Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 8 OCTOBER 1884

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LEGISLATIVE ASSEMBLY.

Wednesday, 8 *October*, 1884.

Petitions.—Suspension of Standing Orders.—Supply—resumption of committee.—Ways and Means—resumption of committee.—Appropriation Bill No. 2, 1884-85.—Crown Lands Bill—committee.—Native Labourers Protection Bill.—Health Bill.—Adjournment.

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

PETITIONS.

The HON. R. B. SHERIDAN presented a petition, signed by between 2,000 and 3,000 citizens of Maryborough and Gayndah, praying for a line of railway to be constructed between Maryborough and Gayndah.

Petition read and received.

The HON. B. B. MORETON presented a petition, signed by 170 residents of the town of Gayndah and the surrounding districts, praying for a railway between Gayndah and Maryborough, *viâ* Kilkivan.

Petition read and received.

The PREMIER (Hon. S. W. Griffith) presented a petition from the municipal council of Brisbane, relating to certain provisions in the Bill to amend the Jury Act now before Parliament.

Petition read and received.

SUSPENSION OF STANDING ORDERS.

The COLONIAL TREASURER (Hon. J. R. Dickson) in moving—

That so much of the Standing Orders be suspended as will admit of the reporting of resolutions of the Committee of Supply and of Ways and Means on the same day on which they shall have passed in such Committee; also, of the passing of a Bill through all its stages in one day—

said: I thought this motion would go as formal after the explanation made by the Premier on moving the adjournment of the House last night, when he informed hon. members that it was the intention of the Government to ask for Supply to the extent of £200,000. Hon. members are aware that we have had one Supply Bill already this session to the amount of £250,000; but that sum is nearly exhausted, and the present Bill will provide for departmental requirements up to the middle or end of November. Had it not been for the information given by the Premier last night, I should not have wanted the motion to be formal.

Question put and passed.

SUPPLY—RESUMPTION OF COMMITTEE.

On the motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of Supply.

The COLONIAL TREASURER moved—

That there be granted to Her Majesty, for the service of the year 1884-85, a sum not exceeding £200,000, towards defraying the expenses of the various departments of the service of the colony.

Question put and passed.

On the motion of the COLONIAL TREASURER, the CHAIRMAN left the chair and reported the resolution to the House.

The report was adopted, and the Committee obtained leave to sit again to-morrow.

WAYS AND MEANS—RESUMPTION OF COMMITTEE.

On the motion of the COLONIAL TREASURER, the Speaker left the chair, and the House resolved itself into a Committee of Ways and Means.

The COLONIAL TREASURER moved—

That towards making good the Supply granted to Her Majesty for the service of the year 1884-85, a sum not exceeding £200,000 be granted out of the Consolidated Revenue Fund of Queensland.

Question put and passed.

On the motion of the COLONIAL TREASURER, the CHAIRMAN left the chair and reported the resolution to the House. The report was adopted, and the Committee obtained leave to sit again to-morrow.

APPROPRIATION BILL No. 2, 1884-85.

On the motion of the COLONIAL TREASURER, a Bill to give effect to the foregoing resolution was introduced, passed through all its stages, and ordered to be transmitted to the Legislative Council for their concurrence, 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 for the further consideration of this Bill.

Mr. DONALDSON said he had a new clause which he proposed to be inserted in the Bill, to follow clause 19, and which he would read for the the information of hon. members; it was as followed:—

There shall be a local land board for every land district, and the members of such board shall not exceed three in number, and shall be appointed by the Governor in Council. Every 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 directly or indirectly interested shall be liable to a penalty not exceeding five hundred pounds.

The commissioner of the district for the time being shall be the chairman, *ex officio*, of the local board.

Every local board shall have and exercise the powers and duties hereinafter prescribed.

He should have preferred that the Bill had some provision such as that in the New South Wales Bill, by which local land boards were appointed for various land districts of the colony, and their decision should be remitted to the Minister. However, as the Committee had committed itself to the land board, he would propose his amendment. He thought it would have good effect in the various districts, and he would state a few of the reasons he had for saying so. He thought it was quite possible that members of a board living in the district would have far better knowledge of that district than strangers would, who might only visit it from time to time. Therefore in most of the cases which came before them they would be in a position to give a fair and just decision. And again it would have this effect: that instead of one man being appointed to give very important decisions there would not be less than three to do so.

The PREMIER: Does that include the commissioner or exclude him?

Mr. DONALDSON said he intended it t include the commissioner. He thought that in numbers there was general safety, and for that reason he should like to see his amendment take the place of clause 20 in the present Bill.

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

The MINISTER FOR LANDS (Hon. C. B. Dutton) said that the amendment just proposed by the hon. member for Warrego was far too much like the amendments disposed of on the previous night. It had all the objectionable features—at least it had some of the objectionable features that distinguished the local land boards elected by the ratepayers, inasmuch as the members had local reference and were to be appointed by the Governor in Council. It said that—

"Every local board shall have and exercise the powers and duties hereinafter prescribed."

He presumed those were the duties laid down in the Bill for the commissioner to deal with, which were very important, and were of various kinds. For instance, the local board would be required to report upon any matters of the division of runs, and possibly they were neighbours and friends who lived in the same district. That was one of the duties, and then they had to value improvements for compensation and rents, and the value to be paid. That they should take part and be directly interested while having to deal with the case of their neighbours, friends, and relatives, and those in the district in which they were acting, he thought was a duty they ought not to perform. It should be kept out of the hands of the people interested in dealing with those things, and be placed in the hands of an independent person. Then they would have to inspect all fulfilment of conditions of fencing or improvements. There was no case where they were called upon to perform a duty that might not conflict with the surroundings. That men whose interests or associations were directly connected with the whole of the people of the district should be allowed to deal with matters of that kind went as close home to them as they possibly could. Though they had no direct interest in the matter they were likely to have an indirect interest in it, and who was to ascertain that? Then they had to inquire into any violations of the Act, and surely, if their friends were concerned in any violation, they were not likely to take a lively interest in bringing them to book for such violation. He thought it would be rather the reverse—that they would shield them as often as they could. Then in clause 68 the commissioner had to inquire whether the conditions to acquire the fee-simple of a holding in agricultural areas had been fulfilled. And there again the interests of the local board would conflict with the discharge of their duties. They also had to take action against the Crown tenants in connection with the occupation of Crown lands, and there again the same thing would apply. He had expressed his opinion of the evil effects likely to result from the appointment of an elective local board, and they would be greater than in the case of a nominee board, inasmuch as they would be men who were local residents who were interested in the matters carried on, and therefore unfit to deal with the matter which would come before the board—not directly interested, but through their friends and neighbours. Another objection was equally as important as any of those he had mentioned, and that was that they would be nominated also by the Minister, and would have to do duties which would be very difficult

for the board to deal with afterwards, because they had been guided by the reports of the commissioner; and they would have to report upon matters in which they were more or less interested themselves.

Mr. MOREHEAD: The commissioner is nominated by the Minister; you forget that.

The MINISTER FOR LANDS said the commissioner would have no interest in the district. He would be quite free from any interest whatever. The commissioner would be simply a cypher in the hands of four or five members of the board, unless he was a man of very extraordinary force of character. He would be in a minority in any case.

The HON. SIR T. MCILWRAITH: Speak to the amendment; the amendment says "two."

The MINISTER FOR LANDS said the objections he had raised to the local board, as proposed in the amendment disposed of last night, were also applicable to the present amendment.

Mr. GOVETT said he very much regretted that the Minister for Lands could not accept the amendment, because it would be the very best thing for the country if there were a local board; and as to the Governor in Council having to appoint men who were directly interested, that did not follow at all, any more than the commissioner, as he might appoint men who might live outside the district. If a commissioner could be appointed, surely two other men might be found equally free from any feelings of the nature suggested by the Minister for Lands! He was certain that a board of that kind would be very much to the benefit of *bonâ fide* selectors—people who wanted land really for *bonâ fide* purposes. He was sorry the hon. gentleman could not accept the amendment of the hon. member.

The HON. J. M. MACROSSAN said he had been trying to school himself into the belief that he had been mistaken in the Minister for Lands in regard to the Land Bill, but he had no hesitation in saying that he had never met, during his ten years' experience in the House, any member —save one, who had happily left the House—who was imbued with such blue-blooded Tory sentiments as the hon. Minister for Lands. The hon. gentleman seemed to be opposed to every kind of representation, unless actual despotism—that was, the representation of the powers that be. Last night he heard him deliver a speech which, fresh as he was from reading the debate in the House of Commons on the Irish Land Bill, reminded him very strongly of what was urged against that Bill by the most Conservative member—namely, "You have made a bargain, and must keep to it; if you die for it, you must stick to it." The hon. gentleman had said he did not believe in elective land boards, and now he said that he did not believe in nominee boards. He believed in nothing but boards of his own appointment. He (Hon. J. M. Macrossan) was disgusted with hon. members on that side of the Committee, especially with the Ministry, who dared to bring such a man into the House as a member of a Liberal Ministry. The thing was utterly intolerable. It was only the faith of the most believing disciples that would make Liberal members on that side follow him in his antagonism to every true liberal sentiment in regard to the administration of the lands of the colony. The hon. gentleman said that members of the board, as proposed by the hon. member for Warrego, might be interested, but they might also be disinterested as well as interested. The commissioner whom he would appoint might also be interested. It did not necessarily follow that, because the hon. gentleman was a squatter, every member of the board should be a squatter also. That was the prevailing idea on the other side. The hon gentleman believed that every member of the board administering the Act would be a squatter——

The HON. SIR T. MCILWRAITH: And a scoundrel.

The HON. J. M. MACROSSAN said that "scoundrel" ran through the whole thing. The hon. gentleman believed that every man was dishonest.

Mr. MOREHEAD: Except himself.

The HON. J. M. MACROSSAN said that the hon. gentleman could not believe in honesty of purpose at all. He did not believe in nominees, and preferred an elective board; but the former was better than no local board at all. The hon. gentleman supposed that the nominees must necessarily be squatters, and would therefore have their friends' runs to decide upon—the division of runs. Were there no disinterested townspeople in the district? Were there no disinterested storekeepers? He could not attempt to answer the hon. gentleman; his ideas were too preposterous. The leader of the Government ought to be thoroughly ashamed at having such a man among his colleagues. The hon. gentleman said that the indirect interest of those gentlemen on the land boards would be such as would defeat the objects of the Bill. It was hopeless to expect that hon. members on the other side, whom they knew did not believe in the Bill, would break through the ring that had been drawn around them and express themselves and vote as they ought to do. It would be the case before the Bill became law; he was certain of that. Hon. members who were imbued with liberal principles—and there were many of them on that side—would see the fallacies contained in the Bill, and would see that the Minister for Lands was not the man to be depended upon to legislate for the good of the country.

The PREMIER asked what was the meaning of that tirade against the Minister for Lands—what was it all about? Of course it was very plain that there were several hon. members opposite who extremely disliked the Minister for Lands.

The HON. J. M. MACROSSAN: I do not.

The PREMIER said they disliked the idea of the land laws being administered in a way extremely beneficial to the colony. He hoped the power to deal with the lands of the colony as they had been dealt with in the past would for ever be taken out of the hands of any Minister for Lands, whether from hon. members opposite or from his own side of the Committee. He was surprised at the hon. member for Townsville affecting the indignation which he affected just now. He called it affected indignation because they knew very well how indignant that hon. member could get sometimes. They could, however, always distinguish between when he really felt indignant and when he only simulated indignation. He could tell the hon. member that his effort that afternoon was not successful. It had not the true ring about it. Why should the hon. gentleman get up and tell that Committee and the country that the hon. members on the Government side did not believe in that Land Bill?

The HON. J. M. MACROSSAN: Because I know it.

The PREMIER said the hon. member knew nothing of the kind, and he simply chose to make statements of that kind because he had heard them elsewhere. Hon. members on that side thoroughly believed in the principle of the Bill, although there were some minor details which many of them desired to see amended.

The hon. member had spoken as if a desire to amend a Bill in some particular indicated a disapproval of the principle of it, but he knew at the same time that that was a transparent fallacy. As he had said when he began—What was all that about? The Minister for Lands thought, as the Government thought, that commissioners such as they had had in the colony for some time would be better than commissioners assisted by two casual residents of a district. Where was there room for indignation about that? It had been the custom for the past sixteen years to have their land laws administered in different districts by a commissioner who was a permanent officer appointed by the Government. That system had worked, in the opinion of many persons, extremely well, and had been regarded by many of the other colonies as a better system than they had themselves. The Government thought that the experience of the past had shown that that was a good system, and they proposed to perpetuate it; and because they did so the Minister for Lands was abused as if he was the most Tory and Conservative person who ever sat in that House. He wondered that, during the sixteen years the system of commissioners had existed, and without objection, no complaint should have been heard concerning it, and that it should only now be considered the most Tory, Conservative, and objectionable system ever introduced into the country. Why was that idea only discovered that day? He thought there was something wanting in the hon. member's speech. The premises were wanting. He had come to a conclusion, but the premises he had favoured them with did not warrant it. What were his premises? They took up an intelligent position. They did not think there would be a sufficient advantage gained by appointing two persons to sit with the commissioner, or for having one commissioner and two assessors, as he understood the hon. member's amendment. Whether having one commissioner as at present, or one commissioner and two assessors, was the better scheme, was a matter which might be discussed without heat or indignation. In fact, he thought there was less room for heat in the discussion of that question than in the discussion of any other point in the Bill. Let them try to consider it from that point of view. As he understood the hon. gentleman, he proposed that the commissioner should be assisted by two others. He was not quite sure whether the hon. member intended that there should be a board of three, including the commissioner or exclusive of him.

The HON. J. M. MACROSSAN: He told you.

The PREMIER said he understood the hon. member to include the commissioner; to intend that there should be the commissioner and two assessors. Still he did not quite understand the hon. member's scheme. Did he mean that the board was to consist of three including the commissioner; and if so, could there be a quorum without the commissioner, or must the commissioner be always there. Again, he did not understand whether the hon. member intended that a matter should be settled by the majority, or whether the commissioner as chairman was to have a casting vote. Did the hon. member consider it necessary that the three members should always be present? He knew of many districts in the colony where it might happen that the three members would not always be present when a court was to be held. What was to be done then? Did the hon. member propose that a court should be held from month to month, and that the gentlemen appointed to assist the commissioner should be permanent and Government officers, as was the case in New South Wales or was there to be a kind of panel, from which members of the board would be selected from persons probably interested in the lands of the district? He could not quite understand what the hon. member's scheme was. The hon. member had not shown clearly what advantage was to be gained by having two persons to assist the commissioner. He could not understand either what were the functions in which the hon. member intended that the other members of the board were to assist the commissioner. Were they to be in respect to valuation, or simply in respect to dealing with applications to select, and inquiries into the performance of the conditions of the lease? So far as the administrative action of confirming an application was concerned he did not see what would be the use of the board, as, if the applicant could prove that he had complied with the law, his application would doubtless be accepted. If it was to be understood that those men were to sit with the commissioner to inquire into cases of dummying, he confessed that was a case he could not agree to leave in the hands of what he must call "casual residents." They had various boards in force now. In the case of one recently introduced—the Licensing Board—opinions differed as to how they worked. He did not know that a board such as the Licensing Board would be the best authority to inquire into the performance of the conditions of occupation. The hon. member had not shown that sufficient advantages would be gained by the appointment of two men to assist the commissioner, to justify the adoption of such a scheme. They had at present a system which, he ventured to think, had worked admirably. What reasons could the hon. gentleman urge for altering it? They had already disposed of the question of elective boards, and he thought it devolved upon those who proposed that scheme to assist the commissioner by others nominated by the Governor in Council, to give the reasons why they thought the commissioner should be so assisted.

