Queensland

Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 19 NOVEMBER 1884

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LEGISLATIVE COUNCIL.

Wednesday, 19 *November*, 1884.

Absence of the Postmaster-General.—Return of Selections.—Diagrams of Land Bill.—Bundaberg and Mount Perry Railway.—Brands Act of 1872 Amendment Bill—third reading.—Crown Lands Bill—second reading.—Members Expenses Bill.

The PRESIDENT took the chair at 4 o'clock.

ABSENCE OF THE POSTMASTER-GENERAL.

The HON. W. H. WALSH said: Hon. gentlemen,—It is my unpleasant duty to have to announce to this Chamber that, owing to the indisposition of the hon. the Postmaster-General, he will be unable to attend here this afternoon, and that I have undertaken, so far as I am able, to conduct the business of the Government.

The HON. T. L. MURRAY-PRIOR said: Hon. gentlemen,—I only wish to remark that as the hon. the Postmaster-General is not able to be in his place, perhaps, out of courtesy to that hon. gentleman, it would be better not to proceed with the debate on the Land Bill this evening. Perhaps the Hon. Mr. Walsh will inform us whether the hon. the Postmaster-General expressed any wish that the discussion of that measure should be adjourned until to-morrow, or some future day. I am sure hon. members will be only too glad to accede to his wishes.

The HON. W. H. WALSH: I am very much obliged to the Hon. Mr. Murray-Prior for giving me an opportunity of further explaining. Considering the duties we are called upon to perform in this Chamber, I would not take upon myself to say that we would be justified in submitting to a postponement of business at the request of a single member. I believe it is the wish of the Government; in fact, I am authorised to say that the business as it is laid down on the paper should be proceeded with this afternoon, without any interruption in consequence of the unfortunate absence of the Postmaster-General. So far as that hon. gentleman is concerned, he has already spoken on the important business referred to, and I believe there are enough champions for and against the measure to allow the debate to proceed without any injury arising from the absence of the hon. gentleman; and I think I am justified in stating, as a private member of the House, that he would rather that we went on with the debate, and that there was no obstruction of business.

RETURN OF SELECTIONS.

The HON. W. FORREST moved—

That there be laid upon the table of the House, a Return showing the number of homestead and conditional selections applied for from 1st July last to date; also the area of each selection, the date of application, the names of districts where applications lodged; and that said return shall be in a tabulated form, keeping the homestead and conditional selections separate, and showing each month's transactions separately.

Question put and passed.

DIAGRAMS OF LAND BILL.

The HON. W. FORREST moved—

That there be laid upon the table of the House, diagrams illustrating how divisions shall or may be made under clauses 26 and 27 of the proposed new Land Bill.

The HON. W. H. WALSH said: I am instructed herein to say that it is very doubtful whether the proposer of this motion really understands what will be the consequences of it. In the first place it will necessitate making a return which cannot possibly, I believe, be supplied during this session. It will entail an enormous amount of trouble, and probably an amount of difficulty that cannot be overcome. I simply make the statement to the hon. gentleman in charge of the motion, because I think before the House submits to the production of this difficult series of papers he should give some reason, and show some possibility, in fact, of their being supplied in time to be of any use during the present session.

The HON. W. FORREST said: I do not think the Hon. Mr. Walsh has read the clauses to which my motion refers. There is no special difficulty in getting the diagrams. I can draw a diagram in five minutes myself without reference to any papers. I may explain that clause 26 of the Bill states that the board may, if a run contains more than 500 square miles, divide it into two or more portions. Then clause 27 says, in the first subsection, that the Minister may cause the run to be divided into two parts. That follows the first division. There are some other constructions in connection with the matter, but these are the most important. In working out this problem I saw that it is possible, if a run contains 1,000 square miles, that it may be divided into eight parts; although, on reading the clauses over carelessly, you would think that it could only be divided into two parts. I want this clearly illustrated before hon. members, so that they will see that a station may be subdivided into certain parts, and portions of those not adjoining each other left to the lessee, thereby entailing a vast amount of expense in the management of the portion that is left to him. As for the matter involving much trouble, I could do it myself in five minutes. I did work it out without reference to anybody; and my only object is that hon. members may see for themselves, by a simple diagram, how these clauses will work.

Question put and passed.

BUNDABERG AND MOUNT PERRY RAILWAY.

The HON. W. H. WALSH moved—

That there be laid on the table of the House a Return showing—

1. The total cost, with interest added, of the railway line between Bundaberg and Mount Perry, up to the 30th September last.
2. The receipts from all sources in connection with the working of the said line for the same period.

Question put and passed.

BRANDS ACT OF 1872 AMENDMENT BILL—THIRD READING.

On the motion of the HON. W. H. WALSH, the Bill was read a third time, passed, and ordered to be transmitted to the Legislative Assembly with message in the usual form.

CROWN LANDS BILL—SECOND READING.

On the Order of the Day for the resumption of the adjourned debate on the motion of the Postmaster-General—"That the Bill be now read a second time"—being read—

The HON. T. L. MURRAY-PRIOR said: Hon. gentlemen,—In rising to address the House on the subject of the Land Bill, immediately after the speech delivered by the Postmaster-General—a speech which, in my humble opinion, is the best I have ever heard in this Parliament—I feel that I am hardly able to follow that hon. gentleman in the way in which I should like, and I therefore trust that hon. gentlemen will bear with me in what I am about to say. I regret also that the Postmaster-General is not in his place. I do not agree with what he has said on the whole, and, therefore, I should be very glad if I could only look at him and see

him in his place, for it would give me more presence of mind, perhaps, than I have now. I am placed in the position of having to reply to the Postmaster-General, owing to the circumstance of having been the member in this House who passed the Land Act of 1868. There are other gentlemen who might be more able to occupy the prominent position in which I am placed, and who, I have no doubt, will be able to supply the deficiencies and omissions which I may make. In the speech of the Postmaster-General, with his usual ability, he placed the Bill before the Council in its very best light. He managed to avoid all the rocks, which I have no doubt he saw, and take the vessel before a fair wind. So much, in fact, was I taken with the hon. gentlemans's speech, that had I not studied the Bill, I should have been inclined to agree with that hon. gentleman when he said that it was one of the most liberal Bills for all classes which had ever come before Parliament. It is therefore my part to show you, as well as I can, what I consider to be the dark spots in the Bill. In the first place, I consider that a Bill of this kind, in which every person in the colony has such an interest, should not be judged from a party point of view; I now, therefore, disclaim any idea which there may be, that I appear here as a partisan. I appear here to do the very best I can, according to my judgment, for the good of the country, without taking any personal interest in the matter, and I am satisfied from conversations I have had with other hon. members, that that is also their object. In my opinion such a Bill as the Land Bill should not have been brought before the country in the manner in which this Bill has been brought forward. I do not ever remember hearing that it was called for. The Act of 1876, which is in fact somewhat similar to the Act of 1868, has had all the effect which could be desired. The Act of 1868, whatever the Postmaster-General may have said, has quite fulfilled the expectations of the framers of that Act. It was brought forward by a Government to which I had the honour to belong, for the purpose of settling the country. At that time the country was in a bad state. There was little or no money in the Treasury. There were a great number of people to my knowledge waiting for a Land Bill, who could not obtain land; it was the cry of the country that there should be a new Land Bill, and I think a better and a more liberal Land Bill has not been framed than the Land Bill of 1868, nor has there been a Land Act in the Australian colonies that has worked better. In all matters of compromise there must occasionally creep in something objectionable, and therefore I am not going to say that the Land Act of 1868 was a perfect measure; but it was as good a measure as could at that time be brought forward, and I can say that it cost me a very great deal of anxiety and a very great deal of difficulty to carry it through the Council. However with the assistance of some hon. members, I was able to do so. That there have been abuses under that Bill I cannot deny, but I join issue with the Postmaster-General in regard to the wholesale measure of fraud with which he taxes people under that Act. The hon. gentleman said that there had been no less than seventeen Land Bills. I believe that is about the number. In fact, there have been so many amendments to the land law, so many different Bills, that the very framers of the measures themselves hardly know them, and if hon. gentlemen who had been so much concerned in passing those Bills find it difficult to understand them, how much more difficult must it have been for working people to understand them. But of late years there is no doubt that the Act of 1868 has been understood, and that it has had a beneficial effect on the country. Any gentleman riding through districts not far from Brisbane would be astonished at the improvement which has taken place of late years. They would be astonished at the quantity of land which is under cultivation; at the nice clean-looking houses and gardens which may be seen. I am speaking now especially of scrub districts — the Dugandan Scrub and the Rosewood Scrub; and I must give my tribute of admiration to the people who have made themselves homesteads and who deserve a great deal from the country. They have undergone very great privations, and have, as a rule, reaped the benefit of their hard work and endurance; and I should be only too glad, instead of throwing impediments in the way of those industrious people, to give them a bonus in the shape of an extended area of land, near their domiciles if possible, for the good which they have done to the country by clearing and making useful lands which otherwise would have remained in the primitive state. I can say that to my knowledge in East Moreton and West Moreton there has been very little of what is called dummying. The country is mostly taken up, and, as I stated before, is in a comparative state of perfection. But there is one thing which we must all consider; and that is that agriculture, from climatic and other causes which I shall name, cannot be expected to be carried on successfully except in favoured parts of the colony. Those hon. gentlemen who have been a long time resident in the country are fully aware that with the population we have, and with the scarcity of water at times, and the very small rainfall, it is very improbable that the interior of the country will for many many years be a farming country. And even in the country which is farming country—in these very scrubs of which I have taken notice—there is one great element against the close settlement of a farming population; and that element is the preference on the part of the native-born population, as a rule, for any other business. They do not like the drudgery that farming always entails. Their parents, however, coming from another country, have the land hunger which the inability of that class of people to obtain land naturally gives; and they have settled down on this land—they and their children—and they have worked as I have said. But as the children get older the sons are more inclined to take situations where they will be engaged in riding, or to go to other trades in which they think themselves more independent, and the daughters prefer going to service; in fact the elder people, as a rule, are deserted, and naturally some of the farms, in consequence of this, instead of being kept in a cultivated state, are turned into grazing farms. There are principles in this Bill with which I cannot agree. In the first place the Bill should have been called for by the country. I believe it would be better for the Government to bring forward the Bill they thought right, to lay it on the table of each House, and not to carry it on for a session, so as to allow the people full time to study and know what the Bill was. But that was not done. The Bill which was brought down was framed on a principle totally different from the principle of any Land Bill passed in the colonies, or in any part of the world. I must confess that I for one was at first taken with the leasing principle. I was prepared to go in strongly for that principle, but on obtaining the Bill and examining it, the more I studied it the more I found that it was perfectly unworkable and unsuitable to the people of this colony. The Bill was evidently a Bill to entirely do away with the sale of land and the acquisition of freeholds, and to obtain revenue. If the original measure

