

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

THURSDAY, 20 NOVEMBER 1884

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LEGISLATIVE COUNCIL.

Thursday, 20 November, 1884.

Absence of the Postmaster-General. — Parliament Buildings Committee Report.—Crown Lands Bill—second reading.—Adjournment.

The PRESIDENT took the chair at 4 o'clock.

ABSENCE OF THE POSTMASTER-GENERAL.

The HON. W. H. WALSH said : Hon. gentlemen,—I have to announce that, in consequence of the absence of the hon. the Postmaster-General from the Chamber this afternoon, I have been requested to take charge of the Government business ; and I may add that within the last few minutes I have received a telephone message from that hon. gentleman's residence, stating that he is better.

PARLIAMENT BUILDINGS COMMITTEE REPORT.

The HON. W. FORREST said : On behalf of the Chairman of the Joint Committee for the management and superintendence of the Parliament Buildings, I beg to lay the report of the Committee upon the table, and to move that the paper be printed.

Question put and passed.

CROWN LANDS BILL—SECOND READING

Upon the Order of the Day being read for resumption of the adjourned debate on the motion "That this Bill be now read a second time"—

The HON. J. F. McDOUGALL said : Hon. gentlemen,—I am sure that in expressing my own regret I am only expressing the feelings of every member of this House at the continued absence of the hon. the Postmaster-General; and I am sure we all hope to soon see him in his place again.

HONOURABLE MEMBERS : Hear, hear !

The HON. J. F. McDOUGALL : I cannot allow this Bill to be proceeded with without making a few remarks ; believing, as I do, that the advancement of this colony largely depends upon it, and upon the shape it will assume when it leaves this Chamber. I hold that since the passing of the Crown Lands Alienation Act of 1868, and the Pastoral Leases Act of 1869, no measure of equal importance has come before this Chamber, inasmuch as it proposes to deal with the lands of the colony in a radically changed manner, by proposing to substitute leasehold for freehold tenure. This in itself is a radical change—a change that I am not at all prepared to say will meet the expectations of its promoters ; but, so far as that goes, I for one am willing to give it a fair chance. In the future, under this Bill, no man is to hold anything like a large quantity of land in any shape or form ; he is debarred from it in every conceivable way. Now, this I hold to be against—entirely against—the interests of the colony, inasmuch as I think it will prevent the introduction of capital amongst us. The settlement of people upon the land, which this novel mode of dealing with it is expected to bring about, may perhaps, in certain localities, produce that effect ; but in others I contend that it will have no such influence. It is a purely experimental measure ; one that proposes dealing with the lands of the colony in a way of which we have no knowledge or experience whatever, in any other part of the world. Here we have millions of acres of land at our disposal, and it is proposed to deal with it in the way I have stated ; and, as I said before, it is an experiment that I

am willing to give a trial. Another reason assigned for the introduction of this measure is to prevent the aggregation of large estates in the colony. Well, even if that object is achieved, I do not think any great result will be effected ; but that the Bill will have the effect of checking the accumulation of landed properties there can be no doubt. But I contend that, that being accomplished, in other respects it will fail. It will not settle the amount of population upon the land that is expected, and hence there will not be that amount of revenue derived from it that its supporters fondly hope. Another thing is that it will take a large amount of time to bring the measure into operation, and a very large expenditure. The principle of the measure is to lease these lands—I am speaking now of the larger areas—for periods of thirty and fifty years. That, no doubt, will lead to the occupation of the country by the people who are in it already, but that it will induce people to come from other parts of the world I do not believe. Young men who have been brought up in the country, and people who are already in it and know something about it, may perhaps see their way to settle upon the land ; but I do not think that it will have the effect of bringing either capital or a large number of people to the colony. I think it is a mistake to do away with the sale and alienation of the land. The exigencies of State may require it, and I think that the public interests may and will demand it before very long ; and then, I suppose, another measure will have to be introduced. I should like to say a word or two about the aggregation of large estates. I may point out that when the Act of 1868 was introduced it was considered necessary that the pastoral lessees should give way to the necessities of the people, and that, after the Act was passed, the halves of the runs in what were then pronounced to be the settled districts were resumed, and the pastoral lessees were thereby forced, either to dispose of their stock, or to acquire a title to as much land as they could afford to take, in order to feed their stock. Even then it was not found that there was such a demand for the lands as was expected, for it took many years to absorb them all. That a very large portion of them fell into the hands of the pastoral lessees there can be little doubt, and I can only say, as one of them, that it has been pretty hard lines to have to purchase those lands and pay for them, because after they were paid for they did not produce any more grass than before. Therefore, I do not think the pastoral lessees should be held up as altogether bad, seeing that they simply acted on the defensive, and could hardly help themselves. I will now refer to the position in which this measure proposes to place the pastoral lessees—the Crown tenants of the colony. I think, however unwilling they may be to surrender the portion of their runs which they may be called upon to surrender under this Bill, they cannot but see the necessity for their giving way to some extent ; and if certain amendments can be made in this measure which will give to them what I consider they are perfectly entitled to, then I say that they cannot complain very much. I should like to draw attention now to the fact that if the division of runs is carried out in the manner proposed it will be most unfair. If, as I take to be the reading of the Bill, the Government divide the run, and then take their choice as to which half they will resume, that will be manifestly unjust. The proper and fair way would be to let the pastoral lessee divide his run, and give the Government their choice. That is precisely the way in which the runs of the settled districts were divided

the squatter divided the run, and the Government declared which half they would take. But for the Government to divide the run and then say which part they would take, would be simply unfair and unjust, in my opinion. I now come to the constitution of the land board, and with that I at once confess I totally disagree. I for one shall have no confidence in it; and I hope before this measure leaves this Chamber some other provision will be made. It is difficult to find anything in the Bill that has not been alluded to by the hon. gentlemen who have preceded me; but there are, perhaps, some trifling matters to which I may advert. I may say now, however, that arbitration should form the basis by which disputes arising under the provisions of the Bill should be settled. Clause 30 is an extraordinary clause, and one that ought never to have appeared in this Bill. It says:—

"If in the opinion of the board any lessee exercising the right of depasturing is injuriously using the land over which the right to depasture is exercised by overstocking the same, the board may require him to reduce the number of his stock thereon to such an extent as the board may think fit; and if the lessee fails to comply with such requisition within six months after receipt thereof, his right of depasturing shall be determined."

Now, this is really a matter of no very great moment except that it will lead to all kinds of dissension between neighbours and people who may settle on the land. All they will have to do is to lodge a complaint and say, "Mr. So-and-so is overstocking his country." That will lead to an investigation; and what will it come to? It will give a world of trouble, and no possible benefit can come of it in any way or shape; and therefore, I think the clause should never have been introduced. There is another matter about which I should like to say a few words. This measure proposes to resume the half of the half of each run; that is to say, the halves of the remaining halves of the runs in the settled districts, which have already gone through the fire, and have been pretty well singed too. Now, I think that this might very well have been reduced to a quarter for the first five years at all events, or at any rate to a third, and then, perhaps, if the requirements of the country demanded it, the other portion might be resumed. I could, of course, point out many little objections, but I do not think it would be right to take up the time of the House in doing so at this stage, because we can deal with all those minor matters when in committee. I am very glad to see that certain clauses, carrying out the homestead principle, have been introduced into this measure, and I wish to make a few observations on this subject. There is no doubt that the introduction of homestead clauses in the various Land Acts under which the lands of the colony have been administered since the passing of the Acts of 1868, 1876, and 1882, have had the effect of settling the people on the lands of the colony, not perhaps to the extent expected, but still in certain localities the operation of those provisions has had a good effect. I must take exception to a statement I have frequently heard in connection with this matter—namely, that homestead selectors are simply dummies for pastoral lessees. That I totally deny. There may have been a few cases in which that has occurred, but I unhesitatingly affirm that it has not prevailed to any extent in the districts with which I am acquainted. I am therefore pleased to find that the homestead clauses providing for 160-acre selections have been restored to this Bill. Now, I must say something with reference to the provisions respecting scrub lands, although this part of the measure has been pretty well handled by my hon. friend, the Hon. Mr. Graham, and other speakers who have preceded me in this debate. I think the Hon. Mr. Graham said that

these scrub lands will be very convenient places for carrying out a system of cattle-stealing and horse-stealing, and I quite endorse his opinion. I know perfectly well that the clauses in respect to them will lead to no end of that kind of business. We shall have men going out to some of the best waterholes that are nearly or wholly surrounded by scrub, and there building their trap-yards and getting the horses and cattle into them. There are thousands of acres of such lands, I would point out to hon. gentlemen, who, perhaps, do not know the country as well as I do, on the Moonie, between Roma and Dalby, which are more or less stocked with wild horses and wild cattle, and all a man would have to do there would be to take up a quantity of scrub land under the provisions of this Bill, clear out the cattle, and then throw up his land. Much more might be said on this part of the measure, but it has been so well criticised by the Hon. Mr. Graham that I do not think it necessary to say anything further on the subject. With reference to the schedule to the Bill, I have no very decided opinion as to the necessity for extending it. At the same time, I must confess that I can see no reason why we should make "fish of one and flesh of another." I do not see why the whole colony should not be brought under the Bill. I have heard no reasons advanced why the schedule should not comprise the whole colony. It may be said that the holders of stations in the outside districts, which have been formed at a comparatively recent date, have not been long in occupation of their runs, and that they have had many difficulties to contend against, and therefore the provisions of the measure should not apply to them; but I would remind hon. gentlemen that those difficulties are fast disappearing, as easier access is being afforded by the railways, which are approaching nearer and nearer those outside places every day. I really think that the schedule might justly be extended to the whole colony. I do not say that the Government of the day or any other Government would exercise the power which this Bill gives them of extending the schedule to the disadvantage of individuals. Indeed, I should be sorry to have such an opinion of any Government, but nevertheless I must point out that it is possible for such a thing to be done; and though it may not be probable that the power would be so wielded, I think it is better to remove the possibility of such a thing by putting all pastoral lessees on the same footing by extending the schedule. I know there are a number of gentlemen to follow me to-day, and as it is understood that the debate is to close this evening I will not further take up the time of the House. I could say much more on the subject, but I do not think it is necessary to do so at this stage. I shall certainly not oppose the second reading of the Bill.