The HON. J. M. MACROSSAN said he was not going to answer the hon. gentleman after the fashion that hon. member himself usually adopted in replying to another hon. member; but he was going to say this: that there was no affectation or insincerity about what he had said—neither one nor the other. He believed every word he had said. He believed the hon. Premier had alongside of him the most Tory Land Minister that that House ever possessed before, or he hoped ever would possess again. He said that, believing it to be true, and he was only judging the hon. gentleman by his own statement in the House. He knew nothing of the hon. gentleman otherwise than as a member of that House, and had never spoken to him except across the table of the House; and his opinions of him were entirely formed by the hon. gentleman's own statements in the Chamber. The Premier talked about the system of commissioners, and said that, if there was any fault in it, it would have been discovered long ago. He could tell the hon. gentleman this: that whatever maladministration there might have been under the Land Acts of the colony—he did not know how much or how little there might have been—but whatever there might have been, the commissioners were entirely to blame for such maladministration, for no Minister for Lands had ever done anything in the way of administering the Acts, rightly or wrongly, without consulting and having reports from the commissioners for lands. And yet the hon. gentleman considered it the best system that could be adopted. He (Hon. J. M. Macrossan) had never been Minister for Lands, and had never been a member of a Government that attempted to alter the land laws but if he had

been he should certainly have gone in for local land boards. He believed in local land administration the same as he believed in local administration in almost everything else. He thought it would be much better to assist and check the Minister for Lands by having two local residents who could prevent, to a very great extent, the evil he spoke of last night—that was, "peacocking" the lands of the colony. He did not allude to dummying at all, but simply "peacocking." The two local residents would have a knowledge of the district in which they were appointed, and would know at once, when any application came before them for land on any particular spot, whether the application should be granted or not. They would know at once whether the granting of the application would lock up thousands of acres by giving one man the control of a water frontage, or by giving him land which would otherwise control a certain number of thousands of acres. That was why he would go in for local land boards. As he had said before, although he did not believe in nominees of any kind, he believed in local nominees, having a local knowledge, to assist the land commissioner in preference to the land commissioner doing the work himself. The land commissioner was simply a Government officer; and, to a certain extent, he might be influenced by the Government of the day, or by the opinions which he might believe influenced the Government of the day. He was quite certain that land commissioners had been responsible, more or less, for the administration of the different Land Acts of the colony. There had not been a single proposal made on which a land commissioner could not be got to furnish a report to favour the Government view of the matter. Of course he knew that they had been removed from one district to another, and the Premier himself had been a member of a Government that had removed them; and certainly they ought to be removed. That alone was a strong reason why they should have local boards of some kind or other. Hon. members said they would not have elective boards. Well, the hon. member for Warrego had given them the alternative of nominee boards whom they could appoint themselves, composed of men who he believed would have the interest of the country and their own district at heart. Surely there was no man possessed of common sense who would believe that a Government officer, not having the same amount of local knowledge that two men would have who lived in the district, would be able to administer the land affairs of that district as well as if he was assisted by two men who had the local knowledge! The Premier was imbued with the same principles that he (Hon. J. M. Macrossan) had accused the Minister for Lands with being imbued with. Hon. members of that Committee knew each other well. They were not so ignorant of each other's character as the people outside the House were of their characters. Hon. members knew the Conservative instincts that ran through the hon. gentleman who led the Government. They had had conversations with each other. He knew himself, and hon. members of the Opposition knew from conversation, that the very principles of the Bill which it had been stated by the Minister for Works and the Minister for Lands, if rejected, ought to lead to the rejection of the Bill, were not believed in by hon. members on the opposite side. They did not believe in them, and he hoped they would recover their senses as soon as the Bill became law; as he believed they would. It would be much better for the hon. gentleman to devote himself to trying to make the Bill a Bill for the people instead of a Bill for the land board. It was a Bill to be simply administered by a land board. If the people themselves were not fit to be entrusted with the administration of their own affairs, then responsible government ought to be abolished, and that Chamber ought to make the Minister for Lands or the Premier Dictator of the colony.

The MINISTER FOR LANDS said the hon. member for Townsville had indulged in a good deal of vituperation.

The HON. SIR T. McILWRAITH: He has not said a single word of vituperation.

The MINISTER FOR LANDS said the hon. member had taken upon himself to say that he (the Minister for Lands) was an ultra-Tory — that he was sailing under false colours, and affecting to be a Liberal. Well, if a Liberal were such as the hon. member for Townsville and other hon. gentlemen on that side of the Committee, after the way they had administered the Land Acts at present in existence, then he claimed to be a Tory, or any other epithet that would distinguish him from them. He repeated distinctly and emphatically that if his claims to be called a Liberal were to be on the same line of conduct and character as the hon. member for Townsville and the other hon. members on that side, then he was quite willing to be called a Tory or anything else that would convey an impression of contempt and derision which he supposed it was intended should be conveyed. Look at the way in which the Land Act had been administered for the last eight or ten years! The hon. member for Townsville had said that he did not believe in the aggregation of big estates, or in the land being alienated before there was any possibility of competition or any possibility of keeping it. Yet that had been done.

The HON. SIR T. McILWRAITH: Where?

The MINISTER FOR LANDS: On the very land held by the hon. member for Mulgrave; that was on the Burdekin—40,000 acres, at 5s. an acre.

The HON. SIR T. McILWRAITH: On the Burdekin?

The MINISTER FOR LANDS: Yes, on the Burdekin.

The HON. SIR T. McILWRAITH: By whom?

The MINISTER FOR LANDS: Sugar lands were obtained at 5s. an acre, which were worth a good deal more now.

An HONOURABLE MEMBER: That was by the last Government.

The MINISTER FOR LANDS said he knew the difference between Liberalism and Toryism. In his idea, "Liberalism" was, studying the interests of the people, without any distinction whatever being made. Then the hon. member went on to say that the two men who were to be appointed as a local board would be the most effective check on what was called "peacocking" as carried on in New South Wales, and assumed that those two men, who would absolutely have an interest in the district in which they lived, where all their friends and relatives were, would be free from influence; they were the men who were to prevent the practice of "peacocking." He (the Minister for Lands) thought it was more likely that they would not prevent it to the extent supposed, because they would do nothing against the interests of their friends. That had been the case everywhere. Wherever men had been called to place their interests in conflict with their duties to the State, the latter had gone under. In every colony that had been the case; and he did not know that men were likely to be any different here to

what they were in Victoria, South Australia, and other colonies. If that were to be the panacea for the evil—if two men who were interested in the district were to be expected to sacrifice the interests of their friends—then he said it was contrary to all experience.

Mr. MOREHEAD said that the Premier, in addressing them just now, asked, what was all that about? and took the Opposition to task for getting warm over a measure which they held hon. members had a right to get warm over, as it was one that affected every member of the community. He (Mr. Morehead) wondered the hon. gentleman did not serve the same sauce to his colleague the Minister for Lands. That hon. gentleman got up and shrieked, in a voice almost inarticulate with rage, that the hon. member for Townsville had used vituperative language to him, and had hurt his tender feelings. He imagined that the hon. gentleman had been somewhat warmed up by the remarks of the hon. member for Townsville, which remarks were certainly within the bounds of parliamentary language, and could not be in any way termed vituperative. He had no doubt it was the intention of the hon. member for Townsville that "the galled jade should wince," and the galled jade did wince. He hoped the hon. member would make the Minister for Lands wince again. If he (Mr. Morehead) had the same power of making the hon. gentleman realise his true position as the member for Townsville had, he would make him do so. The hon. member for Townsville had done and said nothing but what was right, just, and proper in dealing with such a great question, and he hoped he would not shrink from doing the same again, if it was only in those lines that the hon. member spoke. The Minister for Lands took exception to being called a Tory, and he seemed to take that to be a term of opprobrium. He (Mr. Morehead) did not know that it was. It was not considered so on the other side of the world, but the hon. gentleman —who might be called the cuckoo of the Ministry —who had laid an egg in another bird's nest, and that other unfortunate bird who had hatched the egg had found it to contain a different bird to the one he expected. He thought the hon. member for Townsville was perfectly correct, and that, so far as he could judge—and he was judging the hon. member by his utterances, and what he had said in that House with regard to this question —he had shown himself to be an ultra-Tory. He fully agreed, also, with the remarks made last night by the same hon. gentleman, with reference to the Minister for Lands, when speaking about the position of the landlord and tenant—the State being the landlord. When the Minister for Lands told the Committee that he was going to put the land board in such a position that they would not have to attend to the whining tenant, who came and complained that the rent was too high, and that he could not pay his rent, and that if it was not reduced he would be a ruined man, the hon. gentleman wished to put the land board in such a position that they should not show any mercy. That was the word he used, and a most inappropriate word it was; but it was one that commended itself to the extraordinary way of thinking of the Minister for Lands. If they wanted to prove that the hon. gentleman was a Tory they might go further still. The member for Townsville had touched upon the point, which was the intense hatred the hon. gentleman showed to any elective body, and his hatred and horror of putting any power whatever in the hands of the people. He had shown to the Committee most distinctly his opposition to elective bodies, and he had asserted his dislike of them again that afternoon; and when he said he did not believe in the elective system he showed clearly that he did not believe in what was the very backbone of the Constitution of this country and of all countries under responsible government. The hon. gentleman had again stated that if a provision had to be embodied in the Bill such as that proposed he would prefer the nominee boards, and thus his whole statements and arguments had gone to prove that the charge brought against him by the hon. member for Townsville, that he had been sailing under false colours and that he was a Tory affecting to be a Liberal, was perfectly true. That had been amply proved by the whole tenor of the hon. gentleman's speeches on the Bill. The Minister for Lands had further stated that he would see that such a land law was passed as would prevent the aggregation of large estates, and again he cast in the teeth of members on the opposite side of the Committee the assertion that it was by their legislation that the aggregation of land had been brought about.

The MINISTER FOR LANDS: Administration.

Mr. MOREHEAD said he denied it. It was brought about by the legislation of those now sitting on the Government benches; and for proof of that they had only to turn to the Railway Reserves Act and the Western Railway Act. Let hon. members do that, and then tell him who were the persons who aggregated the largest estates that existed at the present day. That aggregation was created against the distinct votes and arguments of hon. gentlemen on his side of the Committee. Why, the hon. the Premier was the father of large estates in the western portion of the colony under the Acts he had mentioned, and the hon. gentleman ought to think a little before he made such sweeping assertions; which assertions, if narrowed down to the narrow limits of truth—a limit not often reached by the hon. the Premier—would reflect very little credit upon him or his colleagues. Those were facts, and he could not get outside them. Hon. gentlemen who sat in the House at that time, and those who had read the debates, knew that he was simply stating what was absolutely true. The Minister for Lands spoke of the ruin of the country by previous administrations—and he was nothing if not personal—but when he levelled his personal attacks upon hon. gentlemen on his (Mr. Morehead's) side he had better look out that they did not fall back on his own head. Although he might not live in a glass house his colleagues did, and the tenement in which the hon. gentleman resided was a very fragile one indeed. The hon. gentleman supposed that there was no honest man in the world except himself. He had told them so in so many words, and he (Mr. Morehead) looked upon that as an insult, not only to every member of the board, but to every individual elector in the colony who returned members to the House. Every member of the House had a right until he had been proved to be a dishonest man to be considered honest, and every individual had that right. The Government had landed themselves in a strange position on the amendment before the Committee. They agreed that it was well that power should be left in the hands of one man; but, on the other hand, only the other day they had appointed a board of advice to the Agent-General. Surely the Minister for Lands and the Premier saw the inconsistency of their position! It might be that the board of advice for the Agent-General was a good and proper thing; but, if so, why was not the proposal of the member for Warrego accepted, embodying as it did the same principle? The commissioner would have the advantage of having with him on the board men of local knowledge and experience, whose advice and opinions were of great

value to him in arriving at a decision with regard to local matters with which he would have to deal. They had recognised the principle all through their legislation so far as regarded the internal management of the State. They recognised it in their divisional boards, their municipalities, and in their Parliament. And yet, when an absolutely consistent amendment was moved in the Land Bill it was treated by the other side with scorn and contempt; and when any hon. member on that side dared to comment upon it and to point out the inconsistency of the Minister for Lands in posing as a Liberal, while really he was Tory, they were told by that hon. gentleman that they were indulging in vituperation and abuse, and got back from him language which, if he had been in a fish-market in Billingsgate, could not have been excelled.

Mr. GROOM said that, as he had remarked a few evenings ago when the House was in committee on that question, he was in favour of local land boards; and he was of that opinion still. But he dissented entirely from the commissioner being a member of that local land board. Indeed, he fully endorsed what fell from the hon. member for Townsville that a very considerable amount of the maladministration of previous Land Acts had been owing to the fault of the commissioners and not to the fault of the Minister in charge. When Parliament passed the first Land Act in 1860, it ordered that certain portions of the country should be set apart as agricultural reserves, and the duty of locating those reserves was entrusted to the commissioners. Where did they go to select them? Did they go to the banks of rivers or creeks, or other places where there was suitable land? Nothing of the kind. They went to the most inaccessible places, where the land was heavily timbered, and where all attempts at agriculture had practically resulted in failure. When the Land Act of 1868, which the hon. member for Blackall assisted to pass, became law, the commissioners were again entrusted with the administration of it; and much of the maladministration which had occurred was entirely due to them. They had the subdivision of runs, and he (Mr. Groom) was prepared to say that they favoured the pastoral lessees a great deal more than they favoured the public. The result was that all the best land was secured by the pastoral lessees, and the worst given to the public for settlement. The intentions of the Legislature which passed that Act were good, but the Act had been a failure, and a great deal of the failure of it was owing the maladministration of the commissioners. He was quite satisfied in his own mind that a local board in a district would be of immense service to the Land Minister in administering the Act, but not if the commissioner had anything to do with it. He greatly preferred the New South Wales system, where the chairman of the board was a paid officer and directly responsible to Parliament, by whom his salary was voted. That was a mode far preferable to the one suggested in the amendment of the hon. member for Warrego, and the hon. member must see that himself. It was said by the hon. member for Townsville that a commissioner could be got to write a report on almost anything that was desired. That was a broad statement to make, but there were many facts in the possession of hon. members to substantiate it. Even in the parliamentary records of the present session there was a curious instance in which two commissioners were concerned. One of them was sent to a district to value land, and he valued it at something like 10s. or 12s. 6d. per acre. The gentleman concerned did not approve of that valuation, and complained that he had been treated wrongly. Another commissioner was sent to the same locality, and he assessed the value of the land at 30s. an acre, with which the gentleman was perfectly satisfied. Within a very recent period that same land had been thrown open to the public at 15s. per acre, and the loss to the country through the action of that commissioner had been £3,500. With facts like those before them, how could it be asserted that the administration of the new measure by commissioners was likely to be a success? Indeed, all the evidence they had was entirely antagonistic to such a proposal. As he had said before, he was in favour of land boards in the different districts of the colony for a great many reasons. One reason was that they would tend to the better settlement of the country. As it was intended to select large agricultural areas, a local board would be the best parties to select those areas. And there were many other duties which a board could perform more satisfactorily than a commissioner. The system he (Mr. Groom) preferred was the one adopted in New South Wales—a system which had been arrived at after great consideration, which appeared to be a satisfactory solution of the difficulty, and which had the concurrence of a very large number of members who represented the free selectors of that colony, and who were in a position to judge what the effect of local administration of the Land Act would be. But in that colony there was to be a paid chairman assisted by two assessors who received fees; and that, to his mind, was much better than appointing the commissioner of the district, who would be called upon to sit in judgment on his own actions. While agreeing with the principle of local administration by local boards, he did not agree with the principle enunciated the other evening, of elected boards. In sparsely populated districts such boards would be in the hands of a dominant party, who would care more for their own interests than for those of the community. Under the New South Wales system, which he preferred, nothing of the kind could possibly occur. He was perfectly certain that a board with the commissioner as chairman would never give satisfaction,; it certainly would not in the district in which he resided, where they had a very lively recollection of what had been done by commissioners in times gone by. The land there had gone, and it was entirely owing to the act of the commissioner. It would have paid the colony to have sent that one commissioner out of the colony altogether rather than that he should have performed those duties. That commissioner had been the means of inaugurating the triangular system of surveys on the Darling Downs, which had been productive of so much wrong to that part of the colony; and to perpetuate it would be the most grievous mistake they could make on the present occasion.

Mr. KATES said that the hon. member for Townsville had alluded to the dangers of "peacocking." The hon. gentleman was quite right there, but to effectually check and prevent "peacocking" survey before selection would be necessary. If the various blocks were surveyed before selection, and the incoming selector had to take bad, good, and indifferent land as it stood, "peacocking" would be done away with. He himself had given notice of an amendment—a new clause to follow clause 36—to the effect that—

"Before any land is proclaimed open to selection under this part of the Act, main lines of road, and also all necessary reserves for public purposes, shall be surveyed and marked on the ground; and the remainder of the area shall be subdivided into suitable portions for selection; and if some portions are suitable for agricultural farms and others for grazing farms, the proclamation declaring that such land is open to selection shall specify which portions shall be open to selection as agricultural farms and which as grazing farms."

If that clause commended itself to the Committee and was passed, he did not think there would be any fear or danger of "peacocking" in connection with the Bill.

Mr. DONALDSON said he had listened with very great attention to the remarks of the hon. member for Toowoomba (Mr. Groom), and he certainly quite concurred with them. He should like to see the board on the same basis as that of New South Wales, but to have attempted to introduce that principle into the present Bill would have required the whole Bill to be remodelled. Therefore, in proposing his amendment, he thought that it would be the best way to remove any inequalities in the Bill at the present time. With regard to the commissioner being a member of the board, he did not particularly care whether he was or whether he was not, and he did not have any objection to his being removed from it, and let the board consist of three members. With reference to the remarks of the hon. the Minister for Lands, he thought, with all due deference to him, that the hon. gentleman was entirely mistaken in his reading of the amendment. Certainly he did not make himself clear when he proposed the amendment, by explaining the object of it fully; but as the matter had been so well argued lately—the matter of the commissioner and land boards—he had thought there was very little necessity to make any long explanation to the Committee, and he was under the impression now that either the Minister for Lands or he himself had fallen into a very great error. For instance, the hon. gentleman asked whether it would be the duty of the boards to divide the runs. He (Mr. Donaldson) would reply, "Certainly not." Clause 19 of the Bill, which was already passed, made provision for the appointment of a "commissioner or commissioners," and he thought that all through the Bill they had certain duties to perform. By clause 24, subsection 3, of the Bill—

"The commissioner, or some other fit and proper person appointed by the Governor in Council on the recommendation of the board, shall be required to inspect the run and report as to the best mode of making a fair division thereof."

That matter would not at all come before the local land boards. Fencing would not come before them; it was an improvement. Clause 17, which was passed, dealt with the valuation of improvements upon runs. Subsection 1 of that clause said:—

"The board shall require the commissioner to furnish them with a valuation and report of and respecting the land or improvements in respect whereof the rent or compensation is to be paid."