had been brought before the Council, I, for one, if I stood alone, should have felt it to be my duty to strongly oppose it, and to move "that the Bill be read a second time this day six months." But the Bill which has come before us is not the Bill which was originally introduced by the Government. The principles are entirely altered, and any hon. gentleman who has a copy of the original Bill, and who compares it with the Bill as it has since been amended, will see how very different this is to the one brought forward by Ministers. Not only that, but the Bill which they first brought forward was not a Bill which would induce a population to settle on the lands, nor was it a Bill which, for a very long time, at any rate, would bring grist to the Treasury. In fact, on reading it over I could not understand how any Government, professing to be a Liberal Government—I mean liberal in their interpretation of the term, but not in mine, for I do not look upon them as a Liberal Government—and wishing to represent the people and legislate for them, could bring forward a measure so much against the interests of their own supporters. I am satisfied that if the supporters of the Government were canvassed, and they gave their candid opinion on the subject, we would find that not one-half of them really approve of the Bill. They are well generalled, however, and they gave their vote in favour of it. I will not follow the hon. Postmaster-General in all his arguments. I am not able, perhaps, to follow the Bill as the hon. gentleman has done ; I have not his training, I am sorry to say, and I shall therefore have to speak entirely from memory, or almost so, and may make many omissions, but I am glad to know that they will be well filled. The principle of the Bill, as I have said, is to do away with freeholds for the future. What, I would ask hon. gentlemen, is there at present to induce men to settle upon the land; to go through all the hardships and anxieties which a first settlement entails, unless it is the hope that at some ultimate period they will be the possessors of the land, not as it was when they first went on it, but of the land greatly improved, and consequently greatly enhanced in value? Former land legislation in this colony gave every person an opportunity of obtaining land on reasonable terms. If the land had been put up to public competition, by auction or otherwise, at a high price, it would have been impossible for an industrious farmer to secure a holding ; and even if he could manage to borrow the money required for that purpose, the payment of the interest on the loan would swamp him, and so prevent him establishing himself on the soil. Under the existing law, however, a man can select a homestead on easy terms, and eventually obtain the fee-simple of the land. All he has to do is to pay a trifling sum per annum for a few years and perform certain conditions, which it is absolutely necessary should be effected before the soil can be properly tilled, and then he will have the land as a freehold, and a very valuable freehold it might be. That would, of course, depend upon the quality and position of the land. But look at the present Bill! What provision does it make in this direction? Certainly the homestead clauses, or rather something approaching the homestead clauses, has been inserted in it—and, so far, that is a departure from the original principle of the Bill—but in the agricultural areas the settler has to serve, as it were, a period of at least ten years before he acquires the right of purchasing his farm as a freehold. The rent he has to pay is small, I admit, and the maximum area that can be taken up by one person is 960 acres, the minimum being fixed at 320 acres, but the terms are not nearly so liberal as they are under the present law. In a country like this we do not know—we can scarcely form any idea of what changes may occur in ten years ; and why should a man be required to reside for that period on his selection before he can purchase the land as a freehold? The time is far too long. The Postmaster-General, in the speech which he delivered yesterday, said the time fixed is too short, and that it will lead to many abuses. But I contend that ten years is too long. Looking at the matter in a business way, and putting myself in the position of an agriculturist, I affirm that ten years is too long a period to require a man to serve before he can get a farm in fee-simple. I should be very loth, indeed, to take one at all under those conditions. The question really is, will it pay? I do not think it will. There are too many drawbacks altogether. Not only is there this drawback of time, but there is also the further drawback that even at the expiration of ten years a man has to pay at least £1 per acre before he can call the land his own, and in the case of a 960-acre selection that means £960. Where, I ask, is the working man who can work a selection of 960 acres for ten years and then honestly get together £960 in cash to pay for his land? There may be isolated instances in which that might occur, such as in cases where there is plenty of timber, or where a man has some money left him ; but as a general rule I contend that the selector will not be able to muster so large a sum as £960. Under the present law a man can enter upon a farm and pay so much rent for a certain period—a heavier rent, no doubt, than required by the provisions of this measure ; but at the end of his time, if he has fulfilled the statutory conditions, the land becomes his own property. We all know by experience that a townsman from England or Europe regards an 80-acre farm as a large property compared with farms in the old country. But we who understand the climate and the country better, and have a knowledge of the progress in status of the working man after he comes here, know that 960 acres is not too large, and that when a man obtains that area he will not be satisfied. There is another feature in the Bill that I am entirely opposed to, and that is the restriction placed upon the holding of land. We in this colony look upon ourselves as freetraders, and claim that supply and demand should rule the price of any commodity ; but, under this Bill, the farmer who has risen in the social scale, and has a number of children to provide for, will probably find himself occupying a holding totally insufficient for the wants of himself and his family and his stock. I do not see why a person dealing in land should not be placed on the same footing as persons engaged in any other business. Why should the linen-draper, for instance, or any other tradesman, be allowed to extend his business from shop to shop, and from town to town, and the man who deals in land not be allowed to trade in the same way? Why should the landholder not be allowed to extend his business? I think, therefore, that the Bill is very defective, because an honest man, a man who could if he wished drive a coach-and-four through the Act, but would not, is limited to a small holding ; while a man who has no such feeling of honour can drive his team through the Act in some way or other, and without actually rendering himself amenable to the law can have more than one holding. Any declaration or condition which cannot be easily fulfilled is bad, because many persons are tempted to evade them, and there is thus a tendency to lower the moral status of the community. There is no doubt that the Land question is one which is agitating the minds of statesmen in Europe, and in Great Britain and Ireland in particular. I have no hesitation in saying that much injustice

has been done to the landowners of Ireland by giving a board the power to fix their rents and not allowing the landlords to do it themselves. But look at the present Bill. Under this Bill it is not the tenant who in any measure fixes his rent, but it is the landlord who fixes the rent, and the tenant has no say in the matter. That is another feature which I dislike in this Bill, and which will, I believe, when known, greatly retard settlement. I will deal with the land board by-and-by, but to continue the argument as it is: A person taking up land either in agricultural or grazing areas—for I am confining myself at present to these—takes it up with a knowledge of the amount of rent he will have to pay for ten years. If the agriculturist at the end of the ten years is unable to purchase his land, and goes on leasing it, the board again fixes the rent he shall pay; and, if I remember aright, the Bill proposes that the board must make the rent 10 per cent. higher than it was during the first period of ten years. That is the minimum amount by which it may be increased, but the board is not restricted; they may increase the rent by 25 per cent., and at the end of another five years they may increase it by 50 per cent. So that as a matter of fact no person taking up one of these agricultural farms has the slightest idea of what his rent may be at the end of thirty or forty years, and in the meantime he is almost entirely at the beck and call of the Government. The Government would have by this means a great political engine to work. The board may either lower or increase the rent; and, I ask, who would enter into a business when he could make no calculation whatever as to his prospects of success? What I have said of the agricultural farm, however, does not apply so fully to the grazing farm. I think that leasing where the grass only is concerned is perhaps one of the best ways of dealing with land; at the same time there are, in my opinion, many difficulties connected even with the grazing farms, as proposed in this Bill. For instance, a person is allowed to take up 20,000 acres—and we all know that 20,000 acres as a grazing farm is a very poor pittance in some districts—and he is not allowed to take up any more, even though he may wish to take it up in another district. The question will undoubtedly arise—What will he do with his surplus stock? or, what will he do with his stock in time of drought? At one time—during certain seasons—we know that a man can keep a large number of stock on 20,000 acres; but at another time—and we have unfortunately seen it this year—even in the case of the very best lands in the country, stock have had to be taken off those lands and travelled the roads to save their lives. Another defect in the Bill is that the leaseholder is not allowed to take up even 20,000 acres. He is made out different to anybody else in the country, and is treated in this Bill as a sort of pariah. I am not quite sure whether it is at present in the Bill, and I trust it has been omitted; but in the original Bill, forsooth, supposing a father and his son took up adjoining blocks of land, and if the father died and left his land to his son, or to his brother, they could not inherit it; at least, they could not live upon it—I am speaking now of the Bill as originally introduced—they were bound to sell the land within a certain time. By the Bill also, as will be seen by those who look well into the matter, a man may have a valuable holding, and may wish to raise money upon it; the mortgagee can lend money upon the holding, but when he takes the land what is his mortgage worth? He cannot put that land into the open market, and sell it to anybody who will buy it, but he must sell it to a man who can take up land under this Bill himself. These matters may not—especially in the case of the smaller farmers—at present seem very bad, but they are questions which, hereafter, they will find will saddle them with very great difficulties. I am not going through all the pastoral matters of this Bill, as I should only trouble the Council with too long a speech, and I am aware that there are others who are better able than I am to elucidate them. There is a provision, however, regarding scrub farms which I shall allude to—a provision by which a man can take up a certain number of acres at a peppercorn rental. What do the Government think will be the effect of that? They, I suppose, think tha the scrub will be cleared, and the holdings will be made into fine estates. It did not, I suppose, enter their imagination that, as a man was to get this land for nothing, and that scrub lands, especially in the interior, teem with wild cattle and horses, adventurous spirits would take up land, and without doing anything whatever beyond making a trap, would get a very good herd of cattle and horses together; and we all know that the people who do this sort of thing are not usually those whom we should encourage. There is one matter upon which I must speak, and that is the 6th clause of the Bill. It proposes to repeal what is commonly known as the "pre-emptive clause." The hon. the Postmaster-General went fully into that clause, and with a lawyer's ability he would seem to make it appear that no rights whatever existed under that clause. I am not going to try to argue the legal question, but this I know: The Act containing that clause was framed in 1869. At that time there was not a great deal of money amongst people known as squatters, and there were very few who had any wish whatever to take advantage of the pre-emptive right. There was not a great deal of money in the Treasury, and there was certainly not the means of borrowing which seem to exist at present. The consequence was that the Government of the day—whichever party was in office—were only too glad to fill their coffers, and consequently they never made any inquiry whatever, but when an application was made and the money sent in, they received that money. This, as the hon. Postmaster-General told us, had gone on for several years, and capitalists lending money to the squatters—and we know it was impossible for pioneers to settle upon the country without money—all looked upon the pre-emptive right as a security; and whatever the legal interpretation of the 54th clause of the Act of 1869 may be, there can be no doubt that it was looked upon then by the Government themselves, by every person holding land, and by the banks and capitalists lending money to the run-holders, as a right. Of all things that a country can do, repudiation is the worst. If a bad bargain has been made, an honest man will abide by that bargain; how much more, I ask, should a State do so? If we have any doubt of the honour of a bank, that bank will sooner or later fail. The honour and word of a British merchant used to be proverbial; and I say the word and honour of the State involved in the inducement which the Government have held out ought to be higher and stronger still; and I trust that no Government in any country in which an Englishman lives will attempt repudiation—anything is better than that. My own opinion is—and I have no vested interest whatever in the matter—I shall not be inclined, whatever my right in the outside districts may be to a pre-emptive, to pay the sum required for it. The only pre-emptives really worth anything would be pre-emptives likely to become valuable. I hardly think that many persons, even if this right were allowed to remain, would avail them-