The Hon. G. KING said: Hon. gentlemen,—I did not intend to trouble you with any remarks on this measure, knowing well that the Bill would be fully considered in committee and put into shape there; but, inasmuch as I differ from some hon. gentlemen who have spoken before me on the leading principles of the Bill, I think it right that I should state my opinions upon the subject. I approve of the principle of the Bill—that is to say, the principle of leasing as against selling Crown lands. Where a State is possessed of millions of acres of waste lands, such as we have, it should derive from that source an income commensurate with the value of the land to the tenants. Of course, to do that the tenure would have to be of such a nature as to enable the tenant to pay a sufficient rental for it. As we leave a large legacy of debt "*solvendum in futuro*" to posterity, I think we, as trustees for posterity, are also bound to

leave them, as a State, the land as an asset available for the liquidation of those debts. There have been views expressed about our land legislation in these colonies by people in England, which have had considerable influence upon my mind. In a circular of Messrs. William Westgarth and Company, dated London, 4th April, there appears the following:—

"We offer a timely remark here with reference to the wholesale alienation of the public lands of Australia. It specially applies to those colonies which have yet a large unalienated Crown territory—South Australia, Queensland, even the senior of all, New South Wales, and more than any, that vast and as yet almost empty area which is still termed Western Australia. Our remark bears upon the very slight value which such lands have in a marketable sense, and as a financial power towards colonial public objects; for instance, as a help to immigration projects, or towards Government subvention for railway construction undertaken by private enterprise. When a colony alienates to-day millions of acres towards such enterprises it parts for next to nothing with a value which, in twenty-five or fifty years, will be most vital to its means and well-being. The colony can wait, but the investor or speculator who seeks immediate returns cannot wait, and with him value postponed for even twenty-five years is hardly for to-day reckonable value at all. Without pretending to enter upon the general question of colonial land policy, we would point out that great alienations of the public lands, owing to those comparatively long deferred prospects of pecuniary return, count for all but absolutely nothing in providing capital for present expenditure. A colony had best therefore refrain from those huge alienations of the fee-simple to a few individuals, or to an outside proprietary, who so lightly estimate the possession."

I think there is great wisdom in those words, and I firmly believe in the views enunciated in them. We have been told that this Bill will effect a radical, almost a revolutionary, change in our land laws. I do not regard it in that light. The sale of country lands will be stopped, certainly, but we shall still be able to get a considerable revenue from them under the provisions of the Bill. One great advantage in the measure is this: The present uncertainty of tenure—it is only a six months' one—will be exchanged for one of fifteen years; and by giving this great advantage the Government are justified in demanding a fair rent, and also resuming a portion of the land. Nor do I consider that the repeal of the 54th clause of the Act of 1869, and the substitution for this measure of clause 6, can be considered other than a fair compromise. I may say I was not till recently interested in the question of pre-emptive right, and did not study this matter until 1882. These clauses were not brought under my notice until 1882, when there was a considerable flutter amongst the squatters, from whom about 15,000,000 acres were to be resumed for the Transcontinental and Warrego railways, and several gentlemen then spoke to me on the subject, and said they were very much put about. "What are we to do?" said they, "and how are you affected?" I said, "It does not affect me in the slightest degree; but what is proposed to be done to you?" They told me that they had been advised to exercise their pre-emptive right. I said, "Go into figures with it: They take 15,000,000 acres from you, for which you pay a rent of one farthing an acre, or £15,625; and then you exercise your pre-emptive right and buy 15,000,000 acres at 10s. an acre, for which you will have to pay £7,500,000, and at 8 per cent. interest, £600,000 per annum." The study of the 54th and 56th clauses of the Act of 1869 has shown me the utter uncertainty of the tenure of the squatters under that Act; and that those who have advanced money on that security had in reality no security at all, because under that Act the Governor in Council could resume the whole upon six months' notice, by notification upon the table of both Houses of Parliament. Therefore, in this respect, I think a change is most desirable

in the interests of all parties. This certainty of tenure for fifteen years will enhance the value of pastoral property, and make those securities, which have heretofore been defeasible, as it were, by the action of the Government, secure. And when we take into consideration the fact that the squatters of all the Australian colonies owe something like one hundred millions sterling to the banks and loan companies, we must admit that it is right that they should put in a position of security those by whom the money has been advanced to them. I may say that all the land legislation that has hitherto been effected has been done in a very fair spirit; and really so far as the Acts themselves go we cannot find great fault with them; but every one of them failed in the administration. It is there where their failure has been, and it is there where amendment should come in. We can only hope that, by removing the administration of our land laws from political influences, it may be more satisfactory than it has hitherto been. How that is to be done, or whether the means contemplated in this Bill to carry out that object are desirable, it will be for you to say; and, if you do not think the measures desirable, to suggest amendments. There is undoubtedly at present a great uncertainty in the tenure, and there is too much power in the hands of the Minister—a power which should be abrogated in the interests of the tenants and in the interests of the colony generally. I shall not trouble hon. gentlemen with any further remarks upon the subject.

The HON. W. FORREST said: Hon. gentlemen,—If it were my intention to oppose the second reading of this Bill, seeing the importance of the measure, I would deem it my duty to state my reasons for so doing, fully and distinctly. But, as I have no such intention, any remarks I may offer will be general, and I shall reserve discussion of the matters of detail until the Bill gets into committee, when I hope to see such amendments passed in it as will make it a very much better Bill than it is at present. After the exhaustive speeches we have heard upon this measure, I find it very hard indeed to say anything new upon it, and I scarcely see what I can advance unless it be to deal with a few matters that have not already been referred to. Before going on to what I had intended to say, however, I would like to refer to some remarks that have fallen from the Hon. Mr. King. With all my respect for that hon. gentleman, I must say that when he goes into figures he certainly gets muddled. A more illogical piece of claptrap than what he has just now read from Mr. Westgarth's circular I have never listened to. I should just like to have a little time to go into that and work out the problem, and show how illogical it is. Hon. members know it is very hard to take up what is said and speak upon it at once, because one may not exactly quote what is stated. So far as I can follow what the Hon. Mr. King read of Mr. Westgarth's circular—and which he calls wisdom, but which I call illogical bunkum—he warns us of the folly of parting with lands which will be so valuable in twenty-five years. If they will be so valuable in twenty-five years, what, I ask, will make them valuable but the immigrants who will be introduced into the colony by facilities offered for getting land? And further, I ask, if, as Mr. Westgarth says, the land will be so valuable in five-and-twenty years hence, is it not reasonable to suppose that the increased value of the lands will enable those in possession to bear heavier burdens with as much ease as we now bear lighter ones? While differing on many points from the conclusions arrived at by the hon. Postmaster-General, both with regard to the

merits of this Bill and the failures and demerits of previous Acts, I must express my admiration of the able manner in which he introduced this measure to this Chamber. His speech was clear and forcible, and well calculated to avert adverse criticism of this measure. But while I admire the great ability of the Postmaster-General, let me earnestly warn hon. gentlemen not to be led away by the eloquence of his arguments, or his temperate tone. I have no doubt hon. gentlemen have carefully watched the progress of this Bill through the other Chamber, and have also read the debates there, and I ask whether the explanation of the Bill given here is not as different from the explanation of it given in another place as chalk is from cheese, notwithstanding the fact that the Bill is the same? By way of illustration, I will read what the Postmaster-General said with regard to the lessees that would not elect to come under this Bill, if passed. On page 11 of *Hansard*, of Wednesday, I find he is reported to have said:—

"We do not propose to interfere with those leases in any way whatever in this Bill, unless and until the pastoral tenant of his own motion elects to come under and avail himself of the privileges of the Bill.

Would that not lead one to imagine that under no circumstances, unless the lease expires or the lessee elects to come under the Bill himself, will he be interfered with?

AN HONOURABLE MEMBER: No.

THE HON. W. FORREST: I say most decidedly it would. I refer hon. gentlemen to the opinions given in another place. This question was argued repeatedly there, and an answer urgently demanded from both the Premier and the Minister for Lands, and both positively refused to say what would happen. The only answer given was, "If they do not come under the Bill they will have to take their chance." That is a very different thing from what was stated here. As I said before, the only difference between the Bill here and as it was in another place lies in the explanation given of it. "It is the voice of Jacob, but the touch of Esau;" and I say, if you strip this Bill of the radiant garments with which the Postmaster-General has surrounded it, you will soon find out its dangers and defects. The Hon. Mr. Mein also gave us the following, as a reason why the Government had introduced this measure. I quote from *Hansard*—

"The fundamental object the Government had in view in the preparation of this measure was to secure, as far as practicable, and without doing any injustice to anybody, the close and permanent settlement of an industrious population on the public estate."

Now, gentlemen, if the Bill, in my opinion, would tend to effect that object it would have my hearty support; but, not only do I think it will not do so, but I do not think that was the animating motive. A careful and diligent study of the measure satisfies me that the animating and guiding motive in constructing it was to prevent the acquisition of land in fee-simple. I have many objections to the measure, but when I tried to work out the problem I always got back to the point I have indicated, and which I am convinced is the primary object of the Bill. To prevent this, everything is sacrificed as far as possible. New offences are created; conditions tyrannical, oppressive, and unjust are imposed; an unwieldy and unworkable measure is created; repudiation is attempted; and the whole of the Crown lands of the colony are to be placed in the hands and at the mercy of an irresponsible board, from whose decision there is to be no appeal on some of the most vital parts of the Bill; and who are, in many respects, as despotic as the Czar of Russia. The Bill also aims at making practicable what is impossible; and it is

an admirable illustration of the self-confidence of ignorance, the fads of fanatics, and the schemes of visionaries. I started, hon. gentlemen, with the proposition that the primary object of the Bill was to prevent the acquisition of land in freehold; and I trust that before it leaves this Chamber, that most objectionable feature will, as far as possible, be eliminated. I do not wish it to be imagined for one moment that I see no good in the Bill. On the contrary; I look upon the grazing areas—which is really the only new feature in it—as something that may be worked, not only for the benefit of the colony but for the benefit of individuals; and I also recognise in the clauses that provide for compensation, a desire on the part of the Government to act equitably and justly towards the pastoral tenants. And while I disapprove and denounce that part of the Bill which prevents men from acquiring freehold property, I am also aware that it is necessary to have leased land, and of the necessity that exists for having a measure that will enable the Government to regulate the conduct of such matters. I am also one of those who think that, whether a man rents or purchases land, he should pay either a fair rent or a fair price for it. We must have revenues, and in all matters of that sort I firmly believe in protecting the State. So far as this Bill is concerned, as a revenue Bill I think experience will prove it to be a failure. That point was gone into so clearly last night by the Hon. Mr. Gregory that I will not now pursue it further. But as I am a firm believer in free-trade in land, I take strong exception to the restrictive clauses of the Bill; and I strongly object to, and will strenuously resist the creation of legal offences where there is no moral wrong. Is there anything immoral, I would ask, in acquiring land in freehold? And yet the Bill before us renders it impossible, unless under certain very oppressive restrictions, to obtain land in that way; and under other conditions it makes it a punishable crime. I would ask is this either wise, or fair, or equitable, or statesmanlike? In connection with the subject of free-trade in land, I will endeavour to explain one of the leading fallacies which guides, or rather blinds, those who oppose it. I refer to the "unearned increment." The opponents of free-trade in land assert that what is called "the unearned increment" should belong to the State, and therefore that all property in land should belong to the State. Now, what is unearned increment? I have given the subject a good deal of consideration, and have studied the theories and deductions of Mill, and others who have devoted themselves to the study of the question, and I must say that I have arisen from my studies more confused, and that I knew less about it than when I sat down. Therefore the answer or definition I have come to is the result of my own reflections. The word "increment" means an increase in value. Now, this increase must have arisen owing to somebody's labour; and if the owner of the land has not earned it, then who did? Was it the residents in towns? I say, no; cities follow, and do not precede producers. Then how is this increment caused? I say, primarily by settlement on the land, and the labours of those who produce raw material. The term "unearned increment" is one of the most misleading, fallacious phrases ever invented. I call the difference in the value of land between one period and another "undetermined increment"—the increase which the owner can only get in cash by selling, and to which he is as much entitled as to the yearly returns. I will not attempt to follow the definition of this difficult subject in all its intricacies, but will confine myself to general conclusions. To illustrate my contention, let

