Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 11 NOVEMBER 1886

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LEGISLATIVE ASSEMBLY.

Thursday, 11 *November*, 1886.

Petition.—Message from Administrator of the Government.—Questions.—Motion for Adjournment—separation of Northern Queensland — Government Electrician — the Central Railway. — Bowen to Townsville Railway Bill—third reading.—Godsal. Estate Enabling Bill—second reading. — British Companies Bill No. 2—second reading.—Crown Lands Act of 1884 Amendment Bill—committee.—Adjournment.

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

PETITION.

Mr. LISSNER presented a petition from the Chinese residents, storekeepers, and others in the town and district of Charters Towers, praying the Government to protect their rights in this country ; and moved that it be read.

Question put and passed, and petition read by the Clerk.

On the motion of Mr. LISSNER, the petition was received.

MESSAGE FROM ADMINISTRATOR OF THE GOVERNMENT.

The SPEAKER: I have to announce that I have received a message from the Administrator of the Government, intimating that His Excellency has, in the name of Her Majesty, given assent to the following Bills :—

A Bill for the protection of oysters and the encouragement of oyster fisheries ;

A Bill to amend the Local Government Act of 1878 ;

A Bill to declare the law relating to the liability of employers ;

A Bill to amend the law relating to quarantine.

QUESTIONS.

Mr. KATES asked the Premier—

Is it the intention of the Government to give effect to the resolution unanimously carried in this House on the 30th October, 1885, approving of the establishment of an agricultural college, with a view of promoting a combination of scientific and practical agricultural education?

The PREMIER (Hon. Sir S. W. Griffith) replied—

In the existing financial condition of the colony, the Government have not felt justified in taking any steps to give immediate effect to the resolution referred to by the hon. member.

Mr. KATES asked the Premier—

Is it the intention of the Government to proceed during the present session with the Water Bill now on the business paper, with a view of establishing the rights of the Crown in respect to the natural watercourses of the colony?

The PREMIER replied—

The Government would be very glad to proceed with the Bill during the present session if there were any prospect of being able to pass it into law; but they have very reluctantly come to the conclusion that it is now too late to hope to be able to do so without unduly protracting the duration of the session.

Mr. PALMER asked the Premier—

If it is the intention of the Government to introduce a Bill this session to give additional representation to the Burke and Warrego districts?

The PREMIER replied—

Not during the present session, but the Government propose to deal with the whole question of a redistribution of seats during the session of next year.

MOTION FOR ADJOURNMENT.

Separation of Northern Queensland.

Mr. BLACK said : Mr. Speaker,—I propose to conclude in the usual manner by moving the adjournment of the House. My object is to endeavour to elicit from the Chief Secretary a little more information on a very important subject, which I referred to last Tuesday in connection with the separation movement of Northern Queensland. On that occasion the question I asked was whether the Government had replied at all to the separation petition which had been sent to them for report. The Government admitted that they had been requested to report on the petition, and in answer to another question the Chief Secretary said that the Government had not had time to consider their report. Well, Mr. Speaker, it is a matter of very considerable interest to a large section of the people of the colony, as was evidenced by the careful manner in which the petition was drawn out, and as was further evidenced by the debate which lasted over three weeks—that is to say, which occupied three days during three weeks. The matter was very thoroughly debated in this House on that occasion, both for and against the movement. The petition was sent home by the Administrator of the Government some time in the month of July, and was certainly presented some time about September 24th in England. On its being presented by a very influential number of gentlemen interested in the progress of the colony, Mr. Stanhope, the Under Secretary of State for the Colonies, in replying to the deputation, said :—

"That the deputation could not, of course, expect him to give any definite pledge at that moment, one way or the other, on behalf of her Majesty's Government. The *Hansards* containing the official reports of the debates in the Assembly at Brisbane had not yet reached England, nor had the observations of the Queensland Government upon the petition been received. The Government would give very careful consideration to the allegations in the petition, and in arriving at a decision they would have regard not only to the opinions of the Queensland Government, but to the representations of the very influential deputation. He was glad to hear that Mr. Finch-Hatton, who was remaining in England, would be available if any further information were required upon the case presented in the petition. He would be considered as the representative of the advocates for division, just as the Agent-General would represent the Queensland Government. The only promise that he could definitely make to the deputation was that directly the documents he had referred to arrived in England they would be given the most careful consideration."