selves of the right—that is, in the interior. The hon. Postmaster-General and the Government of the present day seem determined to oppose capital in every way, directly and indirectly. The working man! Everything must be done for the working man! The working man has a vote; he brings power; but I ask what can the working man do without capital? It is common to say that the accumulation of large estates is very much against the welfare of the colony; but I say that large estates have been the saving of, and have given prosperity to, the selectors in their neighbourhood. I believe that a great many selectors have succeeded in stemming the storm, entirely owing to the money which they obtained from the larger freeholders — from the squatters in their neighbourhood. That is a matter that has not been brought forward. It is very easy to look at one side of a question, but both sides require to be looked at. I feel convinced that many selectors would have fared very badly indeed had it not been for the assistance of the larger holders in the locality in which they settled. As long as money can be borrowed, we are very much like a private individual who has security, or supposed security, and can go to a bank and obtain what assistance he requires. It is a very easy thing to draw a cheque; but if the times alter—if the value of property becomes depreciated, the creditor comes down, and the person is ruined. This is perhaps a bad time to bring forward a Land Bill. Unfortunately, until lately, drought has been with us, and has, I was going to say, decimated our cattle and sheep—in many places has almost swept them off the face of the land. Trade in one of our greatest industries—the sugar industry—has been bad. Other countries have found means of making sugar from beet-root, which has resulted in lowering the price of sugar. Just when the settler can hardly manage to pay his way; when the earnings of the sugar-grower have been reduced 50 per cent. or more—then the Government should have stepped in and have rendered all the assistance they could to those great industries. But instead of doing that they have brought in a Land Bill which, whatever may come from it, makes everybody afraid to invest their money in stock. They have done everything they could against the sugar-growers, and the consequence is that there are very few capitalists who would buy a sugar plantation now, at 25 per cent. of its value three or four years ago. I am no party man. I have my proclivities, but my great feeling is for the good of the country in which I have lived so many years, and in which I will most likely die. These industries that have been ruined for the present are the industries to which men in this colony look forward to place their sons, and to which the gentry of England look forward to embark their capital; and who can wonder at the fears and the depression that at present exists? As I said before, the Act of 1868 was called for by the country. It was a radical change. Land at that time was worth £1 an acre, and those people who invested their money in land looked upon every acre as being worth at least that amount. They felt assured that the price could not be less than that, as it was the fixed standard, and, therefore, that all they could lose in any case was the interest on their money. The passing of the Land Act of 1868 was consequently very hard upon men who had spent £1 an acre upon land. It reduced the value of their property to in fact below the amount at which the same land could be obtained; because, while they had paid £1 an acre—or whatever price they had paid at auction—anyone could take up land, perhaps immediately adjoining it, under the Act of 1868, not only without capital, but by paying ten per cent, — which was the common percentage in those days—for ten years, upon that capital—the sum for which he could borrow money. I helped to pass that Act, but do hon. members think that, in my private capacity, I did not feel this? My gains were entirely thrown away; and I know several members of this House who were placed in the same position. Did we try to alter that Bill when we considered it to be for the good of the colony? No; we passed it; and what I said in the year 1868 proved to be correct, because for many years I was not able to sell a single acre of those lands for which I paid £1 an acre, and even in later days I lost thousands of pounds by them. I bring this forward, not to trouble the House with anything personal to myself, but because I think it ought to be known by the country that hon. gentlemen of this House will, in their public capacity, do what they think is good for the country, even at their own loss, as they ought to do.

HONOURABLE MEMBERS: Hear, hear!

The HON. T. L. MURRAY-PRIOR: There is another matter which I would like to bring forward as in favour of freetrade in land, and that is, that although a person may acquire a large tract of land it would not be left in the same condition, and handed down to his heir as land in England, Europe, and other countries. There are several reasons against this. A farmer has labour within himself, and when he employs any it is perhaps one or two men, who, as a rule, live with him, and who work in a very different way from which larger holders can make their men work. The consequence is that the large holder, unless under very favourable circumstances, cannot cultivate to any extent. As soon as he begins to employ labour so soon he begins to lose; and the real secret of the success of many of the first occupants of this colony is that they began with small means. They utilised mostly what nature had provided for them in the shape of grass, and they did their own work. They lived like working men, spent little, and, in the case of those who kept themselves tolerably free from debt, the increase of their stock made them wealthy. We have, in this Chamber, some gentlemen who have been in Queensland from its commencement. My hon. friend Mr. McDougall, I think, holds the position of having been one of the first squatters who crossed the Liverpool Range and formed a station there. The Hon. Mr. Taylor is also one of our first settlers; the Hon. Mr. Walsh another; and besides those gentlemen, who were the pioneers of the country, I see several others who, from their experience, must be practically acquainted with the Land question in all its phases, and who are best able to form an opinion upon a Land Bill suited to the requirements of the country, simply because they, from their knowledge, are able to put themselves in the place of those for whom they have to pass their judgment. It is a curious thing to see that the framers of the present Land Bill are not those gentlemen, but that its framers and strong supporters are gentlemen who know little or nothing about cultivation—men who have a theory. But we all know that theory and practice are very different. They merely take the outside; and our hon. friend the Postmaster-General, yesterday, in his most able speech, made it appear that Queensland was to become a paradise under this Bill. But I remember a former Agent-General—Mr. Jordan, of whom I now speak as a private individual—many years ago speaking in the same strain, and declaring that the land should blossom as the rose. I once went to hear a lecture delivered by that gentleman—it was the first I ever heard him deliver, and it was on the Land question—he

was then or was going to be a member of Parliament. I listened with my mouth open in perfect astonishment to the gentleman, whom I knew as an admirable dentist, and I must say that he delivered a splendid speech. I met him the next day, and I said, "Mr. Jordan, allow me to congratulate you on your lecture." He was very much pleased. I then said, "Can you plough?" His reply was, "No." I then asked the question, "Can you reap?" "No," was the reply. I then said, "Can you do so-and-so"—mentioning several things of which any man making such a speech ought to have a practical knowledge—but not one of those things did that gentleman understand. Then I said, "How did you manage to speak as you did?" Of course it was all theory with him. And so it is not only theory, but mistaken theory, with a great many of the promoters of this Land Bill. Now, I have something to say with regard to the land board. Two men—they may be men of the highest capacity, men who understand the nature of land in every way, and who have ability on their side, and not only that, but honesty also—two men are to compose the board. Now, let me ask you, hon. gentlemen, how it is possible for two men to decide the value and the rents of the different holdings of a colony so extensive as Queensland? They cannot do it from personal observation; they must depend on the commissioner for the district. The commissioner will often depend upon his underling, and the consequence will be that perhaps the ruin of some industrious farmer may depend entirely upon a ranger—upon a man who has, colonially speaking, some "down" upon him. I say that, however honest these men may be, it is not fair from a business point of view that anyone should be entirely dependent on their decision, and that their decision should be final. Those who have read the Bill may say that their decision is not to be final, because a man may appeal to the Minister. But the appeal will be to the same men, and will they be likely to reverse their own decision? I cannot see why, if such a board is to exist, the Minister should not form one of the members of that board; or if it would not do for the Minister to be on the board, why provision should not be made for arbitration in the usual way, so that everyone should have the right of appeal—a right which every Englishman at present enjoys, even from the Chief Justice who presides over the highest court of this colony. In framing the Bill of 1868, I remember that we also thought of a land board, but it seemed to us that it would not work, and therefore we did better, and left it to the Minister, who should, I believe, take the responsibility. Under the Bill of 1868 also, when in certain settled districts one-half of the run was taken from the leaseholder, he was allowed for his buildings the privilege of pre-emption. Now there arose a great question. The Treasury was not over well supplied with money, and if all the leaseholders had taken the most sensible course, and, instead of taking up their pre-emptives, had claimed, which they could have done, the value of their improvements, they might have taken their stock to further pastures, and in the meantime they might have lived in the very houses for which they were paid. That was done in one or two instances, and it was the fear of the Ministry that others would follow their example. If many had elected to do so, whence would the Government have got money to pay for the improvements? It is all very well now for Ministers who can bring forward a Loan Bill for millions of money to think as they do, and to say that large estates are being accumulated against the interests of the colony; but they forget that the rulers of the country, in order to obtain the means of carrying on the Government, have offered every inducement in their power to persons to purchase the land. In dealing with the land the Government are something like a bank, for when a bank is flush of money the constituents who are considered safe are asked to borrow money, but it is a very different thing when times get hard, for then the bank comes down on those very men. And it has been so ever since the beginning of settlement in New Holland. In the first instance, the Government did all they could to get military men, naval men, and civilians to settle upon the lands; they gave them grants of land;—they not only gave them grants of land, but they gave them provisions for years; they even gave them stock to induce them to settle upon the land. My friend, the Hon. Mr. McDougall, knows that to be the case. And what is termed squatting—how did that first come about in this colony? There was an intense drought on the Hunter, something like what we have seen in the West of late, and that intense drought induced people to go across the mountains to settle upon these lands—lands which at that time were no man's land, where there was no law; where every man looked out for himself. It was only in 1839 or 1840—in 1840 I think—when the first commissioner was sent out, together with a patrol of mounted police. Licenses, something like publican's licenses, were issued, not for the grass, and not for the land, but merely to show that the person who held the license was a respectable man. That license, for which the holder had to pay £10, entitled him to any number of runs in one district or in the district adjoining. The license fee was increased from time to time. When protection was required police were sent up. Then came the Orders in Council, and after them came the Land Acts. But in every Act passed in the colony inducements have been held out to persons to purchase land; and now, forsooth, after purchasing those lands, they are blamed for robbing the country of the lands which the country almost forced upon them. With regard to the leaseholders under the Act of 1868 and their position, I believe they foolishly came under the new Act. In order to secure their pre-emptives they took up more and more land, until they were saddled with the yearly payment of a sum of money amounting in some instances to many hundreds of pounds. And how little is the privation these men went through—the saving they had to effect in order to pay their rent—how little is that appreciated by the people now! How little they think of the hardships gone through—how little of the good they have done to their country! I really am ashamed of a country which will so reward such deserving men. I could go on and expatiate on this Bill much longer, but I am merely trying to show to the House a few of what I consider to be the bad principles of the measure. The Postmaster-General said he would not go into details. Clever man that he was, he knew he could not go into details without showing how bad the Bill was; but he finished with a flourish such as I am unable to finish with. This Bill has, I believe, been brought before the country in an irregular manner. All that the country required was to leave the law as it now stands, but to take advantage of it in the outside districts. But that is what the Government in their wisdom have thought fit not to do; and the question with me is whether it would be better to throw out this Bill or whether it would be more for the good of all classes in the country merely to carry on the work which has been done in another place by the supporters of the present Government, and try to make the Bill better than it is now. They have instituted homesteads for selectors, or something like homesteads. They have given agriculturists the privilege, or what they consider the privilege, of purchasing the land they

occupy; and other amendments have been inserted in the Bill which I think have done a great deal to alter its character. If I thought it my duty to defend the rights of the people by opposing this measure, I would do so, notwithstanding the odium that might be cast upon me; and I believe there are other members in this House who would do the same thing. My only object is to do as much as I can to give ample justice to every class of the community in this colony; not to favour one portion at the expense of another. I think if we deal with the Bill in this spirit, and not in a party spirit because members on this side of the House are opposed to the Government, we shall be able to amend the Bill as we deem best for the country, and the amendments made may be accepted by the other Chamber. Perhaps it will be better to let this Bill pass in that way than to throw it out. I hardly think we should be justified in throwing out the Bill. Other hon. gentlemen who will follow me will no doubt refer to matters which, in several instances, I have purposely omitted, feeling that they are better able to deal with them than I am. I have tried to elucidate certain matters, and I trust hon. gentlemen have been able to follow me. I will now leave what might be further advanced, in support of the arguments I have submitted, to be said by other hon. gentlemen on this side of the House.