us suppose a case. Let us suppose that in the days antecedent to settlement here a man and his family had found their way to the colony; that he had brought with him all the means to enable him to plough and sow and to reap. I may here say that I could prove my case without these auxiliaries, but it is simpler to do it with them. Well, that man would be able to earn an existence for himself and his family. He would find it very hard and most laborious work at the start, but after a time, and without working harder, the means of existence would be more easily obtained. Why? Because at first the labour put into the soil did not yield its increase; but although the return did not come at once the soil was improved. This is increment, but it is not unearned; and that is where I differ from those who want to take this increase and give it to the State, and who say it is "unearned." I think, if we follow out my illustration, we will see the force of the argument. I started with soil that was practically of no value, and brought it to the point at which it has increased considerably—from the point when it would scarcely sustain life to the point at which the man's existence would be more easily obtained. This is increment, or what, as I said before, is called by some people "unearned increment," and is claimed for the State. I will follow my illustration a little further. Let us suppose general settlement to take place; the ordinary laws of commerce will follow, and the first settler might wish to sell his land. Now, would not that land, when it is cultivated up to the point I have stated, be of more value than adjoining land upon which hardly any labour had been expended, and would not the owner be entitled to that increased value which was the result of his own labour? That extra value will be the payment not heretofore received for the labour expended, and which the disciples of Henry George and communistic theorists call "unearned," and assert should belong to the State. The theory of "unearned increment" depresses hope, destroys energy, cripples enterprise; and, if it is carried to its logical conclusion, will take us back again to the days of stone tomahawks. It means simply a relapse into barbarism. Its disciples leave out of calculation the motives which animate men, and the springs of human action. They look upon men as so much animated clay, and measure everything by a two-foot rule. In support of my contention with respect to unearned increment, I shall quote from the remarks of Professor Hodgson, who was Professor of Political Economy and Commercial Law in the Edinburgh University. He stated in one of his lectures that the labour put into the soil, in properly cultivated land, at the end of sixty years, had increased the value of that land by double the amount taken out of it. Is that increase of value "unearned"? In support of my contention with regard to freetrade in land, I will give you a few quotations from the writings of Mr. Joseph Kay. Before I quote, perhaps it will do no harm to mention who Mr. Kay is, or rather was, for he is dead now. I find from a memoir at the beginning of the book that—

"Mr. Kay was called to the Bar by the Honourable Society of the Inner Temple on the 5th May, 1848, and joined the Northern Circuit. In 1862 he was appointed judge of the Salford Hundred County Court of Record, and this appointment brought him into closer contact with the borough, though he had never ceased to keep up intimate social relations with many of his early friends there. He was made Queen's Counsel in 1889."

Some time after that he stood and was returned as the Liberal candidate for Salford. If I did not mention this, it might be said that he was some landed cormorant, instead of which he was an advanced Liberal at the same time that he advocated freetrade in land. The book I am about

to quote from is called "Freetrade in Land." I may mention that there is a preface to this book written by the Right Honourable John Bright, who says:—

"The author is always just; he seeks to give that freedom to the soil which our laws have given to its produce, and which they give to personal property of every kind; he would leave to their free action the natural forces which tend to the accumulation of landed property on the one hand, as well as those which tend to its dispersion on the other."

Compare those ideas with the provisions of this Land Bill. Here is a passage from Mr. Kay, to which I wish to draw special attention:—

"To prevent the upper classes of society acquiring more than a certain fixed quality of land, or wealth of any kind, would be to destroy one of the most powerful inducements to energy, industry, intelligence, and conservative circumspection, and to introduce a system of fraud and chicanery—for any such attempt would be often evaded by one of these latter methods."

I say we can have no stronger reason for freetrade in land than that. Comparing the advantages of leasehold with those of freehold, he goes on to say, writing of land in Ireland:—

"The Irish tenant is not willing to spend time or money in the improvement of his holding, for he does not feel sure that he will derive the benefit of such improvement. He is not much interested in the good cultivation of his land, for he knows that it is quite uncertain how long he will be allowed to retain it in his possession. The land is not his own, and does not inspire him with that interest in its improvement which the feeling of ownership always conveys. He does not know how soon the rent may be raised."

I draw particular attention to this because I think it will bear directly on the Land Bill—

"He does not how soon the rent may be raised so as to compel him to abandon his possession. If the present agent"—

Let us substitute "land board," and we may suppose it to have been written last week in Brisbane—

"If the present agent is a kind and just man, the present lessee does not know how soon another agent may be appointed in his place of a different character, who would compel him to desert his improvements and outlay by unfairness and exaction."

The Postmaster-General made reference to the evil of the aggregation of large estates; but I believe that a careful perusal of that book from which I have quoted, coupled with a thorough knowledge of the conditions of this country, and of another book from which I shall quote directly, will show that, so long as there is freetrade in land and no law of entail, there is no danger to be apprehended from the aggregation of large estates. Mr. Kay, writing on the land laws of France, makes reference to those of Prussia, and says:—

"My belief is that the principle of the 'Edict for the Better Cultivation of the Land,' which was promulgated in Prussia in 1811, and mainly brought about the freetrade in land now existing in that country, is the right principle. The Edict allows the owner to give, sell, or devise his land, or any part of it, to anyone he pleases; but it does not allow him to tie it up by any interest, so as to prevent its being sold after his death. The land is always saleable; it is always changing hands. Some estates subdivide, some increase in size; and the consequence is that, while there are a considerable number of large estates, there are vast numbers of yeoman farmers, peasants, and market gardeners who own and cultivate their own land. If an owner cannot make his farming pay, or finds a more prosperous career open to him, or becomes bankrupt, or for any other reason wishes to enter into some other business, he sells to someone who has capital and enterprise, and knowledge enough to make the land a profitable investment. The land is never tied up in the hands of men who have neither the capital nor the industry to cultivate it properly."

I ask again, is not this applicable to the Bill now before us? I know it is true that evils have arisen from the aggregation of large estates in England; but there is a vast difference between the reasons that induced the owners of those large estates to

purchase them, and the reasons which have induced people to do so in this colony. We have often heard it lamented that the splendid yeomanry of England have disappeared; but I have lately read a book by Professor Toynbee, of Balliol College, Oxford, which puts a new complexion on this matter; for he very clearly proves that their disappearance was not owing to the fact that they could not get land, but to the increased prosperity of the country, and to their being able to put their labour to a better use. Professor Toynbee, having shown that their decay is primarily owing to the increased prosperity of the country, goes on to say—

"These causes, as I stated above, are to be sought less in economical than in social and political facts. The chief of them was our peculiar form of Government. After the Revolution the landed gentry were practically supreme. Not only national, but local administration was entirely in their hands, and, as a natural consequence, land, being the foundation of social and political influence, was eagerly sought after."

He then goes on to say how a great many of the present landlords were originally successful merchants, who, seeing that they had no political power or social standing, not being the possessors of land, bought up land at a price far in advance of what it was worth. He shows that the expansion of trade and manufacture caused the yeoman population to be paid very much better for other labour than for farming, so that instead of their disappearance being a calamity it was a national benefit. No doubt the aggregation of large estates in England has remained till now; but that is chiefly caused by the law of entail. And there, until recently, it was land that gave social distinction and political power. But in this colony, where there is no such thing as political difference, where every man has a vote, and where land does not give a better social position than anything else, there is no such inducement to cause men to aggregate large estates. Therefore the evils in other countries that sometimes blind us, mislead us, and cause us to form wrong conclusions—those evils do not prevail in this colony. The Postmaster-General lamented the fact that a large amount of land has been alienated, and that so little is under cultivation; but I hold here a complete answer to that part of the hon. gentleman's speech—it is the annual report of the Department of Public Lands. It would almost be imagined, from the statements of the Postmaster-General, that land has not been improved, partly because agricultural land could not be obtained by those who wished to devote their energies to farming. But what are the facts? At the end of 1883 there were 15,539,460 acres of land in Queensland open for selection. That being the case, is it not clear that men cannot cultivate it, and make agriculture a success? When people have land they use it to the best advantage, and they would certainly cultivate the land if agriculture would pay best. Out of 16,000,000 acres of land open for selection 1,600,000 are under the homestead clauses; and the reason why there has been so little cultivation is because it will not pay. I pause here to say that this attempt to force men upon the land, to force economical and natural laws out of their proper groove, will end as it always has done, in failure and disaster. Is it not monstrous to think that if a man can, by an outlay of 5s., purchase something that it would cost him 10s. to produce, that he should give up something earning 10s., in order to produce 5s. worth out of the soil? I think that which is best for the country and for the individual, is for the individual to put his labour to that which gives him the best return. I am perfectly confident that if this Bill is passed in anything like its present shape it will prove most unsatisfactory to the country

when it comes into operation. It is a measure that will bear hardly upon everyone. Take, for instance, the clause referring to mortgage, and see what security a man will be able to offer. It will be most difficult for a man who wants capital to assist him to obtain it under that clause, because the mortgagee will see that he will be limited in the disposal of the land if it should come into his hands. Only a certain number will be allowed to purchase; for no man will be allowed to buy unless he is a man qualified to select, and the number of these in a small community like this will be very few indeed. The mortgagee will have the land left on his hands for twelve months, and he will not be able to hold it for a longer period than twelve months. It is true that the clause gives a discretionary power to the board, and states that they "may" grant an extension of time; but there is no compulsion about the matter. It is, however, imperative that the mortgagee shall sell within twelve months, unless the board consent to extend the time. Then with regard to transfers; a man is also limited in his operations in that respect. If an agricultural selector wants to transfer his selection he finds so many conditions are attached to the process that it is almost impossible for him to carry them out; and the same feature runs all through the Bill. Looking at the clause relating to the determination of the rent to be paid by the pastoral lessee, we find that the valuation is to be made every five years. And what will be the inevitable result of the paralysing effect produced by these assessments? It must be remembered that there is no appeal from the decision of the board. If a man has been trying to improve his holding for five years, and finds that he requires more money, he will probably go to a financial institution and endeavour to get the requisite advance; and I can imagine the manager saying to him, "How long have you held this land?" and on receiving a reply from the tenant to the effect that he had held it four and a-half years, remarking, "Well, in six months from now there will be a new valuation; that valuation may be confiscatory in its effects, and you may have to abandon your run. I cannot lend you the money." The measure is a most sweeping and revolutionary one; it practically abolishes all Land Acts which exist at the present time, and its operation can be made to extend to the whole of the lands of the colony. We cannot overestimate its effects for good or evil. In conclusion, I would simply say that the magnitude of the question before us demands our most careful, critical, and painstaking consideration. This, I feel sure, we will give it, and I am also sure that in so doing the motives by which the House will be animated will be the progress of the colony and the welfare and happiness of the people.