I wish to draw special attention, Mr. Speaker, to this sentence :—

"And as the Government recognised the urgency of the matter, no time would be lost in coming to a decision."

When the Administrator of the Government sent the petition home, he also forwarded a copy to the Government here in order that they might know officially what the petition contained, and, I assume, to give them time to consider what action they would take in the way of placing their views before the Home Government with as little delay as possible. I find that the Administrator of the Government on the 26th June, when writing to the Secretary of State for the Colonies, and referring to the petition, says—

"A copy of the petition and signatures appended I have sent to the Chief Secretary for the information of Ministers and their comments on the same."

That was as long ago as the 26th June. The Secretary of State for the Colonies, on the 19th September—about the time, I assume, the petition was presented at home—cabled out to the Administrator here :—

"Referring to your despatch 57 refer petition to your Ministers if not already done."

Now, the petition was already referred to the Government on the 26th June, but from that time to the present, notwithstanding the great interest which this question naturally has for a large number of people in Northern Queensland, we find that the Government have not only done nothing in the matter, as far as the country knows, but the question I asked the other day was answered, I consider, in a very cavalier manner—"The Government have not had time to take the matter into their consideration." This is not only a neglect, in my opinion, of the interests of a very large section of the people of Northern Queensland, but it appears to me that it is a most gross act of discourtesy to the Home Government. I take it that any communication from the Secretary of State for the Colonies on an important question such as this, is certainly deserving of very much more speedy consideration than has been given to this question. Therefore I move the adjournment of the House, in order that the Government may give some expression of their intention in regard to this matter—whether they really wish to get Parliament prorogued and to get the session over, so that it will be almost impossible for Northern members to get a copy of the report, and they will be put to the disadvantage of having to wait till next session before they will be able to reply. I only throw that out as a suggestion as to the reason for the delay. The Chief Secretary made a tour through the North recently; he was able to ascertain the views of the people on the subject; the whole question was most fully debated in this House, and I cannot imagine one single point in connection with the separation question on which the Government have not fully made up their minds. Whence, therefore, the necessity for the delay? If it is supposed that the advocates of the movement in the North are likely to be tired out by lengthened and unnecessary delay, I can assure the Government that it certainly will not have that effect; on the contrary, any delay which the Government may oppose to the success of this movement will, in my opinion, have the effect of consolidating public opinion in the North to a much greater extent than is the case at present. I therefore hope the Government will give some satisfactory explanation of the unnecessary delay which, I think, has taken place up to the present time; also an expression of opinion as to when their report—which I am sure the Chief Secretary could have compiled in four-and-twenty hours if he had taken it in hand—is likely to be furnished. I beg to move the adjournment of the House.

The PREMIER said: Mr. Speaker,—I dare say I could prepare a report in four-and-twenty hours; but I should like to know where the four-and-twenty hours have been from the 23rd September—the time mentioned by the hon. member?

The HON. J. M. MACROSSAN: The 19th.

The PREMIER: Well, say the 19th. Can the hon. gentleman point out when I have had that amount of time at my disposal? Since that date I have scarcely had half an hour without interruption to do anything. When the Imperial Government refer a matter of this sort to a Colonial Government, they do not do so simply in order that the Colonial Government may say, "We agree" or "We do not agree." They want facts which may assist them in coming to a conclusion, and I conceive it to be the duty of the Government before making a report on the petition to put themselves in a position to report as fully and exhaustively as possible on all the facts of the case. It must be borne in mind that the petition was accompanied by a document containing a great number of allegations of fact. I propose at the earliest possible moment to examine those allegations, and see which are facts. In the report I furnish to the Governor I wish not only to give my version of the facts, but to show conclusively that that version is the correct one. These are things expected in a report of that kind. The division of a colony and the erection of a new state are matters requiring deliberation, and the Government are fully sensible of the important duty imposed upon them, and intend to fulfil that duty properly. The first steps taken in the matter were taken the day after the petition was received by the Administrator. The first thing was to print the petition, and to print the signatures. Then I caused an investigation to be made, which occupied a considerable time, to see how many of the 10,000 signatures were to be found amongst the 12,000 electors in the North. That investigation has been made. There are other inquiries to be made with respect to the signatories, which are in process of being made, but which are not yet completed. Further than that, I am getting from the Audit Office a statement of the accounts of the colony which cannot be challenged, so that we may know what are the genuine statistics relating to the question. All the Treasury statistics have been challenged, and the statistics put forward by the advocates of separation have been based upon such curious arithmetical principles that they cannot be adopted. All these are matters which must be included in the report. I can only say that there will be no delay. The hon. member might as well, while he was about it, have put down this "unwarrantable delay" to my constitutional indolence. If the delay had been longer there would have been no cause for complaint; but no time whatever has been lost. As soon as the Government are in a position to give a complete report, such as is required by the Imperial Government, they will give it.