Question put.

The HON. A. C. GREGORY said: Hon. gentlemen,—I fully expected that some hon. member on the other side of the House would have addressed himself to the question before us, but as no one has done so I will offer some observations on the Bill. I think the best plan will be just to run over the provisions as briefly as possible, although the great length of the Bill will no doubt require some little time to get through it. Probably, if we take a retrospective glance at the history of our land legislation, we shall find that we have, as the Postmaster-General has stated, passed about seventeen Land Bills. At the time of Separation there was positively no Act of Parliament, either Imperial or Colonial, under which the lands of the colony could be administered. The consequence was that the land was dealt with under some regulations which chanced to exist, and a great deal was left purely to the discretion of the Government as to how they should alienate the land. Those regulations formed the basis of our subsequent legislation, because they touched on the question of definite pastoral leases, and also upon the system of agricultural reserves, by which provision should be made for the individual with smaller capital who wished to enter into agricultural pursuits. Naturally the laws then made, being passed hurriedly for the purpose of meeting emergencies, were soon found to require amendment. The first thing done was to pass the Agricultural Reserves Act of 1863. In that Act we made our first attempt to provide for the selection of land by lease as well as by purchase, with a pre-emptive right to be exercised at a subsequent time should the agriculturist find that he was successful in his operations. Under that law a man was allowed to select a certain quantity of land in any agricultural reserve by purchase, and also to lease about twice as much of the lands adjacent to his holding, upon which he had a pre-emptive right of purchase at any future time. Our pastoral leases next came up for consideration. We made an attempt to pass a Bill in 1862, which, after long consideration by the House and further consideration by a select committee, became law, but unfortunately neither any member of the House nor anybody else was able to understand what was the meaning of the Act. Fortunately it has since passed into a dead-letter. The next step was the Pastoral Leases Act of 1863. Under that, general provisions were made for changing the leases held under the Orders in Council for definite leases under the Colonial Act. It also put a stop to the system of tendering for country by which people were able to take enormous areas of land without paying a single sixpence. There was a provision in that law to the effect that no person could take up a piece of land unless he paid a year's rent, and by that means we got rid of the large amount of speculation there was for country which the applicants had never seen, and of which they had no knowledge. The applicants simply took up a map of Australia, carved out a square or squares of country, and then tendered for them. I have seen a string of blocks of land extending from the southern border of the colony as far north as Rockhampton, all of which were applied for by one man. The Act of 1863, which, as I have stated, put an end to the system of tendering, was a very serviceable measure, and did a great deal towards increasing our revenue and settling the country. Still it was found that there was considerable difficulty in providing sufficient land for the smaller capitalists—those who wished to engage in farming, or in farming combined with grazing on a small scale. In 1866, another Bill was introduced and passed into law. In that there was the first provision made in this colony for selection before survey, and the system really became a system of free selection before survey within certain specified areas. A great deal has been said about there not being sufficient land of a suitable character thrown open for selection under that Act. No doubt that was generally supposed to be the case at the time; a great many people believed that it was so because some persons asserted that the agricultural reserves contained no agricultural land. But the moment these same persons spoke of those lands for any other purpose, they praised them as being the very best lands in the whole of our territory, and in that opinion, perhaps, they were right; at all events those lands have since been occupied very successfully. The whole of the southern halves of the Moreton and Darling Downs districts were included in the agricultural reserves. If that was not sufficient to meet the requirements of the country at that time it would be difficult to say what would be sufficient. Following the history of our land laws, we find that the first great step towards establishing pastoral leases upon a more satisfactory basis was made in the Act of 1868. Under that statute we proposed to confiscate half the runs held under pastoral leases in certain districts; and we also made provision, to a large extent, for selection before survey, in what were then the most accessible parts of the country. Unfortunately, that Act, which was intended to afford facilities to small capitalists to take up considerable quantities of land, had the effect of forcing—absolutely forcing—the holders of pastoral leases, against their will, to purchase and acquire as much land as they had the means to buy. Had they been simply left alone they would have willingly surrendered the land from time to time as it was actually wanted for occupation or any other purpose, and instead of having what are termed the "large estates," and which are deemed so great an incubus to the country, we should have had the greater part, for instance, of the Darling Downs in the hands of the Government, ready to be portioned out in small lots to suit the smaller capitalists. I know perfectly—and it has so chanced that a great deal of this detail has necessarily

come to my knowledge perhaps more than to most persons—that the lessees of runs were exceedingly reluctant to purchase land as they felt themselves forced to do by the Act. I do not know that the legislators who framed that Act exactly contemplated that such would be the result, but no doubt that was the result; and there is no doubt also that they had fair warning that such would be the result; but they supposed they knew better. Since that time there has practically been no real alteration in our land laws. We have had a variety of Acts passed, but they have been simply variations and consolidations just to meet trifling modifications and conditions. In the Pastoral Leases Act of 1869—which to a great extent was, I may say, a transcript, but with certain additions of the Pastoral Leases Act of 1863—there were some provisions made for the taking up of waterless country, which gave a very great impetus to the further occupation of land which otherwise none would have touched, and it has been found that it has added enormously to the revenue of the colony, and has greatly extended occupation. Still there was not what I should term any really fundamental change in our land laws, and we have gone on up to the present time—well I may just mention what was proposed to be done by the Railway Reserves Act. They proposed, instead of paying money into the Treasury, and then out of the Treasury for the payment of the cost of the construction of railway lines, it was to be passed to a separate fund, and then applied to the construction of railways? That was really not an important land question, it was simply what we may term a Colonial Treasurer's book and Auditor-General's question of how the accounts were to be arranged, and it would not have made any difference whatever in our real position with regard to the lands. We now from that come to the Bill now before us. We heard, before the session opened, a great deal said about the new Land Bill that was to save the country from financial difficulties. It was to do away with any further taxation; that we were to—in fact, it was a Bill to give everybody everything, except those who had got anything and they were to have less. The great reason they were given to understand for bringing it forward, and the great question raised upon it, was that the land should be made to provide revenue for the State, and we then might dispense with our Customs and Excise duties—that the poor man should have his tea and his sugar and his beer and his brandy duty free. And now how do we see how all that has been fulfilled? Last night we had the hon. Postmaster-General expounding the Bill, but we did not hear one single word from him with regard to the question of the financial effect of the Bill. Now, what does this Bill propose to do as regards the question of finance. We will prove it to be a failure if we come to work it out. Let us see what will be the effect of trying to deal with the question. We have heard a lot of talk about giving land cheap to the poor man, and saying that he shall have his land at about 3d. per acre per annum, and shall have almost interminable leases; and then the rents from the land are to be so much that the State will not be required to levy any sort of tax. Well, just let us see what it has come to. The Bill puts 3d. per acre per annum as the rent for the first ten years, and £1 per acre as the purchase price. Then the rent for the first ten years at 3d. per acre will only be about 1¼ per cent., and if we take the value of money as 5 per cent., which really the Government have been paying, after deducting all commissions and expenses of loans, we find there will be really a loss of 3¾ per cent. per annum for the first ten years, amounting to 8s. 11d. in the £1, or on one acre of land. So that instead of the Colonial Treasurer, if he borrowed money at 5 per cent., being able to pay the interest, he would be actually getting into debt. Now, even if we assume that the land board will double the rent at the end of the first ten years, and make it 6d. an acre, still the loss for the next five years will be 2½ per cent. per annum, and at the end of the fifteenth year there will be another 2s. 7d. per acre lost to the Treasury, besides 5 per cent. on the previous deficit of 8s. 11d. for five years, or 2s. 8d., and the deficiency would amount in all to 14s. 2d. per acre at the end of the fifteenth year. Then assuming that they again doubled the rent—and it is scarcely possible that the board would more than double the rent—and make it 1s. per acre from the fifteenth to the twentieth year, the rent would just pay the interest upon the capital value of £1, but not upon the deficit of 14s. 2d. per acre, which I have pointed out would accrue at the end of the fifteen years. The interest upon that would amount to 4s. 4d.: so that at the end of the twentieth year the total loss would have amounted to 18s. 6d. per acre; and if the transactions closed at the end of twenty years the land would have to be sold at £1 18s. 6d. per acre to balance the Treasurer's accounts. The consequence is that the Colonial Treasurer, acting upon the question of finance, would be obliged to lease the land for the remaining thirty years of the fifty at not less than 1s. 9½d. per acre to protect the Treasury from loss. Putting the amount at 4 per cent., it would very slightly mitigate the position. The assumption has been made that we are going to borrow some ten millions of money at 4 per cent., but we know very well that we can do no such thing. We know perfectly well that the nominal realisation is greater than what we actually do get, and the transaction undoubtedly would be a decided failure, or the rents of the land must be so far above this set forth in the Bill, that I think that if the country did but know it they would altogether turn round upon the "Party of Progress," as they are called, and the Great Liberal Party would be for the future known as the very reverse of liberal. I have only just given one short instance of it, but I believe it has been sufficient to prove that the Bill is a financial mistake, and I think it would be cheaper and better for the country, and much less taxation would result, if the lands were sold directly and outright, and the country saved from having to pay interest upon loans. In going through the Bill, the first clause that strikes one as being one that is very extraordinary is clause 6. Now, the clause which clause 6 of this Bill proposes to repeal is the 54th clause of the Pastoral Leases Act of 1869. That clause begins with the following words:—

"For the purpose of securing permanent improvements it shall be lawful for the Governor to sell to the lessee of a run, without competition at the price of 10s. per acre, any portion of such run."