The Hon. J. TAYLOR said: Hon. gentlemen,—As one of the oldest squatters, perhaps the oldest squatter, in Queensland, and as a man who has been in the colony nearly fifty years—I think it is incumbent upon me to make a few remarks upon this Land Bill, and I therefore rise to do so. Before commencing what I have to say, I must express my regret at the absence of the hon. the Postmaster-General, especially at the cause of his absence, and I must also remark that I think this important Bill should have been postponed until such time as he could be present in the House. It appears, however, that it is his wish, and also the wish of the Government, that Mr. Walsh should take charge of the measure, and that the second reading should be proceeded with. But I cannot help thinking that, when the hon. gentleman is attacked in the way he has been by some members, it would have been better for him to have been present and heard

what they said than to read it in *Hansard*. I admired the Hon. Mr. Forrest's speech very much indeed, but I had no conception whatever until he told us this afternoon that the Postmaster-General was such a perfect Jesuit. The hon. gentleman warned us to be extremely careful how we accepted the Hon. Mr. Mein's explanation; in fact, the hon. gentleman stated that he doubted the statement of the Postmaster-General. I was very much surprised that he should attack the Hon. Mr. Mein in that way, and I am only sorry that the Postmaster-General is not present to defend himself. I firmly believe in every word the Hon. Mr. Mein said about this Bill, and I say that, had the Bill been explained by the Minister for Lands in another place in the able manner it was explained by the hon. gentleman who represents the Government in this Chamber, there would not have been one-half the outcry against it that there has been. I feel convinced of that, because I know that, as far as I am personally concerned, I was wrong in my opinion respecting some parts of the Bill which the hon. gentleman has since explained so ably and so clearly. I am extremely sorry, as I said before, that he is not here to take his own part. It has been said that he could not speak again, but I think some means could have been found of giving him another opportunity to address the House. I shall vote for the second reading of the Bill, although I think it requires a great many alterations. I must say that it has been very weakly supported in this House. The only member who has spoken in favour of the Bill is the Hon. Mr. King. No other member has got up and supported it, except, perhaps, the Hon. Mr. Heussler. He certainly made a rambling speech about the measure, but there was great difficulty in understanding what the hon. gentleman meant—whether he said the Bill is a good one or a bad one. I could not understand what he meant even after he had finished. I consider that the Bill is uncalled for. It has also been brought forward at a time when we are suffering from causes over which we have no control whatever, and I am afraid it will have this evil effect: that the change in the circumstances of squatters will be such that a great many men who have struggled on for years will have to go down—they will be ruined. As I have just stated, I have never heard any demand for the Bill. It is said that the measure will benefit the farming class, but for myself I cannot see how it will do that. I have had a great deal to do with farmers, and I can assure hon. gentlemen that they say the Bill is entirely a squatters' Bill. The squatters, however, say it will not do them any good, so that neither class approves of the measure. I am quite certain that the farmers in the agricultural districts of the Darling Downs are dead against the Bill. The measure might have been thrown out last evening with the greatest ease. If the Hon. Mr. Murray-Prior, who spoke first, had proposed that the Bill be read a second time this day six months, the motion would have been carried by a large majority; but he and other hon. members thought it better not to pursue such course, as it might appear discourteous to the other Chamber, but to allow it to go into committee; and perhaps that is the best plan we could adopt, seeing that the Bill was passed by such a large majority in the Legislative Assembly. We should avoid, if possible, bringing about a disagreement between the two Houses. I will now refer to the pre-emptive-right question. It appears as if we shall never have done with this subject. There was no difficulty about the matter when the Act of 1869 was passed, or for some time afterwards. It was then understood that if a man made improvements on his run of a certain value he should

be at liberty to pre-empt on any part of his run he chose. He was not told, "You shall not go here, or you shall not go there"; but he was allowed to go where he liked. And under the Act of 1869, which I brought forward, there was no difficulty raised about the pre-emptive right any more than there was under the previous Act. It is since then that the difference of opinion has arisen on the subject. My friend, the Hon. Mr. Gregory, has just handed me the clause which was drafted to put in the Bill introduced and passed in 1869. It is as follows:—

"It shall be lawful to sell to the lessee of a run without competition, at the price of 10s. per acre, any portion of such run not being less than 2,560 acres in one block," &c.

I am quite certain that under the Act of 1869 the pre-emptive right was intended to work in this way—namely, that every lessee did have the right to take up 2,560 acres of land for every 16,000-acre block held by him. That was the object my colleagues and myself had in view, and the provision has been altered by chicanery since. I see they have got permanent improvements in it now, but there was nothing said about permanent improvements at that time. The clause was proposed for the simple reason that there was no money in the Treasury, and we had to find some means of carrying on the business of the country. It has been said by some member of the other House that I had a great deal of trouble with Sir Charles Lilley, and that he was too acute for me. Sir Charles Lilley had no more to do with the Bill than any member of this House. The man who gave me trouble on that occasion was the late Mr. T. B. Stephens, and he agreed to the clause of which I am now speaking—namely, that the lessee should have the right to purchase 2,560 acres in one block for every 16,000 acres he held. My memory is as good now as it was when the Act of 1869 was passed, and I say that the circumstances were as I have related them. How the words "permanent improvements" have got in since I cannot imagine. It would not have done to have made such a provision, as we should not have been able to get the money we required. It was intended to allow the most liberal selection possible. No person thought that there would be much demand for it for many years to come. Forty years ago none of us on the Darling Downs—and I suppose it was the same in other places—had the slightest difficulty in getting land. All we had to do was to write down to the Surveyor-General in Sydney, and send a kind of diagram, or map of the land wanted, and say, "I, the lessee of such country, wish to take up so many blocks." We referred to a surveyor in Brisbane at the time, and we had not the slightest difficulty in taking up land, whether with water or anything else. We got the land for £1 an acre and without any trouble in the world, but now it appears that all sorts of difficulties are to be put in the way of any person taking up land. My opinion of this Bill is that it will be the ruin of an immense number of squatters. It will ruin all those who are not ruined already—and there cannot be many left after the terrible drought we have gone through. The sugar-growers are gone, and I think this will finish the squatters. I would like to know at this moment how many squatters are solvent. I have heard of a man saying that many of them could not get more than 2 or 3 per cent. for their money, and I firmly agreed with him. I believe that they are nearly all insolvent, let alone making anything out of their holdings. If a certain ex-Minister of thirteen years ago was now alive he would be delighted, because he often said that he wished that all the squatters were swept off the face of the earth. He told me over and over again that it was his ambition to live to see the

time when there would not be a single squatter in Queensland; and I believe that if he was alive now he would very soon have his desire. It has been said that one of the causes of the introduction of this Bill was that certain squatters had been extremely fortunate in Queensland, and perhaps you would not find men so fortunate in the whole course of your life. These men evidently boasted, down in Victoria, in the clubs and other places, of the fortunes they had made, and now we hear that this Bill is brought forward, and the rents are to be increased, and so on. I have no doubt that the men who spoke in this way are now enjoying themselves, while we have to pay the penalty for their foolish talk. There is no doubt that the visits of men from Queensland to Victoria have been the means of bringing an immense amount of Victorian capital into this colony, but I am very much afraid that the Victorians will never gain anything by their investments. It has been stated distinctly that unless we have an immense revenue from the land we cannot borrow the money which is proposed to be borrowed. It has been said by members of the Ministry that if this Land Bill was passed we could, with the rents that would accrue under the Bill, obtain an enormous revenue wherewith to pay the interest upon a large loan. I think it has been spoken of as a ten-million loan. So far as I can see it will be a dead failure, and there is not any chance of our being able to do anything of the sort for many years to come. I differ altogether from my hon. friend, Mr. King, about leasing land as opposed to selling it. I do not believe, myself, in leasing a single acre; I believe in selling the land outright; and as to the talk that by selling the land we are parting with it altogether, and losing it, that is all a very great farce. We can always impose a land-tax; the land will be always there, and we can raise a large revenue from it. Therefore, I say all the talk about the land being taken away from the people is a perfect fallacy; and I cannot believe that the leasing system will be found an advantageous one. I now come to the matter of the land board; and I may say at once I entirely disagree with the proposal in the Bill in every possible way. We are told that political influence is to be done away with by the appointment of this land board, but I say it will not be done away with. Who are to constitute the land board? Where are these two honest men to come from? My hon. friend, Mr. Heussler, told us last night that he could find twenty or thirty such men. If that be so, all I can say is that he knows a great many more honest men than I do. I say we cannot get any two men—unless they are men possessed of wealth—to fill the position of members of the land board, as it is intended it should be filled; I say that the men who will take these billets will be men who will have no other means of living beyond the salary they will get; and we have already heard through the papers of one particular person who is spoken of as being likely to be appointed a member of this board. He is a member of the present Parliament—a member of the other House—and I have seen mention of his name either in *Figaro* or some other paper, and I must say I think there is a good deal of truth in it. It is proposed in this Bill that we should give these men the power to “rule the roast” and administer our land laws; and I say that in two or three years’ time they will be able to come out the wealthiest men in the country. I repeat that I do not agree with this proposal for the constitution of a land board, and I believe that the administration and working of our land laws should rest upon the shoulders of the Minister for Lands. The members of the land board, if appointed, must be prejudiced more

or less by the party in power, and nothing will drive it into my head that they will not be open to such prejudice. I say it is a terrible position in which to place a man—and especially a needy man. I suppose they would not allow us in another place to throw this land board out when the Bill gets into committee; but I should certainly like to see something of the kind done. It appears that this land board is to have power to assess the rents, and to do all sorts of things—everything, in fact—and there is to be no appeal from their decision, except to themselves. That certainly appears to me to be a most extraordinary arrangement. They may appeal to the Governor, and he, according to the Bill, quietly refers the matter back to the board; and I ask, is it at all likely that these men will alter a decision they have once come to? I say they will do nothing of the kind, and, if they do, they will be weaker men than I take it they will be. There should certainly be an appeal from the board to some person or persons, or to some judge who would look into the matter carefully and give an impartial decision. Unless something of this kind is provided the board will be able to do exactly as they like, and treat everybody as they think proper. I have now done with these gentlemen, and I pass on to other matters. I see here the leases extend for terms of fifty years for the agriculturist, thirty years for the pastoralist, and fifteen years for the squatter; and I consider that two of these terms are much too long—namely, the leases of fifty and thirty years. Look at what this colony has become within the last twenty years—my hon. friend, Mr. Murray-Prior, can recollect it, and I can recollect it—and I say look at the strides it has made. The Hon. Mr. King stated this afternoon that we were leaving a large debt behind us to our children, and we ought to leave them the land to pay off the debt. Very well, I say, leave them the land, but do not give them a fifty years’ lease of it, or a thirty years’ lease either. Who ever heard of a fifty years’ lease in a young country like this? I certainly never dreamt of anything of the kind until I saw it in this Bill, and then I thought it must be a misprint. But it appears it is correct. There is another clause in the Bill which I consider does a gross injustice, and that is the clause by which a man is prevented from taking up a number of blocks in one district. I think men taking up land should have just as much power to select as they had under the Acts of 1869 and 1868, and should get just the same benefit as persons who select under those Acts. But under this Bill a man is debarred from going outside one district. I asked the Minister yesterday whether he allowed children to take up land, and he said they might do so. If a man had got eight sons, and they were each to take up 20,000 acres, that would make a large property; but I cannot do anything of that kind. So far as the leases are concerned, if any hon. gentleman will make an amendment to reduce the terms of the leases, I shall be happy to support him. Great stress has been laid on the agricultural industry in this Bill, and it certainly does make me laugh to hear the talk about agriculture, and the immense stress that is laid upon it in the Bill. This Bill is to forward agriculture immensely; and I say that if the gentlemen who framed this Bill knew anything at all about agriculture, as some of us do, they would not say one word about it. Great stress has been laid upon agriculture. Now we know perfectly well that agriculture is very uncertain, even in the coast districts; and what would it be in the dry country upon which settlement is expected to take place under this Bill? It will be simply ruination to any man who attempts to go into agriculture there in any possible way. He would not get more than

