South Wales, and they therefore had no opportunity of doing what he had done—taken advantage of the advanced institutions of the colony. In support of what he had said that they ought to look a little forward, it was not appropriate that the land funds should be diverted in the way they were dealing with them. They ought to look forward to the time when those boards would derive funds by deriving a certain amount from the land revenue, instead of having to raise additional taxation. The principle adopted by the Government was to lease the whole of the lands of the colony. And for what purpose? To raise a large amount of revenue for the purpose of paying for the interest on railways to be constructed in colony. They proposed to deal with the land in that way for the purpose of making railways. Was there not more to be done with the money than simply making railways? If those railways were to be made would it not encourage traffic in other ways? Would not the responsibility of making roads and bridges require to be met, and in what way could it be more rationally

met than by taking a slice out of the fund that went to pay the interest in making highways? Instead of seeing in his scheme anything out of the way, it was simply advancing further the general subject of local government. What he said was this: The local land boards would do all the work of the commissioner; and they would do a large amount of the work which was shoved on to the land board as proposed by the Minister for Lands. They would do the work a great deal better, and they would have local knowledge. They would have local interests, and being elected by the ratepayers it stood to reason that they would interest themselves for the good of the district. Those interests could not be inimical to the advantage of the country, because the boards would be interested in getting as high rents as they possibly could from the pastoral and agricultural lessees, and that for two reasons: First, the revenue would be increased under the Divisional Boards Act; and in the second place they would have a special claim to a part of the rents according to the system of local government as adopted in 1878, and readily agreed to; because the only reason for adopting the clumsy expedient of letting people tax themselves £1, and the Government giving them £2 for maintaining the roads and bridges, was on account of the fact that, at that time and to a great extent now, the great bulk of the lands was in the hands of the Crown. They did not see how they could tax it. Why should they not now utilise the power of taxation and self-government, by giving the people a certain interest in the land which the Committee would determine? How much it should be could be settled by-and-by, but it was only a jump, to name 10 per cent. At all events it would be to the advantage of the country to give them that amount, and secure the interest of the boards in favour of the good administration of the Act. Instead of passing the clause as it stood, Ministers would find the advantage and ease to themselves of adopting his amendment, and thus provide a means of satiating the greedy demands on the Treasury which were so often being made; giving, in the way he proposed, an interest in the lands of the colony to the boards—to the mutual benefit of the boards and the country. The amendment proposed a remedy which Ministers ought to have been grateful to him for suggesting. Hon. members did not seem to have taken into consideration the fact that the amendment proposed by him was not inimical to the Bill. The Minister for Lands said it was, but he did not even attempt to prove it. The Colonial Treasurer said how utterly inconsistent he was, because when he moved the amendment on the second reading he gave the following as one of the reasons against the Bill:—

"The substitution for the Governor in Council of a nominee board would not be in harmony with the principles of responsible government."

He thoroughly believed in that still, and he moved the present amendment, conscientiously believing that there was nothing whatever antagonistic between them. He still believed that it was a wrong move to take away the responsibility from the Minister and give it to outside officers, but it must be remembered that he was defeated by two to one on that occasion, and that he was now trying to make the best of a bad bargain; not by adopting a directly contrary principle, but by trying to get as much of the principle he contended for as possible. He believed the amendment was better than the original proposition. Local boards would take legitimately a large amount of work off the shoulders of the Minister which would be better done by him, but they would do the work better than the board proposed under the Bill. He might add that it had been suggested to him that he proposed to give 10 per cent. of the land revenue to the local land boards for their services. He certainly did not mean it in that sense.

Mr. GROOM: For revenue purposes, it was said.

The HON. SIR T. McILWRAITH said that what he proposed was that they should have 10 per cent. of the actual proceeds to encourage them to work, as they were now encouraged to work under the Divisional Boards Act.

Mr. NORTON said there was one matter to which it would be advisable to refer briefly. An objection had been raised to the constitution of the local land boards, to the effect that it had been found from experience that the gentlemen who took part in the working of divisional boards did so in the protection of their own interests. That was perfectly true, but it must be borne in mind that the decisions arrived at by the divisional boards were final; that they had the complete regulation of their own affairs, drew upon their own funds, and got an endowment from the Government in proportion to their rates. The expenditure of the whole of that money rested entirely with the divisional boards, and they could understand that gentlemen would endeavour to get on those boards in order to protect their own interests. But local land boards, as proposed, would be something quite different. The Colonial Treasurer said he could not see what more protection those boards would afford than the board proposed by the Bill. They would afford a great deal more protection. Though the local courts had power to make recommendations, they had not the power to carry those recommendations out. Their recommendations were transmitted to the judge—it was a pity the word "judge" had been used, for it had led to much special pleading on the other side—and the matter was again inquired into in open court. Even there the decision did not necessarily rest, for a further optional power was placed in the hands of the Minister. But it was not probable that the Minister, being placed in a position of that kind, would attempt to take any unfair measures of favouritism, or act in any way contrary to the spirit of the Act. The decision of the Minister was not only to be given, but he was to give his reasons in writing for arriving at his decision; and the whole facts of the case would be known to the public from the time of its initiation. Under those circumstances there could be no difficulty, no leaning towards friends or favourites. Therefore, the comparison attempted to be drawn between the local land courts and the divisional boards would not hold good. Under the present Bill the decision practically rested with the commissioners. It was not possible that a board so constituted could inquire fully into the different matters that would be brought before them. The boards would accept the recommendation made to them, and practically the decision would rest with a nominee commission; and the recommendations that would go up to the central board would be passed without any difficulty. He thought that in any arrangement of the kind, as proposed by the leader of the Opposition, there would be much more security than there would be in any Bill proposed by the Minister for Lands. There were one or two other matters which he had intended to refer to, but he thought that the leader of the Opposition had already dealt with them. He would simply point out that the whole of the Treasurer's arguments, from first to last, were based on unsound grounds. The hon. gentleman started with an exaggeration, knowing what the leader of the Opposition had said, in assuming that 10 per