A great deal has been said with regard to the meaning of that expression. It has been argued by some that it simply means that the Governor may sell, or may refuse to sell. But there is another meaning which may be put upon this, and which I think is one well worthy of consideration. This expression, "for the purpose of securing permanent improvements it shall be lawful for the Governor to sell," may really mean that with a view of establishing a policy of encouraging lessees to make permanent improvements, the Governor in Council is authorised to sell. The expression "for the purpose of securing permanent improvements," may have a very different meaning from that which has been usually put upon it; and, in fact, the clause may easily

be construed to merely set out the reason why the Governor was empowered to sell, and then gave the conditions under which the land was to be sold—that it is not to be of less than a certain area, and that the price is to be fixed. In addition to that, I am perfectly aware that some parties may argue that the Acts Shortening Act says the expression "it shall be lawful to do so-and-so" simply means that the Governor may, if he likes, or may not. But, presuming that to be the condition of things so far as the legal interpretation goes, now it chanced that I wrote this Bill myself. I also, with the direction of the Minister, prepared this clause 54, and it was modified afterwards by the Minister. As I wrote it, it was simply meant to be a permissive clause, but the clause was altered by the Minister; and when he was asked in the House, "Does this give us a right?" he said, "Oh, yes"; and when he was further asked, "Does it give us an absolute pre-emptive right?" he said, "Oh, yes, it does." That was the answer of the Minister to the members of the Assembly when they asked him whether the clause, as he had read it, was intended to give them an absolute right to purchase, or whether it was only a permissive act on the part of the Governor. It is proposed by the Bill now before us practically to repeal that 54th clause, and although it is a sort of conditional repeal by which the pastoral lessee shall still have power to purchase under certain conditions, those conditions are so excessively stringent that practically they neutralise any apparent concession that has been made. We may therefore view it that, as a practical question, clause 6 absolutely repeals clause 54 of the Pastoral Leases Act. Such a repeal would undoubtedly be an act of repudiation, and it is questionable, even if we were to pass a Bill for its repeal, whether it would have any effect as touching the leases that are now in existence; and consequently that all those lessees within the schedule who do not bring themselves under the provisions of the Bill would still have a legal right to the exercise of the pre-emptive right as it exists in the Act now in force; although the Bill would attempt to debar them from it. And further, that as regards the pastoral lessees beyond the schedule, it undoubtedly would be repudiation of one of the conditions under which they hold their land. It may be said that this clause 54 does not give them an absolute right; that it merely empowers the Government for the time being—nominally through the Governor—to let them have the right of pre-emption or not, as they think fit. Exactly so. If that is the case, and the Government deem it inexpedient that the pre-emptive right should be allowed to be exercised, they will exercise their discretion and stop it, and even if it remains on the Statute-book no harm can possibly accrue. On the other hand, if the Government deem that it is expedient in any case that it should be allowed to be exercised—if it remains on the Statute-book it will permit the Government to exercise it—and they would not be granting any concession or doing anything which would be contrary to the existing contract between the lessees and the country. Under these conditions I really cannot see what advantage can possibly accrue from the repeal of that clause, and I feel inclined to strongly oppose the attempted repeal of it. There are some matters which appear in the Railway Reserves Act which show clearly that the Parliament have not considered that the pre-emptive right, as defined by clause 54, was simply a power on the part of the Government; but that it did actually convey some sort of moral right to purchase the land to cover the improvements. For instance, in subsection 4 of clause 4 of the Railway Reserves Act of 1877 these words are used:—

"The lessee shall have and may exercise the right of pre-emption conferred upon him by the 54th section of the said Act over any part of the run."

Now, if this had not been viewed as something more than a moral right to pre-empt on the part of the lessee, Parliament would not have passed through both Houses an Act containing the words of that clause; especially when we come to consider that this is not a little by-clause referring to some other matter, and that the words used are an accidental expression that would have some effect upon things that were not contemplated or under consideration at the moment. This Railway Reserves Act was one touching specially upon this question of pre-emptive right, and it is one under which I believe a very large proportion of the purchases under pre-emption which have taken place have been exercised. We therefore see that the Parliament, as well as the lessees generally, have been under the impression that it did confer a moral right, if not a strictly technical right, in law. As a House of Legislature it is not for us to go into quibbles as to the precise forms and expressions that may be used, but to view the matter in the light which would be to administer justice to both sides. One of the very salient points of this Bill is the appointment of a land board. Now, even if it were possible to get two persons who were of an exceedingly high order of ability, and who had not the slightest political feeling towards one side or the other—in fact, individuals of a class that I doubt whether they exist in the colony or out of it—the land board I fear would hardly be a success. I myself have been a member of a board dealing with land. For three years, as Chief Commissioner for Crown Lands, I was a member of the land board under which tenders for pastoral leases were dealt with. The other two members were the Colonial Treasurer and the Under Colonial Secretary; and from my knowledge of the business transacted I can say that, if I had thought fit to do anything wrong or improper, I could have done it with the utmost facility, not by hiding the matter from my colleagues, but by being in charge of the preparation of the business. It is very easy for the individual who has that charge to bring matters before the board in such a form, that in nine cases out of ten he will have his own way, and the other members, while concurring, will in reality take little or no part in what is done. And what will practically be the effect of a board of two? One of them must have a slight preponderance of character over the other, and if he does not boss the board, he will be an individual very different from those in similar positions with whom we have any acquaintance. I know several instances of boards in which one individual carried the sway right through; especially do I recollect having to investigate the affairs of the Sydney Sewage Commission. I found there three commissioners, two of whom never did anything but sit at a table, listen a bit, and sign their names. The third commissioner really had the whole of the business in his hands, and whether that board was a success I leave those who recollect the history of the affair to judge. There is no doubt that it was a signal failure, and, under the circumstances, I cannot see how it is possible to form a board to execute the functions deputed to them by this Bill. It may be urged that the board will be in a similar position to that held by judges of the Supreme Court; possibly, in some cases, they may be so, but there is this very important difference: that whereas the judge has statutes which exactly guide him in his decisions, and does not decide

until the question has been duly argued by both sides, and has no part in creating the causes which he has to decide, on the other hand, in the case of the board, a large proportion of the business and decisions will arise from their own recommendations to the Government. In the division of runs and the adjustment of rent, in the first place the matter comes before the board. The board then recommend that certain things shall be done—not in their judicial capacity to decide a question of right, but as a matter of policy. They will go into matters of policy and seek out matter for reports and recommendations to the Government—if they do not they will not be of any value as a land board. Their own acts practically have to be referred to themselves, and, further, if a party who is aggrieved choose to appeal to the Governor against the decision of the board, the Bill simply authorises the Governor to say to the board, "This man objects to your decision; just consider it again." The board will say, "We are not going to be played with by these fellows, who want to have their own way. Our decision was right enough at first, and we will stick to it." Can we expect that a mere reference back to the board for a reconsideration of their own Act will be of any use, except in a few isolated cases where they may have omitted to consider an important point when the matter was considered before? I do not think it is constitutional to create a power which will be beyond the control of Parliament—perhaps not absolutely beyond their control, but inaccessible—and not responsible to Parliament. We cannot question their Acts or anything that arises out of them; nor can we question what the Government of the day may choose to do on what they assert to be the recommendation of the board. Constitutional government involves the fact that the people return their representatives, who elect the Ministry as an Executive, and the Executive can only hold office so long as they conduct the business of the country in accordance with the wishes of the representatives of the people. No doubt there are occasions when, for short periods, the representatives of the people may not be their absolute representatives; still, our constitutional view of the subject is that they do represent the people, and if their opinion differs from that of the people, they must before long give way to the people. Then why should we attempt to create a board that is to be practically beyond our control, and entirely irresponsible to Parliament? Had I been drawing up a Bill like this, and had it been imperative to provide for a land board, I should certainly have added the Minister; but I am not going to take the work from the other side of the House. They have taken the matter in hand, and though I may be prepared to introduce amendments with regard to matters of detail when the Bill is under consideration in committee, I scarcely think it is my province to set to work and build a new Bill which will involve new principles. The Government must either stand or fall by the general principles of their Bill. There is only one thing to be said in favour of it, and that is, that not more than twelve months can elapse before we shall have one or two amending Bills to set right the defects contained in the Bill now before us. It is a long time since I have seen a Bill come up with so many technical defects. There are many clauses altogether at variance with one another. In clause 26, dealing with existing pastoral leases, I find there has been an attempt to put a wrong interpretation upon the law at present in force. The last part of the clause says that "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." We should naturally think, from that paragraph of the clause, that the Government were granting a concession. They seem to be very kind in proposing to extend the lease for six months after the passing of the Act, but the fact of the matter is that it is an attempt to evade a portion of the Pastoral Leases Act of 1869. I have heard it asserted several times by the present Premier that there is no power of renewal under that Act after the present leases run out, and I know that in several instances the Government have refused the applications which according to law they were bound to receive, and upon which they were bound to grant new leases. If the leases were renewed before the passage of this Bill they would be renewed subject to the conditions of the present law; and I can therefore quite understand the Government granting an extension of the lease. If they extend the term of the lease till it overlaps the time at which their new Bill will come into operation there will be no right of renewal, except under the new Act, the conditions of which may be less favourable to the pastoral lessee than those of the present law. The right is provided for in clause 40 and the following five clauses of the Pastoral Leases Act of 1869, which were specially drawn for the purpose of renewing leases expiring during the continuance of the Act of 1868. How it could have been interpreted to mean anything but the right to renew leases I cannot understand. Clause 40 says:—

> "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."

I think it is pretty clear that there is a right to renew leases; and to pass a clause taking away that right I look upon as—well, a mean evasion, and an attempt to deprive the pastoral lessees of what is their right. Possibly it may only affect a very small number of cases; but we have no right to allow an injustice to be done even to one out of a thousand. I find, further, that in clause 28, amongst the conditions fixing the rent, there are the quality and fitness of the land for grazing purposes, together with sundry other matters, and the supply of water, whether natural or artificial; that is to say that if a man digs a well he is not only to be at the expense of digging it, but he is also to be charged rent for it when it is dug. Directly after this there comes the proviso that in estimating the value any increment in value attributable to improvement shall not be taken into account. That appears to contradict the provision that any artificial supply of water on the run shall be taken into consideration. But what will be the effect if it is left in the Bill? Why, when the measure becomes law, the interpretation will be that artificial supplies of water will be excepted from improvements, so that if a man improve his run by providing a good supply of water on it he will have to pay rent for all the reservoirs or windmills he may construct. Surely that cannot be considered an act of justice! Passing on to clause 34, I find that it contains a rather peculiar provision, and one which in my opinion ought not to have been introduced into this Bill. It relates to the travelling of stock. I have no doubt that there will be considerable variety of opinion upon this matter, but, whatever the decision of hon. members may be, I contend

that this is not the place to introduce a clause dealing with such an important question as the travelling of stock. The clause reads as follows :—

"Any person driving horses, cattle, or sheep along any road passing through a holding under this part of this Act, which is ordinarily used for the purpose of travelling stock, may depasture such horses, cattle, or sheep on any land within the distance of half-a-mile from such road, which is not part of an enclosed garden or paddock within two miles from the principal homestead or head-station, notwithstanding that such land is leased under this part of this Act, or is enclosed."