one good season in five. Look at the extent of the present drought! Since 1879 there has been scarcely any rain; and any man who attempts agriculture on those lands, unless he has something in the way of a creek from which he can irrigate, will fail in every possible way. The next thing I wish to draw attention to is the provision by which if a man holds 20,000 acres of freehold in any part of Queensland—purchased it, perhaps, at £1 an acre from the Crown—he cannot select any more. Did ever anyone in the world hear of such an absurdity? Because I hold 20,000 acres on the Darling Downs, why should I be prevented from going out west or up north and investing my money by taking up any more? I cannot understand the absurdity of having such a clause in the Bill. Another question which I hope the Hon. Mr. Walsh will answer, is where these land boards will conduct their business? Is it to be in Brisbane or at any other place? Is a man who takes up land to bring his witnesses down here at great expense to prove their title? Such a thing seems to me to be outrageous, and quite contrary to all other Acts we have passed before. I have no doubt that there is some good—a great deal of good in the Bill, and that there is also a great deal of harm in it. I am perfectly satisfied, hon. gentlemen, that it will cost a vast amount of money to work it; and I will go further, and say that I do not believe that it will ever work. As it is worded, we cannot sell or dispose of an inch of land before it is surveyed; and we will want to import hundreds and hundreds of surveyors to carry out surveys if there is going to be anything like the land taken up that the promoters of the Bill seem to expect. I have therefore no hesitation in saying that for years it will cost the country an immense amount of money. I have now dealt with, as it were, a few preliminary questions before going into the real matter at issue. What I have gone into already is very much like the preliminary gallop before the race; and I am now going into the real thing itself—that is, the Bill. Clause 6 is the clause upon which no doubt in committee the great fight will take place. That is the clause referring to the pre-emptive right. It seems to me to be a most unjust and unfair provision, and I sincerely hope that the House in committee will alter it. It provides:—

“(a) The improvements must have been made before the passing of this Act;

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

“(c) The land applied for must not comprise any natural permanent water.”—

Who in the world would take up land unless there was natural water upon it; if they could get land with natural water? The clause goes on to say:—

“nor must it, except when the improvements consist of a reservoir or dam, comprise more than one side of a watercourse.”

So that if there is a narrow watercourse or waterhole in a creek you can only take up one side of it. The other side must be taken up by somebody else, and there will be continual disturbances and quarrels between men on one side of the creek and those on the other. There is no doubt about that; in fact, I should not wonder if bloodshed took place under such circumstances. The clause goes on:—

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

That is what I want to know—where proof is to be made? Is it to be made to the commissioner of the district—I read it so—or is it to be made

to the board about to be appointed? And where? I cannot see how the thing is going to be worked at all. The next clause I wish to draw attention to is number 12, which relates to the administration of the Act. It provides:—

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

It may be all very well to guard these men in that way, but it seems to me very harsh that they should do nothing else except work for the Government and receive £1,000 a year. It is a very stringent clause altogether. I suppose the members of the board will get travelling expenses, but we do not know whether they are to travel, or whether they will remain in one spot. The next clause provides:—

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

Now, let these men be what they may—let them be good or bad—is it likely that the two Houses of Parliament will ever petition for their removal? I suppose it will be a matter to be decided by a majority of votes; and the idea of carrying a vote of that kind in both Houses of Parliament is a downright absurdity. The clause continues:—

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

I look upon that provision as a very useless one. I am sure the gentlemen who will form the board will find it very annoying indeed. The 29th clause says:—

“When any portion of a run is resumed under the provisions of this part of this Act, the lessee of the remainder may continue to depasture his stock upon the resumed part or any part thereof until the same has been selected under Part IV. of this Act or otherwise disposed of under the provisions of this Act; but he shall not be entitled to exclude any person from entering upon it for the *bona fide* purpose of examination or inspection.”

“If the lessee desires to exercise such right of depasturing, he shall, within six months after the division of the run has been confirmed by the board, give notice to the Minister, and shall pay, at the time and place appointed for payment of the rent of his holding, an annual rent at a rate to be determined by the board.”

Here again the lessee will be entirely in the hands of the board. They can fix whatever rent they like and there is no appeal. Under the Act of 1868 it was very different; there was no extra rent for the resumed half under that Act. We had the use of that half for nothing, though we paid the same rent for the half we retained as we previously paid for the whole; and we had the use of the resumed half till it was selected or sold by auction. But here a rent is demanded for the resumed half, and it is to be arranged by the board. The powers of judges are nothing compared with the powers these men will possess. Then clause 30 says:—

“If in the opinion of the board any lessee exercising the right of depasturing is injuriously using the land over which the right to depasture is exercised by overstocking the same, the board may require him to reduce the number of his stock thereon to such an extent as the board may think fit.”—

Did ever mortal man hear of such a clause? The man who stocks the run is not to be allowed to

do so according to his own ideas, but exactly as the board tells him. It is a most tyrannical and outrageous clause; and it concludes in these words:—

"and if the lessee fails to comply with such requisition within six months after receipt thereof, his right of depasturing shall be determined."

I only wish the Hon. Mr. Walsh was on this side instead of being where he is, for he would have a good deal to say about this clause. Then we come to clause 34, which says:—

"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."

That gives power to anyone travelling stock to go within two miles of a head station, cut down fences, and let his sheep graze half-a-mile on each side of the road. Now, I think that is hardly right. I grant that travelling stock should have grass, but instead of allowing those in charge to cut into a man's paddock, provision should be made for reserves at distances of six or ten miles along the roads. To say that people can deliberately cut down fences and go half-a-mile on each side of the road inside the fence, is a very great shame and absurdity. Clause 58 says:—

"No person who is beneficially entitled"—

What "beneficially entitled" means I do not know—

"No person who is beneficially entitled to any freehold land in any district may become or be the lessee under this part of the Act of a grazing farm or grazing farms in the same district the aggregate area whereof, together with the area of the freehold land, exceeds the area allowed to be selected by one person in that district. In the case of several joint holders of freehold land each shall be deemed to be the holder of an area equal to the total area divided by the number of joint holders."

When the Hon. Mr. Walsh replies, as I suppose he will, I hope he will explain that clause, which is a very important one, perhaps more so than it appears at the first glance. Now we come to the mortgage clauses; and if clause 65 is not the greatest absurdity in the whole Bill, I am very much mistaken. Clause 63 contains the following:—

"When any holding under this part of this Act is intended to be charged or made security for any sum of money, the lessee shall execute a memorandum of mortgage in the form in the fourth schedule hereto or to the like effect."

And this is clause 64:—

"A memorandum of mortgage shall have effect only as a security for the sum of money intended to be secured by it, and shall not take effect as an assignment of the lease."

That of course is all very well; but then we come to clause 65, which says:—

"If default is made in the payment of the money secured by memorandum of mortgage, according to the tenor thereof, or upon the happening of any event which according to the terms of the memorandum entitles the mortgagee so to do, the mortgagee may—

1. Enter upon and take and retain possession of the holding for any period not exceeding twelve months;
2. Sell the holding by public auction"

It appears that he cannot sell privately—

"Sell the holding by public auction after not less than thirty days' notice of the intended sale published in the *Gazette* and a local newspaper:

"Provided that the purchaser must be a person who is not disqualified to be the lessee of the land under the provisions of this Act."

The unfortunate mortgagee, if anyone should be unwise enough to advance money on such security, can hold the land for twelve months

after the date of foreclosure, and after that he is obliged to sell by public auction; but the purchaser must be a man entitled to take up 20,000 acres of grazing land, or a less quantity of agricultural land. So that the mortgagee has no redress whatever, and no chance of getting his money back. If any man is simple enough to advance money on such security, I only pity him. The clause goes on further to say:—

"Provided nevertheless that the board may extend the time during which the mortgagee may retain possession of or sell the holding."

There again the parties will be in the hands of the board. Altogether, it appears that the board will have powers never delegated to any board in the world before. In regard to the clauses dealing with scrub lands, I quite agree with the remarks of the Hon. Mr. Graham, who said last night that they were most dangerous clauses. There may be a waterhole in the centre of a large scrub, and a man may take up 20,000 acres there, put up a humpy, clear out all the wild cattle and horses, brand everything he can lay his hands on; and when he has done that he may walk off and forfeit the land. No doubt that will be done in a great many cases; so that I consider these are very dangerous clauses indeed. There are many scrubs on the Darling Downs containing waterholes, and where a man taking up 20,000 acres in such a secluded place will be able to do an immense amount of harm to his neighbours. I have now dealt with all the clauses to which I intended to refer, and I trust that some of my remarks have been worthy of consideration. I trust also that in committee we shall be able to make this a better Bill than it is now. I shall support the second reading.

The Hon. W. F. LAMBERT said: Hon. gentlemen,—From the remarks that have fallen from all the hon. members who have spoken on this side, it is evident that it is intended to pass the second reading; and therefore it will be useless for me alone to attempt to prevent this Bill from going through. But I consider myself called upon to express the opinion held in the central districts, as I am the only representative here from that part of the country, in reference to the Bill. I have had the opportunity, within the last three months, of conversing with the selectors there, and one and all declare that they object to the measure; that they have never been asked their opinion as to whether it is desirable to make a change in the law regarding selection; further, they say that when such a change is necessary or desirable they will give their opinions through the men they send to another place to represent them. They asked me to do everything I could to prevent this Bill from becoming law; but I can see that I am alone here, that I shall have to bow to those who intend to support the second reading, and let the Bill go through. Another matter has been alluded to by the selectors of whom I speak—some of whom were amongst the earliest selectors in Queensland, who have stuck to their holdings and brought up their families respectably—they think it is not desirable that constant changes should be made in our land laws. They are now quite conversant with the present Land Acts and the mode in which they can select land, but if this Bill becomes law they will have to be educated over again; and that, I can say from my own knowledge, is rather a difficult matter. Lately I have found, even in regard to Acts that have been in force some time, that I am not conversant with every minute part; and I think we should consider before commencing afresh to educate people in regard to the land law. There are many men already in the country who will make desirable settlers, and who may soon be in a position to leave their present occupations and commence on their own

account, but they will all have to be educated afresh if this Bill should become law. I have also met many persons interested in squatting in the central districts, and in other parts of the colony—and I have travelled as much within the last two or three months as any hon. member here—and it is the opinion of those whom I have met, as well as my own opinion, that there could not be a more undesirable time to introduce a Land Bill to upset the holding of runs. The squatters have got difficulties enough to contend with at the present time from drought and other causes, and I regret that it should be considered necessary to bring this measure forward. It would be quite useless for me to go through all the clauses of the Bill, and I shall therefore not do so, because I think the proper time to do that will be in committee, and it is my intention to attend regularly, and do all that I can to make the measure such a one as will benefit the colony. There is, however, one matter to which I must allude, and that is to the circumstance that there is no mention made in the Bill about marsupials. I think it is as necessary to consider them as it is to consider permanent water or anything else; but it is not stated in the Bill whether the board will take them into consideration. No doubt this point will receive attention in committee. I have not noticed whether it was discussed in another place, but from my own experience I know that it is a matter of very great importance. I will not oppose the second reading of the Bill; but I hope that in committee it will be improved so that it may be better adapted to the circumstances of the colony.