cent. of the land revenue was to be handed over to the boards for salaries, whereas it was nothing of the sort. That was in keeping with all the Treasurer's argument from first to last. The Treasurer argued that the leader of the Opposition had been convinced or converted to the opinion that it was the proper thing to accept land boards in preference to ministerial responsibility, knowing perfectly well that the leader of the Opposition, having taken advantage of the principle that was advocated, made the proposal in the hope that it would be accepted in accordance with the principle of the Bill. At any rate the whole of the Treasurer's argument was founded, not on the facts adduced by the leader of the Opposition, but on some exaggerated statement of his own, which he accepted, or professed to accept, as argument that had been used by the Opposition side of the Committee. For his own part he (Mr. Norton) thought that the administration of that portion of the Act by local boards would be favourably accepted by all parties who were concerned; and he was quite sure that the result obtained in that way would be very much more to the benefit of the whole colony, than any which could be obtained from the recommendation of a nominee commission who were subjected to very much greater influence than any local board could be.

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

The Committee divided:—

AYES, 28.

Messrs. Griffith, Miles, Rutledge, Dickson, Dutton, White, Sheridan, Groom, Brookes, Smyth, Isambert, Jordan, Kellett, Buckland, Foote, Macdonald-Paterson, Kates, T. Campbell, Mellor, Salkeld, Foxton, Grimes, Beattie, Wallace, Moreton, Midgley, Higson, and Bailey.

NOES, 12.

Sir T. McIlwraith, Messrs. Norton, Archer, Stevenson, Chubb, Nelson, Lalor, McWhannell, Lissner, Ferguson, Govett, and Palmer.

Question resolved in the affirmative.

Question—That clause 11 as read stand part of the Bill—put and passed.

On clause 12, as follows:—

"Each of the members of the board shall, during his continuance in office, receive a clear annual salary of one thousand pounds, which shall be a charge upon and paid out of the consolidated revenue. They shall not be capable of being members of the Executive Council or of either House of Parliament, and shall not be allowed to act as directors or auditors or in any other capacity take part in the management of any bank, joint stock company, trade or business, or to acquire any interest in any holding under this Act."

The HON. SIR T. McILWRAITH said he would ask the Minister for Lands whether he considered that £1,000 a year, to be paid to a member of the community who was to exercise such a great power, was sufficient to keep him above temptation? Did he not consider that the amount was disproportionate to the duties he had to perform. In a previous part of his speech the hon. gentleman said they would be above temptation.

The MINISTER FOR LANDS said that if the Government had not thought £1,000 a year sufficient salary for the gentlemen who were to discharge those duties, they would not have fixed it at that. He did not know that there was any Government official who received more than that.

Mr. ARCHER: The Engineer-in-Chief for Railways, and the Engineer for Harbours and Rivers.

The MINISTER FOR LANDS said they could get just as good men for £1,000 as for anything. He did not think it would be a question of character, but of ability to perform their duties. They would not be allowed to take part in any private business transactions, but £1,000 a year would be enough to secure able men.

Mr. STEVENSON said he might suggest that those heaven-born men who were to be appointed by that heaven-born Ministry to manage the affairs of the colony, should be allowed to decide their own salaries. That would be a very fitting thing for them to decide, considering the responsibility they had taken upon themselves.

Mr. ARCHER said they were sure to do that; but he quite agreed with the Minister for Lands in one thing. He would probably get as honest a man for £1,000 as he could for £1,500; but the ability would depend upon the amount of salary. He did not see why two men who were going to discharge such an enormous office as they—including the whole of the lands of the colony—should not be as well paid as a bank manager, or as well as other Government officers. He did not think that men with brains sufficient to administrate such an office would be satisfied with a salary of £1,000 a year. He believed that a man was not made dishonest or honest by getting a low or a high salary; they could not buy honesty, but they could buy ability, and they would require two of the smartest men they could find.

Mr. PALMER said he would ask the Minister for Lands a question relating to the penalties attached to the office of commissioner. The members of the board were prohibited from participating in any management of a bank, joint stock company, trade, or business, or acquiring any interest in any holding under the Act. Would the Minister for Lands inform the Committee if those commissioners were empowered to hold any land in fee-simple?

Mr. BEATTIE said he thought that £1,000 a year was too little for the office under discussion; but the difficulty was that the Ministry themselves were getting too little. £1,000 a year was certainly not enough for a Minister of the Crown in Queensland, and the difficulty in his mind was, that the Ministry did not think it was desirable to give those commissioners more than they received themselves. The position of those men would be something like that of a Supreme Court judge, and if that was the position they were to hold, certainly £1,000 a year was a great deal too little. He should be prepared to move an amendment that it should be increased, only that the Ministers of the Crown were getting far too little.

The MINISTER FOR LANDS said, in answer to the hon. member for Burke, that members of the board would not be debarred from holding land in fee-simple.

Mr. STEVENSON said that had thrown a new light upon the matter. He had understood that the commissioners were not supposed to have any sort of business whatever—that they were not to hold any land or enter into any business or trade. It seemed to him that those men might enter into the very business that they were to adjudicate upon. The Minister for Lands was altogether mistaken in the matter. He said they were not to have anything to do with regard to the land whatever. The hon. gentleman should say what he meant.

The MINISTER FOR LANDS said they were not to be debarred from holding land, and were not to be shut out from the rights of citizenship. They were to be debarred from carrying on business, but not to be debarred from holding land upon which they might live.

Mr. STEVENSON said he understood that that was the way in which they were to be removed from the temptation the Minister for

Lands talked about. It seemed now that they were not to be removed from the temptation. He would like to ask the Minister for Lands one question which might throw some light on the subject of the salaries. For men taking upon themselves the responsibilities the members of the land board would have under that Bill, he considered the salary was too small. He would like to ask the hon. gentleman whether he had not anticipated the passing of the Bill and offered that billet already to one gentleman, and whether that gentleman had refused it or not?