Now, that will really give the right to anyone going along a road to break the fence and go into a paddock ; and I think we ought not to authorise an act of that kind, as it must lead to much confusion and litigation, and difficulty and damage to all persons concerned. I am not going to say that there should not be some provision for depasturing stock that are travelling, and ample provision for that purpose. But that is not to be done justly in the way proposed in clause 34. This question should, in my opinion, be dealt with in a separate measure which would apply especially to the driving of stock. It is a question which will require very serious consideration. From my knowledge of the character of the interior of Australia, I am under the impression that we shall eventually be forced to pass a law to the effect that no person shall be allowed to travel stock unless he holds in some district a right to country of sufficient area to depasture the stock that he owns. We have had experience of people holding very small areas of country, and very large quantities of stock travelling over the country and levying blackmail wherever they went. That certainly is a state of affairs which ought not to be allowed to continue. I simply mention the matter now incidentally, as showing that the question involved in clause 34 is of such great importance as to be entitled to separate legislation. When we come to clause 37, we find one of the little matters of confusion. In that clause it is provided that the rent is to be determined by the board. In a subsequent part of the Bill there is a clause apparently to deal with arbitration, but the wording is somewhat obscure. All that can be made out of it is this : that while a lessee, part or the whole of whose run is resumed, will have the right to have the value determined by arbitration, yet when it is a question of how much rent he has to pay, he is to be at the mercy of the board, without any appeal. If we turn to the section dealing with agricultural and grazing farms, it will be seen that scissors and paste have done a great deal in its preparation. Practically it is a sort of mutilated homestead and small pastoral leases provision. This is a matter that I cannot conveniently deal with now, without detaining the House far too long upon what become matters of detail, which are very numerous and very complicated. There is, however, one matter that I would point out in connection with it, and that is that everything is done in order to prevent the possibility of anyone acquiring freehold land. Anyone who is conversant with the character of the Anglo-Saxon race, or of our Saxon friends from the continent of Europe, will be aware that the idea of obtaining a freehold is one of the objects they always have in view, and it is no doubt one of the reasons which has caused so many immigrants to come to our shores. If we take that inducement away, those who understand the matter will go to those colonies in Australia which afford greater facilities for the acquisition of freehold. It is very absurd to say that these provisions are necessary to prevent the accumulation of enormous estates. We know that in Australia, on an average, twenty years do not pass without every estate getting into the market. We hear a very great deal about the aggregation of large estates on the Darling Downs ; but what is the actual state of the case? I know of more than two of the largest and very best runs, which are available for purchase on exceedingly moderate terms. In fact lands on some of the very best runs have been offered at a price which is actually less than the original cost of £1 per acre when the proprietors purchased them, with 5 per cent. added. If the £1 per acre paid for those lands twenty years ago had been invested in other ways for the Public Service, that sum would now have increased to about 57s. The country could afford to buy back those lands at that price and distribute them to the people, and it would not lose a single penny by the transaction. The lands that I refer to have been in the market under the price just mentioned. Now, if we turn to clauses 41 and 42 of the Bill, it will be found that provision is there made for the survey of lands before selection. The Postmaster-General admitted yesterday that he himself did not agree with the Bill as it stands ; and, undoubtedly, if this Bill passes in its present form, these clauses will have to be amended before the next session of Parliament is over. If, however, the Government choose to adopt a principle, it is the business of the Government to carry out the details of that principle. I do not know how they propose to get over the difficulties which will arise under these two clauses, but I can tell hon. gentlemen, from my own professional knowledge of the subject, that the Government will not be able to carry out clauses 41 and 42 as they stand, and that they will soon be compelled to bring forward an amending Bill. If they do not do that they will be compelled to do things which may be necessary to meet the exigencies of the State, but which will be contrary to the law. Of course, at times the Executive Government must act upon their own responsibility ; but if they deliberately lay down a rule, it will not do for them immediately to turn round and do something contrary to that rule and attempt to justify their action by saying that the emergency justified them in departing from the strict letter of the law. I could myself arrange matters in such a way as to meet the case for which these clauses are framed, without putting the country to such an enormous expense as will be necessitated by this provision. I could, I think, propound a scheme "betwixt and between" which would meet the requirements of the country, that is, provided I had the direction of those who were to carry it out. My experience is that great care must be exercised in selecting men to work out a scheme of this kind in the field. It very often happens that what are termed the best men in the department are totally unfit to carry out a survey such as will be required in this case, a feature survey before selection, while other men of comparatively inferior attainments have a peculiar tact and ability in doing this class of work. It therefore could only be worked out if the head of the department thoroughly understood his business, and understood his own men and had their confidence. Clause 69 provides that a register is to be kept of leases under this part of the Act—that is, the fourth division relating to agricultural and grazing farms. But there is no provision whatever, so far as I have yet been able to discern, for the registration of other classes of leases and licenses. This simply shows carelessness in preparing the Bill, as after it has actually passed through the Assembly, and been debated upon there almost for months, we find such a gross departmental defect as is involved in clause 69. That clause may certainly be amended in committee so as to extend its provisions,

There is another matter which many persons, after the first view, would be inclined to fancy was a good provision in the Bill. I refer to Part V. of the Bill, which commences with clause 75, and deals with scrub lands. It is proposed by the Bill that anyone shall be allowed to take up 20,000 acres of scrub land, and hold it for various terms, according to the kind of scrub, from five to ten years, before he has to pay any material rent. During that time he is supposed to do something in the way of cutting or ringbarking some of the scrub, and to do a certain proportion. That is the only thing he is supposed to do, and certainly, for the first twelve months, he would simply have to select his 20,000 acres of land in the scrub, and would be able to hold it for at least twelve months, and for as much longer as might occur before the Crown lands ranger found him out, and then he could set to work and impound the stock belonging to all his neighbours round about. There is no condition of his having to pay any rent beyond a peppercorn rent, which is absolutely nothing at all. No doubt for the first year he would make a little show of doing something to the scrub; but, for two years at any rate, he could hold it, and be a perfect nuisance to all around. It is alleged, when this objection is taken to the clause, that he cannot impound any stock except in cases of wilful trespass. Clause 79 says:—

"The lessee shall not be entitled to impound any stock found trespassing on any part of the holding which is not enclosed with a good and substantial fence except in the case of wilful trespass."

Now, what is "wilful trespass"? This question of wilful trespass will be one that will have to be decided in courts of law, and not by those who may simply give what they term an equitable and ordinary interpretation. We shall have to take the legal interpretation of the clause. If the selector of an adjoining holding or run of any kind were simply to turn his cattle out in the morning to feed, and they went over the boundary of the holding belonging to the person having the scrub lease, it would undoubtedly, in the eye of the law, amount to a wilful trespass, because it would have been in consequence of the act or neglect on the part of the owner of the cattle. If they broke through a good and sufficient fence by accident or something of the kind, that would be the only case in which he could prove that it would not have been wilful trespass, and then he would be able to show that he had done his best to keep his cattle away by fencing or by absolute herding. Taking them as a whole, I believe the scrub clauses were bad. Look at this question, also: Is it expedient to clear the scrub? Now, we know that in times of drought the greater part of the large stock, and a large number of sheep also, are only saved by eating the scrub. If you go to any of these scrubs adjacent to the runs, you will find that, up as high as the stock can reach, every leaf and twig is stripped off by the stock. The advantage of feeding upon the scrub is that the scrub can retain its verdure during seasons when the grass is utterly perished and gone. Therefore it is a very doubtful question whether the clearing of the scrub, especially such scrub as would be likely to be taken up by persons going in for scrub leases, would be any advantage, and whether it would not be a matter of absolute detriment to the country. These clauses are really quite unnecessary, because if a person wishes to see how he can clear a piece of scrub he can take up 20,000 acres of land as a grazing lease for fifty years, and pay three farthings an acre. And I say, if it is not worth his while to pay three farthings per acre per annum for it, it is very little good for him to take it up at all unless he simply goes in as a sort of loafer to prey upon everybody's cattle and live by impounding and improper proceedings. On the whole, therefore, I think it is exceedingly undesirable to have such provisions as are contained in this division of the Bill on our Statute-book. I now turn to the matter of sales by auction, and we find that every attempt is made to prevent anyone getting a piece of land. As the Bill originally stood it allowed the purchase of suburban lands in areas as large as 80 acres; but it has been reduced to 10 acres, as the amount that may be purchased unless a man goes right away and takes up 160 acres in one piece and on a ten years' lease. The consequence is that a very large proportion of the population who would otherwise become land-holders will be debarred from the possibility of acquiring land. One would have imagined that this Bill was actually drawn up by a big land syndicate, who hoped to acquire most of the freehold lands now held by the people, with a view of subsequently doling them out, and selling them at an enormous price and establishing a monopoly. If the avowed principle of the Bill had ever been *bonâ fide* intended to be carried out, they certainly would never have made provision for the sale by auction of town and surburban lands. In the case of agricultural and pastoral lands, we know the value of the land rises to a comparatively small amount. There may be cases in which agricultural land may rise as high as £3, £4, £5, or even £10 per acre, and in some few small areas it might become of a higher value. Still the value of agricultural and pastoral lands must be governed by the amount of production that can be obtained from them; and the increase in the amount of production, unless by the expenditure of large sums of money, must be comparatively little. But it is in this question of corner allotments where the unearned increment is acquired and comes in; where persons, if the principle of leasing is a good one, should be least entitled to the freehold of the land. The framers of this Bill must still have had a hankering after corner lots and subdivisions of suburban lands into 16-perch building lots. It simply shows that the avowed principle of the Bill was entirely discarded before it was finally drawn up, and we now find that all the talk about saving the unearned increment to the people and the determination that the patrimony of the people was not going to be given away was simply nothing more or less than electioneering claptrap. Except as regards the latter part of the Bill, referring to the charging of a rent upon artificial water, I think that there is not a great deal in the rest of the Bill that may not be fairly dealt with in committee. Almost the whole of the latter part of the Bill, including the special grants of lands, and reserves, and so forth, is just a transcription from existing Acts which have been in force for many years; though now and then we come across amendments introduced—such, for instance, as that in the 103rd clause, in which the decisions of the board are to be subject to revision under the Public Works Lands Resumption Act. I do not know that there is anything which would justify my further detaining the House on the second reading of this Bill, unless perhaps it be the question of the schedule. The effect of the schedule will be this: All those pastoral lessees whose runs are within the schedule will have the option of surrendering their leases and getting new ones, but they must do it within a certain time. Those outside the schedule may bring themselves under the operation of the Act if they choose. I really think it would have been just as well if the Bill applied all over the colony, and I cannot see much use in the limitation of the schedule,

except that if it was dealt with in that form there would not be sufficient provision for dealing with new leases in the outside districts. Unless the persons outside the schedule choose to come under the provisions of the Bill they will remain under the Pastoral Leases Act of 1869. It is only within the schedule that parties will be debarred from remaining under that Act. This matter becomes somewhat intricate, because of the somewhat clashing and conflicting question as to which would be most advantageous, and no doubt those members who have a practical interest in the pastoral leases will best say the course which it would be expedient to follow with regard to the limits of the schedule. I think, gentlemen, I need not detain you any longer, as I have trespassed sufficiently long upon your patience in speaking upon this matter. I may therefore conclude by stating that, although possibly I shall not vote against the second reading of this Bill, should it pass the second reading I shall move some very decided and important amendments in committee.