That clause was already inserted in the Bill. It provided that the commissioner had got a certain duty to perform; it had nothing to do with the board at all. The board had simply to sit with the commissioner. It was provided by sections 21 and 22 of the Bill that the commissioner should hear certain verifications that might be made. That would be a duty they would be called upon to perform. He thought sometimes there would be very difficult duties to perform under the Bill, and it would be of very great assistance to the commissioner—in fact, to any one person—to be assisted by others. But he thought it would be of greater assistance still that some local gentleman with local knowledge of the district should be there—as had been so ably pointed out by the hon. member for Townsville—to prevent the taking up of all the water in one block, and thus to prevent settlement in other parts of the district. He thought that the members of the local board would be of very great assistance in that respect. He knew that the local land boards of Victoria had worked most harmoniously in that respect; they always tried, when conflicting claims came before them, to adjust them in the best possible manner for all parties in the good of the country, and he believed that they would do so in this colony. He could not agree with the Minister for Lands that those people would take a corrupt view of a case in their own district. He had every reason to believe that they would do all they possibly could to prevent wrong being done; and then, in regard to their nomination, it would be at the discretion of the Minister for Lands to appoint some persons in the district whose interests would not conflict with any decision they would have to give. It was also provided that a member of a board who was directly or indirectly interested in a decision he gave should forfeit a large sum of money. Another duty they would have to perform would be to inquire into evasions. He thought that duty was a very proper one for the members of a local board, because any one person might take a wrong view of a case. It would be very beneficial that the truth should be elucidated, and he might say that persons living in the district would be of very great assistance in finding out the truth of any charge brought in regard to an evasion of the law. And again, any decision given by the board should not be final until it was confirmed by the board. The acquisition of freehold, under clause 68, was a proper thing, he thought, to be investigated before a body of men. It was a matter that would be far better done by more than one person. Those gentlemen, from their own knowledge, would know whether a man had carried out the conditions of the law properly, and that would be of very great assistance to the commissioner. Clause 71 said:—

"Any person may make application to the commissioner to become the lessee of any portion of scrub lands not exceeding 10,000 acres."

That was putting very great power in the hands of the commissioner. Would it not be better that such power should be in the hands of more than one person? If an application came before the court in the district it would be publicly investigated, and possibly that would prevent a wrong being committed. Either he did not understand the Bill or the hon. the Minister for Lands had fallen into a very great error indeed in thinking that the amendment would conflict with several of the duties of the commissioner. He had gone through the Bill—certainly rather hurriedly—and he found that the duties of the commissioner in many cases were clearly defined. The recommendations of the commissioner, and so on, were made to the board—should he call it the central board?—for verification. His amendment was merely intended to treat the cases that he had just enumerated. He did not see the slightest inconsistency whatever. It was no attack on the principles of the Bill. He thought it was really a safeguard; and certainly, as far as the squatters were concerned, he did not think that a squatting claim would ever come before the local land board at all. He trusted that hon. members opposite would not persevere in their opposition to the clause. They would find the explanation he had given would throw a different light upon it entirely, and they might alter the conclusion they had arrived at. He always listened to the hon. Premier with a great amount of interest; but the hon. gentleman had not had sufficient time to compare his new clause with the other portions of the Bill, and he hoped he would consider the matter further.

The PREMIER said he had listened to the hon. member and still he did not know what his scheme was. He did not think the hon. gentleman knew himself. The hon. gentleman thought the local boards would be very useful because

they would be possessed of local knowledge—they would know whether a piece of land was a desirable piece to be selected. The hon. member surely did not mean that land should be selected according to the discretion of any individuals! Surely they would never trust any body of men with power to declare any selections forfeited because they believed they had been dummied, or refuse a man's application because they did not think he would be desirable. They would never entrust that power to anybody. The administration of the land laws must be confined within certain limits. Supposing the land board thought dummying was——

Mr. DONALDSON said the hon. gentleman was misquoting him. He only asked for the boards the same power as the commissioner had under clauses 21 and 22.

The PREMIER said it was in regard to that that he was speaking. The hon. gentleman said local knowledge was necessary; surely they were not going to allow any men to act upon what they conceived they knew of their own knowledge, and say, "I know that man to be dummying" or "I know that he is not dummying." As to the other case about a selector taking all the permanent water, the commissioner would look after that. The board might see no objection to that at all. In Victoria, where there were local boards, there was only one instance where a squatter had been appointed to a local board; and he should be very sorry to entrust some Governments with the appointment of local boards. The persons who administered the Act ought to be as impartial as possible. It was simply a question of which would be the most convenient way of administering the law. The hon. member had limited the duties of the board to inquiries or granting applications, which duties the commissioner would be able to do as well as the board, and in some respects a great deal better.

Mr, JORDAN said the objection which had been raised to the appointment of local boards was that the power would fall into the hands of the Crown lessees or persons subjected to their influence. Not that they believed those persons were dishonest or would do what was not right and proper, but they had an idea that those gentlemen were not in favour of the settlement of the country by small tenants. A good many of the present land commissioners had been resident in certain localities and had been under the influence of the Crown lessees; probably had been interested in station property. They belonged to a class who, ever since the country had been colonised, had believed that it was designed by Providence to be one grand sheep-walk, and that farmers were intruders. The farmers had been called hard names, and contemned, and looked upon as intruders. Some of the commissioners in the early days had been of that class, and believed honestly enough that a cabbage would not grow on the Downs. They said so, so often that they had come to believe it themselves. The Government did not think men were dishonest; and it was not right to accuse them of saying so. They thought the hon. members opposite were not in favour of settlement by a large number of small proprietors, especially those engaged in agriculture. He was sorry the hon. member for Mulgrave had gone out, because he wished to allude to the remarks he made, which had been repeated by the hon. member for Townsville. He had called upon hon. members on the Government side to break loose from that "ring," and spoke of them as persons who did not believe in the Land Bill under discussion. The hon. member for Mulgrave went so far out of his way as to say that hon. members on his (Mr. Jordan's) side were not giving an intelligent support to the Ministry. That had been aggravated by what had appeared in a paper recently which supported the Opposition, which spoke of members on the Government side as a "servile and speechless majority, who gave a blind and unintelligent support to Dutton's despotism tempered by Griffith law." Those were very hard words, and fell heavily upon the men who were just learning their A B C of parliamentary experience. Some allowance should be made for members not joining in a debate so frequently as they ought. All men could not acquire the power of speaking in public. Some of the greatest men the world ever knew had been men who never acquired the power of speaking in public. Dr. Samuel Johnson was one of them; he was the very best of talkers, but he had repeatedly tried to speak in public and had failed. There was a great deal in nationality. Irishmen could always say what they knew, which was a remarkable fact; and they could say it so well that a listener would hold his breath to hear. That was the case of the hon. member for Townsville. Then the Scotch had tongues of fire. They could persuade one that black was white, and hence the hon. member for Mulgrave could almost persuade members on the Government side. The power of speech of that hon. gentleman was actually dangerous. Then there were the Welsh, who were the most eloquent speakers in the world in their own tongue. He knew that at an Eistedfodd people would be transported with rapture if they only knew the language, which no mortal man could unless he were born in the principality. Most of them were English.

Mr. MOREHEAD: You have a good many Germans.

Mr. JORDAN said Englishmen had not the gift of speech; but they would all admit that Englishwomen had. He could assure hon. gentlemen that if they had the right to sit in that House they would settle the business of the colony very quickly. He had heard some very brief and rapid summaries from some ladies about coolie labour and the Land Bill, and they could show what was to be done with them.

Mr. MOREHEAD: You must get it hot when you go home!

Mr. JORDAN said he had shown before that the mangle which Madame Mantalini used to grind must be superintended by the hon. member for Balonne. Englishmen as a rule could not speak, though of course there were occasional exceptions, such as the hon. member for Fassifern, but they could not all be expected to speak as ably as he did. They knew a good many things on the Government side of the Committee, and they claimed to understand the Land Bill, but they could not say what they knew very well.

The HON. J. M. MACROSSAN: Hear, hear!

Mr. JORDAN said one of their British poets had put their position in this way:—

> "We sometimes think we could a speech produce,
> Much to the purpose, if our tongues were loose:
> But, being tied, it dies upon the lip,
> Like to a chicken's note that's got the pip.
> Few Frenchmen of this evil have complained:
> It seems as if we English were ordained,
> By way of wholesome check upon our pride,
> To fear each other—fearing none beside."

He thought hon. members on that side of the Committee were gallant enough to lead a storming party to an attack on the Malakoff if it had not been taken already, but when it came to facing the talking power of hon. members opposite it was a different matter altogether. They prayed for indulgence; and that they should not be come down upon so heavily by the leader of the Opposition because of their innate modesty, and because they had not yet acquired the confidence which hon. gentlemen had who

had been in the House for he did not know how many years; and had, besides, the natural gift of speech such as those four or five hon. gentlemen opposite possessed, and whom they had to face night after night. They had complained that the hon. members on the Government side did not discuss the Land Bill. He did not think that a just charge.

Mr. DONALDSON: You are not discussing it now.

Mr. JORDAN said that very much against his will he had been requested to speak upon the question. He, as well as other hon. gentlemen, had got tired of hearing the speeches on it. It seemed to be considered an obligation upon every hon. member to make a long speech upon the Land Bill. He gave hon. gentlemen on the other side the credit of having discussed it very fairly, and he had no complaint to make of the way in which it had been discussed on the second reading. But what the Committee had reason to complain of was, the way in which the discussion was conducted when the Bill was in committee. For instance, on the other night, when they were determining whether, if compensation was to be given for improvements on the resumed portion of a run, the incoming tenant should pay the full value for the head-station. It was explained by the Minister over and over again that evening, that the incoming tenant would not be compelled to pay the full value for the head-station—that that would not be fair or just; and after hours of talk it was asserted that that would be confiscation of the property of the squatter. On that occasion hon. members on the Government side did not take any prominent part in that debate, because they knew it would be useless, and simply a waste of time. The Minister for Lands explained distinctly that the full value of the head-station, in such a case as was supposed, would not have to be paid by the incoming tenant if he was a farmer and did not want it, or if he only intended to keep 200 sheep instead of 2,000. Hon. members opposite then said that if that was to be the case it would be confiscation. It would have been simply a waste of time to have followed the lead of hon. gentlemen opposite, who wasted the time of the Committee and the country in talking over and over again—one perpetual and never-ceasing round of talk upon that question. They were never satisfied with the distinct replies given by the Ministers. Some few gentlemen on the opposite side seemed to be determined to amuse themselves at the expense of the country, in trying to irritate and annoy the Minister for Lands. In that they on the Government side could not take any part, and they did not pretend to do so.

Mr. ARCHER said he was rather surprised at what had fallen from the hon. gentleman who had just sat down, and he was quite confident the hon. member did not understand how necessary that long discussion the other night was, and he was also quite certain the hon. member did not understand the results of it. They were informed by the Minister for Lands that the incoming tenant would only have to pay for improvements the value they would be to himself, and they had not the slightest indication from the Minister for Lands, from the Premier, or from any of the Ministers, that any other payment would be made to the outgoing lessee, beyond simply the amount to be paid by the incoming tenant. That would have been confiscation. The hon. member did not understand the question.

Mr. JORDAN: Oh, yes, I do!

Mr. ARCHER said that according to the present laws certain gentlemen had a right to select 2,560 acres to secure their improvements. That was repealed on the promise that they would be paid for all the improvements they had made on the portions of their runs to be resumed; but when they came to ask the Minister for Lands what that payment was to be, he stated plainly that it would be simply the value of those improvements to an incoming tenant, and no other sum whatever would be paid. It was only after hours and hours of talk that the Premier stated that clauses 100, 101, 102, and 103 might be altered so as to make it clearer that the Crown would have to pay the balance. He really doubted whether the hon. member for South Brisbane understood what the discussion was about. There was not the slightest wish to harass the Minister for Lands; but he had never heard a Minister—and he said it with regret—who had such a bad manner in the House. He was continually accusing people of acting from bad motives, and he used the wildest language in the wildest possible sense. He spoke as though he was the only honest man who had been a squatter, and referred to previous Ministers for Lands as being utterly corrupt. Then, when the hon. member for Townsville said a few words calling his attention to that, he got excited, because he could not bear criticism. The hon. gentleman had utterly mistaken the manner in which people ought to be addressed. Hon. members on the Opposition side were no more corrupt than the members of the party to which the hon. member belonged. If the hon. member liked to look back at the administration of the land under the Act of 1869, to see how it had been worked, he would find that there had been no departure, either by one Government or another, from the way in which it had been worked. He (Mr. Archer) maintained that the discussion which took place the other night was an exceedingly useful one. He was perfectly satisfied that the Premier knew that he said that the Crown would give compensation to the outgoing tenant.

The PREMIER: Look at *Hansard*.

Mr. ARCHER said he heard what the hon. gentleman said, and he was not so utterly devoid of common sense as not to understand it. He understood the Minister for Lands to tell them that they would not give more than the value to the incoming tenant. That statement was obtained after some hon. members had continually gone back to the subject—after the hon. member for Normanby had kept asking, "What is to be given to the outgoing tenant in place of what he is to lose?" There had been no wasted time except that caused by the natural irritation felt at the opprobrious terms used by the Minister for Lands. No such terms were used by the hon. member for Townsville. The Minister for Lands lost his temper, evening after evening, and yet hon. members who were attacked by him were expected to keep their tempers. He thought the hon. member for South Brisbane had better lecture his own side.

Mr. JORDAN said that of course he could not lecture the Minister for Lands. The hon. member was mistaken in saying that he (Mr. Jordan) did not understand the discussion aright; he was not so devoid of sense as that. He did not understand the hon. member for Blackall to say that, if a person took up a piece of land on which £5,000 or £6,000 had been spent, that would be the value to him, and that the State would pay him that valuation. He did not think that was in the Bill.

Mr. ARCHER: No, it is not.

Mr. MOREHEAD said the hon. member for South Brisbane was coming out in a new *rôle* altogether; he had been absolutely comic. Under the pretence of protesting against what he called the overtalking of hon. members on the

Opposition side, the hon. member indulged in one of the most comic speeches he (Mr. Morehead) had listened to in that Committee, and one not at all *apropos* to the question. He told them that Welsh was an eloquent language; but unfortunately it could only be understood by a goat—at least that was what he understood the hon. member to say. He also spoke of the Scotch, and the great eloquence of the Irish; but he forgot two important factors in that Committee — the Australian and the German. Why did the hon. gentleman omit them? If the hon. gentleman was going to give them a masterly speech on the different oratorical powers of the nations of the earth, he hoped he would include those two. He was told that the hon. member was in the habit of redelivering his speeches until he knew them by heart; and many hon. members knew, as soon as he had given his text, what the sermon would be. Therefore, when the hon. member redelivered his speech on the eloquence or want of eloquence of different nationalities, he (Mr. Morehead) hoped he would not omit the Australian and German eloquence. The hon. member also said it was not his business to attack or annoy the Minister for Lands. Such a thing had never been suggested on the Opposition side. The fact was that hon. members on that side had, both collectively and individually, had to submit to the greatest insults not only from the Minister for Lands but from some of his colleagues. The hon. member for Maryborough had gone so far as to apply the term "thieves" to them; and hon. members would be less than human if they could sit quietly and listen to language of that kind. He did not know that they were bound, when they were smitten on one cheek, to turn the other also; at all events, hon. members on the Opposition side were not likely to adopt that Christian precept. The Minister for Lands did not show that he adopted it in any way whatever; in fact, before his cheek was smitten he had smitten other people. If there were any truth in the report that appeared in the public Press no later than last night—that one of those positions was to be offered to the hon. member for South Brisbane—he thought the remarks the hon. member had made in the first portion of his speech, where he spoke in special condemnation of the squatters, could only be described as indecent. There might possibly be truth in the rumour, because it was well known, and it was not only an open secret that the appointment had been already offered before the Bill had even passed the House. He had heard that said in Sydney and Brisbane, and the same news had come from Melbourne.

The PREMIER: That was discussed last week for several hours.

Mr. MOREHEAD said he did not care whether it was discussed last week or not: it might have been, but it was not settled. That such an offer had been made at all went to prove that the rumour which appeared last night in the evening paper was also true; and he said that if it was so the speech of the hon. member for South Brisbane savoured of indecency, when he made such a gross attack upon the squatters of the colony as he had done. By so doing he had shown that he was a man with a prejudice, and was therefore unfit to be placed in a purely judicial position. He hoped the rumour was not true, and he regretted very much that the hon. member for South Brisbane had made such a speech. So far as regarded his speaking in the House, it appeared from his own showing that he spoke under instruction. He had told the Committee that he was instructed to speak, and therefore he spoke. Could there be any clearer proof of the absolute servility of the following of the hon. the Premier than that statement made by an hon. gentleman, whom he (Mr. Morehead) believed to be as independent as any follower of the Government?

Mr. PALMER said, when listening to the amusing and mildly sarcastic speech of the member for South Brisbane, it struck him that they had in that hon. gentleman's speech an example of the *suaviter in modo* as against the *fortiter in re* of the Premier when he replied to the hon. member for Townsville. The whole course of the Bill through committee had often struck him as rather similar to the "Pilgrim's Progress," and the speech made by the hon. member for South Brisbane was like reaching the "Delectable Mountains." The hon. member said every man might make a public speaker in time, and he thanked the hon. member for holding out such hopes to his (Mr. Palmer's) side of the Committee. They had had the emollient from the hon. member, and the drastic from the Minister for Lands, and between the two he was getting into a difficulty. Now, in reference to the amendment proposed by the hon. member for Warrego he noticed that the duties of commissioners were very onerous and heavy. They were more than the commissioners could carry out, and it was his opinion that local assistance would introduce a healthy administration, and would be a great help to the commissioner. The commissioners, he noticed, were appointed by the Governor in Council, meaning the Minister for Lands for the time being; but it was apparent that the board would see with the eyes of the commissioners. The report they would get from them would be the report to be acted upon, and the Act would in reality be administered by the Minister for Lands. How was that for impartiality? He was sorry the Minister for Lands did not take a better view of the question and accept the amendment.