The MINISTER FOR LANDS said he certainly had not offered the billet to any gentleman yet, but he had asked one gentleman in New South Wales—Mr. George Rankin, he might tell the Committee—who was employed by the New South Wales Government to investigate the working of the land laws there, in conjunction with Mr. Morris. He had asked that gentleman whether, if the Bill became law, and it was found necessary to appoint two members of the land board, he would accept the position. He had asked him, knowing him to be the best man in Australia, from his personal knowledge, to administer such a Bill as that.

Mr. STEVENSON said he hoped the hon. member for Fortitude Valley would take notice of that in connection with the subject he brought forward the other night. There were apparently not men in their own colony fitted for a position of that kind, and they must go abroad to get one. They were not to have British subjects brought to the colony, but they must bring out Germans at the expense of the taxpayer. For a billet like that the Minister for Lands proposed to bring up one of his friends from New South Wales to fill it, as if there were no men in the colony acquainted with the requirements of the colony, and fitted to take the position. He was glad to get the information, though he had to drag it out of the hon. member.

The MINISTER FOR LANDS: There was no occasion to drag it out of me.

Mr. MACDONALD-PATERSON said he did not agree with the excited manner of the last speaker. Sometimes men were lifted on to their feet by that peculiar electrical force which proceeded from the rapid utterances of the gentleman who just sat down, especially when he was also excited, and felt what he said was true, as every member who spoke in that Committee should feel. He wished to know who authorised the Minister for Lands to offer Mr. Rankin that appointment. There was not a warmer friend of the gentleman in question in any part of Australia than himself; at the same time there were circumstances in connection with the Bill, and with its working in the colony, in regard to which Mr. Rankin was not "the man for Galway." He thought some explanation should be given as to why they should go out of the colony for a man to fill that position. Mr. Rankin was a stranger to the working of their land laws ever since he left the colony.

Mr. ARCHER: No.

Mr. MACDONALD-PATERSON: They should hear some explanation as to why Mr. Rankin was offered that appointment.

The MINISTER FOR LANDS said he did not know that he could give any further information as to the reason he offered Mr. Rankin that appointment.

Mr. MACDONALD-PATERSON: Did the Cabinet authorise you to do it?

The MINISTER FOR LANDS said he was giving the House his own version of the affair. The reason why he offered the position to Mr. Rankin was simply because Mr. Rankin was the best man in Australia he could get to do the work. That was his own opinion, and he had no doubt his colleagues would have accepted his judgment in the matter, knowing how long he had known him, how intimately he had known him, and his thorough knowledge of his capacity and principles. He was confident a better man for the position than George Rankin could not be found in Australia. It did not matter to him whether he was an Australian or not, or whether he was a Queenslander; he would have gone to any other colony or to England for him if he thought he was the best man for the position. He did not confine himself to Queensland, and there was no reason why he should, when a better man was to be got elsewhere. Mr. Rankin was an Australian and he had lived a long time in Queensland, and no man who knew him could say anything to his discredit.

Mr. STEVENSON said it seemed there was no necessity for their discussing the Bill any further. It seemed to be taken by the Minister for Lands as a foregone conclusion; as before the Bill was even introduced he believed the Minister for Lands had asked Mr. Rankin whether he would accept the billet which he was going to make under that Bill. It showed that the Minister for Lands intended to carry out the threat he made on the second reading of the Bill, that he was going to force it down their throats whether they liked it or not, because he had a majority at his back. The hon. member might have allowed the Bill to pass before he asked anyone, whether in New South Wales, Queensland, or anywhere else, to accept a position under it. He certainly thought a great deal of himself if he believed he could shove that Bill down their throats whether they liked it or not. The hon. gentleman seemed to be most inconsistent. He was a New South Welshman, and he told them that he had arranged the schedule so that New South Welshmen could not cross the border and take up land in Queensland unless they sent their produce to Brisbane. Now he took a different view, and thought there was no man in Queensland good enough to be employed as one of the land board under that Bill; therefore he must go to New South Wales. The hon. gentleman was the heaven-born Minister—the only man who could carry the Bill through, and therefore the only man he could get who he thought could administer the Act was a man from New South Wales. He (Mr. Stevenson) knew Mr. Rankin well, and knew that he was a very good man, but there were just as good men in Queensland; and he thought before they went afield they ought to try and get a man in the colony. He knew that Mr. Rankin had refused the position, believing that the salary was not sufficient for the responsibility. That was the point at issue, as some hon. members held that £1,000 a year was not sufficient for a gentleman to take the responsibility he was supposed to take under the Bill. The Minister for Lands thought it was; he (Mr. Stevenson) thought it was not.

Mr. MIDGLEY said he thought the only sin the Minister for Lands had committed was that he had allowed himself to be found out; he had candidly said what he had done. He (Mr. Midgley) would point out to the Committee that the board commenced on the passing of the Bill; it was therefore quite proper for the Cabinet to be casting about for some men suitable to fill the positions. Other people besides Mr. Rankin might decline the position, and it might be a work of time to get suitable men. With regard to the question of salary, he thought that £1,000 a year was a very fair thing to begin with. The duties would grow in number and importance; and he thought that the Government now had

an opportunity of introducing something which would be in the nature of a Civil Service Bill. The new officials should know what they were to get, and what they might expect after so many years service. He thought that the view taken by the leader of the Opposition was not a right one. If a man undertook duties, and approved of the conditions and the salary, that man was bound to be honest; if he was not, then he was a scoundrel. The salary ought really not to be considered in connection with his honesty.

The HON. SIR T. MCILWRAITH asked whether it was a fact that Mr. Rankin had refused the position?

The MINISTER FOR LANDS said it was, but not for the reason given by the hon. member for Normanby. It was because he could not leave New South Wales.

Mr. STEVENSON said he would like to know if the Minister for Lands had got another man whom he thought would be suitable for the position, and who would take the responsibility of performing the duties?

The MINISTER FOR LANDS said he had at least half-a-dozen men in his eye whom he thought were suitable!

Mr. STEVENSON said that perhaps the hon. gentleman would give their names as he had done before. It was a very important matter, and it was very desirable that they should know who the men were?

The MINISTER FOR LANDS said he was not prepared to take the hon. gentleman into his confidence yet.