Question put.

The HON. W. GRAHAM said: Hon. gentlemen,—I find myself upon my legs at rather short notice, and I am very much afraid that the very short speech I am going to make will be an example to other people to speak shortly; and possibly that this Bill will not get that full and fair discussion that I think it is entitled to. I have no intention of following either the Hon. Mr. Mein, in the very able exposition he gave of the Bill, or the Hon. Mr. Murray-Prior or the Hon. Mr. Gregory, who spoke in reply. They are much better able to go into the details of the Bill than I am. They have gone into them pretty thoroughly, and I think there is not much to be gained by repeating those things. I do not propose to object to the second reading of the Bill. Any objections that I may make will be much more in order in committee; but at the same time there are a few of the principles—the great principles of the Bill that I decidedly object to, and it is only upon those principles that I will touch. The first one is what we may call the main principle of the Bill as it was introduced into another place—that was the utter repudiation, or rather the utter objection to freehold; that everything should be leasehold, a theory based upon what we all know as Mr. Henry George's ideas. With those I certainly do not agree; I can say more that I most decidedly disagree with them; and I am perfectly certain that a great many of the people of this colony will agree with me, not only that the desire of all Anglo-Saxon nations is to be their own landlord, but also that the State is the very worst landlord a people can have; and that the sooner, under fair provisions and at a fair price, the lands of a country get out of the hands of the State, the better for that country. There is another question that has been touched upon by former speakers upon which I also want to say a few words, and to which I may as well add my mite—that is the want of interest that has been shown in this Bill. I have watched it pretty carefully; I have watched the public prints; I know a little from experience of the feelings of a good many electorates in this part of the colony, and I can say that there has been no great desire shown for this new Bill. I think that the Land Act of 1868—I am not going elaborately into it in the same way as the Hon. Mr. Gregory did—but I think that that Act, with an extended area, and with provisions which might have been made with the experience gained under its operation, would have been quite sufficient for the present. I think also that it is an unfortunate time to have brought forward this Bill. There is no doubt about that. Although it has been said in Parliament that the Bill is really a better measure for the pastoral tenants than ever we had before, it is very hard for the pastoral tenants to make their mortgagees believe so. Any change in the existing conditions is always looked upon with great suspicion by mortgagees. It is an exceptional time. There is quite trouble enough for the pastoral tenant to deal with from the drought which has existed for some time, and still exists, without having to go to his mortgagee, and explain how this Bill will affect him. That is one strong objection that I have to the principles of the Bill—that it is contrary to everything I believe in. I believe in freetrade in land as well as in everything else, as has been pointed out by the Hon. Mr. Murray-Prior. The next thing in order, according to the Bill, is the question of pre-emption, which is provided for in the 54th section of the Act of 1869, with which I suppose every member of this House is familiar, and there is therefore no necessity for me to read it. For that clause there is substituted clause 6 of the Bill. Various opinions—legal and otherwise—have been given as to the power that the pastoral tenant has under clause 54. I never had any doubt about it myself; I always considered that it was a right, and the proof of it is that it has always been granted as a right—not only granted as a right, but further rights were granted in connection with it. Pastoral lessees were allowed, in the interests of themselves and also of the country—perhaps more in the interests of the country than of themselves—to amalgamate their pre-emptions, and let the Government take an equivalent amount of land elsewhere. That was accepted as a right, and it is no use for any one to stand up here and look at it from a purely legal point of view. What I judge by is the feeling of purchasers—between sellers and purchasers. People who brought capital to the colony, brought it with the fullest belief—a belief that was strengthened both by the law as it read and by what had been actually done—that they were entitled to be able to protect themselves in this way. This I consider—I have no hesitation in speaking of it in strong terms—I consider it a piece of political injustice, and a piece of political injustice that will do harm, not only to the credit of the colony, but to its best interests and to the colony itself. And what is substituted for that right? Clause 6 of the Bill, which provides that any pastoral tenant taking what is called "advantage" of the provisions of the third part of the Bill, shall not be entitled to purchase under the provisions of the section any land comprised in his run. That is, a man who comes under the Act. It is very hard to say how many will come under it, and how many will not; but the man who bends his neck and comes under it is actually prevented from exercising the pre-emptive right upon his own run. If he refuses to come under it, and chooses to continue under his present lease, I ask hon. members of this House, with the experience they have had, what, in all probability, will be the treatment of that pastoral tenant? Then there are other vexatious clauses. "The improvements must have been made before the passing of this Act;" the amount to be expended in improvements is £1,280, and the land applied for must not comprise any natural permanent water. Now, I imagine that where a man has got permanent improvements—and he is bound to have them on the land he wishes to select—he will not have them except where there is permanent water; and yet the first portion of clause 6 says:—

"It shall not be lawful for the Governor in Council to sell any portion of a run to a pastoral tenant under

the provisions of the 51th section of the Pastoral Leases Act of 1869, except for the purpose of securing permanent improvements actually made upon the portion so sold."

It then goes on to say, amongst other things, that the land applied for shall not include any natural permanent water. Then as to the administration of this Bill, I think that is one of the weakest parts of it. I have not got the knowledge that the Hon. Mr. Gregory has, but I have got sufficient knowledge of the working of several Land Acts to know that this Bill is hedged round with a good deal of difficulty, whoever has the administration of it; and I do not think that the difficulty is avoided by the proposal of a board of two members. I have no opinion of a board of two members. If it consist of one weak man and one strong man, which in all probability it will—both may be pretty good men in their way—then it brings itself down to one man. I object to the board, also, because it will be absolutely irresponsible. And as to their agreeing, I cannot imagine two men with the duties they will have to perform, agreeing upon every subject. The Postmaster-General named a few of the matters the board will have to decide; but anyone looking over the Bill will find that there are more than a few duties for the board to perform, and that they will continually have to decide upon all sorts of things. The fact is that it will be simply impossible for them to do the work, and they will have to rely, as the Minister did before, upon the commissioners. I do not intend to refer to details, as I said before, but I wish to allude particularly to the 4th paragraph of clause 28, which says that "the rent for the second period of five years, and for the third period of five years (if any) shall be determined by the board." I think that is giving the board an extraordinary amount of authority. But I would not object even to giving them that authority if it were not for the fact that, though it is supposed to be non-political, there is not the slightest doubt that any Government in power will be able to exercise a certain amount of pressure on the board. If it should at any time happen that the finances of the country require replenishing at the end of the five years, I ask hon. gentlemen to say whether pressure will not be brought to bear on the board to raise the rents to a price beyond what they themselves may perhaps think a fair thing? The only other part of the Bill to which I shall allude is that dealing with scrub lands, which, to any man who knows anything about stock or stations, is simply something monstrous. A more ingenious way of promoting cattle-stealing was never formulated by any Government or by any man. I might talk for a long time in explanation of this matter, but anyone who knows anything about it is very well aware of what will take place under such a provision. The land will be taken up, the peppercorn rent will be paid, but no conditions will be complied with, for that will not be necessary. As soon as the "clean-skins" have been made away with—I think that is what they are called, but the Hon. Mr. Forrest knows more about it than I do—the land will be thrown up, and as soon as they have collected all the cattle they can they will throw it up and it will be taken up by somebody else. There is also an elaborateness in dividing these scrub lands into four descriptions, which, to an ordinary practical man, is something ridiculous—it is a very scrubby affair indeed, as the Hon. Mr. King suggests. I am certain that this part of the Bill will have a very bad effect on the morals and manners of the country, and that it will have a very damaging effect on the interests of the respectable holders of land round about these scrub lands. We have heard a good deal even under good sound Acts like the Act of 1868 about the selector being also a cattle and sheep stealer, but I do not believe it, because I have lived alongside of them—in fact, I have been one myself. But if any inducement could be held out to people to give their selections up to that sort of thing, these scrub clauses are the very thing. I do not intend to oppose the second reading, because I think it contains a great deal that is good. I trust, however, that hon. members will in committee—and I know they will—introduce valuable amendments, which will, I believe, not only be accepted by the leader of this House, the Postmaster-General, but will also be accepted in another place as improvements to the Bill.

The HON. J. C. HEUSSLER said: Hon. gentlemen,—There has been so much said against the Bill that it is time someone got up to say something in its favour; but there is one consolation in the fact that all those who have opposed the measure have wound up with the good intention of bringing it into committee, and not voting against the second reading. I have no doubt that it will be—as our worthy President said of another measure at one time—worried in committee; but I hope that the worrying will be of a good-natured character, and that it will result in the improvement of the Bill. A very good speech was made in favour of the Bill by the representative of the Government in this House; and it is really a pity that he is not here now, for if he were he might prompt some of us in regard to those parts where the speakers have been somewhat in error. I think my friend the Hon. Mr. Murray-Prior said that the Bill was not required, and that nothing had been said about it either in public or in Parliament. I am a somewhat quiet observer of public opinion, and I believe sincerely and truly that there is a very great necessity, at any rate, for some new features in the old land law, if not for a new Land Bill. If any Government chose to make such a large amendment as to extinguish the feature of the old Act, I for one, and I daresay a great many other colonists also, would rather see a new Bill. The Hon. Mr. Gregory has gone into the history of Land Bills so ably—not more ably than he has handled other matters with which he has been dealing—that it is not necessary for me to go into the history of the Land question. But I may mention, with regard to the necessity for the Bill, that for many years there has been a great outcry on the part of the people who have come here with a small capital, but who have seen no prospect of employing their money advantageously. They have either to go very largely into squatting pursuits at the risk of losing all they have in a very short time, because they have not sufficient money to carry on operations, or to enter into speculations of another character. I believe these grazing farms of 20,000 acres will yet play a grand part in the history of the colony. It has been said that the area is too small for a grazier, but I do not think so. There are a good many hard-working farmers who will do very well on such farms. We are not all rich people in this colony, and there are many persons among us for whom this provision is admirably suited. My friend the Hon. Mr. Murray-Prior has said that native-born youths prefer riding and roaming about to engaging in any settled business, and I quite agree with him; and, therefore, I think if the Bill contained this provision only it would be worthy of being passed by this House. Under it our young men can go into the bush and select a grazing farm for themselves, and if they are fortunate in their operations they can then go into the interior of the country and take up larger areas. There is plenty of room in the colony for small capitalists and