The HON. J. M. MACROSSAN said: Mr. Speaker,—The Premier has no need to fish for a compliment by saying——

The PREMIER: I do not want any compliment.

The HON. J. M. MACROSSAN: By saying the hon. member might as well put it down to his constitutional indolence. He knows very well that none of us accuse him of indolence, constitutional or otherwise; but, nevertheless, it is a fact patent to everyone that there has been delay—very considerable delay—and, I think, unnecessary delay. What may have been the reason of the delay in the hon. gentleman's mind I do not know.

The PREMIER: I have not got the facts yet.

The HON. J. M. MACROSSAN: The hon. gentleman has been in possession of the statement of facts which was sent with the petition for four months—since last June, not the 23rd of September, as he says. It has taken him since last June to get to the bottom of these facts. Well, I must say his agents have been very remiss and are very inferior agents indeed if they could not furnish a statement of facts in less than a third of that time—either the Treasury or the Audit Office; and it is from the Treasury or Audit Office that the hon. gentleman expects to get this statement of facts contradicting the other statement of facts. Had he pushed either of these two offices he could have got all he wanted. I do not think he is really in earnest in trying to get those facts; I think with the hon. member for Mackay that the hon. gentleman means to delay his report until this House rises, and then there will be no means for the Northern members, or the people who believe in separation, to get a copy of that report so as to criticise it and report upon it again.

The PREMIER : That would be a very curious thing to do.

The HON. J. M. MACROSSAN : To report upon your report?

The PREMIER : Before it gets to England.

The HON. J. M. MACROSSAN : Such things have been done before now. We have no secret office ; we have no diplomatic service in this colony to be kept secret from our enemies or the papers. It is not a matter of that kind. The hon. gentleman may think he is at the head of a foreign office requiring the greatest amount of concealment from everybody outside that office ; but if he thinks so he has certainly mistaken his vocation as Premier and as advocate for the retention of the colony as it is at present. I do not think it would be at all a curious thing for hon. members in this House to be in possession of that report the day it left the shores of Queensland. Now, I do not think the hon. gentleman serves his own cause very much by this delay.

The PREMIER : I cannot help the delay.

The HON. J. M. MACROSSAN : Very well, I will take the hon. gentleman's expression that he cannot help the delay as being correct. Then I say that delay is helping the cause of separation ; and I think that is patent to every person in the colony, whether a separationist or an anti-separationist. Every day that elapses from the time that the hon. gentleman should have answered that petition and that statement of facts strengthens the hands of the separationists in London, and certainly consolidates and strengthens the separation movement in the North. The hon. gentleman will have another petition with 2,000 or 3,000 more signatures to inquire into the genuineness of by the time he is able to send that report.

Mr. W. BROOKES said : Mr. Speaker,—I am, of course, very desirous that the question of separation should be settled one way or another, but I cannot agree with the hon. member for Townsville. I am sure the House will agree, and all thinking persons outside the House will agree, and all thinking persons in London will agree, that this is a matter which it is not very wise to hurry on. The Premier has told us that he is not in possession of the facts necessary to enable him to reply to the report. Now, what can the hon. member for Mackay and the hon. member for Townsville need more than that? Nothing would more prejudice the case, or be more likely to cause both sides to be looked upon with suspicion, than for the Government to send in an ill-considered report. The hon. member for Mackay puts his case very plausibly, but I do not think it will bear investigation. I do not believe there is any ferment in the North ; I am inclined to believe that the agitation is confined to a very select lot, whose intellectual calibre is well gauged by the connection with it of Mr. Finch-Hatton. That is my idea of that coterie, and I would recommend both hon. members to be quiet and wait their time in a manner that will comport with the dignity with which they wish to invest the separation question. Everybody knows that the hon. the Premier has the whole labours of the session on his shoulders.