Mr. STEVENSON said that perhaps the hon. gentleman would tell them whether he intended to allow the Bill to become law before he asked any other gentlemen to accept the positions.

Mr. NORTON said he was sorry to hear that Mr. Rankin had been offered the position, because he was a gentleman fully competent to fill it. He thought it probable that if the salary had been higher, Mr. Rankin might have arranged his private affairs so as to accept the position. The hon. member for Fortitude Valley had said that perhaps Ministers did not like to offer higher salaries because they would then be larger than their own. He did not think that giving those higher salaries should be an argument for raising their own, because he was sure the commissioners would have quite as much work as Ministers. He thought the Minister for Lands might give up half his salary, for he would have little or nothing to do when the board was appointed. A clerk in the office might then do the most of the work.

Question put.

Mr. STEVENSON asked whether the Minister for Lands would answer the question whether he had asked any other gentleman to take the situation Mr. Rankin had refused, or intended to ask anyone to take it before the Bill passed?

The MINISTER FOR LANDS said he did not intend to answer any puerile questions of that kind.

Mr. STEVENSON said the hon. gentleman had told them that Mr. Rankin's reason for refusing was that he could not leave New South Wales. They could believe that or not; he did not believe it was Mr. Rankin's reason at all. The Minister for Lands had made this offer to Mr. Rankin without the slightest authority, before he knew whether the Bill would pass or not. He had gone out of his place there, and they should have some guarantee that the hon. gentleman would not pledge the colony or the present Ministry to offer to any person billets which had not been authorised by the House. The matter was a very important one, and they should have an answer from the Minister for Lands as to whether he intended to offer the appointment to any other gentleman, not only before the Bill passed both Houses, but before it had received the assent of the Governor. He intended to have an answer before the clause passed.

HONOURABLE MEMBERS: Question!

Mr. STEVENSON: You may "question" as much as you like.

Question put.

Mr. STEVENSON: I want an answer to my question. If the Minister for Lands will not answer it, the clause will not pass.

The PREMIER said that the hon. member must know perfectly well that it was quite impossible to answer a question of that sort. When the Bill approached its passage, which he trusted would be before very long, the Government would have to make arrangements for working it. They could not wait till it had passed before they commenced to make their preparations; and the time for doing so must be left to the Government. It might be a week before it went to the Governor, or a fortnight, or it might be three weeks.

Mr. STEVENSON said that, notwithstanding the legal mind of the hon. member, he would ask the Minister for Lands another question, which he could put in quite as legal a form as the hon. the Premier's remarks. Supposing Mr. Rankin had accepted the appointment, and the Bill did not pass, what position would the colony and the Treasurer have been in then? They would have had to pay Mr. Rankin £1,000 for the year.

Mr. LISSNER said that there was one question—and he thought only one—which had not been asked about the members of the board. It seemed that they must not enter Parliament; they must not be members of the House of Lords; they must not be directors of a bank, or members of any syndicate; they were tied down in every possible manner; and the question he wished to ask was—supposing a single gentleman took office under the clause, would it be allowable for him to get married?

The MINISTER FOR LANDS said that was a much more sensible question than the other one. He did not know that there would be any objection to the members of the board marrying.

Mr. LISSNER: Thank you. Under those circumstances I can recommend the position to some of my single friends.

Question put.

Mr. STEVENSON said he had not received an answer to his question, and he intended to have it answered.

Question put.

Mr. STEVENSON said he wanted an answer to his question. The hon. gentleman might think he was a little god almighty; but he would have an answer before the clause passed. He did not care what the hon. member thought about himself; he knew quite as much about the forms of the Committee as the hon. member did. The hon. member had taken an extraordinary step in offering the appointment to a gentleman in New South Wales before ever the Bill was introduced in committee, or got the sanction of the House in any way whatever. He had passed over gentlemen in the colony quite as capable of taking the appointment as Mr. Rankin, and the Committee should know whether he intended to offer the post to any other gentleman in Queensland or New South Wales, before the Act passed both Houses of the Legislature and got the assent of the Governor.

Mr. MIDGLEY said he was really astonished——

Mr. STEVENSON: You may be astonished. I know as much about it as you do.

Mr. MIDGLEY said the hon. member had made a remark about the Minister for Lands; but it could be more appropriately said that the hon. member was putting himself in the position of a big "god almighty" in the Committee. If the hon. member was going to buy a station, would he think of making his arrangements without casting about for some man to take charge of it? Would it not be one of the primary considerations that a man going into such an undertaking should look about for a suitable man to take charge of the property? The offering of the appointment was contingent upon the office being made, and unless the office was made and created, then the man would have no billet. He really hoped that the hon. member would withdraw the question, for his action reminded one of the absence of the hon. member for Balonne. The hon. member seemed to have taken up that gentleman's mantle in a very objectionable way. He ought to let the matter drop.

Mr. STEVENSON said he did not like to say too much to a gentleman who was a new member of the House.

Mr. MIDGLEY: Say what you like.

Mr. STEVENSON: Sometimes the hon. member took upon himself to lecture hon. members who knew a great deal more of the forms of the House than he did. He had a very high opinion of the hon. gentleman, and he did not wish to say anything against him. At any rate, looking at the question in the way it had been put, if he had any intention of buying a station he would do so contingent upon certain things taking place. They had had no such statement from the Minister for Lands; they had been distinctly told that he had offered a certain appointment to a certain gentleman.

The MINISTER FOR LANDS: Contingent upon this Bill becoming law.

Mr. STEVENSON: The hon. gentleman never said a single word of the sort. He (Mr. Stevenson) simply wanted to know from the Minister for Lands whether the appointment had been offered, or was to be offered, to anyone else, and the hon. member could easily reply to that in the affirmative or negative. Considering that a gentleman in New South Wales had been offered the billet, it was time that they should have further information. If the hon. member would give a straightforward answer he would be satisfied.

Question put.

Mr. STEVENSON said he would sit up all night if necessary, and make the Minister for Lands answer him. Would the hon. gentleman answer his question, whether he intended to ask any other gentleman to accept an appointment under that clause of the Bill?