young men of enterprise. There is plenty of room, as hon. members may see by looking at the map, for hundreds and thousands of grazing farms outside the area comprised in the schedule to the Bill. There is another feature of the Bill which, to my mind, is an excellent one, and that is, that it provides for all comers; it provides for the small farmer and the big farmer, and it also provides for the small grazier and the big grazier. If the climate in the interior of the colony is not altered by closer settlement, as it is sometimes changed in other parts of the world, I doubt very much whether we shall ever see anything but grazing in the West and North, except, perhaps, in a few favoured spots which line on the rain-belt, for constant moisture is requisite for lands used for farming purposes. My friend, the Hon. Mr. Murray-Prior, had a great deal to say on the principle of leasing contained in this Bill. Well, I must confess that if the principle had been applied to farming lands I should have had very great doubts as to the wisdom of its introduction, for we know, as has already been said, that among Anglo-Saxons the craving for land is so great that it is extremely undesirable at the present time to propound any scheme by which they would be deprived of the opportunity of acquiring a freehold property. I sometimes read the new ideas which are advanced on this question, and give them careful consideration, because I like to know what is going on; but I think we may have too much to do with theories. Now I will just refer to the vexed question of pre-emptive rights, which it is contended was conferred on the pastoral lessee by the Pastoral Leases Act of 1869. I believe that will be one of the bones of contention in committee. There are abler men than myself on both sides of the House, and they will no doubt be able to deal with this question in a satisfactory manner, however. If I remember rightly, the Postmaster-General said yesterday that as the law at present stands a lessee could practically be deprived of his run by the Government giving him six months' notice, and if that is the case I think the Crown tenants will act wisely if they come half-way and accept a compromise. I certainly think it would be unwise for this House to do anything that may bring us into collision with the other Chamber. In my opinion there can be no doubt as to whether the lessee has a decided right to pre-empt; but it has happened many a time, and will often happen again, that individuals have to give up some part of their rights for the benefit of the State. It has been said that this is a bad time to bring forward a Land Bill, and I must admit that the time is not very favourable for introducing new measures of this character; but here it is, and we must deal with it. Singularly enough, there has never been a Land Bill brought forward during the time I have been a citizen of Queensland, or a member of the House, that, according to the opinion of some, was not introduced at the wrong time. In some cases the time was no doubt inopportune. If we pass this Bill I do not think there is much fear of capitalists dealing hardly with the pastoral tenants. The monetary institutions of the colonies cannot do without the graziers; and if they cannot get the very best security for advances they will take a less one. They must employ their money. Do not be frightened of those bugbears—the capitalists, the banks, and the monetary institutions. They must use their money, and they will be only too happy to lend it to you. Just for the sake of argument I may give a case in point. I have a friend, a very modest man, who owns 20,000 acres on the Darling Downs. He was a gentleman who at that time would have been very glad to have 20,000 acres on the Darling Downs, and he got by degrees all this land together. He had then very little money, and he went to his banker and got deeply into debt. However, he was very well treated by the bank, for he was found to be an honourable man, and one who would work; and now he is a well-to-do and independent man, with his 20,000 acres enclosed, not merely by a wire fence, but securely closed with a paling fence; and though he may not have a first-class station he grows first-class wool, and makes a very excellent living out of his land. Speaking of this 20,000 acres, I recollect the passing of the Act of 1869, and I know my hon. friend Mr. Murray-Prior used to say, "Give me 20,000 acres and I will give you £1 an acre for it, and I will make a fortune out of it." I have not the slightest doubt my hon. friend will recollect this fact himself. Afterwards the graziers found that £1 an acre was too much to have to pay for land for grazing purposes. I speak from my own experience of what the graziers on the Darling Downs thought of the land then. Some of those gentlemen were actually too greedy and got too much of the land to their own and the detriment of the farmers who wished to go there. With all due deference to my hon. friend, Mr. Gregory, who says that there are some of those stations at the present time in the market, and which can be bought back by paying the compound interest upon the money expended on them, I daresay they could be bought back by paying the compound interest on the money.

The HON. W. FORREST: At 5 per cent.

The HON. J. C. HEUSSLER: Yes; I daresay they could be bought back by paying the compound interest on the money at 5 per cent.; and if the money was put out under the conditions of this new Bill it would be a splendid financial transaction. A good many provisions are contained in this Bill to make it at least as good as the last. By some means the homestead clauses have been restored, and I suppose that was done by a little pressure from outside; but we need not trouble ourselves about that. My hon. friend, Mr. Gregory, has referred to the fact that it is proposed under this Bill to sell only town and suburban lands by auction, and I have not the slightest doubt that the introduction of this provision was carefully considered by the Government, in conjunction with the leasing clauses of agricultural holdings with the right of purchase, and I do not believe that their intention was bad. On the contrary, I believe that the present Minister for Lands has done his utmost to satisfy everybody; but we know that if we wish to satisfy everybody we often fail in the opinion of opponents. And I see these hon. gentlemen, who have not given up the old idea of possession as against leasing, still consider the absence of sales by auction of country lands a mistake. For my own part, I should rather see also that the Government were not hampered in any way in this matter. We know that there are occasional crises in Australia; and the time may come again when the State will require money, and that could be obtained by selling those lands. There are always capitalists ready to buy land under such circumstances, and good financiers generally pick the time when things are at the lowest ebb. Under such circumstances it might be very convenient to fall back upon such an expediency, and if the expedient was not provided the colony might be brought into some quandary which might wisely have been avoided. Again, it must be remembered it is in the power of the Government not to make use of such a clause at all. Now I come to the land board, and I shall say a few

words about that. It has been condemned by the last three speakers; and the constitution of the board has certainly been ably criticised by my hon. friend Mr. Gregory. But when we come to consider how the Minister for Lands is followed about at the present time—and we have a gentleman here who has been Minister for Lands, and who can, I have no doubt, speak feelingly on that subject—I think it will be admitted it is a wise provision that he should not be liable to be got at all at once, but in an indirect way through the land board. I think it must be admitted that this provision has been very wisely introduced. In dealing with the matter the Minister still holds the reins, and consequently he is, after all, the responsible party. He has to say what the board is to do, and he has also a veto upon their actions. It has been said, however, that the board could not be quite independent—that there could hardly be any gentleman found who would be able to resist the temptations which might arise in the position these men would hold. I have not the slightest hesitation in saying, however, that no difficulty of that kind will have to be met. I am sure the members of the board will do their duty, and I am glad to be able to say that I have met plenty of gentlemen in Queensland who will do their duty, and will not care a fig, as the saying goes, for outside opinions, and will certainly not listen to any attempt to bribe them. There is one great safeguard for this board, and it is that it cannot be removed except by the vote of Parliament. The board will be in a similar position to that held by the Auditor-General at the present time. Hon. gentlemen knew that the Auditor-General has sometimes in his reports said very nasty things of the Government, and, in fact, of any person whom he thought fit to speak of. His reports have been very annoying sometimes to the Colonial Treasurer, and to the Government, and yet he has followed his own course. If one gentleman can do that, and act independently, I do not see why two could not do it. The Hon. Mr. Gregory has referred to the clause providing for determining the rent according to the various features of the land, its capabilities, and especially considering the existence of permanent and artificial water. I think unless we get some very good explanation of that clause that there must be some blunder in connection with it. I shall not go further into particulars. I have just spoken on the general principles of the Bill, and, although there may be something to alter or amend in committee, I cannot agree with the three previous speakers as to their wholesale mutilation. I take an independent view of the question, as I have always done since I have been a member of this House; and I think we may very fairly vote for the second reading of the Bill, and when it gets into committee we may not, after all, make such a hash of it as would appear necessary from the remarks of the last speaker.

The HON. J. F. McDOUGALL moved that the debate be adjourned.

The HON. W. H. WALSH: Hon. gentlemen,—It seems almost a pity to end such an interesting debate as we have had the pleasure of listening to this evening—certainly one of the ablest debates I have ever listened to in this Chamber, redounding to the credit of the House, and consequently to those hon. gentlemen who have really distinguished themselves. As I said before, I think it is almost a pity that we should interrupt such a debate; but, if it is the general wish of hon. members to adjourn, on behalf of the Government, I certainly shall raise no objection. I think, however, that we might go on and enjoy ourselves for another hour or so.

HONOURABLE MEMBERS: Adjourn.

The HON. W. H. WALSH: I know very well it is no use pressing hon. gentlemen to go on if they wish to adjourn; but, at any rate, I think I may claim, on behalf of the Government, that the debate shall take precedence of all other business to-morrow, and that it shall terminate to-morrow.

HONOURABLE MEMBERS: Hear, hear!

The HON. W. H. WALSH: On that understanding, I can only say that, on behalf of the Government, I shall be very happy to accede to the adjournment of the debate.

Question put and passed, and resumption of debate made an Order of the Day for to-morrow, to take precedence of all other business.

MEMBERS EXPENSES BILL.

The PRESIDENT announced that he had received a message from the Legislative Assembly forwarding this Bill for the concurrence of the Council.

On motion of the HON. W. H. WALSH, the Bill was read a first time, and ordered to be printed.

The HON. W. H. WALSH moved that the second reading of the Bill stand an Order of the Day for Tuesday next.

The HON. T. L. MURRAY-PRIOR: I beg to move, as an amendment, that the second reading of the Bill stand an Order of the Day for this day three months.

The PRESIDENT: The amendment will have to be put in this form:—That the word "Tuesday" be omitted, with the view of inserting "this day three months."

The HON. W. H. WALSH: Before the hon. gentleman corrects his motion, permit me to suggest that, at any rate, he should allow this Bill, like all other Bills sent up from the other Chamber, to receive courteous attention. He will be able to deal with it hereafter in the way in which he feels it to be his duty to deal with it, and probably he may find me joining him in doing so; but I put it to him whether he is not almost the last member of the House who should have recourse to such a proceeding as to do that which is discourteous to the other Chamber.

The HON. T. L. MURRAY-PRIOR: I should be very sorry to do anything which would even seem discourteous to the other Chamber; and under the circumstances, with the permission of the House, I would alter my amendment to "Tuesday fortnight" instead of "this day three months."

The HON. W. H. WALSH: I may explain that if the hon. gentleman's real objection is to proceeding with the Bill next Tuesday, I promise that it will not be taken on that day. I merely moved that the second reading stand an Order of the Day for Tuesday, as a matter of form.

The HON. T. L. MURRAY-PRIOR: Under those circumstances, with the permission of the House, I withdraw my amendment.

Amendment withdrawn, and original question put and passed.

The House adjourned at nine minutes past 9 o'clock.