The HON. J. M. MACROSSAN : That is a compliment to his colleagues !

Mr. W. BROOKES : The hon. gentleman may smile, but he knows it as well as possible. I think if I were an ardent separationist I would not have much to say about hurry ; I would just quietly leave the Government to take their time. So far as prejudicing the case of those who do not wish to see the colony divided is concerned, I do not see how that comes in at all. The separation question is a very important one, and will not be decided on the arithmetical principles which we have heard so much about. It is a case in which moral principles come in, in which the very highest considerations of political economy come in ; it is not to be settled by any phantasmagoria of so many million pounds' worth of sugar. This question will be decided, I hope, on grounds which are really fundamental grounds ; and I am of opinion that the Colonial Office will not show much reverence to that small number of persons who wish to introduce coloured labour into the North.

Mr. PALMER said : Mr. Speaker,—The hon. gentleman who has just sat down advises separationists to keep quiet and bide their time. If they followed out his advice they would very likely never have separation. As long as they keep quiet and make no move the Government are not likely to do anything that will forward their plans in any way. Now, the Chief Secretary, in replying to the exhaustive speech of the member for Townsville, stated all the facts he is likely to gather in any of the offices in Brisbane or anywhere else. He was quite aware then of all the facts necessary to controvert the statements made on the separation question ; I do not know what further or fuller information he is likely to possess more than he possessed three or four months ago. There is no doubt he is strictly following out the example that has been set in all the previous separation movements in Australia—to make the delay as long as possible. In New South Wales the paltriest excuses were taken advantage of to delay the movement in every shape and form. Reports were sent home, and counter reports, and revisions of misstatements, until in one case the delay was spread over five or six years.

The PREMIER : And you complain of five weeks now.

Mr. PALMER : The same tactics are being employed that were put in practice on previous occasions ; so that the hon. the Chief Secretary is as conservative as he can be in all his expressions with regard to the separation question. Now, at home there is the Agent-General, Sir James Garrick, who is representing the Premier and his party on the question ; and whenever there is any discussion at home we find the Agent-General, who is paid by the whole of this colony as Agent-General, representing one party, and giving expression to the views of that party.

The PREMIER : He is a member of the Government.

Mr. PALMER : He takes a party view of the question and never fails by any chance to give expression to it, whether in writing or by speech. We are all rather anxious to find out the cause of the delay and to know what are the fresh facts that have been brought to light.

Mr. BLACK, in reply, said : Mr. Speaker,—I do not think there is anything in the remarks of the junior member for North Brisbane which is worthy of any consideration at all. They were all of an entirely unpractical nature, and the hon. gentleman evidently does not grasp the subject. At all events, the Premier, instead of having five weeks, as he interjected just now, to send a reply in, has had five months. The separation petition was presented to him in June for the consideration of the Ministry, and it was well known that the Ministry would be called upon to report, so that there has been ample time since then. In regard to the hon. gentleman trying to shirk the question by suggesting that we should attribute the delay to his constitutional indolence, there is nothing in that at all, Mr. Speaker. At the same time, if the hon. gentleman wants me to give him credit for