The MINISTER FOR LANDS: Of course I do, contingent upon the Bill passing.

Mr. STEVENSON: I knew I would make you answer me.

The MINISTER FOR LANDS: You were told so some time ago.

Clause put and passed.

On clause 13—"How member of the board removed from office"—put.

The HON. SIR T. McILWRAITH said he thought the clause deserved consideration from the Committee and some explanation from the Minister for Lands. He did not know whether hon. members had considered it, but it read as followed:—

"The members of the board shall hold office during good behaviour, and shall not be removed therefrom unless an address praying for such removal shall be presented to the Governor by the Legislative Council and Legislative Assembly respectively in the same session of Parliament.

"Provided that at any time when Parliament is not sitting, the Governor in Council may suspended any member of the board from his office for inability or misbehaviour, in which case a statement of the cause of suspension shall be laid before both Houses of Parliament within seven days after the commencement of the next session thereof.

"If an address shall during that session be presented to the Governor by the Legislative Council or Legislative Assembly praying for the restoration of the suspended member to his office, he shall be restored accordingly; but if no such address shall be presented, the Governor in Council may confirm such suspension, and declare the office of the member to be, and the same shall thereupon become and be vacant as if he were naturally dead."

Such a power should not be given to the Legislative Council. If hon. members considered the position, would they deliberately give the Legislative Council the same power as the Legislative Assembly of this colony? — give them power beyond that of the Ministry and beyond the House of Assembly? Hon. members of that Assembly were the governors of the colony! The members of the Legislative Council had a great deal of power, but surely it was never intended to delegate such a power as that proposed to them —that in spite of the opinion of the representative branch of the Legislature, and in spite of the Ministry, they could replace one of those men in his position. He would like to hear some explanation of the clause.

The PREMIER said the hon. member forgot that the same tenure of office was given to other very high officers of State. It was the same tenure as the Auditor-General held, who was a parliamentary officer; and the clause appointing that gentleman was framed in exactly the same words. He held his office independently of anyone but the Ministry, and could not be removed except by consent of both Houses of parliament. The judges of the Supreme Court held office under a similar tenure, and that was the only way in which to make such officers absolutely independent. The same principle prevailed with regard to Bills which must be assented to by both Houses of Parliament before becoming law. The Legislative Assembly might be of opinion that a change of law was necessary, yet the other House could veto any measure passed by them, as they had seen even during the present year. The board was to be independent of the caprices of the Ministry of the day, and that was the only way of making them independent.

The HON. SIR T. McILWRAITH said he was aware the Auditor-General's tenure was the same, but he was not sure of the judges.

The PREMIER: There is no provision for the suspension of the judges.

The HON. SIR T. McILWRAITH: Then the hon. gentleman should not have quoted it as a case in point. They should not put themselves in this position: that the Government, having decided that these land officers should be dismissed, and the House being of the same opinion, the Upper House could come in and say, "We are not of your opinion, and these men shall be kept in office." The power of doing that sort of thing was taken from the Upper House a long time ago. In 1869 it was taken from them, when the power of the Council to deal with the lands of the colony was removed. When lands were resumed under the 1868 Act, the resumption had first to receive the sanction of the Assembly and Council; and in 1869 the Assembly recon-

sidered the whole position, and they agreed that if the Assembly and the Ministry consented to the resumption of land it was to be resumed accordingly. The Upper House had now nothing whatever to do with the resumption of land. But here, in a case of quite as great importance, they were actually giving them back their old function in a more objectionable form. If the Ministry and the Legislative Assembly considered that a member of the land board had not performed his duties properly, and deserved dismissal, the Legislative Council could step in and say that he should not be removed.

Mr. FOOTE said he thought the clause somewhat ambiguous with respect to the Legislative Council. It seemed to give them too much power, and he agreed with the leader of the Opposition that the matter should be left to the Legislative Assembly. It would be an amendment to the clause if the words "Legislative Council" were omitted from it whenever they occurred.

The PREMIER said that that would reduce the members of the board to the position of Civil servants, because, if the Government made up their minds to dismiss an obnoxious member they could command a majority of the House to do so. If the Government dismissed the board, and the House censured them for doing so, it would become a question whether the board or the Government should be turned out. In cases of that kind the independence of the board would be altogether gone.

Mr. KELLETT said that according to the clause a member of the Board could only be removed by the consent of both Houses, but he could be restored by either the Legislative Council or the Legislative Assembly. Supposing the opinion of the Council differed from that of the Assembly, what would be the result? The dismissed member of the board would be restored, quite independent of the Assembly. If it was necessary for both Houses to concur in the dismissal, both Houses should concur in the restoration to the office.

The PREMIER said the theory was that the members of the board could not be removed from office except by the consent of both Houses. Power of suspension must of course be given, because it might happen that during the recess an officer might be guilty of gross misconduct, might become incompetent, or a drunkard; or a number of other things might happen which would render it absolutely necessary to suspend him. If the power of removal was left with the Assembly alone, the members of the board would be no more than ordinary Civil servants. If it was intended to establish the independence of the members of the board, the only system that could be devised was that adopted with regard to the judges and the Auditor-General.

Mr. GROOM asked if he understood the leader of the Opposition to say that power was taken away from the Legislative Council in 1869 with regard to the resumption of land?

The HON. SIR T. MCILWRAITH: Yes.

Mr. GROOM said the hon. member was wrong. The 56th clause of the Pastoral Leases Act of 1869, provided that six months' notice should be given to the lessee of the intention of the Government to resume, and that a schedule of the land so resumed should be laid on the table of both Houses of Parliament, and if not dissented from by resolution of both Houses, the resumption was to take effect. The House had never waived its right of inviting the co-operation of the other branch of the Legislature. He entirely agreed with the principle of the clause now under discussion, although there was something in what the hon. member for Stanley pointed out, but that could be amended by making the words in the 3rd paragraph read "Legislative Council and Legislative Assembly" instead of "Legislative Council or Legislative Assembly." As the clause stood at present either House could upset the decision of the other.