Mr. DONALDSON said he did not think he could be charged with useless speaking. He certainly had introduced some amendments, which he had conscientiously believed it would have been an advantage to adopt. Finding that the Committee were against him on a previous occasion, and against him now, he would withdraw his amendment, and check useless debate.

Amendment withdrawn accordingly.

Clause 20—"Commissioner to hold a court once in each month"—put and passed.

On clause 21, as follows:—

"The commissioner shall have power to hear and determine any question relating to the granting or refusal of any application to select raised at any such court by himself or any other person, 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 commissioner 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.

"Any party to any such inquiry may be represented by his counsel, attorney, or agent.

"The commissioner's decision on every such question or inquiry shall be pronounced in open court."

Mr. MIDGLEY said it did not appear to him that the clause gave the applicant or selector power to summon witnesses. The commissioner could summon them, but there was nothing giving power to the individual.

The MINISTER FOR LANDS said he did not see that an applicant for land would be likely to want any witnesses; he knew the land he

applied for, and wanted no witnesses. If there were two or three applicants for the same land, they might then ask the commissioner to adjourn the case, in order that they could summon their witnesses.

Mr. MOREHEAD said there were many things the hon. gentleman could not conceive. He said he did not conceive it possible for two members of the board to disagree. He (Mr. Morehead) held with the hon. member for Fassifern, and he hoped the hon. member would see to that. He did not see why the power to summon witnesses should lie all on one side.

The PREMIER said that was the usual form. If a party wanted witnesses, and asked the court to summon them, they would be summoned. The power was given to the authority, and not to the individual.

Mr. MOREHEAD said he understood from the Premier, with regard to the objection raised by the hon. member for Fassifern, that the clause as it stood did not debar a person who wished to prove his case from calling witnesses. He understood him to say it in that way. He interpreted the clause that permission or summary power was required by the other side.

Mr. PALMER said the Minister for Lands ought to give them some information about the clause. Was the commissioner on the commission of the peace, a magistrate of the territory, or was the court equivalent to a court of petty sessions? What were the powers or punishments?

The MINISTER FOR LANDS said the hon. member would see by another clause that the commissioner exercised powers similar to a court of petty sessions. Any applicant desiring to have witnesses summoned might request the commissioner to issue summonses, and the commissioner had power to put off the case from time to time for the purpose of getting witnesses in any case with which they had to deal.

Mr. MOREHEAD said that the hon. the Minister for Lands must forget that was not what he stated when the hon. member first called his attention to the clause. The hon. gentleman said he did not see what necessity the individual should have of calling witnesses at all, and certainly led the Committee to believe that those witnesses only attended under the provision by which the commissioner could call witnesses. The hon. gentleman certainly in the first instance stated what he (Mr. Morehead) had said, that the power rested only with the commissioner to call witnesses on his side, and that the other side had not the power.

The MINISTER FOR LANDS said that if an applicant applied for land, and the commissioner did not think it right to grant his application for some reason or other, the applicant, if he requested the commissioner, could, of course, have witnesses to give evidence in his favour.

Question put and passed.

On clause 22, as follows :—

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

The MINISTER FOR LANDS, in moving the clause, said he intended to propose an addition to follow the last word of the clause, as printed in the Bill ; it was as followed :—

But the board shall not vary or reverse any decision without hearing in open court the party in whose favour the decision was given, if he desires to be so heard. And every order of the board varying or reversing a decision shall be pronounced in open court.

So that they could not reverse any such decision without calling a person in whose favour the decision was given to be again heard in open court, and they must pronounce their decision in open court.

Question—That the words proposed to be added be so added—put.

Mr. MOREHEAD said he thought the Committee should have some explanation from the Minister for Lands with regard to the addition.

The MINISTER FOR LANDS said he could not see what further explanation the hon. gentleman could want. The third party in dealing with the clause would be the Crown, and its object was that the board should not vary or reverse any decision of the commissioner without giving the person who was interested the opportunity of being heard in the matter. If the commissioner decided in a certain way, when it went to the board they might call upon the person who was interested to furnish any further evidence before they dealt with it, and in doing so they had to do it in open court. He did not know what further information was wanted.

The HON. SIR T. MCILWRAITH said the explanation of the Minister for Lands might be sufficient, but the clause, as amended, did not bear that out—

"The board shall not vary or reverse any decision without hearing in open court the party in whose favour the decision was given, if he desires to be so heard."

There was no provision there by which the party whose interests were involved could know that the decision was likely to be varied or reversed. How was the party to know? The variation was pronounced in open court. The man very likely would know nothing about what was to take place, and how was he to have the chance of being heard in open court? The explanation given by the Minister for Lands was that notice would be given to the man to appear. In the amendment there ought to be some provision by which they might call upon him to appear and give reasons why the decision should not be reversed.

The PREMIER said it appeared to him that that was involved in the statement that the decision should not be varied or reversed without hearing the person in whose favour it was given. If the board were not satisfied with the decision of a commissioner, and proposed to reverse or to alter it, they could not do it without giving the party in whose favour the decision had been given an opportunity of being heard. They could not give their decision until they gave the person an opportunity of being heard.

Mr. MOREHEAD: The amendment does not say so.

The PREMIER said that the board could not vary or reverse a decision without hearing him, and they could only obtain that hearing by asking him whether he wished to be heard. That was involved necessarily in the language used. They might insert words to the effect that notice should be given, but that would not carry the matter any further, because the board could not give a decision until the party interested had been heard, and if he was not heard the matter would stand over for ever.

Mr. MOREHEAD said the clause seemed to him to involve an appeal where no appeal was sought. Supposing a decision was arrived at by the commissioner, and all parties were perfectly satisfied with it, still there would be an appeal lying between the commissioner and the board. Surely that was not in accordance with the other provisions of the Bill! An individual was satisfied with the decision of the commissioner; the commissioner was satisfied that all was right; and yet behind that they had the board,

who might vary or reverse the decision of the commissioner. He could not conceive how the wording of the clause carried with it provision that notice should be given to the ndividual. He would assume, for the sake of argument, that the applicant was satisfied with the decision of the commissioner and desired to go no further, and there was nothing in the clause to invite his attendance or to tell him that the board intended to vary or reverse the decision that had been already given by the commissioner. The clause seemed to him at variance with the whole spirit of the Bill.

The PREMIER said he would explain the matter again, and in order to do so he would assume two different cases. A man applied for a selection; the commissioner approved of it, but objection might be made on public or on private grounds; the commissioner granted the application, but when the matter came before the board for final decision it might appear to them that the decision of the commissioner was wrong; and it would be most unfair that they should be allowed to decide in such a case without the knowledge of the applicant. Therefore it was provided that he should be heard, and until he was told he could not be heard. In the other case he would suppose that complaint was made against a man that he had not fulfilled the conditions, or that he was a dummy; the commissioner on investigating the case might find that he had fulfilled the conditions, or that he was not a dummy: that decision went before the board, who might be of opinion that the evidence tended in the contrary direction. It would be very unfair for the board to decide against that man without hearing him, and therefore it was proposed to add the words contained in the amendment. If the board were not satisfied with the decision of the commissioner they could investigate further, but before they decided against a man they must hear him. That was only common justice. It was quite impossible, as the clause stood, for the board to take any action to the prejudice of an applicant or a selector without giving him an opportunity of being heard in open court. How notice should be given to such persons was a matter of procedure which would have to be provided for in the regulations made under the Act.

Mr. MOREHEAD said the hon. gentleman did not follow his argument, or perhaps he (Mr. Morehead) had not made himself sufficiently clear. The hon. gentleman had given a case in point in which there was some objection to the selector, and that was, of course, a definite position to take up; but what he (Mr. Morehead) wished to point out was this: Supposing both sides agreed to abide by the decision of the commissioner—that they were satisfied that his decision was correct—why should the individual in whose favour the commissioner had given his decision—there being no objection by any other party—be subjected to further trial? If the hon. gentleman wanted to make the clause clear he should insert some words to the effect that "on appeal" the board might confirm, vary, or reverse the decision of the commissioner. The hon. the Premier had mentioned a case in which there might be a difference of opinion between two contending applicants for land, or on some other point; but if both parties agreed and were satisfied with the commissioner's decision he could not see why any further proceedings were necessary. If there was to be an appeal allowed from the commissioner's decision, words to that effect should be inserted in the clause, and he thought it very proper that there should be such power of appeal.

The PREMIER said the hon. gentleman had raised quite a different point altogether—as to whether the decision of the commissioner should be referred to the board at all. The scope of the Bill was that every decision should be reviewed by the board. The scheme of the present law was that the decision of the commissioner should be referred to the Minister, and in the Bill it was proposed to substitute the board for the Minister in that particular. The hon. gentleman asked why there should be any appeal at all; the answer was, because it was not considered desirable to give the commissioner power to determine anything without reference to the board. The hon. gentleman was not present last week when the question now raised was discussed at very considerable length, when they were considering what the functions of the board should be.

The HON. SIR T. MCILWRAITH said two objections had been taken to the clause, and they had better dispose of them in the order in which they had been raised. The first objection was that the clause, as proposed to be amended, involved the selector following up his application to the land board, and seeing that nothing went wrong there. There was no provision made in the Bill by which, in the event of the land court intending to reverse or vary the decision of the commissioner, the party interested should receive notice that such a thing was likely to be done. The hon. the Premier had said that was involved in the words "if he desires to be so heard"; but the desire to be so heard involved his following up his selection to the land board; and that was not likely to take place at all. A man put in an application for a selection; he argued the case before the commissioner, and a decision was given in his favour, and there the matter stopped. The applicant might be 1,000 miles from Brisbane, and have no intention whatever of appearing before the land court; and if the court intended to take steps to vary or reverse the decision already given there ought to be some machinery provided by which he should have notice to that effect. There was no provision of that kind in the clause, and the applicant would probably not hear anything of the matter until final decision had been given.

The PREMIER said the remark of the hon. gentleman about a man being 1,000 miles away suggested the idea to his mind that he might not care to be heard in open court. His remonstrance might be sent down in writing. It was only fair to point out to the hon. gentleman that the other point which was raised took precedence of that, and if he had any desire to say anything about it he should do so before the amendment was put.

Mr. MOREHEAD said the point which he raised, which was one that should receive serious consideration, had not been fairly dealt with by the Premier; it was that the word "confirm" was contained in the word "reverse." The hon. gentleman stated that the intention of the Bill was to vest the power now held by the Minister in the hands of the board, and he suggested that the word "appeal," or some word of similar import, should be put into the clause to leave the decision in the hands of the commissioner. The first part of the clause showed that the hon. member was in error, because no decision of the commissioner could be final until it had been confirmed by the board. Therefore there could be no decision arrived at with regard to anything until the board had confirmed it. Then it said that the board might "confirm, vary, or reverse" any such decision. Of course, non-confirmation by the board was practically a reversal of the decision. The word "vary" he objected to, unless there was some appeal from some person who con-

sidered he was aggrieved. Surely, if everything was in order, and there was no appeal, the decision would be confirmed! He did not see the necessity for those words; or, in fact, for any portion of the clause, except that portion which had been accepted by the hon. the Premier himself.

The PREMIER said the hon. member suggested that the board must either confirm or reverse a decision.

Mr. MOREHEAD: The word "confirm" embraces both.

The PREMIER said he was not sure that it did, and he could give an illustration at once. Suppose an application was made for a selection which comprised some permanent water, and somebody before the commissioner objected to the application, and the commissioner nevertheless granted the application; the board on looking over the papers, and seeing the plan of the land, and knowing that the water should not be comprised in the application, might very likely confirm the application subject to a variance in the boundaries, so as not to let it comprise all the water. They might leave one side of the water or some reserve in a corner for travelling stock. There were lots of cases in which the board might see the necessity for varying the boundaries without refusing to confirm the application. It was very desirable that those words should be stated in the clause.

Mr. MOREHEAD said if there was no exception taken to the selection or to the application, even in the case put by the Premier, he could not see why the decision of the commissioner should not be final, if there was no appeal against it. After the hon. gentleman had accepted the amendment of the leader of the Opposition, he did not care very much to press the point; but he thought it would be better that the proclamation should be final unless there was an appeal.

The HON. SIR T. MCILWRAITH said he understood the objection of the hon. member for Balonne, and would put it in this way: that it was not obligatory on the board to "confirm, vary, or reverse."

The PREMIER: They must do one of the three.

The HON. SIR T. MCILWRAITH said they might let the appeal stand. The words should be: they "shall" confirm, vary, or reverse such a decision. No matter what decision had been arrived at by the commissioner, by the board taking no action the case might hang as long as they chose. That was the objection that was taken; that there was nothing obligatory in the clause to make the board take action. Why should they leave it with the board whether they should take action or not? The clause ought to read, "the board shall confirm, vary, or reverse any such decision."

The PREMIER said that would be saying that the commissioner must deal with any application that came before him. Suppose he did not, he would be removed. It was the same as saying that a judge shall decide a case; he did it as soon as he could. The board were appointed for a purpose, and if they did not do their duty they would be removed; but they might exercise their functions in whatever way they thought right.

The HON. SIR T. MCILWRAITH said a great deal had been said upon the use of the words "may" and "shall." It was not usual to say that the Governor in Council "shall" do anything; but he did not suppose that the same courtesy in language should be used towards the board. The hon. gentleman said that, as the board was appointed for that purpose, they would be removed if they did not. He could conceive a case in which the Minister did not want to come to a decision. There would be a great many cases of that kind; where a man applied for a selection, if it was a difficult point they might hang it up. There would be no power to compel them to act.

Mr. MOREHEAD said that surely the hon. Premier could see that difficulties might arise if the amendment proposed by the leader of the Opposition was not accepted! The clause said:—

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

According to the interpretation put upon the word "may" by the Premier himself, under that clause it rested with the board to hang up a thing for all time, and they might never confirm it if it were not made compulsory upon them. Take the very case instanced by the Premier himself of a man taking up one side of a waterhole: the matter, as the clause stood, might be held up for years, and a decision never given. The man would have the decision of the commissioner, but it might eventually be reversed by the board, and he could not in the meantime go on with any improvements. He could not see why the hon. Premier should object to the amendment if he wished the clause to be a valid one.

The PREMIER said suppose they said "shall," the question would arise "when?"

Mr. MOREHEAD: Then we can alter the clause to meet that.

The PREMIER asked how they were to fix the time within which the board were to give their decision? Suppose they said it should be three months. It might take three months and a week before they could get the necessary information. Suppose they said six months, interruptions might occur to delay communication, and it might be seven months before they could hear from the selector. They could not lay down a hard-and-fast line as to the time in which it should be done. Attempts had been made in America to fix the time within which judges must give their decisions. He believed that in California a judge must give his decision within six months, and if he did not do so he could not draw any salary until he had given his decision. It was no use saying "shall" unless they could enforce the provision. They had to consider all those points in framing an Act of Parliament. If they fixed the time within which the decision was to be given, and the board did not give the decision within that time, what was to be done then? They could only punish them for not doing it. In many instances they must trust to public officers to do their duty. Their duty was plainly enough described, and it was their duty to do it. He was dealing with the suggestion that the word to be used should be "shall" instead of "may." If they said "shall" that did not carry it any further. If they said "it shall be the duty of the board to deal with such decision of the commissioner, and they shall confirm, alter, or reverse that decision," it would not be saying any more than was already said by the use of the word "may." It was their duty to give a decision, and to do one of three things—confirm, vary, or reverse the decision of the commissioner—to say "No," or "Yes," or "Yes" with certain additions.

The HON. SIR T. MCILWRAITH said the hon. member stated there was no difference between the words "may" and "shall" in that clause.

The PREMIER: No practical difference.

The HON. SIR T. McILWRAITH said he would quote the hon. member's words. The hon. member said there was no difference between the words "may" and "shall" in the clause, unless along with "shall" they appointed a time within which the decision should be given, and he did not think it was necessary to appoint a time. If they said "shall confirm, vary, or reverse," it put upon the board a certain duty; but if they used the word "may" they might do it, or the matter might be hung up for all time. That was the very clause which would provide for collusion between the Minister for Lands and the board. If they said the board "shall confirm, vary, or reverse," and they neglected to do so, they would have neglected to perform a duty forced upon them clearly by an Act of Parliament; while if they said "may" it made it optional with the board to do what was required of them or not.

The PREMIER said if it was considered desirable they could say "shall forthwith." That would mean "with all convenient speed." He would propose that as an amendment.

Mr. NORTON said he was glad the hon. member supported the amendment, because in the 17th clause the word "shall" was used with regard to the action of the board, and no time was fixed. The 1st subsection said, "The board shall require the commissioner to furnish them with a valuation," etc. The 2nd subsection said, "They shall also require the pastoral tenant or lessee or other person," etc., to do certain things; and the 3rd subsection said, "The board shall in open court," etc. He could not see what objection there could be to adopting the word "shall" in this clause, seeing that it was adopted in clause 17.