activity I will do it. I have always admitted that he is head and shoulders over the rest of the Government, if it is any satisfaction to him or to them to know it. But, at the same time, I say that the Premier, with the ability he has, could have obtained sufficient time to write down the heads of the report to be furnished to the Home Government, and I have not the slightest doubt he has the means of getting it elaborated before being submitted to him for final despatch. So far as time is concerned, what have we had? We have certainly had a mass of measures—I think some thirty-eight Bills—passed through the House, and if the Premier wishes to take credit for activity in that direction he can do so. We will give him all the credit he deserves for quantity of legislation. I think that has been unequalled; but the less we say about the quality the better. As far as quantity goes, I don't suppose any Government have ever rushed such a mass of legislation through the House as he has done. It is quite evident that the Government wish to delay their report as long as they possibly can. I know perfectly well what is going on in the North. I know the number of police and spies that the Government have going around making inquiries about the signatures to the petition. I do not know whether it is intended that all those who can be verified are to become marked men. If such is the case, I am sure he will have to mark nearly all the men in the North. As to verifying the signatures, that is already done. The separationists are quite satisfied with the very careful verification which these signatures had undergone before they were even despatched home. We knew perfectly well the ground we were standing on, and in regard to the remark that the signatures are being verified to see whether they are those of electors, it has never been asserted that they are. I hope, before the hon. gentleman will have time to send in his report, there will be another batch of signatures—some 3,000, as the hon. member for Townsville pointed out. But I hope that the hon. gentleman will not make that a cause of further delay in sending home the report. As to the idea that we ought to sit still and do nothing, that is not the policy of the Government when they have a principle that they want to have adopted; and I think I am perfectly justified in moving the adjournment of the House, as I have done, in order to show the Government that, although we are willing to assist them in passing any measures of importance to the country, we are not going to neglect what I consider the paramount interest of the northern portion of the colony. I beg leave to withdraw my motion.

GOVERNMENT ELECTRICIAN.

The COLONIAL SECRETARY (Hon. B. B. Moreton) said: Mr. Speaker,—Before the motion is withdrawn, I wish to make an explanation with regard to a remark of the hon. member for Cook, Mr. Hamilton, last evening. I was not in the House at the time, or I should have denied it there and then. But, talking about the fire that is said to have occurred here in connection with the electric lighting, the hon. gentleman said:—

> "In consequence of that Mr. Tomlinson was dismissed, and in his place there was put a gentleman who had had a fire of his own some short time previously."

That is a mistake. No fire has occurred in this House while Mr. Barton has had control of the electric lighting. It was under the control of another gentleman altogether when that occurred; and therefore, on Mr. Barton's behalf, I make the explanation.

THE CENTRAL RAILWAY.

Mr. FERGUSON said: Mr. Speaker,—I will just say a word or two before the motion is withdrawn. In reply to a question by the hon. member for Darling Downs, Mr. Kates, this afternoon, the Premier led us to believe that the Government expect the session to close very soon. I do not get up to harass the Government in any way; but a week to-day has elapsed since the Government stated that they expected a report from the engineer in charge of the Central district in regard to the deviation of the Central line. I wish to know if that report has arrived, or if there is any reason why the plans are not laid upon the table of the House, because if they are not laid upon the table this week I see very little chance of their being passed this session, according to the statement of the Premier that the session is very soon to close. Have the Government any reason for delaying the matter? I do not wish to give rise to any discussion; but if I do not refer to the matter to-day, very likely there will not be another opportunity. It is a very important question to the Central district, and my constituents are getting very anxious about it; and I would like the Government to say if there are any grounds for delaying the matter. Do they intend to lay the plans on the table of the House this week or early next week, so that they may be passed this session?

The MINISTER FOR WORKS said: Mr. Speaker,—It is very possible that the plans will be laid upon the table to-morrow.

Motion, by leave, withdrawn.

BOWEN TO TOWNSVILLE RAILWAY BILL.

THIRD READING.

On the motion of the COLONIAL TREASURER (Hon. J. R. Dickson), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

GODSALL ESTATE ENABLING BILL.

SECOND READING.

Mr. ALAND said: Mr. Speaker,—Hon. members will, no doubt, be somewhat surprised at having a Bill of this kind brought under their consideration. I am sure that when the Settled Land Act was brought into force a few weeks ago most of us thought that occasion could scarcely arise which the Settled Land Act would not fully deal with and meet. However, Mr. Speaker, it appears that a case has arisen which the Settled Land Act does not provide for; and it is in order that the circumstances of the case may be met, and the estate be put in such condition as to be of benefit both to the present life tenant, and also to those who are to follow after, that this Bill has been introduced. I think I may safely say, sir, that this Bill will not really interfere with what was the true wish of the testator, and I am disposed to believe that the testator, Mr. Godsall, hardly understood the effect of the will which he made. It is very possible that when he sought to get that will made, the condition of his affairs was not known to the solicitor who drew it; if it had been, the solicitor would have worded the will in a somewhat different manner, which would have prevented the necessity now of introducing this measure. The estate of Mr. Godsall chiefly consists of real property. The disposition of his will was this: He left the whole of his personalty to his wife, with two executors, for the benefit of herself during her life, and for her female children after her death. The real estate was left solely to Mrs. Godsall as tenant for life, and