Mr. MACDONALD-PATERSON said that by the clause the members of the board held office during good behaviour, and could only be removed on an address presented to the Governor by the Legislative Council and the Legislative Assembly. The removal, therefore, depended on the action of both Houses. Turning to the 3rd paragraph of the clause, it was provided that if an address be presented to the Governor by the Legislative Council or the Legislative Assembly, praying for the restoration of the suspended member to office, he should be restored accordingly. He had always understood that the word "or" had quite a different meaning from the word "and." It really meant that one House or the other should be sufficient to restore the suspended man to his office, although both were required to agree to his removal. It was quite possible that an address from the Council would override one from the Assembly, and then who was to step in? He agreed with the remarks of the hon. members for Stanley and Toowoomba.

The HON. SIR T. MCILWRAITH said the Premier's argument was sound, granting that his theory was correct, that removal could only take place with the consent of both Houses of Parliament. If the Council objected the removal could not take place. The hon. gentleman's argument was nothing to the purpose at all, because it was his premises he disputed. He said that such power should not be given. He did not think this officer ought to be employed on the understanding they should get the consent of both Houses of Parliament. Surely if the Ministry took it upon themselves they could appoint this man without the approval of the Upper House at all. It was a little too absurd; it rested with the Assembly and Ministers, and what had the Upper House to do with it?

The PREMIER said that the first question was, what was to be the tenure of office of these officers? Were they to be in the position of ordinary Civil servants, amenable to the Government of the day, liable to be dismissed when they displeased the Government of the day; or were they to stand between the Government and the people of the country as an independent power? That was the question. It was an essential part of the functions of the board that they were to be independent—not afraid of offending the Minister for Lands. That was to be the usefulness of them. He knew that the hon. gentleman (Sir T. McIlwraith) did not believe in them; that he wanted to get rid of them, to weaken their functions, and to subject them to the Minister, and to put them in the same position as any other Civil servant, and to control the board as the Minister pleased. The hon. gentleman was therefore logical in objecting to give the Legislative Council power to *veto* their removal; he wished the Minister of the day to have the power to dismiss those members of the board. He (the Premier) argued on the assumption that the Committee agreed they ought not to be dismissed merely by the Minister and a majority of the Assembly, which he must have unless he was prepared to go out of office himself. There were two positions for hon. members to choose between. The premises of the Government were that the members of the board were to be independent of the Government, and were not to be removed except for misbehavour established to the

satisfaction of both Houses of Parliament. The other premises were that they might be removed at the Minister's will if they did not do what the Minister wanted them to do. Which position should they take? If they took the position of the hon. member, both Houses should concur in the removal of suspension, but if they intended that they should not be removed except by the consent of both Houses, not merely of a Ministry which had a majority in that House, they must give the Legislative Council equal power to remove the suspension, because otherwise the removal from office would take effect with the concurrence of one House only. Suspensions were temporary removals, but were not to take effect as a permanent removal unless both Houses concurred. That was the scheme of appointment. If they did not concur, there must be an expression of their opinion. A possible scheme would be for the Government, after suspending a member of the board, to propose in both Houses an address for the removal of the member from the board, and if either House refused to pass the address the removal would not take place; but he thought the scheme proposed in the Bill was a simpler one.

Mr. FOOTE said that the gentlemen occupying positions on the board would certainly be in the power of the Ministry; and of course that was not contemplated. He did not read it in that way in the first case, but he was fully satisfied with the explanation given by the Premier.

Mr. MIDGLEY said he quite saw the force of the explanation given by the Premier. The danger and evil of wrongfully removing a member of the board might not be any greater than the danger and evil arising from that man persistently remaining in his position. There might be no greater danger or evil in the power of that House of itself removing a member from the board than in the other House possessing the power to keep him in his position, perhaps against the expressed will of that House. The other Chamber was a nominee Chamber, and that was a representative Chamber, and it might even be possible for a general election to turn on the desirableness of some radical change in the administration of the land laws by the land board, and a majority might be returned on some particular question affecting the lands, and yet the members of the board could remain in office in spite of a majority of that House, returned by the people on that very question. That was a feature of the case to which he asked the attention of the Committee.

The HON. SIR T. MCILWRAITH said he thought the Premier had no right to attribute unworthy motives to him for the ground he had taken up in the matter. He had done all he possibly could to induce the Committee to take a different view from that taken up by the Ministry; he had fought them as long as he could in argument and he had been defeated; but the Premier still considered that because he (Hon. Sir T. McIlwraith) had not carried his way, he was going to move an amendment to disturb the Bill and impair the usefulness of the board. It was unworthy of the Premier and of any man in his position to attribute such motives to him. He had opposed the Premier fairly and strongly, and he thought it was most unworthy of a man with such a majority behind him to say that he (Hon. Sir. T. McIlwraith) would use any weapon to disturb the Bill. His most earnest motive had been to try to do everything he possibly could to make it a good Bill. He was not satisfied with the explanation of the hon. Premier; it might satisfy the hon. member for Bulimba, and he was logically correct in his premises, but he disputed those premises. He said it was not a proper position that those officers should be in, to be removed by the consent of both Houses, because it involved the possible evil that they might be keeping the land board in office in spite of the representatives of the country—which was that Assembly—and of the Ministry which was in power. That was as plain as possible. The contingency might happen that the Ministry might dismiss or suspend those officers. That Chamber might decline to disapprove of the action of the Government; and the other Chamber might keep those officers in their positions against the opinions of the Ministry and representatives of the people. That was his objection, and it went to the foundation when he said that he disputed the Premier's premises.

The PREMIER said he did not understand what the hon. gentleman meant by stating that he had attributed unworthy motives to him. He attributed to him a consistent determination that, so far as he was concerned, the responsibility of administering the Act should rest with the Ministry, and that the board should be subordinate to them. He attributed that to him, and if the hon. gentleman considered that an unworthy motive he did not understand him. He did not seem to be in earnest over the matter. The proposition he made was to make the board just as subordinate to the Ministry as any Civil servant, and in no respect different.