The MINISTER FOR LANDS said that, with the permission of the Committee, he would withdraw his amendment to enable the clause to be amended as proposed by the Premier.

Amendment, by leave, withdrawn.

On the motion of the PREMIER, the clause was amended by the omission of the word "may" in the 2nd line of the clause, and the insertion of the words "shall forthwith consider and"; and by the omission of the word "any" in the 3rd line, and the insertion of the word "every."

The MINISTER FOR LANDS said he would now move his amendment, which was to add to the clause the following words:—

But the board shall not vary or reverse any decision until after notice to the party in whose favour the decision was given, and hearing him in open court or otherwise, if he desires to be so heard. And every order of the board varying or reversing a decision shall be pronounced in open court.

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

The HON. SIR T. McILWRAITH said that before the next clause was moved he wished to draw the attention of the Government to some remarks made by the hon. member for Townsville. Of course he did not wish in any way to circumscribe the powers of the Government, but he thought that it was a matter of great importance in the working of the Bill that members of the board should be appointed who had the confidence of the House. On account of the extraordinary powers that had been given to those members—powers which had not been given to any other officer of the Government by any previous Act—he thought that on the part of the Government it would be acknowledged that the House ought to have something to say with regard to their appointment. That was not taking away from the position of the Government, nor would it interfere with their responsibility to that House. It was important to know who were to be the men to be associated with the Government in the working of an Act which would be extraordinarily difficult to work. As had been pointed out by the hon. member for Townsville, a similar course was adopted by the House of Commons on the Irish Land Act. Before that Act was passed, it was insisted on by both sides of the House that, prior to its becoming law, the commissioners should be actually named in the Bill; and he thought a similar course ought to be taken here; they ought to know who the members of the board were to be. The Bill provided what the Government considered sufficient safeguards against their duties being interfered with by the Government, by any officers of the Government, or by any other power except the parties themselves; and Parliament therefore ought to have some knowledge as to who were to be appointed. He would therefore like the Government to consider the matter before the Bill passed its third reading. Hon. members would be glad, he was sure, to see the names of the gentlemen whom the Government desired to appoint. That would give the Government time to consider their arrangements, and it would give satisfaction to hon. members on both sides, if they could then state that the members of the board would be gentlemen in whom the House would have the fullest confidence.

The PREMIER said that of course it was extremely desirable that the members of the board should have the fullest confidence of Parliament, and, as he had said on a previous occasion, the question of naming them in the Bill had been under the consideration of the Government, but at that time it was not considered desirable to do so. If, however, the Government were in a position, before the Bill passed its third reading, to name the members of the board, he did not think there would be any objection to the insertion of the names in the Bill. At the present time they were not in a position to do so, because they had no idea who the members of the board were to be. As the hon. member had suggested, the best time to deal with the matter would be before the Bill passed its third reading. The names might perhaps be inserted before the 12th clause.

The HON. SIR T. McILWRAITH said he was glad the hon. member had accepted his suggestion in the spirit in which it was made. The hon. member spoke of the 12th clause. There was a proviso in the previous clause to the effect that "this section takes effect from the passing of this Act." The constitution of the board would take effect from that time, and, any way, immediately on the passing of the Act, the appointment would be necessary; but the Government would have time to make their arrangements before that time.

The HON. J. M. MACROSSAN said that, as far as he could gather from the debate which took place in the House of Commons when the Irish Land Bill was in committee, the Gladstone Government had not made up their minds as to the appointment of commissioners; the matter was postponed. The Bill was in committee after that, he thought, about four weeks, the Committee sometimes sitting the whole night through. It was imagined that the only objection the Gladstone Government had to naming the commissioners was that probably some of the commissioners might be members of Parliament. He for one would not object to a member of the House being appointed a member of the board, if he had the confidence of the House and the Government; and, in fact, he believed that one of the Irish commissioners, Mr. Litton, was a member of the House of Commons. If the Government

therefore really had any such intention, they ought to inform the House who the members were to be. As he said before, he had no objection to any member of the House being appointed as a member of the board, he being otherwise qualified.

On clause 23, as follows :—

"PART III.—EXISTING PASTORAL LEASES.

"At any time within six months after this part of this Act becomes applicable to any run, the pastoral tenant thereof may give notice to the Minister that he elects to take advantage of the provisions of this Act with respect to such run.

"The notice of election shall be in the form in the third schedule to this Act, or to the like effect.

"In the case of two or more conterminous runs being held by the same pastoral tenant, the whole shall be dealt with as one run (hereinafter called a consolidated run) for the purposes of this part of this Act; but the board may require any consolidated run which contains more than five hundred square miles to be subdivided for the purposes of this part of this Act into two or more portions, but so that any two of such portions shall together contain not less than five hundred square miles. Each of such portions shall be deemed to be a consolidated run for the purposes of this part of this Act.

"For the purposes of this section, the lease of any run the term whereof has expired by effluxion of time since the thirty-first day of December, one thousand eight hundred and eighty-two, shall be deemed to be a subsisting lease until the expiration of the period of six months hereinbefore mentioned."

The HON. SIR T. MCILWRAITH said that was the proper time to ask the Government for some information with regard to the future working of the Act. The Bill provided the machinery for dealing with portions of certain runs included within the red line on the map; but at the same time it had been pointed out by the Minister for Works on the second reading that the Act would be purely optional as to whether anyone should come under it or not. They ought to see the consequences of the Act not only with regard to those who came under it optionally, but the consequences to those who did not elect to come under it. It was useless legislating in the dark, and all men whose interests were affected ought, in common fair play, to know in what respect they would be affected. He wanted to know in what way the Government proposed, supposing there were cases in which the present lessees of a run did not elect to come under the Act—in what way the Government proposed to deal with them? Of course, supposing all the lessees elected not to come under the Act, then it went for so much waste paper, and they would have simply repealed all the Land Acts of the colony and virtually left nothing instead. What the Committee was entitled to know was the action the Government proposed to take in regard to those lessees who did not elect to come under the Act. They might take the probable case that nobody would elect to come under it except lessees in particular districts. What would be done then? Did the Government propose to resume portions of the runs of those who were not under the Act under the powers of the Act of 1869, and if so what power would the Government have to deal with portions of runs so resumed? All that information the Committee ought to have. They ought not to have to guess at it. They ought to see how the Government would stand. The information was wanted not only for the pastoral lessee, but for the whole colony. It was also useful to members to know; and, in fact, it was necessary that they should have the information. As regarded the pastoral lessees, he assumed that the Government did not wish to put an option before them, keeping them dark as to what the option was. The pastoral lessees would know that they might elect to come under the Act or not; but what they would want to know was, supposing they did not come under it, what then ensued? The Government ought to give that information.

The PREMIER : It was referred to on the second reading.

The HON. SIR T. MCILWRAITH said it was, but the only reference he saw to it—and he read the whole of the speeches delivered on the second reading—was made by the Minister for Works, wherein he said the whole matter was simply optional. He said nothing would ensue. The way in which he talked was that it would be an advantage to come under the Act, and the phraseology of the Bill was, "elect to take advantage of the Act." The Minister for Works assumed that it would be an advantage, and if the lessee did not choose to take that advantage —well, nothing would come of it, and no harm would be done. He (Hon. Sir T. McIlwraith) did not think that was likely to be the policy of the Government, but if it was they ought to know. The Government could not have a Bill providing for dealing with land under certain contingencies without letting them know what would be the course they would follow, provided those contingencies happened, and which would actually happen. The Committee ought to know what the Ministry intended to do. It was only fair to the pastoral lessees, and fair to the whole colony.

The MINISTER FOR LANDS said there was no desire on the part of the Government to keep anybody in the dark as to their intentions, which he thought were fairly explained on one or two previous occasions, and more especially by himself on the second reading of the Bill. If the pastoral lessee did not care to come under the Act, and his run, or portion of his run, was required for settlement, the Government would exercise the power they already possessed under the Act of 1869, and resume the runs for settlement if required. Once resumed, the run was unoccupied Crown land, and was open for settlement.

Mr. MOREHEAD : It is not.

The MINISTER FOR LANDS said when a run was resumed it was in that position.

Mr. MOREHEAD said the hon. gentleman was wrong. Under the Act of 1869, land resumed under the 55th clause was not unoccupied Crown land. The pastoral lessee had the right to occupy it by paying rent until it was absolutely taken away from him by settlement, and when it was taken away from him by selection or otherwise he was entitled to compensation for improvements on the land so resumed. That was the law as it stood, and the hon. gentleman was utterly wrong when he told the Committee that when land was resumed under the Act of 1869 it became unoccupied Crown land. It became the property, so far as the grazing right was concerned, of the pastoral lessee until otherwise used or alienated.

The MINISTER FOR LANDS said they need not squabble over a term. The land would be available for settlement if resumed. The settlement of the lands was the only object the Government had in view, and the runs would be in that condition when resumed, whether the lessees had the right of depasturing on them or not.

Mr. DONALDSON said he wished to ask a question. Under the Act of 1869 it was provided that the Governor in Council might resume the whole or any portion of a run. Provided the pastoral lessee did not choose to take advantage of this Act, was it the intention of the Government to resume more land on the runs that were not under the Act than the Act provided for? The Bill provided that half the area of a run

should be taken ; but if the power of resumption was exercised in the case of a run that did not come under the Act, was it the intention of the Government to resume half or more than half of that run?

The MINISTER FOR LANDS said if the lessee elected to remain under the Act under which he held his run, then the conditions of the Act under which he held it would apply to him.

Mr. MOREHEAD said that was to say that pastoralists were to be brought under the Act by a threat or by compulsion. The question asked by the hon. member for Warrego was a very pertinent one, and that was, whether in the event of resumption under the Act of 1869 the same course of procedure would be adopted, and the same amount of land thrown open to the public under that Act, as was proposed to be thrown open under the present Bill? That was what the hon. member asked, and the answer he got was that pastoral lessees could not be under both Acts. The Minister for Lands, with the chuckle which seemed to delight him so much, thought he made a very great point ; but he might have known that no hon. member assumed that a man would be under both Acts. He was asked whether more than one-half of a run which had been held, say, twenty years, would be thrown open to selection if the lessee elected to remain under the Act of 1869.

The PREMIER said there was no threat in the matter. If a man did not choose to come under the provisions of the Bill he must take his chance. How could any Government answer for the intentions of the Government for the next twenty years? If they did state their intention that would not bind anybody else. If they said it was their intention not to take more than was specified in this Bill, a man, by not coming under the provisions of the Bill, would have all the advantages of both Acts. That would be a singular state of things. A promise of that kind would be extremely foolish, and, if made, would be quite inoperative.

Mr. DONALDSON said the Premier was wrong. A lessee would not have all the advantages of both Acts, because he would only have a short tenure under the Act of 1869, whereas he would have a long one if he came under the Bill.

The HON. B. B. MORETON said he had a question to ask. When the Railway Reserves Act was passed a large number of runs were divided, part of each being resumed. If any of those lessees took advantage of the Bill, would the half he now held under lease be subdivided, or would there be a fresh subdivision of the whole of the run—the leased half and the portion resumed ?

The MINISTER FOR LANDS said that in the case of the runs which had been divided under the provisions of the Railway Reserves Act it would be better to deal with the whole run, and not with the resumed halves alone.

The HON. SIR T. McILWRAITH said the Premier had not met the answer to the question put to him by the hon. member for Warrego. That hon. gentleman did not wish to know what the Government proposed to do twenty years hence, but what they were likely to do next year. It was quite evident that there was only one class of pastoral lessees who would voluntarily and without coercion come under the Bill when it became law—those provided for in the last paragraph of the clause under discussion. That paragraph proposed to give new leases to runholders who had no claim to them at all, and they would necessarily accept anything in the shape of a lease. They had not yet got an answer to the question as to what the Government would do in the case of a lessee who refused to come under the Bill—whether they would resume from the whole of the runs a proportionate amount or an amount considered suitable for selection, and bring it under the operation of the Bill. And in dealing with that selection, would they deal with those leaseholders on the same principle as that on which it was proposed to resume land by clause 24?

The MINISTER FOR LANDS said it would not give an unfair advantage to those men whose leases had expired to allow them to come under the provisions of the Bill. With reference to resumption on the runs of those lessees who did not choose to come under the provisions of the Bill, there would be no restriction when the runs were of such a character as to make it desirable that settlement should take place. The Government would recognise no limit to the amount of resumption if the lessee declined to come under the Bill. If every particle of their land should be taken up by selectors it would have to be resumed for that purpose, unless the lessees chose to protect themselves by coming under the provisions of the Bill.

Mr. MOREHEAD said that was a refreshing piece of information. The Government proposed to lock up the lands of the colony. The hon. gentleman knew very well that land could be resumed under the Act of 1869, just as well as under the Bill now before the Committee, if it was wanted for settlement. That could be done by a course of procedure which had never been objected to by either House of Parliament. Now, however, the hon. gentleman told the Committee that the course proposed by the Bill would be adopted—as if it were a new departure. But the hon. gentleman had not given an answer to the question put to him yet. To put it broadly, he was asked whether—in the event of the lessees of runs held under the Act of 1869 not electing to come under the Bill — whether a wholesale notice of resumption would be given to those lessees? They were perfectly aware that the Act of 1869 provided for those resumptions, but what did the hon. gentleman propose to do with the land when it was resumed? He could not bring it under the Bill and throw it open in 20,000-acre selections. It would have to be dealt with under the provisions of the Act of 1869.

The MINISTER FOR LANDS said the present Bill contained provisions for dealing with the land so resumed.

Mr. MOREHEAD said he was glad to have elicited that additional information. He would now ask the hon. gentleman how he proposed to deal with those runs situated near townships, where large areas had been resumed and thrown open for selection, but where the right of selection had been exercised to only a limited extent—whether he was prepared to consider those resumptions in the division of the runs? Suppose that, from a run of 200,000 acres, 88,000 acres had been taken from it, and thrown open for selection, and that only a portion of that area had been selected—would the hon. gentleman treat the unselected balance of the 88,000 acres as a portion of the run to be divided under the provisions of the Bill? It was only fair that that should be so. There were a good many runs near townships in that condition, and it would hardly be right to put the lessees of them in an extra unfair position as compared with the lessees of other runs.

The MINISTER FOR LANDS replied that all the land on which the lessee was paying rent would be considered as a portion of the run.

Mr. MOREHEAD said that was all he wanted.

The HON. SIR T. McILWRAITH said that what he pointed out was that in the Bill certain principles had been adopted by the Government for the resumption of land. They held that a certain amount should be taken from runs which had been leased from the Crown for a certain period; that a smaller amount should be taken from runs that had been leased for a shorter period; and so on. He had asked the Minister for Lands if he meant to put the same principles into play in the resumption of land from those pastoral lessees who did not come under the Act, and the hon. gentleman's reply was, "Certainly not; in those resumptions only one matter would be considered, and that was the demand for settlement." The answer might be right, but it was perfectly inconsistent with the Bill all through. What he had insisted on was that the Bill did not recognise settlement. Its object was to give a long lease for one-half of a run, twice as long a lease for another part, and a fifty years' lease for a large part of the remainder, without the slightest recognition of settlement. It had always been a principle of their legislation that if the whole of a run was required for settlement the whole should be resumed for the purpose; but the Bill departed from that principle. The Minister for Lands guarded himself against such a contingency happening in the case of men who did not come voluntarily under the Act, by saying that the Government would resume as much as was required for settlement. He (Hon. Sir T. McIlwraith) held that the whole of it should be resumed, and the argument was the strongest that could be brought against the Bill, simply because it provided for those long leases, and had not taken settlement into consideration at all. Then there was the last paragraph of the clause, which provided for giving pastoral lessees—whose leases had expired, and who had no more right to their runs than any hon. members had—a renewed lease. The Minister for Lands asserted that those men had as much right to a lease as anybody else. If the hon. gentleman had heard the Premier, when in opposition, denouncing a modified proposition of the same sort, made by the late Government two years ago, he would not have made such a flippant answer. On that occasion the leases were actually falling in, and the late Government proposed that there should be short leases, so as to bring them under the operation of the Act on a certain date. That was denounced by the hon. gentleman as one of the greatest pieces of spoliation that had ever been attempted in the colony.

The PREMIER: So it was.

The HON. SIR T. McILWRAITH: And yet when the same principle was now introduced the hon. gentleman never said a word about it. He dared say there were not half-a-dozen members on the other side who were aware that by the last paragraph of the clause it was intended to give a ten years' lease to men who had not the slightest right, legal or otherwise, to the land they occupied. He was not satisfied with the answer given to the hon. member for Burnett. He could not understand how on the dictum of a Minister certain lands should be treated as portions of a run, when they formed no part of it at the present time. The hon. gentleman said that in the division of a run certain lands outside it would be dealt with as if they were inside it. There was nothing to that effect in the Bill, and if it was intended to insert it, where would it come in?

The PREMIER: In the next clause.

The HON. SIR T. McILWRAITH said that if it was intended to propose such an amendment in the next clause it was time hon. members had it in their hands.