at her death the property was to become vested in all the male children. But, unfortunately, there were no trustees appointed to act with Mrs. Godsall in this real estate. Had there been there would have been no necessity for this Bill, because they would have been able, I take it, to have done what this Bill seeks for power to do. It appears that at the time of Mr. Godsall's death he left real estate to the value of something like £15,000 or £16,000, but the whole of that estate was mortgaged, not to one mortgagee only, but to several mortgagees. This property was mortgaged to the extent of about £6,000. I think, sir, knowing the testator as I did, that he would not have been so foolish as to have left the property in the way it was left had he known that the life tenant would have no control over those mortgages. It appears that Mrs. Godsall has no control over these mortgages any more than to pay them off, supposing she has the money; but unfortunately there the hitch comes in. Supposing there had been sufficient revenue derived from the personal estate, even then it could not be applied to paying off the mortgage on the real estate. There was no other source of revenue, and the life tenant has no power to sell the property. If she had the power to sell, she could then have sold some of the property and so have reduced or have paid off the amount of the mortgages on the remainder of the property. Hon. members will, therefore, see the somewhat unfortunate position in which the widow of the testator is left. She is left with a valuable property not encumbered to a very large extent; still she is unable to deal with these mortgages in any way. The only way, it strikes me, the property could be dealt with would be for the mortgagee to foreclose; but hon. members will at once see that it would be a very undesirable thing to foreclose on the mortgages and offer them for sale, because possibly the property might not realise anything like their real value. The object of this measure is to put the estate straight. A committee sat upon the Bill, and they have brought up a report recommending the Bill to the favourable consideration of the House. The preamble was carefully gone through, and in the light of the evidence which was placed before us we found that the preamble was fully proved; indeed, I may almost say, it was more than proved. The preamble, among other things, states that—

"The whole of the said lands and hereditaments comprised in the said first schedule were mortgaged by the said testator to divers persons in his lifetime, one of which mortgages falls due in the month of January, one thousand eight hundred and eighty-seven."

Not only is this the case, but one of the mortgages has been due for some time, and the mortgagee has allowed the mortgage to stand over pending the passing of the Bill; and in the case of the other mortgage there is no particular time stated. It is a mortgage to cover an overdraft at the Union Bank. Of course, the bank is asking for this overdraft to be paid off, so that it may really be said that this mortgage is also due. Then there is the other mortgage which will fall due in January of next year. Hon. members will have the evidence before them, and they will find that it substantiates the statement I have made with reference to the value of the property, and that it also substantiates the fact that the mortgages are falling due. I think the evidence will further show that Mrs. Godsall has confidence that if she has power to re-mortgage the properties, or sell part of them to pay off the mortgages, it will be for the benefit of the estate, and, what is more, I think it will be perfectly consonant with what were the wishes of the deceased gentleman, Mr. Godsall. My hon. friend, the member for Bowen, will, I have no doubt, be able to explain the legal bearing of the clauses of the Bill better than I can, and I will simply point out that the clauses have been framed in accordance with the provisions of the Settled Land Act, and that there is nothing in the Bill contrary to that Act; the only thing in the Bill being that it gives a power which the Settled Land Act does not give—that is, it gives to the life tenant the power to mortgage or re-mortgage the property in which she has a life interest. There is one clause in the Settled Land Act which gives the power to mortgage, but, as I understand, it is merely in a case where the life tenant wishes to exchange one piece of property for another. Supposing one piece of property is more valuable than another, then the life tenant has power to raise a mortgage in order to complete the purchase. Hon. members will, however, see at once that such a power would be of no value in a case of this sort. The power to sell in the present instance is contained in the 8th clause of the Bill, which provides that—

"All powers conferred by this Act shall be deemed to be in addition to and not in substitution for the powers created by the Settled Land Act of 1886, and the trustees appointed under this Act shall be trustees both for the purposes of this Act and for the purposes of the said Settled Land Act, and be trustees of the settlement created by the said will of the said Richard Godsall within the meaning of the said last-mentioned Act."