Mr. MACDONALD-PATERSON said that the explanation given by the Premier was fairly satisfactory, and threw a light which should have been thrown upon the clause when the Minister for Lands moved it. An important clause such as that should not have been moved *pro formâ;* it should have been supported by reasons given by the Minister. Those were the clauses which resulted in a long discussion which might very well be avoided altogether. Such a clause should have had more attention from the gentleman in charge of the Bill.

Mr. PALMER said it was very evident to him, from what had fallen from the Minister for Lands and the Premier, that members of the proposed board were absolutely under the control of the Minister for Lands. It was admitted by the Premier——

The PREMIER: Not as the clause stands.

Mr. PALMER said the Governor in Council, which meant the Ministry, had power to suspend any member of the board. If the Government could do that, for the time being the man might consider himself virtually dismissed. That was the way he looked at it. The members of the board were as much under the thumb of the Ministry as they possibly could be.

Mr. CHUBB said he did not think that the pain of suspension should hang over a member of the board for a whole session; he might be suspended directly after the Parliament went into recess, and the officer would have to wait before he knew whether he was to be dismissed or not. Some limit should be put in, say "one month," after the word "during" in the 6th line.

The PREMIER said that before the amendment was put formally he would point out a difficulty that might arise, as in the case of the first session of a parliament. Suppose the House only met for two or three days, and then did not meet again for two months? That was a thing that frequently happened, as in 1874, 1879, and 1883.

Mr. MIDGLEY said he would like to suggest to the Government the expediency of giving a little more time to think over the matter. He was not so easily convinced as the hon. member for Bundanba. His reason

was that the appointment of the two first men to that position would be in the hands of the present Government. The Minister for Lands would give the gentlemen who were taking the office some idea of their duties and what was expected of them, and the spirit and temper in which they were to administer the Act. They might have every confidence in the instructions that were given to them; but those men might die, or be removed from office, and some other Government might come in; and that board might go on administering the Act in a manner which was not in accordance with the times or with what the country should be receiving in the shape of rent, knowing that they were fixed in their position because they were backed up by the nominee chamber. He did not know how he should vote on the subject. It was a thing upon which they should have twenty-four hours to think.

Mr. FOOTE said that if they were going to think for twenty-four hours over every clause in the Bill, it would not pass that session. It had been a long time before the Committee and had been read and re-read, and surely a trifling matter of that sort did not require twenty-four hours to consider; for the hon. member to ask the Committee to stop because he had not considered the clause was perfectly absurd.

Mr. MIDGLEY said he had to thank the hon. member for Bundanba for suggesting those mischievous thoughts to him. The hon. gentleman had given a new colour to the whole thing, and had it not been for his wise suggestions or inquiries about the matter, he (Mr. Midgley) should probably have had little or nothing to say.

Mr. FOOTE said he was sorry that the hon. gentleman was so easily moved.

The PREMIER said the object of the hon. member for Bowen might be arrived at by saying, "within fourteen days after the first sitting day."

The HON. SIR T. MCILWRAITH said there might be fourteen sitting days before the Government put the papers in connection with a suspension before the House. As to the hon. member for Bundanba, it was the extraordinary easy way in which he was brought over to new opinions himself that made him rise so often.

Question put and passed.

Clause 14—"Appointment of deputy"—passed as printed.

On clause 15, as follows:—

"The board shall have a seal of office which shall be judicially noticed in all courts, and shall from time to time hold public sittings in Brisbane or elsewhere, to be called 'land board courts,' at which all business required by this Act to be transacted by them in open court shall be transacted."

Mr. PALMER said he saw the board were to have a seal of office. He did not know what superscription was to be upon it, but he thought it would be a good thing to have a photograph of the Minister for Lands upon it. He seemed very anxious in his endeavours to get them to believe that that Land Bill was an emanation from his own brain, and flew from it full fledged, as he heard Minerva did from the head of Jove. He thought, therefore, his suggestion would be considered a good one.

Mr. NORTON said, in connection with the courts held by the land board, if, for instance, they had to inquire into a case arising at Normanton, and the witnesses in the case had to come down to Brisbane, it would create a great deal of unnecessary work, and would entail a great deal of unnecessary expense.

The MINISTER FOR LANDS said the commissioner of course dealt with most of the cases in his district; but there might be matters referred to the board down here, and it might be necessary to have some of the witnesses brought down to deal with it. There was no way of avoiding that unless the board travelled about to deal with the different cases in different parts of the colony. It would be less expensive if the witnesses were brought down than that that should be the case.

Mr. CHUBB said there was a third way, and that was the way adopted by the Supreme Court when it was concluded to have the evidence of witnesses living at a very long distance from the court. They had their evidence taken by commissioners.

Mr. NORTON said that in cases originated by the Government or by the board, where the witnesses were brought to Brisbane from long distances, they ought, under the circumstances, to have their expenses paid by the Government. It would be a great hardship, in many instances, if that were not done, and yet he saw no provision for anything of the kind being done.

The MINISTER FOR LANDS said the suggestion made by the hon. member for Bowen would get over the difficulty, though he did not anticipate that many cases of that kind would occur. By taking evidence by commissioners it would save the board a good deal of trouble.

The HON. SIR T. MCILWRAITH said the hon. member might say it was not intended that the court should travel, but it would be a great deal a better court if it did travel. It was better that the court should travel than that they should send commissioners all over the colony to take evidence in order that the court might never stir out of Brisbane. He should like to know what was the business which the board would have to transact in open court?

The PREMIER: That is in the 16th and 17th sections.

The HON. SIR T. MCILWRAITH said he wished the hon. gentleman would tell the Committee exactly what business would have to be transacted in open court. There was the inquiry and appeal in the 16th section, and the matter of assessment and compensation in subsections 2 and 3 of section 17. Was that all?

The PREMIER: That is all.

The HON. SIR T. MCILWRAITH: So that the board only held a court for appeals, inquiries, and matters of assessment and compensation. He had looked through the whole Bill to see what transactions by the board were to be transacted in open court, and the only clauses referring to them were clauses 16 and 17.