The MINISTER FOR LANDS said the drift of the hon. gentleman's remarks was that squatters should not be allowed to have anything in the shape of a fixed lease, and that they should be liable at any time to lose the whole of their runs. It would not be denied that there were numbers of people ready to take up small grazing holdings in the colony; and the want of openings for such men had been felt for years. No provision had hitherto been made for them, although the hon. gentleman had it in his power to have made such provision during his five years' term of office, if he had believed in them. He was certain the hon. gentleman did not believe in them, or he would have acted up to his convictions. And either the hon. gentleman thought there was no such class of people in the country, or else he thought it undesirable to promote settlement. He was inclined to think that the hon. member thought it was undesirable to promote settlement. What the Bill intended to do was to give an opportunity to men like that to settle on small grazing holdings, and at the same time to give the squatter an assured position which he thought he was thoroughly entitled to. The squatter had been before always in a state of uncertainty, but in the main he had been safe. There had been great risk attached to it by the prevailing opinion of the country. However, while the squatter occupied that position, he maintained that he was not in a position any man ought to be in, simply at the mercy of the Government of the day. The squatter ought to have an assured position, whether that was a restricted one or an extended one. He thought it ought to be a restricted one, so as to give other people opportunity to come in and occupy the land under different conditions. The Bill did that. It enabled them to come in without doing ruinous injury to the squatters. It gave the squatters an assured position, and it gave ample opportunities to men to come in under the terms of the Bill, on grazing areas. It also did the same with reference to agricultural areas. Agricultural districts did not conflict generally throughout the colony with the great pastoral interest, because the districts in which the pastoral interest prevailed were not districts that would be required by agriculturists. There might be coming a time when agriculturists would use the land in that way. Where the great pastoral interests prospered those agriculturists did not want to come in. The Bill enabled those who came after them to deal with lands and make them available to agriculturists as well as to small pastoralists. The land had not passed out of the hands of the State altogether. If at the end of the term they required to further subdivide the holdings—whether of the agriculturist or the grazier—it could be done, but under the old system the land would be absolutely alienated. There would be no check at all, as in the case of New South Wales, where men were driven to outside places—the most miserable holdings in the country—to take up holdings for agricultural purposes. That was what the Bill proposed to prevent. It proposed to retain the land in the hands of the State, so that at some future time those large holdings might be susceptible or capable of further subdivisions for small graziers or small agriculturists.

Mr. MELLOR said that reference had been made by the hon. member for Burnett to the leases of pastoral tenants. He would like to know in the interests of the settled districts whether it was proposed to give the lessees who now held yearly leases, a lease for ten years. He thought himself that, if such should be the case, it would greatly retard settlement in the settled districts. He was clearly of that opinion, because he was aware that there was a great deal of land in the

settled districts at the present time that would be required for agricultural purposes if the proposed railways were carried out. If a half of the runs was leased for a further term of ten years, he thought himself that would retard settlement in the future.

The HON. J. M. MACROSSAN said the hon. member was another of those on the Government side who seemed not to have read the Bill very carefully; and the first, second, and third of the Government supporters who had spoken on the Bill had read it just as carefully as that hon. member had done. However, he passed that over. The Minister for Lands complained in the last speech that he made that there was no provision made for small graziers, and that only provision was made for the large grazier. He thought the hon. gentleman must have forgotten the history of the squatting system. The history was that it was for the small grazier—that was, small according to the relative meaning of the word now. Twenty-five square miles formed the original run under the squatting system, and that system existed yet. Any man could take up land if he could find it, but the land was all occupied. Surely the present race of squatters were not to complain because the amount of land in the possession of the State was limited! They could not manufacture land. Any man could take up a run of twenty-five square miles, which was quite as small as the run proposed to be taken up by the small grazier under the Bill. So where was the great object? It was simply this: By the effluxion of time and the influx of capital, the small graziers had been driven out, and the large ones had taken their place. Now the State stepped in and said they would do away with that race of large graziers, and take away half of what they possessed, and divide it amongst the small ones; and the same process would have to be done at some future time unless a law was passed to prevent people using their capital to what they considered the best advantage. That was what the hon. gentleman stated lately in his speech. He was not going to speak for the large graziers; there were plenty there to speak for themselves. What he was going to say was that the answer which the hon. gentleman made about the compulsion which would be exercised upon a squatter who did not elect to come under this Act, seemed to him to be even worse than the repudiation of the pre-emptive right under the Act of 1869, giving every man who came under it a lease for twenty-one years under certain conditions. One of those conditions was that he was liable to have his land resumed in a certain way for public purposes.

The PREMIER: The law does not say so.

Mr. MOREHEAD: It does.

The HON. J. M. MACROSSAN: It does, and the Premier must read the law again.

The PREMIER: One section does.

The HON. J. M. MACROSSAN said that the Act having provided the way in which land was to be resumed when it was required for public purposes, and given the lessee a right for twenty-one years, unless it was resumed in that way, it seemed to him that by bringing in a Bill now, by which the Government could operate on that run and take it from the holder, would be an act of repudiation quite as great as the withdrawal of the pre-emptive right. The word "may" having been left in clause 54 of that Act, it gave the Government the power of exercising it or not. That was the opinion he had formed simply on listening to the speech of the hon. the Minister for Lands. The Minister for Works had distinctly stated that it was an optional thing. But a new light had struck the Minister for Lands, or else the Minister for Works did not understand the Bill. Had the Minister for Lands given the answer that it was optional for those who did not elect to come under it to remain out till the end of the term, he considered that the matter would have been quite a fair one, and the Government could do as they pleased with the leases which fell in, or which had fallen in at the present time, or which would fall in at any time between now and 1890. That was the basis on which he argued when he spoke on the second reading of the Bill; considering that it was optional, and that the Government would have only a certain number of leases—between 400 and 500—to operate upon between this year and 1890—about 500 leases in six years; but now they found that not only would they have those leases to operate upon, but that they might, if they chose, take away the whole of a man's run if he did not come under the present Bill, and devote it, not to agriculture or to purposes of settlement, but to smaller graziers. That, he maintained, was simply carrying out the operations of the squatting system as it now existed; and in reality the Government were going to give the power, under the Bill, to take away a man's lease that he had for twenty-one years, and carry out the same system as before. He knew several men who had been gold-miners, and were fortunate enough to get a few hundred pounds together, who had gone squatting upon twenty-five square miles. He knew several, within 100 miles of Charters Towers, who had done so; so that it was utter nonsense for the hon. member to talk of the present system as not giving opportunities to small graziers; because it really did so, so long as land could be found open for selection. Of course, as he had said before, if there was no land open the Government could not make more, and those who came last must take the consequences. It was just the same as men going to a first-class rush; the first comers took up all the payable ground, and those who came afterwards had to take what they could get, if they could get any. And so it was with the class which the hon. the Minister for Lands imagined existed in the colony. He (Hon. J. M. Macrossan) should be very glad to know that there was such a class, but he was very much inclined to doubt it; but what he had stated about the Act of 1869, giving the squatter an absolute right to his lease for twenty-one years, with the condition he had spoken of, could not be denied. Therefore, in his opinion, the Bill should not be compulsory, but permissive; and all the runs in the last paragraph of the clause should be operated upon at once—that was, runs the leases of which had fallen due. Those men had no legal right whatever to their runs. It was simply an act of grace on the part of the Government to renew their leases under any terms whatever; and he held that it was upon those runs the Government should first begin to operate, and not to take away leases from men who did not wish to come under the Bill.

The PREMIER said the country would be in a very deplorable condition indeed if the hon. gentleman's comparison was correct. He compared it to a goldfield in which every claim had been taken up. He (the Premier) hoped the colony was not reduced to such a deplorable condition as that—that the hundreds of millions of acres of land they had were not in the position of a goldfield every claim on which was occupied. The hon. gentleman had actually told them that under the Act of 1869 land could only be resumed for public purposes. Did he think that was a provision of that Act?

The HON. J. M. MACROSSAN: Would you resume it for private purposes?

The PREMIER : What did the hon. gentleman mean by "public purposes"? Was he playing upon words? Land might be resumed under that Act for any purpose the Government thought fit. There was no restriction whatever in the Act of 1869 as to the purpose to which lands resumed should be put; and it contained no such words as had been suggested by the hon. member. There was simply power given to resume any portion, or the whole of a run; in order to do so, certain notice must be given, and if not dissented from by both Houses of Parliament, the resumption would take effect, and the land would become Crown land, to be dealt with in any way the Government thought proper. And that was what the hon. gentleman now called repudiation. In the name of fortune, what was the next thing that would be called repudiation? They had been told over and over again that all the Act of 1869 really conferred upon the pastoral lessees was a six months' tenure; and now, when it was proposed to exercise that power, it was called repudiation. There was no arguing with hon. members who used such arguments. The facts were that under the Act of 1869 runs might be resumed upon six months' notice whenever the Government or Parliament thought it desirable to do so; and when resumed the Government could do whatever it pleased with the land. The object, of course, in resuming the land was to put it to some better purpose than that to which it had been devoted, and Parliament would determine from time to time what was a sufficient or better way of dealing with it. The Government considered that the lands of the colony were being monopolised to an injurious extent by large owners, and that they should be taken out of their hands, and placed in the hands of small owners to be settled upon as closely as possible. Hon. gentlemen opposite used to say that was their object, but now they said it was not their object, and that it ought not to be the object of the country. That was the power that the Government and Parliament had, and that power must be exercised from time to time as land was required for settlement. That power had never been exercised oppressively, but it must be exercised as fast as land was wanted for close settlement; and if the pastoral tenants did not take advantage of the provisions of the Bill they would remain under the Act of 1869, and any portion of their runs would be liable to resumption whenever they were wanted for settlement. They could not say where settlement would be required in the course of three or four years, but wherever it was required there must the land be taken away from the pastoral tenants who held it under the Act of 1869. Of course, land held under the Bill could not be taken away until the lease expired; but if it was not under the present Bill it could be taken away. He wished to say a word or two with regard to the position of leases in the railway reserves. Under the Railway Reserves Act, and the Western Railway Act, the provisions of which were substantially analogous, it was provided that on the resumption of runs in the reserves created by those Acts—that was, by exercising the powers of the Act of 1869—the land would nevertheless be subject to lease. It was a kind of formal resumption by which the land was made available for alienation, if required, but not otherwise. In fact, while the land was opened for selection, it still, for all practical purposes, remained a portion of the run. Except in regard to certain powers of selection, nothing was to interfere with the rights of the lessees; so that, in point of fact, the whole of the land not actually alienated or selected remained a part of the run. That was the effect of those Acts. It might be desirable to make the matter somewhat more clear by inserting an express provision in the next section; and he was glad that attention had been drawn to the matter by the hon. member for Burnett.

The HON. J. M. MACROSSAN said the hon. gentleman had not met his arguments, and he thought it was because he could not do so. What he said, as plainly and distinctly as possible, was that a lessee under the Act of 1869 had got a twenty-one years' lease under certain conditions, one of which was that the land should be resumed in a certain way; and he held that if they wanted to take land away from him they should do so in that way. But instead of that they were now going to pass an Act by which they could resume the whole of the run if they pleased.

The PREMIER : No.

The HON. J. M. MACROSSAN maintained that it was so. That was the very thing they were doing. The Minister for Lands had stated, in reply to a question put to him, that in the case of lessees under the Act of 1869, within the schedule, who did not choose to come under the Bill, the whole of their runs might be taken from them. He (Hon. J. M. Macrossan) maintained that that was repudiation. That was not the way in which the lessees bargained that their land should be taken. The bargain was that it should be taken from them in a certain way, and to take it in any other way was illegal.

The PREMIER said of course any other way was illegal. If a man did not choose to come under the provisions of that Bill, the Bill would not affect him in any way whatever. If the land had to be taken from him it must be under the Act of 1869. That had been said all along, and nobody ever said anything to the contrary. If a man chose to come under the provisions of the Bill there was no repudiation. He could not understand the hon. gentleman. There was power under the Act of 1869 to take the whole of a run if it was wanted; and it was perfectly optional for a man to come under the provisions of that Bill.

Mr. MOREHEAD said that was not actually what fell from the hon. the Minister for Lands and the hon. the Premier. What the Minister for Lands said was, that if lessees under the Act of 1869 did not come under the provisions of that Bill they had better look out for themselves, for they would have notice given them that their runs would be resumed under the 55th clause of that Act. There was a disclosed threat made by the Minister for Lands and by the Premier. He (Mr. Morehead) joined issue with the Premier in his interpretation of the 55th clause of the Act of 1869, and maintained that it did not intend that land should be resumed from the lessee to be utilised for the same purpose as it was before. And that was proved by the fact that the lessee was entitled under the existing law to a renewed lease for fourteen years. He would read the clause relating to that, as it would show which was the more liberal measure—the Act of 1869, or the Bill before the Committee; and also that the hon. gentleman was utterly wrong in his arguments in reply to the hon. member for Townsville. The 44th clause of the Act of 1869 said—

"It shall be lawful for the Governor, on the expiration of any existing lease or promise of lease, to grant to the holder thereof a renewed lease for fourteen years of the land held by him, or such portion thereof as shall not be required to be resumed for sale, or otherwise lawfully withdrawn from merely pastoral occupation."

The PREMIER : Any existing lease?

Mr. MOREHEAD said the hon. gentleman knew as well as he did what that clause meant, and

he had admitted it in that House before now. The words he (Mr. Morehead) wished to call attention to were, "merely pastoral occupation." That did not mean what was proposed under the Bill before the Committee—namely, to withdraw land from pastoral occupation, and put it under pastoral occupation again in what were called grazing farms, which were to be locked up for thirty years. That was the liberal land law which the present Government proposed to pass. The Act of 1869 clearly laid it down that where land was wanted for better purposes than "merely pastoral occupation"—that was, where the settlement of land could be effected by throwing it open to selection—resumption should take place. There could be no misconception as to the intention of the law, for the phraseology was quite clear. When closer settlement was desired there was all the machinery in the present statute by which it could be achieved. But what he rose to point out was that the Premier was utterly in error with regard to his contradiction of the hon. member for Townsville. As he (Mr. Morehead) had shown, the 55th clause of the Pastoral Leases Act was intended to be put in operation when they required to secure closer settlement; and proof positive of his statement was found in the fact that the Act had always been worked in that direction, and had worked very well indeed. The Minister for Lands had stated that one of the chief reasons that that Bill should become law was that he wanted to give his sons and his overseers and his friends an opportunity of obtaining some land. That was the principal reason why the land was to be taken away from its present occupants. He thought if the Premier would read the 40th and subsequent sections he would see that what he (Mr. Morehead) had said was absolutely true. He would tell the hon. gentleman that opinions of legal gentlemen, possibly quite as capable as himself, had been taken as to the meaning of the 40th clause, and they agreed that any intelligent man could only read that one way. In resuming a man's run, not only was the balance of his twenty-one years' lease taken away, but also the renewal for a further period of fourteen years, to which he was absolutely entitled under that clause.

The PREMIER said the sooner that delusion was expelled the better. The 40th section had nothing whatever to do with leases under the Act of 1869. It simply referred to pre-existing leases mentioned in clause 5. The wording of the clause showed that very clearly. The 5th clause stated that lessees who surrendered "their existing leases or promises of lease" could "obtain new leases under the provisions of this Act." The 41st section perhaps referred to leases, under the Act of 1869, but if it did, it could not possibly come into operation until 1890. There was therefore no necessity to discuss it now.

Mr. NORTON said he did not think it was wise to go on with that discussion about the provision with reference to renewal of leases for fourteen years. There were other clauses which indicated the intention of the Act. He had no hesitation in saying that the intention was to allow the Government to resume lands for selection, but not for re-leasing under the circumstances under which they were now leased. If the contention of the Premier were any good at all, it amounted to this: that the Government might say to the lessee, "If you do not choose to pay us an increased rent we will resume your land, and cut it up into blocks of twenty-five square miles each, and let these small blocks to anyone we choose." Let them look at the 55th clause. According to that clause the Government had the right to resume from runs any portion not exceeding 2,560 acres. But if that was not sufficient they might, by a process which was laid down in the statute, resume the whole of the run. The land, however, was not taken from the lessee, even though it was resumed. The last part of the clause said:—

"The lessee of all lands so reserved may require that lands alienated or selected for sale in virtue of such reservations shall be computed in deduction of the rent paid by such lessee, and the amount of rent to be remitted shall be determined by arbitration in reference to the grazing capabilities of the said leasehold."

If that country were to be taken away from them merely to be resumed, why was that provision made for a reduction of the rent in the case of sale or alienation? There was no object in making a provision of that kind if it were to be re-let. It stood to reason that if the tenant had the run which he held for twenty-one years they could not take it from him and chop it up or re-let it.

The PREMIER: You will see.

Mr. NORTON said he did not doubt what was the hon. member's intention, after what they had been told. It was to dispossess the lessees of those runs, and re-let them to other lessees. The intention of the Act was laid down very clearly, and there was no mistake about its meaning. The next clause, 56, dealt with the same subject in another way. He presumed, from the manner in which the Act was drawn up, that when a run was resumed, the lessee should give up all right to it; but, according to the 56th clause, they were told—

"Notwithstanding any notice of resumption, the lessee shall have a right to depasture on the resumed portion until the same shall be actually alienated or otherwise disposed of by the Crown, when the lessee shall be entitled to claim, and be paid by the Crown, the value of his improvements erected or made on the lands so alienated or disposed of, such value to be ascertained by arbitration under the provisions of this Act."