The Settled Land Act, as you know, sir, gives power to the life tenant, under certain conditions, to sell property in which he or she has a life interest. The trustees appointed in this Bill are the two gentlemen who were appointed by a codicil to the will of the late Mr. Godsall as his executors, and, according to the evidence, the life tenant has every confidence in these executors—Mr. Gargett and Mr. John Mullaan Flynn. I think, from what I know of these gentlemen, that they will well fulfil the duties which are imposed upon them under this Bill. I therefore move that the Bill be now read a second time.

The PREMIER said: Mr. Speaker,—I do not think on the whole that there is any serious objection to this Bill. It is always a dangerous thing to make a new will for a testator.

Mr. CHUBB: That has been said several times.

The PREMIER: A measure of this kind ought not to be taken as a matter of course, but should receive careful consideration. In the present case, under the Settled Land Act, the tenant for life, Mrs. Godsall, could, if she thought fit, sell part of the property, and with the proceeds pay off the mortgage on the rest, but it is considered, I believe, that it would not be a benefit to the family to do so. That is a matter which I believe the committee have investigated, though I have not had time to read the evidence through.

Mr. ALAND: Yes.

The PREMIER: If it is desirable, in the interests of the family, that the mortgages should be continued, there can be no objection to this Bill passing. One matter worthy of the consideration of the hon. member in charge of the Bill is whether it is desirable to give power to increase the mortgage debt to a greater amount than was due at the time of the testator's death. In the Settled Land Act no power is given to a tenant for life to raise money by mortgage, and I think there are very good reasons why it should not be done. That is a matter worthy of consideration. I confess I am disposed to think that, as the object of the Bill is really to allow the mortgages to be continued until they can be conveniently paid off by selling the land, there is no sufficient reason for allowing any increase in the amount.

Mr. CHUBB said: Mr. Speaker,—The objection raised by the hon. the Chief Secretary received very serious consideration in committee, the point having been raised by myself, and we came to the conclusion to submit the matter to the House. We were of opinion that it would be not imprudent to allow the tenant for life discretion to mortgage, and that if the House, when the Bill came before it, thought that some limit should be put upon that power it could be done in committee. I would point out that under the Bill the provisions made in regard to mortgaging, to the effect that after the death of Mrs. Godsall they must have the consent of any son who is of the age of twenty-one years. The trustees will have power to mortgage, but they must have the consent of all the sons who are twenty-one years old. The facts of the case are very short. The testator did what many testators do; he made a will without appointing any trustees, and divided his property in a very simple way, giving the personalty to his wife and daughters, and the realty to his wife and sons, but without any powers of disposition except in regard to the personalty. The executors appointed by the will were authorised to dispose of the personal estate and pay the income to the widow for her life, including in the income the dividends of certain gas shares, which form part of the personalty; and at her death to divide the proceeds equally amongst the daughters. With regard to the sons almost a similar course was pursued, the real estate vesting in Mrs. Godsall for life, and on her death in the sons as tenants in common. There are no powers in the will by which she can deal with the estate in any way, except the rents and profits, because all the lands are hampered by certain mortgages some of which are still current; one of them has accrued and another is almost immediately due.

The COLONIAL TREASURER: Who pays the interest?

Mr. CHUBB: The interest is paid out of the rents of the improved freehold. We took evidence on that point, and this is a brief analysis of it: The property was valued at from £14,000 to £16,000; the rents were from £750 to £800 from the improved property; a considerable portion of the land was unimproved. The interest amounted to about £500 per annum, leaving £300 for the widow. In addition to that, there is the income from the personalty, which amounted to about £200 per annum, so that she has about £500 or £600 a year at the outside to support herself and eight children—educate them and bring them up. One son is employed in Brisbane, so that the amount the widow receives is not too much upon which to maintain herself and her family. Evidence was taken on the point as to whether it would not be better to sell a portion of the freehold and pay off the mortgages at once, and the evidence of Mr. Speaker, who is well acquainted with the value of property in Toowoomba and of the property in question, as well as the opinion of members of the Committee who know the property, was that the present was a bad time to sell, and it was considered that if provision could be made in the meantime to extend the mortgages or arrange for fresh securities for a few years it would be more advisable than to sell a portion of the freehold and wipe out the mortgages and leave the remainder of the property for the benefit of the devisees under the will. It was thought that that would be more in accordance with the wishes of the testator, who evidently did not wish the property to be sold. We therefore came to the conclusion that the proper course was to give leave to mortgage. Amongst other witnesses examined was the eldest son of the testator, who is not of age, but not far from it—about nineteen years and a-half, I think—and although he is not legally able to consent, he is an intelligent young man, and said he thoroughly understood the matter, and, as far as he was concerned, he was quite willing and desirous that the course proposed to be taken should be adopted. With regard to the Bill itself, it has been very carefully drawn up by the solicitors in charge of it. It provides in the first place that the tenant for life shall have power to mortgage—to renew the mortgages. The 2nd clause deals with the application of the money derived from the mortgage, which is to be paid over to the trustees.