The Hon. W. D. BOX said: Hon. gentlemen,—It has been my misfortune to miss the leading speeches on this Bill; but I have listened with pleasure to the arguments of other hon. members who have spoken on the measure, and, to my amazement, every hon. gentleman who has addressed himself to the subject, with the exception of the Hon. Mr. King, has condemned the Bill. I think that a great constitutional question like this, which will affect the prosperity of the colony for years and years, should have first been submitted to the country. When the present Government was before the country, there was nothing whatever said about a re-adjustment of the leaseholds of the colony, or the amendment of the land laws, or the abolition of existing leases. The questions before the country at the last election were the Transcontinental Railway scheme and the Labour question. We all know what the Government have done with regard to the Labour question—they have simply stamped out black labour. They introduced a Bill dealing with the subject, which, as far as I could read it, was a most desirable and equitable measure, but it gave the Ministry power to make regulations, and in the exercise of this power they made regulations which have completely stamped out the labour trade. I believe that, in the future, Queensland will have black labour restored to her, and that black labour is necessary for the prosperity of the North, and for the prosperity of a great part of Queensland. The colony decided that they would not have the Transcontinental scheme, and of course that had to go. The Land Bill now before the House is a most revolutionary measure, and abolishes the bulk of the existing leases. It is brought in at a most inopportune time, when the country is suffering from a terrible drought, and will injuriously affect the men who have made Australia what it is—who have been the pioneers of settlement, and who are now, as I have said, suffering from a terrible drought. The Bill was carried by an overwhelming majority in another place; but, in my opinion, it will not realise their expectations in reference to settlement and revenue. I think that this House

would have acted wisely if they had delayed the passing of such a measure until the country had a chance to consider it and give their verdict upon it. I certainly would not in any other session vote against a Bill passed by such an overwhelming majority in the Legislative Assembly; but on this occasion I would, if I had the opportunity, vote against this Bill, because it has such a revolutionary tendency. I do not think it will be a workable measure; I do not think two men with sufficient cleverness and ability to discharge the duties attached to the office will be found to form the land board. What are the conditions under which they are to accept office? They must not engage in any other occupation that naturally attracts the attention of other gentlemen. They must not be members of Parliament. They are not to have a pension; they are simply to receive a thousand pounds a year, and that is not sufficient remuneration for the superior class of men required to properly exercise such a tremendous power as is conferred upon the board by this Bill. I do not intend to go through all the clauses of the measure. Men who have more information than I have on the working of the land laws have already criticised them, and will still further criticise them. In committee I will have the same chance that every other hon. gentleman will have of speaking on the various provisions. I cannot help thinking that such a measure as this should have been first introduced in another place, and approved of by a committee, and then have been submitted to the country before it was brought before this House. It is our duty to see that the provisions of any measure brought before us are fully known by our fellow-colonists before we consent to pass it into law. I hope that the amendments which will be made in committee will so alter the Bill that it will not be acceptable to the other House. I repeat that I think it is our duty to put a certain drag upon the Legislative Assembly in this particular instance, as the measure will, to my mind, vitiate all the leases of the colony, and place a large area of our lands under leases running for as long a period as fifty years. If we had had the verdict of the country upon the Bill, this House should not impede its progress; but as the matter now stands I would, if I had the opportunity, vote against the Bill.

The Hon. K. I. O'DOHERTY said: Hon. gentlemen,—I should like to express my views on the question before the House before we conclude this most interesting debate. Like my hon. friend, Mr. Murray-Prior, I took an active part in the passing of the Land Bills of 1868 and 1869, now sixteen years ago, but at that time I occupied a seat in the other branch of the Legislature. It is, I think, due to those who placed me here, and to the country, that I should make a few remarks in reference to the necessity of this Bill, and also in reference to the arguments which have been so eloquently put before the House as to the advantages or disadvantages likely to accrue to the country from its operation. With regard to the necessity of the measure, I think the hon. the Postmaster-General, in his very able speech on the subject, stated a fact which very much surprised me, and that was that, in our short history of thirty years, we have had to bring in no less than seventeen Land Bills. It is perfectly evident, under these circumstances, that we have not yet reached finality in our land legislation. Nor do I think this Bill, in whatever shape it may be passed, will effect a final settlement of the Land question in this colony. There is very little doubt in my mind that whatever measure we may pass will do some

good, and will not be greatly injurious to the interests of the colony—that is, provided it is not too revolutionary; and I think every impartial and hon. member in this House will recognise some good feature in the Bill. There are features in it which have often been talked about as likely to prove beneficial to the colony whenever they could be carried out in our land laws. At the present time there is a sort of land agitation throughout the whole Empire, in England, Ireland, and Scotland, and in all the colonies of Australia. Land Bills are being discussed and passed in almost all the colonies, as well as in the centre of the Empire itself; and I do not think we need go far to see what is the cause of this. It is nothing but land hunger. Under the competition of these modern times people have found that in order to live upon the land it is essential that they should become the owners of it. Some of us are old enough to recollect—and I speak now of a matter of forty years ago—when England was, and very justly, pointed to as the spot in all the civilised world where there was a happy and contented farming community, living under the land laws of England of that day. What is the picture to day? The picture to-day is that one-half the farms in England are being deserted; there can be no new tenants found to take them, and if you ask the reason it is simply because they cannot pay the rent—the two rents; that is the cost of rendering the soil fit for tillage, and the rent demanded by the landlord, and yet make a profit out of the land. This is, beyond all doubt, the cause of the agrarian war that has been disturbing Ireland for so many years, and that is now disturbing the North of Scotland equally energetically, and equally fiercely. Thank God! in these colonies we have nothing of that kind to force us into passing new land laws; except it may be that it points out to us the way in which we may, in our incipient stage, guard against the pitfalls which have led to this miserable state of affairs at home, and by our legislation prevent this great land monopoly that has been at the root of all the miseries existing in that country at the present day. I do not believe myself we need be very much troubled on that point. We have a territory here with about 200,000 people, and large enough for 200,000,000 people and we need not be alarmed at all at any change that may occur in our land laws as being likely to have any very injurious effect in this country now or hereafter. I am not, therefore, particular in my objections to anything in the Act, and I am not inclined to take up the extreme view which the Hon. Mr. Box has put before the House. There is no doubt that there are new features in it of great consequence, and which may, in the land legislation of Australia, be called revolutionary. In my opinion, for the first time in the history of the land laws of Australia, this Bill proposes to give a fixed tenure to the pastoral tenants of the Crown. That may be called a revolutionary measure. It has been held, in all debates I have heard on the land laws of the colony—and I have heard a good many in this Chamber—to be impossible, with the progress of settlement in this colony, to venture to give anything like the tenure proposed under this Bill to be given to the pastoral tenants of the Crown. I should, however, be silent upon all reference to the pastoral tenants in this Bill; as on the left of the President I see an array of gentlemen in whose hands the pastoral interest of Queensland is perfectly safe. I may be permitted, however, to say a word upon the agricultural and grazing farms proposed in the Bill, and also upon the question of administration. First upon the question of administration. There

is here, also, to a certain extent, a revolutionary feature in this Bill, and a step which was never before attempted in Queensland. In New South Wales, recently, the first attempt has been made to govern the administration of the land by a system of land boards. Here has been adopted a plan to control by one central land board. I have some reason to think that I am right in attributing this feature to the Premier, because I have heard him express an opinion on the subject long before this Bill was thought of. Most probably this principle has been taken from the great Land Act passed in Ireland within the last few years, and which is looked forward to with hope as greatly affecting the peace between the two classes of landholders and people in that country. They have there a system of a land board much the same as this, and with local land boards in different parts of the country. The central land board is the supreme authority, and, undoubtedly, so far as one can judge at this distance, from the perusal of impartial journals, this central land board in Ireland has been giving great satisfaction to the people of that country. The powers given the board there are very great—as great as any proposed to be given under this Bill; and I must say that I attribute the popularity of these boards, with both landlords and the great body of the people, to the fact that they are under the supreme direction of a very able lawyer; and I have much pleasure in the recollection that Mr. O'Hagan was one of my oldest friends, when in our young days, we set up a very emphatic and decided way to settle the difficulties between landlord and tenant. Mr. O'Hagan is one of the gentlemen who distinguished himself in the earlier days of his life as a member of what was known as "the Young Ireland Party," and in his later days so distinguished, has he become as a lawyer that he has been appointed, and has carried out his work in a very able manner, as chief of the land board in Ireland. I have no doubt myself that his well-known sympathies with the condition of the people of that country has had a very large effect in gaining for him the confidence of the people in the soundness of his judgments; and I have not heard from any quarter that his judgment has not been received in all cases with every confidence. It appears to me that the constitution of the land board, as proposed in this Bill, is open to very grave doubts. I cannot myself conceive the advantage to be derived from two men acting on this board. One of these men—who must both of necessity be able men—is sure to be more clever or more forcible than the other. For instance, I cannot imagine our President finding many men who would work well with him unless he was the master; and I can point to another gentleman in another Chamber who would find it very difficult to get along with his comrade unless the other yielded to his opinion on most points. It therefore seems to me that there is a deficiency in this proposal, and that an able man is wanted to balance the other two. I wish to goodness the Government could be induced to appoint the Postmaster-General to that office, and then the country would have every confidence in the board. I do not mean, of course, the gentleman who is at present acting as Postmaster-General. With a man of such known ability holding office on the board, the country would have every confidence in the decisions given. So far with regard to administration. Now with regard to agricultural and grazing farms. I take a very great interest in this matter, and I have spent now three or four and twenty years of the later portion of my life in riding through, and making the acquaintance of most of the people in, probably the best farming districts in the colony—East and West Moreton. I have