The PREMIER: That is all.

The HON. SIR T. MCILWRAITH said that reduced the work to be done by the board in open court to a very small amount indeed. It did not give that publicity to the actions of the board which the Committee expected. He knew he was led to expect that the whole of the important business of the board would be transacted in open court.

The PREMIER said the judicial business would be transacted in open court; but the purely administrative business would not. The 16th section dealt with inquiries or appeals held by or made to the board; that was judicial business, and the board would have to take evidence in open court. Then the valuation or assessment would, to a certain extent, be a judicial duty, and that would be disposed of in open court; but there was no reason why the recommendations for throwing land open should be heard in open court.

Mr. GROOM said the 21st and 22nd clauses provided for a commissioner's court.

The HON. SIR T. McILWRAITH: That is a different thing.

Mr. GROOM said that it was provided that no decision of a commissioner should be final unless it had been confirmed by the board.

The HON. SIR T. McILWRAITH: There is no provision there for it to be made in open court.

Mr. GROOM said he entirely agreed with what had been said about the land board not always sitting in Brisbane, and he hoped provision would be made for facilitating persons having their cases adjudicated. That was one of the reasons why he advocated boards. He believed there ought to be a board in Townsville, another in Rockhampton, another in Charleville, and places of that kind. In that way a great deal of good might result from the administration of the Act. As it was now, the board would be confined to two persons sitting in Brisbane or elsewhere. He was sorry that the Minister for Lands was going to confine it to Brisbane. It would be better if the board could visit different localities where duties arose in connection with the Act, and where they would be able to supply themselves with local information, just as juries of the Supreme Court did sometimes when they visited localities. The operation of the Act might be extended to the South Australian border, and if so, the distance which witnesses would have to come would be enormous. He certainly hoped that the Minister for Lands would see his way clear to allow the board to go into the country and see localities for themselves.

Mr. NORTON said he thought the board should adjudicate in different places. The 18th section provided that, whenever any dispute arose as to the boundaries of any holdings, it should be determined by the board. He did not see how the board would be able to do that. There would be a good many boundaries of different selections under the Act, and it would be absolutely impossible for the board to get their work done if they were to inspect those boundaries. That, he thought, was why the leader of the Opposition had proposed to appoint local boards, which could have inquired into local cases. Now, all those matters were to be left entirely in the hands of the commissioners; and they all knew the time that was occupied in cases where two men sat in open court and took formal evidence. He did not see how it could possibly be done. But he had not received an answer to the question he raised a short time ago as to the payment of expenses. Supposing a question was raised by the Government, and it was decided in favour of the other parties, they would have been brought to Brisbane against their will; and yet there was no provision for the payment of their expenses. He thought that would be very hard on them. The 17th clause provided that, whenever it was necessary to determine the amount of any rent or compensation, the board would require the commissioner to furnish them with a valuation and report; and the pastoral tenant or lessee would also be required to furnish a like valuation or claim. Then, in the 3rd subsection, it was provided that the board should hear the case in open court. That was very desirable. There was no reason to suppose that the commissioners under that Bill would be any better than any other commissioners, and it was well known that, while some of the commissioners did their duty conscientiously, others did not. If the commissioner made his report without having gone carefully over the country it was very likely that the lessee would have a good case. If he showed that the commissioner had done his duty, then the board would take the matter into consideration, and deal with it more favourably than if the commissioner had not attended to it at all; and although the case might be at his own request he would be forced to come down. If the case was decided in his favour he was put to expense through the fault of the commissioner. Surely that was not the intention of the Minister for Lands in proposing a clause of that kind.

Mr. STEVENSON said he did not like the clause; he thought it was misleading, and that the proposal was centralisation in every sense. Then, as the hon. member for Port Curtis had pointed out, there were many cases where persons might be brought down in connection with cases, and there was no provision for the payment of their expenses. The Minister for Lands knew perfectly well that, in regard to the notices of the stoppage of runs, lessees had gone to great expense to prove that they had stocked their runs; and the hon. gentleman might give notice in the same way in regard to fencing. Those men might have to go to very great expense to come down, and if they were in the right was the Government to pay their expenses? He did not think they should have to incur all that cost, unless some provision was made for their expenses. If the land board were to consist of only two men, it would be better that they should go up north or south than that a dozen witnesses should be brought down to prove a case here. If the hon. gentleman wished the court to be in Brisbane only he should say so, and not mislead them by putting in the words "or elsewhere." The hon. gentleman had explained that he expected the whole of their time would be occupied in Brisbane; but it would be very hard on a great many people if they had to come to Brisbane from the far North to prove a case in connection with these land boards; and even if the Government were shown to be in the wrong, to bear the whole of the expense themselves. The hon. gentleman should surely make some explanation with regard to that.

The MINISTER FOR LANDS said that he proposed to add to clause 16 a power to the board to make an award for costs in any case. As to the place of holding the court the Minister for Lands would have power to direct it to be held in any place; but assuming that the time of the board would be fully occupied in Brisbane, it could not be said definitely that they could hold courts elsewhere. He did not quite agree with the hon. member for Port Curtis, that the court would never have any spare time, but he did not expect they would be able to go away to the far North, except very occasionally.

Clause put and passed.

The MINISTER FOR LANDS proposed that clause 16—"Powers of board"—stand part of the Bill.

The PREMIER said that he should propose in that clause amendments in accordance with suggestions which had been made. He should propose to amend the last paragraph, to read thus:—

"Every such inquiry and appeal shall be heard and determined, and the decision thereon shall be pronounced in open court."

There would also be a new paragraph to the following effect:—

"The board may make such order as they think fit as to the costs of any inquiry, appeal, or dispute heard and determined by them. Any such order may be made an order of the Supreme Court and enforced accordingly."

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

ADJOURNMENT.

The PREMIER, in moving the adjournment, said that the matters reported by the Clerk of the Parliaments would stand at the head of the business-paper for to-morrow, and when they were disposed of the discussion on the Land Bill would be resumed.

The House adjourned at twelve minutes to 11 o'clock.