There they had in the first place a resumption by the Crown. Then they had a provision in the 1st clause that after the resumption of that land the lessee should continue to occupy the land if he chose, and, in the event of the land being alienated, the portion of the land which he then held he would hold under a different tenure, and he should be paid for improvements included in the land which was alienated. It was already provided that so long as he did hold he should continue to pay rent, and that when alienation or selection took place he should cease to pay rent upon the portion taken away. Could anything be clearer than that? The run should not be taken away and re-let. He did not think any sane man would contend that it entered the minds of the framers of that Act that the Government, during the duration of those leases, would attempt to take away those leases and give the country to someone else. If that were to be done why should not the run be taken from the present holder and be let to somebody else? If they once admitted the argument that the run could be taken away, then they must admit that it could be taken away and re-let in one block to one man, or cut up and re-let to several. It appeared that that was the only construction that could be put upon the Act. But there was another question. According to the contention of the Government, the whole of the lands within the schedule would be brought under the Bill when it became law. That was to say, it would be optional with the present lessees to hold under their previous tenure if they chose; but they would be always in expectation of their land being resumed if they did not come under the Bill, and re-let to other persons. The hon. Premier thought it probable that they would come under the Bill,

and if they did they would pay a higher rent than they did at present. The object of the Bill was to compel lessees who held country under a certain tenure, and at a certain rent, to pay a higher rent. There were numbers of runs enclosed within the schedule which were held for a short length of time; they would have to pay that increased rent, and would have a tenure of fifteen years. Compare them with the favoured few who were down in that lower corner of the colony which was excluded from the 1st schedule in case New South Wales men should come and occupy that land. The men inside the schedule from the very first paid a higher rent, and got a lease for fifteen years; but the men on the Lower Warrego who had held their runs for twenty years or more would continue to occupy them until there would be a risk of them being brought within the schedule, or until, for some reason, they wished to come under the Bill. They would be left undisturbed until the railway went there; at any rate they could reasonably expect to be undisturbed for many years. The result was that they would go on occupying the whole of that country at a lower rate than they now paid, and notwithstanding the term they had already had it, until towards the end of their lease there was no prospect of being brought within the schedule, when they would make an application to be brought under the Bill. When that application was made they would come under the Bill in exactly the same position as other men who came in at once, and who had not held their country half as long. They would probably be compelled to pay the same rent, and would get fifteen years' tenure for the part not resumed. Was that fair to men all engaged in the same occupation, and a large number of whom, in the unsettled districts, were engaged in a much more lucrative occupation than those inside the schedule! A large number of the men living on the Lower Warrego and in the interior were sheep-farmers, and sheep-farming was far more profitable than cattle-farming. All those advantages were given against those in the schedule, many of whom were merely cattle-farmers, because the country was not good enough to put sheep on. They had seen too much of those divisions. Everybody who had been inside, or had seen much of the settled districts, knew that the condition in which they were placed some years ago, when the Pastoral Leases Act was passed, was very favourable to those outside compared with those inside; and it was a mere continuation of the same thing. There were advantages and benefits conferred upon one class of lessees which the others were deprived of. The hon. Minister for Lands could not meet his contention when he said it was unfair to place certain tenants in an unfair position, and he could not meet his argument when he contended that the object of the Act of 1869 was to enable the Government to resume what lands they liked for selection, but certainly not to let them to graziers for grazing purposes.

The MINISTER FOR LANDS said that, if the alteration of the schedule so as to include the Lower Warrego would be sufficient to prevent their having another such interminable speech from the hon. member as that they had just heard, he might see his way, when he came to the schedule, to alter it. He was very glad to hear that there was a very well determined line of difference between the Government and the hon. member for Port Curtis and the hon. member for Balonne as to the manner of settling the country. They had consistently contended all through that the squatters were entitled to hold their runs until they were wanted for other purposes—he presumed, for agricultural purposes.

Mr. MOREHEAD: They never said so.

The MINISTER FOR LANDS said that was what had been contended for all through by the member for Balonne—that the squatter was entitled to hold his run until it was required for other purposes.

Mr. MOREHEAD: Yes; sale or selection.

The MINISTER FOR LANDS said if that were the case they might as well give those men the land in perpetuity, or at least they might hold it for the next half-century. In many parts of the country it would be quite that time before anything could be done in the way of agriculture, as the land could not be used for such a purpose until they had irrigation.

Mr. ARCHER: The question is whether the law allows that; we are dealing with the law as it stands.

The MINISTER FOR LANDS said the law, as it stood, was very defective in that respect. It shut up that land, according to the contention of the hon. member for Balonne, for all time. The hon. member claimed that nobody should deal with it except in some way different from the way in which it was dealt with at present. That was where he maintained their existing land laws were wrong; they did not allow a man to have the land to carry out the same work as was being carried out on it now. That had been a want felt all over Queensland, but it did not suit what he must call the grasping notions of the hon. member for Balonne, who wished the present holders of those lands to hold them in perpetuity.

Mr. MOREHEAD: I want a contract to be carried out.

The MINISTER FOR LANDS said it had been maintained over and over again that the contract was not an absolute one. There was the power of resumption, and they might as well take away the whole effect of the resumption as to say that the resumption should only be for certain purposes—that the land was to be resumed for gold-digging, or for a cabbage garden. They might just as well say that nothing but a Chinaman with his cabbage garden should be allowed to encroach upon the leaseholder's property. If that was so, and if that was the contention of hon. members opposite, it at all events served to define very clearly the difference of opinion between members on the Government side of the Committee and members opposite.

Mr. NORTON said he was glad to hear the hon. member say that, after such an interminable speech as he had made just now, he would consider the advisability of altering the schedule. Did he speak ten minutes?

The MINISTER FOR LANDS: An hour it seemed to me.

Mr. NORTON said upon his soul the hon. member was the most gross exaggerator he had ever heard. And what the hon. member had just said was gross exaggeration. He attempted to meet his (Mr. Norton's) argument, that the Act was intended to allow the Government to resume land for sale or selection, by saying that they contended that the land should not be resumed except for cultivation. Whoever said such a thing? Over and over again the hon. member had got up to answer an hon. member on that side, and had never once attempted to argue with the statements made. He continually misrepresented and exaggerated what they said, and never applied his arguments to what was really said on the Opposition side of the Committee. The fact was, there was no attempt at argument on the Government side. The hon. member talked of "interminable speeches," but what had the hon. member done when he introduced the second reading of that Bill? The hon. member spoke for hours, and

there was not a clause in the Bill he did not refer to. The hon. member had occupied three hours and a-half of the time of the House in introducing the second reading of the Bill; and the greatest portion of that time he occupied in reading the marginal notes to the clauses, and sometimes in reading clauses that they had in the existing Land Acts. That was what he called explaining the Bill on the second reading; and now he talked about "interminable speeches." He (Mr. Norton) could speak as long as the hon. member if he thought it necessary. There was this fact to be noticed. The hon. member, during the whole of the evening, had got up to speak several times, and he had not once taken the absolute statements of hon. members on the Opposition side, but had exaggerated them, and had then argued against something which was never said at all. He observed that in the hon. member's speech just now. Neither the hon. member for Balonne nor himself had ever said, or even hinted, or ever said anything which would give even the shadow of a hint that the intention of the Act was only to allow the Government to resume lands from runs for the purpose of cultivation. He had read the words of the Act himself—"Land may be resumed for sale or selection." It was not a question what ought to be done; what they had to deal with was the Act as it existed, and the leases given under that Act. They were held under certain terms, and he for one contended that whatever those terms were, were they bad or good for the country, so long as the lease was given the Government had no right to break faith with the lessees and take the land from them merely for the purpose of letting it again. If that Bill was introduced merely to extract an increased rent from the lessees, which they could not have extracted from them under the present Act, he said it was repudiation of the worst kind.

The PREMIER said that, now that they had had a clearly formulated statement of what the views of the Opposition were—and they were the views of the old squatting party—he would venture to suggest that instead of discussing the Minister for Lands they should discuss the clause under consideration. Hon. members must see that discursive speaking simply prevented the discussion of the Bill. If a division took place upon the amendment now, one-half of hon. members would not know what it was about. Discursive speaking really prevented an intelligent discussion of the Bill; and if hon. members would confine themselves to the discussion of the clause, and propose amendments which they thought necessary, if a division took place hon. members would understand what it was about. Hon. members could also see that they had actually driven members out of the Chamber by discussing endless things which were not before the Committee at all, and particularly their favourite object, the Minister for Lands. There were some hon. members who had a real desire to make progress with the Bill, and therefore he asked that the discussion should be confined to the clause under consideration.

Mr. NORTON said he thought the hon. member was guilty of a great piece of impertinence. Did he refer to him (Mr Norton) as discussing the Minister for Lands? He had never done that, and therefore he hoped the hon. member would reserve his remarks for those who did discuss the Minister for Lands. If the Premier thought that by laying down the law in that way he was going to advance the Bill much faster, he was greatly mistaken. That matter had been brought forward because it was connected with the clause before the Committee.

Mr. JORDAN said he should like to know what the hon. member for Port Curtis meant. As he understood him, he meant that unless land was wanted for alienation the lessees under the Pastoral Leases Act of 1869 had a right to its possession in perpetuity.

Mr. NORTON: No; I did not.

Mr. JORDAN said he would then like to know exactly what the hon. member did mean. Did he mean that unless the land was wanted for alienation it would be a violation of the compact with the lessees to resume the whole or a portion of it? Was it maintained that unless it was wanted for a higher purpose the lessees had a right to it in perpetuity? It was fair to assume that it would be wanted for a higher purpose. The very fact that the selectors must fence it in in three years showed that pastoral occupation would be on a different principle; and the higher rent showed that the holders would have to spend a certain sum of money on the conservation of water; therefore it was that those small holdings would be put to a higher purpose. That, as he understood it, was the main object of the Bill.

Mr. NORTON said that if the hon. member would read the 56th section of the present Act he would understand what he (Mr. Norton) meant. It was there clearly laid down that the Government had a right to resume the land they required; that the lessees had a right to depasture their stock on the resumed portion, and would pay a rent on that, but the land was open to selection or sale; and when it was selected or sold, then the lessee ceased to pay rent on it.

Mr. STEVENSON said they had been told by the Premier that if a division were now to take place on the clause not a single member would know what it was about. He quite agreed with the hon. gentleman, because they found that the Minister for Lands and the Premier contradicted each other. The Minister for Lands, a little while ago, in reply to the leader of the Opposition, distinctly stated that under the Bill there was no opportunity for the small grazier to come in, and that that was the chief reason why he wanted it passed. On the other hand, the Premier said that under the Bill they could resume land for any purpose they liked, and that it would be let out to the agriculturist or small grazier to use in any way they thought fit. The two hon. gentlemen, as usual, therefore, contradicted each other. If the Premier was right, what was the good of the Bill? If the small grazier could be accommodated under the present Act, what was the use of taking all the trouble to pass that Bill? The Minister for Lands did not know what he was talking about. He complained about the hon. member for Port Curtis making long speeches. The hon. member for Port Curtis at any rate generally talked sense, and that was more than they got from the Minister for Lands as a rule. What did the hon. gentleman want to do with the Bill? The Premier distinctly said it was only to be a permissive Bill, but then he said that with respect to those who did not come under it they would see what would be done with them. That was a threat. They had been told by the Minister for Works that it would not affect him one single bit, but that they would see what would be done with those who did not come under it. He as much as threatened that if they did not come under it the whole of their runs would be resumed. If what the Premier said—that they could resume the whole of the land, and put it to any purpose they thought fit—was right, what was the use of all the fuss about passing the Bill? The Minister for Lands accused hon. members on the Opposition side of wishing to retain the land entirely for pastoral purposes when it might be wanted for

cultivation. There was not a single member on that side who had set up any contention of that sort. The hon. member had set up the contention by his own argument in saying that there was no opportunity for the small grazier to come in. The hon. member said he wanted to assure the position of the squatter. Considering the hon. member's action since he came into office, he had better hold his tongue about that. Considering the reputation he had obtained, not only in administering the law, but by his legislation, he ought to say nothing more about assuring the position of the squatter. He had done more to destroy the security of the squatter than any man who had previously administered the Lands Department. The only little security the squatter had was the pre-emptive right, and the Minister for Lands had attempted to do away with that; and yet he talked about assisting the squatter. They had better understand what hon. members on the Government side really meant, and it would be well if, as he had before suggested, the Premier and Minister for Lands would come to some decision between themselves before they got up and made contradictory statements, as they were in the habit of doing, night after night.

Mr. MIDGLEY said, to facilitate the passing of the measure, he frequently refrained from saying what he felt disposed to say, but the discussion they had had for the last hour had been to him an eye-opener. He had felt considerably startled and dismayed at the doctrines which he had heard propounded in Committee that night. He had as keen a nose for anything in the shape of repudiation as the Inquisition had for heresy, and he abominated it as much as anyone; but he had heard doctrines propounded setting forth that the squatters had a claim to hold hundreds of square miles of available country to the exclusion of settlement. He thought that doctrine was exploded, and that it was a creed of which most men would be reluctant out of policy to acknowledge themselves the disciples and admirers. The speeches he had heard showed really how brittle and uncertain the tenure of the squatter was now, from the fact that the whole of the runs might be resumed at any time. If they were to accept what they had heard that night as being the correct version of the case, the fact was that no Government would ever feel itself at liberty to propose any modified, or different, or better form of tenure or settlement than that which now existed. The large pastoral lessee was not the most desirable form of settlement. He was a man who did his work and played his part—a man against whom he had not a word to say; but there came a time in the history of the colony, in the progress of events, when it was desirable, and not only desirable—for it was desirable from the beginning—but when it was possible for a hundred men to engage in the same pursuits, and reap something of the same advantages that were derived by the original occupier and on the same area of land. The doctrine they had heard, if carried out, would prevent any Government proposing such a land system as that proposed in the Bill. He was really sorry that what they had heard seemed to be the old spirit and aspirations of which they used to know so much, but which he had begun to think were dead and buried. Since the Bill had been in committee he had not lost sight of the discussions that had taken place; and he was free to confess, constrained to confess, that he considered—though it might seem an ungracious thing to say so—that the proposed system of resumption was too elaborate, complicated, and involved. What they were attempting was a mere experiment, and the whole thing could have been accomplished by a less elaborate and complicated machinery than those clauses and the schedule. Under the Act of 1869 it would have been possible to have obtained possession of land in sufficient quantities to try the experiment in all its various branches. The Government could have resumed land in portions large enough to have a large quantity of land available for grazing farms and for agricultural farms. They could have done that under the existing Act, but at any rate they could have embodied their principles in the Bill in a much less elaborate way. But they could not have done one thing. They could not have made the pastoral tenant pay a larger rent under the Act of 1869, and that was really where they had got into some measure of difficulty and dilemma by wanting to give the squatter an option, and wanting to constrain him into doing something which was not a part of his present agreement. Perhaps that had arisen through the desire to do two almost antagonistic and certainly different things. He would like to ask now if there was no further information available as to what was likely to be the effect of the Bill upon the revenue of the colony. They anticipated from the measure not only increased and closer settlement, but they anticipated increased revenue. Now, supposing a great number of those squatters should say, "The offer of a different and better tenure is not sufficient to induce me to part with my present tenure, inasmuch as I will have to pay more rent and get no different conditions"—supposing a large number should refuse to come under the Act, was it probable that the anticipations with regard to increased revenue would be realised? If those men were compelled to take the alternative, and if the land was resumed, would that not also be likely to tell against an increase of revenue? If the Government could give any information as to what would be likely to be the effect of the Bill on the revenue of the colony, he was sure it would be more satisfactory to the minds of a good many members of the Committee. He was certain of this: that they ought to have a great many more grazing settlers than they had already in the colony, and certainly they ought to have a larger revenue from pastoral occupation; but, seeing that the measure was to a certain extent optional, was it likely that from the squatters the result of an increased revenue would be obtained? If there was any information that could be given it would be a very valuable help to the Committee.

The PREMIER said it was quite impossible to give more accurate information in respect to the effect the operation of the Bill would have on the revenue. The hon. gentleman had dealt with only one object of the Bill—to provide for closer settlement by areas of grazing and agricultural farms. But there was another object of the measure—to secure a more adequate return for the waste lands of the colony and to give a tenure to the pastoral lessees, under which they were likely to put the land to a better use. The Government believed that the inducements offered to the pastoral tenant by the Bill were such that he would take advantage of its provisions, but they could not make him do so, because that would be breaking a bargain. If, however, the pastoral tenant came under the provisions of the Bill, the Government would receive more rent; if he did not, the Government lost any increase of revenue from that source, but would get an increase from the grazing and agricultural selections.

Mr. MOREHEAD said that, to his mind, the word "run" in the clause under discussion had a meaning different from the meaning it had in the interpretation clause, and in the 6th clause,

proposed by the hon. member for Stanley. The 3rd paragraph of the 6th clause said :—

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

And the 23rd clause said :—

"At any time within six months after this part of this Act becomes applicable to any run, the pastoral tenant thereof may give notice to the Minister that he elects to take advantage of the provisions of this Act with respect to such run.

"The notice of election shall be in the form in the third schedule to this Act or to the like effect.

"In the case of two or more conterminous runs being held by the same pastoral tenant, the whole shall be dealt with as one run."

It also provided that the board might require any consolidated run containing more than 500 miles to be subdivided, so that any two portions should not contain less than 500 miles. What he wished to know was, whether, if the right of pre-emption were used to the extent of 2,560 acres, of the value of £1,280 on each block, the pastoral tenant would be debarred from any supposed privileges which might exist under the 23rd clause?

The PREMIER said that notice would be given under the provisions of the Bill with respect to each separate run, and the pastoral tenant would have six months in which to make up his mind whether to come under the clause or to pre-empt—supposing he was entitled to do so. Of course, if he pre-empted on a particular run, that run could not be reckoned in the consolidation. If a tenant had thirty runs, and wished to pre-empt on one, he could give notice with respect to the other twenty-nine, and have them consolidated.