seen myself the effect of the operation of our Land Acts, especially the Act of 1868. I have no hesitation in saying that, considering the very short time we have had to witness the effects of those Acts, they have really been wonderfully beneficial in promoting what I call the yeoman settlement of the colony. I do not go over the Range. Once you go over the Range you get into the land of the monopolists, but below the Range they have had to yield to the pressure of settlement. You cannot find, except perhaps in some parts of Victoria, a more healthy settlement than has taken place throughout the length and breadth of East and West Moreton during the last twenty or twenty-three years; and that settlement has chiefly arisen under the operations of the Act of 1868. There are many stout yeomen living there upon farms of 500 or 1,000 acres, whom I myself knew in the honourable position of bullock-drivers for the squatters when I first came to the colony, and there are few men more well-to-do in this colony to-day. I say, therefore, that any Act that will encourage such settlement must unquestionably have a greatly beneficial effect upon the country. Here, also, I see there is introduced a new principle—that of survey before selection. I can well understand the principle of survey before selection being essential if we have to go into the central parts of the colony; but take the land from the southern boundary of the colony 150 miles back from the coast, and run the line up to the extreme north, and I insist upon it, the country between that line and the coast—between the Main Range and the coast—is as fine country for agricultural and grazing farms as is to be found in the whole continent of Australia; and I speak from having seen a great deal of it, both north and south. I have no hesitation in saying that if the Government were to mark a line in the way I have indicated, and let that be their only survey, and allow the people coming here to select land for themselves, they need not go to the enormous expense of adopting what I, and many others, consider the utterly impracticable plan of keeping this army of settlers waiting until all these lands are surveyed in blocks, and all their characteristics defined and described in the offices of the land agents. I look upon that as utterly impracticable. At this moment the experience of a son of mine is an illustration of how impracticable it will be. Two and a-half or nearly three years ago, he applied for a grant of land under the usual conditional terms, and paid the survey and other fees. It was a matter of urgent consequence to him that the land should be surveyed; and it was only the other day that I myself inquired at the Survey Office if any survey had been made. The answer I received was that no survey had been made, nor could they tell me when it was likely to be made. I say that if that is the system that is to be carried out—if the thousands of immigrants coming to the colony are supposed to find maps with all those magnificent surveys pointed out and accurate descriptions of the country given—it simply will not be done. In the thickly wooded portions of our territory, especially up north, it is impossible to do it, as hon. gentlemen will see, if it takes two or three years to survey one small block close to one of our northern rivers. If the line I have mentioned were marked out right along the coast, and all land within it was known to be available as agricultural and grazing farms, there would be nothing more required. You have there splendidly watered country—country that, take it all in all, except in some few portions, does not suffer from those fearful droughts that affect so seriously our western territory. In all ordinary

seasons it is undoubtedly fair and good country for agricultural settlement; and I do hope to see continued what I consider the extraordinary rapid settlement that has taken place during the last ten or fifteen years under our previous Acts. But there is undoubtedly one feature in connection with the passing of this Bill that I hold will result in very serious consequences. The first principle of all land legislation is to promote settlement. What does settlement mean? Does it mean a few poor immigrants scattered through this large territory, struggling through all the difficulties they have to contend with in their endeavour to gain a livelihood and wealth by their efforts alone? I say that that is impossible; and that the secret of the great progress that has been made, more especially during the last three or four years, has arisen from the fact that those charged with the administration of the affairs of the colony have taken care to bring in a flow of capital as well as a flow of immigration. It is only when the Government can succeed in doing that that prosperity—invariably prosperity—will follow. Anybody who has watched the course of events here during the last two or three years must have regarded with amazement the fact that every fortnight these great steamers came along our coast, landing at every town of importance people from the old world. Where did these people go? Did they remain in the towns in which they are landed? On the contrary, they were absorbed as rapidly as they came in; and I believe that we could have absorbed double or treble the number if they had been brought to our shores. How was this brought about? Simply because encouragement was given to capital to come here; and I have no hesitation in expressing my opinion that if the policy that has been shadowed forth in the action of the Government with regard to one of our greatest industries—certainly, the greatest industry of the northern portion of the colony—be continued, all these provisions of theirs will go for naught. These grand farms of 960 acres, and these magnificent 20,000-acre blocks, will no doubt attract the admiration of people at home; and when they arrive on our shores, and see pictured out in our land offices those lands, for which they have to pay only three farthings per acre, why, God bless my soul, they will rush for them, but they will find what we call in the old country “a will-o’-the-wisp,” unless there is capital, and plenty of it, to back them up. I have no hesitation in saying that the action of the Government, in my judgment, is simply driving away wholesale the best capital that ever came to this colony—capital that, I believe, would give full employment and wealth and prosperity to any stream of immigration the Government may bring in. Without that capital, I say emphatically that the operation of this Bill will be utterly useless; but with capital, I believe, it will be of great benefit to the colony. I think it would be a great advantage that there should be placed within the reach of small capitalists—men who desire to obtain a fair grazing farm, and are willing to work hard for the benefit of themselves and their families—the means of obtaining land upon the terms proposed by this Bill—that is, upon the leasing principle, by which they may hold it for many years at a small rental, and by the aid of outside capital secure, not only a homestead for themselves, but something for their children. I repeat that I trust the wisdom of this House and of the Government will lead them to avoid what I call the great pitfall they are plunging into. They imagine—from some craze which, I believe, is entertained by only a small portion of the

community—that it is their bounden duty to prevent any but white men coming here. What a piece of nonsense! Was ever such a doctrine put forward in any country in the world? Here we have a continent equal in extent to half Europe; and that people should have what I call the audacity to say that none but men with white skins should come here and earn their bread, is, to me, one of the most monstrous and unchristian doctrines that I ever heard enunciated in any part of the world. I am lost in amazement to think that in a continent that is, I say, as large as half of Europe, there should be men found with the daring and audacity to claim this land as their inheritance, as their monopoly, and that no man, forsooth, unless he has a perfectly white skin, and belongs to the Caucasian race, has any right to come in here. It is no wonder that when doctrines of this kind are preached, old Bismarck is getting his “dauder” up. This, however, hon. gentlemen, is by the way; but I do believe that we shall act wisely in pressing upon the Government the necessity, whilst they are making these grand preparations for settlement, of not driving away the most important element of settlement—the capital that is necessary to give effect to its usefulness.

THE HON. A. J. THYNNE said: Hon. gentlemen,—I feel some reluctance in addressing you this evening, after the length to which the debate has extended, and also after the many excellent speeches that have been made; but in the debate that has taken place I must say that I have experienced some disappointment from the way in which the question has been treated. We have heard the hon. the Postmaster-General, in what we all recognised as a very able speech, discussing the great advantages of this Bill, and the inducements it offers to the pastoral tenants to accept it as a suitable and fair settlement of any question in connection with their holdings. We have also heard several hon. gentlemen on this side of the House discussing it, and pointing out particulars in which it is defective, and in which amendments should be made; but, with the exception of the Hon. Mr. Lambert, I have not heard any member of this House—not even the hon. the Postmaster-General himself—discuss the Bill from the farmer's or selector's point of view. I see, from the way in which the Bill has been introduced, that the first aim of the framer of it has been not to bring in a measure which will satisfactorily settle the Land question all through the colony, but one that is intended to conciliate, first of all, those who would be likely to oppose it, leaving those who were already committed to support the Government to be considered afterwards. The main principle of this Bill is leasing, and leasing only. There is a small exception with regard to alienation, which I may compare to a graft implanted from a different tree altogether from the original stock; but there has been no attempt made to insist upon the rights or the advantages that ought to be given to either grazing farmers or agricultural farmers. There is just a little attempt made to enable them to acquire homesteads; but if you bear in mind the peculiar principle upon which the Bill is framed—leasing, and leasing only—and compare what will be the general effect of the part dealing with grazing and agricultural farms with the conditions which have been given—and I think very fairly given—to the pastoral tenants, you will see how grossly unfair and neglected have the interests of the farming classes been under this Bill. I say distinctly that the Government, in introducing the Bill, have completely neglected those people whose interests it was their first duty to have considered. Now at the risk of detaining hon. gentlemen

for a little while, I will point out a few of the difficulties and conditions imposed upon selectors. But before doing so, I wish to allude to a matter spoken of by two or three hon. gentlemen already. The Postmaster-General claimed that agriculture in Queensland had been a failure. The Hon. Mr. Taylor said something to the same effect, and some other hon. gentlemen expressed the same opinion. According to the statistical returns for last year, I find that we had at the end of December a population of 287,500. And according to the same returns last year—a year of drought—there were under cultivation 167,500 acres. Now if you work those figures out, taking every family in the colony to average five persons, you will find that there are $3\frac{1}{2}$ acres of land under cultivation for every family; and either the returns are altogether erroneous, or else the agricultural industry has been a greater success than anybody could have claimed or expected a few years ago. But I do not consider that the returns are very inaccurate, for the reason that under the different heads of cultivation it will be found that the proportion is one of a reasonable kind; for instance, there are 47,000 acres under sugar-cane, 56,000 acres under maize, and the hay and green fodder crops amount to 30,000 acres. Therefore, I deny that in this colony agriculture has been a failure. I claim that, for the small population, agriculture has progressed to an extent which has not been far surpassed in any other colony. Hon. gentlemen who are accustomed to see large uncultivated tracts on the Downs and out west may think there is little cultivation in the colony; but it is in the little nooks and corners where people are not in the habit of going frequently, or the spurs of ranges and other places not often noticed by the traveller—it is there that cultivation has been carried on to a large extent. My object in calling attention to this is to offer it as an argument, in addition to the many arguments offered during this debate, in support of the contention that there has been no call for an alteration in our land laws at the present time; and that the Government, in introducing a rapid change, have done so without really considering whether there is any necessity for the change or not. They have done so for the purpose of carrying out what it would be improper, considering the importance of the subject, to call a “fad” or “fancy,” but which is undoubtedly a new experiment. If the Government having satisfied themselves that a Bill of this kind was necessary—if they had gone to work and dealt with the question in an even-handed manner, fair on all sides, the Bill would have been very different from what it is now. As the Hon. Dr. O'Doherty said, the question of pastoral occupation has been fully discussed on all sides; so I will just point out one or two of the differences in the treatment which is accorded to the graziers and that meted out to the farmers. I will add to what that hon. gentleman said my opinion, that the privations and troubles which the selectors under the Act of 1868 have undergone, give them a very great claim to our consideration. In 1868 we were suffering from the crisis of 1866; men were out of employment, and there was no field open for their labour; and until 1868 no opportunity was offered by which they could take up land on anything like reasonable terms. Many people took up land under that Act—Heaven only knows how they got together the rent—and after five, seven, or ten years of privation and self-denial they were in a position to claim their little freeholds. When once they had them they became independent men; and many of those people who went out poor, and took up land without capital, are now as independent as any man in the country; their homesteads are free from debt; they have sufficient with which to