Mr. MOREHEAD said he assumed that if a pastoral lessee had ten runs of fifty square miles each—which might be treated as one consolidated run—if the lessee had the right to pre-empt on five of them, and exercised his right, those runs would stand outside the Bill altogether, and would have to be dealt with separately. The word "run" seemed to have two meanings.

The PREMIER said that a "run" was a "run" throughout the Bill. It was defined in the interpretation clause to be "the land comprised in any such lease or license." There was a separate lease or license for each block of country. If there were several conterminous runs belonging to the same owner, and he desired to bring them under the provisions of the Bill, they would be treated as a consolidated run.

Mr. MOREHEAD said that if there were ten runs of fifty square miles, which might take a zigzag direction, and upon five of which the lessee had the right to pre-empt—that would give an opportunity to a wealthy man to "peacock" the different blocks.

The PREMIER said they would have to get a map to see how that would be worked out. Supposing a man had sixteen runs in the position of the squares composing a quarter of a chessboard, and that he happened to have made improvements to the extent of £1,280 on each of the blocks represented by the white squares, and none on those represented by the black squares; if he then desired to make a pre-emption in each of the white squares, he would be entitled to do so; but the black squares, not being conterminous, could not be consolidated. But that there should be improvements on all the white squares and none on the black, was extremely improbable.

Mr. MOREHEAD asked whether it would not be well to introduce a clause by which the consolidation of pre-emptive rights should be allowed in such a case as he had indicated. He knew some blocks where a considerable number of pre-emptives might be taken up under the 6th clause, which would seriously hamper the subdivision of runs; and the matter was worthy of the consideration of the Premier.

The PREMIER said that a tenant would find it so extremely inconvenient to cut up his holding into a number of separate runs, that they might trust to his self-interest not to attempt it. As to consolidated pre-emptions, he was aware that he had to share the blame with others for what was done many years ago, when they did not perhaps know so much on the subject as they did now; but he was not going to be a party to consolidating pre-emptions any more.

Mr. MOREHEAD said the Committee were entitled to know how many leases had expired by effluxion, since the 31st December, 1882, with the names of the lessees.

The PREMIER said he was under the impression that a return to that effect had already been laid on the table.

The MINISTER FOR WORKS (Hon. W. Miles) said the hon. member for Balonne and the hon. member for Normanby had done all they possibly could to injure the pastoral lessee, by the way in which they had set themselves to attack and badger the Minister for Lands; they had been the means of preventing a number of beneficial amendments being made in the Bill. By their offensive manner towards the Minister for Lands they had prevented that attention being given to the Bill to which it was entitled. As to the Act of 1869, which the hon. member for Balonne considered the most liberal Land Act that had ever been passed, the object of the framers of that measure was to provide land for settlement whenever it was required. Under that Act the pastoral lessee was simply a tenant-at-will, whereas under the Bill the Government proposed to give him half his run with security of tenure as compensation for giving up the other half for settlement. As to pastoral lessees not coming under the Bill, he did not think they would be such fools as not to take advantage of it. The rents would be trebled, and no hon. member would dare to say that the rents now paid were anything like adequate. By coming under the Bill the pastoral tenants would have a security for one-half of their runs, which was not the case under the Act of 1869.

Mr. MOREHEAD said the Minister for Works had just admitted that the Bill introduced by the Government stood in need of several beneficial amendments. After some very incoherent abuse of himself and the hon. member for Normanby, he went on to say that the Act of 1869 gave only a tenancy-at-will, whereas the present Bill gave a secure tenure to those who chose to avail themselves of it for one-half of their runs. On the latter point he was utterly at variance with the hon. gentleman. He had always been opposed to fixity of tenure so far as regarded the squatters, and from that point of view the Act of 1869 was the best Act for the good of the people that was ever passed by the Legislature. As to the pretended fixity of tenure given by the Bill, what was it worth? There was no tenure ever given by the House that could not be repealed by the House. Even the Bill itself proposed to repeal a certain portion of the existing law——

The MINISTER FOR WORKS: No.

Mr. MOREHEAD said that was the case; and he was referring to the pre-emptive right; and a future Parliament could repeal the lease that was now proposed to be given. Those leases could be undone as easily as the present majority of that

House proposed to abolish the Act of 1869, and destroy the tenures and pre-emptive rights therein contained. If a pre-emptive right could be destroyed most certainly any lease created by that House could be destroyed. The Minister for Works might laugh. The hon. gentleman knew as well as he did that what he said was true. The hon. gentleman had told them too that night—and had said it with an assumption of earnestness that would lead those who did not know him to believe that he was in earnest—he had told them that the squatter had been too long paying too small a rent in this colony. The hon. gentleman discovered that when he ceased to be a pastoral lessee. When the hon. gentleman got rid of his freeholds and leaseholds, he then came to the conclusion that he could give an unbiassed opinion on matters—pastoral and others. He was sorry that old age had not made the hon. gentleman more generous or kind. He was sorry that, having got up the ladder of success, and through the ladder of squatterdom having got to the top of the tree, that the hon. gentleman should try to kick away the ladder by which he achieved the position he was now in. He recollected that in those days the hon. gentleman was very conservative in regard to the rents; that he thought the rents were amply sufficient; in fact, that the squatters were a very highly taxed portion of the community; but now having—to use a vulgar expression—feathered his nest, he had come to the conclusion that the squatters did not pay half as much as they ought, or anything like it, to the revenue. He (Mr. Morehead) thought that every hon. gentleman in the Committee knew how the hon. member (the Minister for Works) made his fortune. It had been through squatting, and now he would do all he could to prevent any other man attaining his position by the same means. The remarks of the hon. gentleman about the Act of 1869 were quite illogical, because he had admitted that power was given in it to dispossess what he was pleased to term tenants-at-will; but under the Act which the hon. gentleman and his colleagues now asked that Committee to pass, he proposed to lock up the lands of the colony to pastoral tenants and otherwise, for spaces from fifteen to fifty years in what he was pleased to term indefeasible leases. All he (Mr. Morehead) could say was that if he lived five years and should be a member of that House, and if the Bill became law—he was perfectly certain that it would be undone—that indefeasible leases would be broken up, not by action inside the House but by action outside the House.

Mr. STEVENSON said that the hon. member for Balonne and himself got a great deal of credit from the Minister for Works for obstructing the Bill or preventing it from being amended. The hon. gentleman seemed to admit that a good deal of what was bad must be in the Bill, since he thought it was capable of amendment. At any rate he was not going to have the blame thrown on him of having the Bill amended, and the hon. Minister for Works, if he thought the Bill was passing in a bad shape, had better take the blame to himself, the Minister for Lands, and his colleagues, instead of casting it on the Opposition. The Minister for Lands had brought forward several amendments already; and let him bring forward other amendments if he could not accept them from the Opposition, and not place the blame on them. He knew what the hon. gentleman meant perfectly well. The hon. gentleman wished to throw the blame on the members of the Opposition side of the Committee, and wished to excuse himself in that way for not fulfilling his promise to a certain section on the Ministerial side. On the second reading of the Bill the Government found out that certain concessions would have to be given in the homestead clauses, and on that point they kept their promise. A section on the Ministerial side of the House was strong enough to make them keep their promise with the influence that came from the Opposition. Another promise was made in regard to the pre-emptive right to a certain section of the House. That promise had not been kept, and the Minister for Works was going to put the blame on the Opposition for their not having kept that promise. But the Opposition were not prepared to take the blame on themselves. They knew perfectly well that the Minister for Works and his colleagues were not sincere in making that promise. They had exposed the Government who did not like it, and wanted to cast the blame on the Opposition, and the Minister for Works got up and said that had it not been for the action of the hon. members for Balonne and Normanby, very beneficial amendments might have been made in the Bill. Were they coming to this farce, that they had got a Ministry so paltry, that even any cavilling from the hon. member for Balonne or himself could stop them from putting any beneficial amendments into their Bill, and were thus making the whole colony suffer for the action of the hon. member for Balonne and himself. The Minister for Works was surely going off his head! The hon. gentleman knew perfectly well what he wished to say, and knew that he had kept a certain section of the House quiet under the impression that he was going to make certain concessions in regard to pre-emptive rights, and other matters which he had failed to do; and therefore he wished to excuse himself by blaming the members on the Opposition side of the Committee. That was what the hon. member wished to do, but they did not intend to accept the blame. He thought that Committee, and the country, had to thank the hon. member for Balonne and himself for getting a great deal of the information out of the Premier and the Minister for Lands, that would never have been got out of them except for the action which they had taken.

The MINISTER FOR WORKS said he had pointed out that in the very last clause of the Bill which was discussed some valuable amendments had been made. He maintained that if hon. members on the other side would approach the Bill in a calm deliberate spirit the Government would be prepared to accept any reasonable amendment in it. The hon. member for Balonne, who had accused him of being actuated by selfish motives, ought to be the last member of the Committee to make such an accusation; because he and his firm had got more out of the Crown lands than all other people put together. If the Opposition had made a proposition that ought to have been made, their proposal would have had fair consideration, but what had been the course they had followed? They had got up and abused the Minister for Lands, night after night, like a pickpocket. If he (the Minister for Works) had had charge of the Bill he would not have accepted one single amendment.

Mr. MOREHEAD said that the amendments in the Bill had all been brought in by the Government, and with regard to the clause—

> "For the purposes of this section, the lease of any run, the term whereof has expired by effluxion of time since the 31st day of December, 1882, shall be deemed to be a subsisting lease until the expiration of the period of six months hereinbefore mentioned"—

it dealt with all leases renewed under the 40th clause of the Pastoral Leases Act of 1876, which was the clause he proposed to renew. Now, those runs which had been held under

various tenures—under the Crown Lands Occupation Act of 1863, under the Orders in Council and other provisions—were to be put in the same category, after a renewal for fourteen years, with runs taken up under the Act of 1869, and were only to suffer—if there was any suffering in the matter—by having one-half taken away from them. He held that that was very unjust. Some of those runs had been held for over thirty years; and therefore, if there was any justice in the measure, they should suffer proportionately. He should like to know from the Minister for Lands whether there was not to be some special provision made for those runs that had been held for so many years? If the contention of the hon. gentleman was a just one, those runs should suffer a proportionate loss of territory, or more than the other runs contained in the schedule. He therefore asked, were they not to be treated on the same differential scale as the other runs proposed to be dealt with by the Bill?

The MINISTER FOR LANDS said that runs that had been held for thirty years were very much in the same position as those that had been held for twenty years; but the hon. gentleman seemed to think that they should have a larger area taken from them than those that had been held for twenty years.

Mr. MOREHEAD: Why not; if there is anything in your contention?

The MINISTER FOR LANDS said he thought that runs that had been held for twenty years were in a position to surrender as large a proportion of territory, or larger, than those that had been held for thirty years. Outside the settled districts there was very little country that had been held for more than twenty-two or twenty-three years, except in one or two districts, and those were not districts that would be especially affected by the Bill.

Mr. NORTON: Where are they?

The MINISTER FOR LANDS said some of the western portions of the Darling Downs district, which were very inferior country. The portions that would be affected by the Bill would probably be treated as scrub land more than anything else. Some portions of the Upper Dawson, which had been held probably for twenty-seven or twenty-eight years, were also very inferior country. There were patches of good country in it, but the greater portion would more likely come under the definition of "scrub lands" than anything else. He had heard the hon. gentleman contending before that runs that had been held for twenty years should be treated leniently—even more leniently than those held for a shorter period; but now he took up different ground, and said that runs that had been held for thirty years should surrender a larger proportion.

Mr. MOREHEAD: Admitting your theory, which I deny.

The MINISTER FOR LANDS said the proportion was fixed according to the time the runs had been held.

Mr. STEVENSON said that as the Minister Works had finished his obstruction, he would ask some questions with reference to the Bill. A question had been asked of the Minister for Lands that evening in regard to country which had been already resumed by the Government, but the former lessees of which were still paying rent for. He understood the hon. gentleman to say that that country would be considered as included in the runs, and he wanted to know if he intended making any special provision for that, because he thought there was no provision for it in the Bill at the present time?

The MINISTER FOR LANDS said he had answered the question before. Land that had been resumed from runs, and was opened for selection, and upon which the lessees were still paying rent, would be treated as part of the rented run, and dealt with as portion of the consolidated run when it came to be divided.

Mr. STEVENSON said what he wanted to know was whether any provision of that kind appeared in the Bill; and, if not, whether the hon. gentleman intended to make provision for it? He did not want to know what the hon. the Minister for Lands thought he ought to do, but that the matter should be clearly and distinctly laid down in the Bill.

The MINISTER FOR LANDS said a provision of the kind referred to could be introduced in the next clause.

Mr. MOREHEAD: Will it be introduced?

The MINISTER FOR LANDS: Yes; that is the proper place for it.

Mr. MOREHEAD said the hon. the Minister for Lands had stated that only a small number of runs would be affected by the last portion of clause 23. Could he give the Committee any idea of what the number was?

The MINISTER FOR LANDS: No.

Mr. MOREHEAD said he could do so.

The MINISTER FOR LANDS: Why did you ask me, then?

Mr. MOREHEAD said he did so because he wanted to ascertain if the hon. gentleman knew as much about his own business as he (Mr. Morehead) did. The number of runs that would be affected by the latter part of the 23rd clause was over 450. The hon. gentleman had tried to hoodwink the Committee by saying that only a small number of runs would be affected by it, but, as he had stated, over 450 runs would be affected, certainly not less.

The MINISTER FOR LANDS: Held over twenty years?

Mr. MOREHEAD said: A great deal longer than twenty years—many of them had been held over thirty years. If the hon. gentleman would take the trouble to look at the return which had been moved for by the hon. member for Mackay, he would see that what he (Mr. Morehead) had stated was perfectly correct; and if he would look into the matter a little more closely than he had apparently done hitherto, perhaps he would be able to give the Committee a little more information.

The MINISTER FOR LANDS said possibly the hon. gentleman might be correct as to the number of runs that would be affected by that clause. But even if he were, he (the Minister for Lands) still thought that the holders of those runs should not be dispossessed of more than one-half. He did not wish to do any man a serious injury any more than the actual requirements of the country demanded; and because a man had held his run for more than twenty years that was no reason why he should be dispossessed of more than one-half.

Mr. MOREHEAD said he was surprised at the sudden conversion of the Minister for Lands. The hon. gentleman was now using exactly the same arguments that had been advanced all along by members on that side of the Committee—namely, that not more than one-half of those runs which had been under lease for twenty years should be taken away. The arguments the hon. gentleman brought forward that night were scouted by him the other evening when they were used by members of the Opposition. Lessees of runs on the Barcoo, for instance, which had been held for twenty years, but which had changed hands more than once, would suffer a great injustice if the measure were passed as it stood, by having their runs taken away

from them. All he asked was whether the runs were to be dealt with on a sliding scale? The hon. gentleman said the lessees referred to should not be dispossessed—he fancied the hon. gentleman used that word unthinkingly — of more than one-half. The hon. gentleman had introduced a system in his Bill, and he now told the Committee that certain lessees should not be dispossessed of more than one-half of their runs, more especially as some of them might have only held them for a few years. That was exactly the contention of members on that side of the Committee, but it had not been admitted by the Government side until that night.

Clause put and passed.

The MINISTER FOR LANDS moved that the Chairman leave the chair, report progress, and ask leave to sit again.

The PREMIER said he had prepared two amendments with reference to land formally resumed but not actually taken from the lessee, and for which rent was paid; and with reference to runs within the railway reserves. It was proposed to insert them after the 1st subsection of clause 24. The amendments would be circulated in the morning, but for the convenience of hon. members he would read them now :—

Land which has been resumed from a run under the provisions of the 55th section of the Pastoral Leases Act of 1869, but has not been alienated or selected for sale, shall be deemed to be a portion of the run for the purposes of the division thereof.

That was the first; and the second was as follows :—

In the case of runs within the railway reserves created by the Western Railway Act, and the Railway Reserves Act, the whole or any part of which has, since the passing of those Acts, respectively, been resumed from lands under the provisions of the 55th section of the Pastoral Leases Act of 1869; so much of the resumed lands as has not been reserved, selected, or alienated, shall be deemed to be a portion of the run for the purpose of the division thereof.

In each case he had followed the words of the section giving the parties the right to use the land.

Question put and passed.

The House resumed; the CHAIRMAN reported progress, and obtained leave to sit again to-morrow.

NATIVE LABOURERS PROTECTION BILL.

The SPEAKER reported that he had received a message from the Legislative Council, returning the Native Labourers Protection Bill, with certain amendments, in which they requested the concurrence of the Legislative Assembly.

On the motion of the PREMIER, the consideration of the message was made an Order of the Day for Tuesday next.

HEALTH BILL.

The SPEAKER reported that he had received a message from the Legislative Council, returning the Health Bill, with certain amendments, in which they requested the concurrence of the Legislative Assembly.

On the motion of the PREMIER, the consideration of the message was made an Order of the Day for to-morrow.

ADJOURNMENT.

The PREMIER, in moving the adjournment of the House, said : I have not had time to consider the amendments made by the Legislative Council in the Health Bill, but I believe that they are likely to be ones to which this House will agree. As that measure is an urgent one, I propose to take it first to-morrow, and afterwards to go on with the Land Bill.

The House adjourned at twenty-eight minutes past 10 o'clock.