carry on operations; and they have the means of supporting and bringing up their children in a proper manner. And anything that will check the continuance of such a desirable state of things ought to be opposed by us. By this Bill one of the greatest inducements men of that kind would have to go on the land is taken away. A man will not submit to five or ten years' hard work and discomfort unless he has something very tangible at the end; and I say that in this Bill there is nothing tangible given. Fairly and properly, and with my fullest approval, a good measure of security of tenure is given to the pastoral tenants. I believe that is one of the good features of the Bill. But when we come to the hard-working farmers who have to build their houses, improve their farms, and maintain their families, we find that their only inducement to do so is taken away—for the prospect of a freehold is the only inducement they have. I say that no amount of probable profits, no balance-sheet of expected benefits will weigh with the intending agricultural selector, so much as the fact that if anything should happen to him he will be able to leave his piece of land to his family after him. And not only is the inducement in the shape of a freehold taken away, but the farmer will be liable to increases of rent. I cannot imagine any immigration agent venturing to face an audience in any part of the old country where there is a farming population with the expectation of inducing those men to throw in their lot with the people of Queensland, if he is obliged to tell them that in ten years, after they have subdued the wilderness and brought the bush into subjection, their rent may be increased, and that if they do certain things their lease may be forfeited. Those men would at once say, "We are just as well off at home. What is the use of going to such a place? Do you want us to make the land valuable, and then give us nothing in return?" That is the answer those men would make—those farmers and their sons, or their labourers; and a perfectly correct answer it would be. Putting aside the reduced incentive to occupying farms offered by the Bill, let us see whether people are encouraged to take up farms at all. Fairly and properly, again I say, the grazier is allowed to go and occupy the land without let or hindrance; but how is it with the farmer? He may go to the land agent and say, "There is some land there which I should like to get." The land agent will say, "There is a block here and a block there, and you must take one of those blocks, which will contain a certain area—nothing more or less; and you must wait until it is surveyed." The man will ask how long he must wait, and the agent will not be able to tell him. Now if there is anything that will check a man in taking up a selection, it is any little bit of humbug or delay when he is beginning to take up the land. When once he has paid his rent he makes up his mind to do his best; but if there is any dilly-dallying at first he goes off to some other colony where he will not have to put up with such annoyance. Why are all these formalities insisted upon? If a man wants to send his son to a town to apply for a piece of land, he must give him a power of attorney, forsooth. If a man were applying for a freehold I could understand it, but the express principle laid down by the Postmaster-General is that this Bill is one of leasing, and that the Government are sure any person taking up land under the Bill will only take it up for good purposes. Why, then, are all these difficulties and obstructions thrown in the way of farmers? There is no limit to the amount a pastoral tenant may hold, but there is an extremely narrow limit to the amount

of the holding a farmer may take up—a limit that will check and cramp the farming industry to an extent the Government cannot at all realise at the present time. Then again, the pastoral tenant has no restriction put upon the markets available for his run. When he wants to sell it he has the world for a market, and can go where he may get the best price. But the market of the farmer is restricted in so many absurd ways that when he wants to sell, his neighbours will know who amongst them are open to buy, and the buyer can get it at his own price. The land is not put into the hands of the farmer as a valuable asset upon which he can realise when he wishes to do so, but it is handed over to him with every possible check. The Government say that this is a measure whose operation will secure the proper use of the land, and the payment of a fair rent. That is what I cannot understand, seeing that they have introduced all these harassing restrictions on the farmers. But not only are there these restrictions, but there are also heavy conditions in the way of improvements. A selector must fence his selection within the first three years; and this, in the case of a large holding, will involve a large outlay. If hon. gentlemen take the trouble to work out the calculation as to the amount of money a grazing selector would require to properly start a 20,000-acre holding, they will find that it is a very considerable sum—so large that in my opinion it is hopeless to expect that these provisions will be taken advantage of to any great extent. A selection of 20,000 acres comprises about thirty-one square miles; and if it was six miles long by five miles broad, which is the smallest size into which a holding of that area could be compressed, there would be twenty-two miles of fencing to be done—it would generally be twenty-five miles. A fence could not be put up for less than £50 a mile, so that at the lowest calculation he could not enclose his selection for less than £1,250.

THE HON. J. TAYLOR: What about the price of wire, and the carriage?

THE HON. A. J. THYNNE: That is included in the estimate I have given the House.

THE HON. J. TAYLOR: Your estimate would not cover that cost.

THE HON. A. J. THYNNE: Then that only strengthens my argument. I have taken the lowest possible estimate. Then, in addition to the fence, a man would need a house, and, what with fencing and the erection of a house and stock-yards to begin with, he would have to spend from £1,500 to £2,000. That is the least sum he would require for improvements, supposing there were no others required than those which I have specified. But the selector has still to stock his selection; and if his land is situated anywhere between the coast and the Main Range, where sheep do not thrive, he must go in for cattle. He could not expect to pay expenses or anything like expenses with less than 1,000 or 1,500 head of cattle; so that you will find that a man taking up a 20,000-acre selection must have a capital of about £7,000. Now, he must secure some reasonable return for the capital invested; and out of his 1,000 or 1,500 head of cattle, he will therefore have to make a return of £1,400 or £1,500 a year, which is more than can be reasonably expected. The estimate I have given of the expense of taking up a 20,000-acre selection, fencing it, building a house upon it, putting up stock-yards, and stocking it, is about the lowest we could reasonably take; and, in addition to what I have stated, the selector will have to pay £80 a year for rent. Hon. gentlemen will therefore see that the number of people who will be able to take

up grazing farms will be extremely limited. Now, with regard to the homestead farmer, it is provided that at the end of his time he may secure the freehold of his land; and he is given the right to mortgage it, or to sublet it whenever opportunity may offer. In the event, however, of his mortgaging or subletting any part of his holding, he will be deprived of his right to purchase the land as a freehold. In fact, he is to be punished because he is obliged to go to the money-lenders in order to get capital to enable him to carry on his operations. Is that the way to treat a man to whom this Government, as I have said before, of all other Governments, should give their greatest care and attention? I will not discuss this particular part of the question any further now. I could give a long list of clauses in the Bill, which will bear very unfairly on the farmer as compared with the pastoral tenant, but it would be only wearying hon. gentlemen to go through the whole category. In committee, as the Bill goes through, I intend to call attention to them, one by one, and I am quite sure that every thing tending to improve the Bill, and make it fair towards the farmers, who are really one of the most important classes to be encouraged, will receive your best support. I have much sympathy with the views expressed by the Hon. Mr. Box in the beginning of his speech, and also, I think, by the Hon. Mr. Lambert, to the effect that it is to be regretted that this Bill was not submitted to the country for the consideration of the people before it was introduced into this House. I am very sorry to see that there is no chance of such a course being adopted now. Hon. gentlemen on the opposite side of the House seem to be convinced that the Bill is a good one, and nearly every hon. gentleman who has spoken on this side of the House has also expressed the opinion that the Bill will be a good one with certain modifications; and there is, therefore, but very little hope that the Bill will be sent back for further consideration. I would gladly send it back in order that it might be submitted to the country and examined by the country before it becomes law, but it is not in the power of two or three members of this Chamber to succeed in doing that, and one must therefore submit, unwillingly perhaps, to the course of events. At the same time I hope that we shall do all that we can in committee to make the Bill as good a Bill as it is possible for us to make it. Now I will allude to another feature of the Bill, and that is its general policy as regards the farming class. If the present Government, or any other Government, had laid their heads together for the purpose of framing and introducing a Bill injurious to the best interests of the colony, to agriculturists and small pastoralists, I do not think they could have brought forward one that would have a greater tendency in that direction than this Bill. How will the provision respecting agricultural farms work? I know that up to the present time many scrub farms have been worked for years and are still in good condition, but that is due to careful nursing and attention; and such care as has been bestowed on those holdings will scarcely be exercised by a selector under this Bill, because the conditions of occupation are different. The selector in future will be a leaseholder, and I believe he will also work his land during the ten years of his lease so that there will be very little good left in it at the expiration of his term. Long before the thirty years, for which the land may be held, have elapsed, the State will have thrown upon it a number of worn-out wasted pieces of land, wasted to such an extent that they can never afterwards be restored to their original state of fertility. No private owner of land

would ever think of offering a long lease of agricultural land under the terms proposed in this Bill. It is necessary, I think, that some reference should be made to the question of the treatment of farms. It is an imprudent and improvident thing to offer tenants any inducement to impoverish their land; yet that is what is done by the provisions of this Bill. At the end of ten years the rent of a selection is to be increased according to the value of the land. The poorer the land the more rent a tenant will have to pay. Hon. gentlemen may smile, but they will find that the result will be as I have indicated. I know that from my experience in other parts of the world.

The Hon. J. TAYLOR: Where?

The Hon. A. J. THYNNE: In that country of which my hon. friend, Dr. O'Doherty, has spoken so eloquently to-night. There is another very serious matter in connection with the farming clauses of the Bill, and that is that they give exactly the same right to people who are aliens as are conferred upon our own fellow subjects. The only restrictions with regard to the right of aliens to take up land is in respect to freeholds. It is not the correct thing, I think, to prohibit our own fellow subjects from having a better claim or a greater interest in the prospects and progress of the colony than those who are not our fellow subjects. I say then that the principle of having these farms held by leaseholders is a bad one; because in adopting that principle you deprive the people of the colony of the interest they ought to have in the success of the colony. I contend that a country which has only leaseholders has really no subjects at all, and it is most important for us to consider whether—in establishing a system such as is proposed in the measure now before us in this colony, which I hope will be a great nation in the future—we will not be putting in an unsound stone in the foundation. But I have a further objection to the Bill, and that is that it is a social mistake, inasmuch as by its provisions you make every man more or less dependent upon the good will of the Government, or Government officers. The result of that will be that among the country people of the colony there will be a tendency to corruptly use the highest right which a man can exercise in this colony—the right of the franchise. They will vote in such a manner as to gain by the vote they give. That will be another rotten stone in the foundation, another bad moral influence added to the forces already in existence in the colony. I regret that I have detained hon. members so long, but I feel strongly on the question, and I could not help, on an important debate like this, giving expression to my opinions.

Question put and passed.

On the motion of the Hon. W. H. WALSH, the committal of the Bill was made an Order of the Day for Tuesday next.

ADJOURNMENT.

The Hon. W. H. WALSH said: Hon. gentlemen,—Before moving the adjournment of the House, I will ask you to bear with me for a moment while I explain the position which I have occupied for the last two nights. It is well known I am not in favour of this Bill at all; but owing to peculiar circumstances—the sudden sickness of the hon. Postmaster-General, and I being the nearest member to him at the moment, he appealed to me to take his place during his enforced absence from the House. I had previously informed the hon. gentleman that I had no intention whatever of speaking upon this Bill on its second reading. Understand that clearly I gave the Postmaster-General to

understand that I had made up my mind not to speak upon the second reading of the Bill. On that account I felt I could safely represent him—he having already said all he could say on the subject during the passage of the Bill through the Chamber. I have also been fortified in the peculiar position I took up by having it represented to me by every member who expressed his intention of speaking upon the question that they approved of the second reading of the Bill, and I have not heard a dissentient voice as to the advisability of allowing the Bill to go to its second reading. I have, therefore, felt no difficulty in assuming the position. But from this time out hon. gentlemen will see that I cannot possibly have anything to do with escorting this Bill through the Chamber. I beg to move that this House do now adjourn.

The Hon. T. L. MURRAY-PRIOR moved, as an amendment, that the House adjourn till Tuesday next.

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

The House adjourned at ten minutes to 9 o'clock.