The PREMIER: Why should the present mortgage be increased?

Mr. CHUBB: The other clauses following are merely formal, providing for the mode in which the mortgage is to be made, the appointment of new trustees, the retirement of trustees, the vesting of the property in new or continuing trustees, trustees' receipts to be good discharges, and there is a general clause at the end to the effect that all the powers conferred by the Bill shall be deemed to be in addition to, and not in substitution for, the powers created by the Settled Land Act; and further, that the trustees under the Bill shall be trustees for the purposes of the Settled Land Act. That will obviate the necessity of going to the court to appoint trustees for the purposes of the Settled Land Act, and save expense in that direction. With regard to the question raised by the Premier, and again mentioned just now—why should power be given to mortgage for more than the amount already in existence—I myself am inclined to think that there should be a limit. I expressed that view to the Committee, but it was pointed out that it might hamper the widow if an absolute amount was fixed, and that it might be better to trust to her prudence and that of the trustees who had the approval of the testator by having been appointed by him—that she would not exceed the necessity of the occasion. Of course, if the House thinks it is not wise to do that, it will be very easy to limit the amount to the amount of mortgage debt already existing, or to some moderate sum beyond that.

The COLONIAL TREASURER said: Mr. Speaker,—I think it is very desirable, in dealing with this Bill, that the property should not be allowed to be further encumbered to any large extent. It may be necessary to increase the mortgage to provide for the expenses of the renewal of the encumbrances, otherwise those expenses will have to be paid out of the personalty, which goes to a different legatee.

Mr. CHUBB: That cannot be touched for this purpose.

The COLONIAL TREASURER: Then how will the expenses be provided for unless the encumbrances themselves are enlarged, or unless a portion of the real estate is sold? I think it will be desirable to see that the encumbrances are not enlarged beyond what is absolutely necessary, and I think also that the time should be fixed—that the mortgagor ought not to have power to effect encumbrances beyond the time that the youngest male child attains his majority. I do not think it is desirable, in the interests of the children, that the encumbrances should be maintained for a considerable number of years after the youngest child has attained majority. That should be guarded against as much as the enlargement of the encumbrances. I see that the Bill is desirable under the circumstances, but whilst Parliament is asked to give power to the beneficiaries for the purpose of dealing with

those encumbrances until the children attain majority, I trust the property will not be locked up for any time beyond what is absolutely necessary.

Mr. BLACK said: Mr. Speaker,—So far as I am able to judge, I think this is a very safe Bill to be allowed to pass. It is not a question of locking up this property for an indefinite time, but a question of unlocking it at present. The property is mortgaged, and the mortgagee declines to renew the mortgage. The mortgagee has a power of sale which he might exercise detrimentally to the interests of this lady and her family. There might be a forced sale by which the property might be actually sacrificed. This lady, through this Bill, asks that she, on behalf of herself and family, should be allowed to exercise judiciously the power which the mortgagee might exercise injudiciously. I do not think it was contemplated by her, from the evidence she gave, that a further mortgage was to be given. Her idea was to be allowed to sell through her trustees a sufficient portion of the property to enable her to clear the property of the mortgage.

Mr. ALAND: See question 44.

Mr. BLACK: Question 44 says:—"Are you anxious to mortgage the properties? Not further than to meet existing mortgages. I do not want to mortgage them for anything else than to meet existing mortgages and pay the debts." The power given by the Bill is to sell a portion of the property, not necessarily to re-mortgage, but to clear off existing mortgages so that the widow and her family will have the benefit of the additional income that will accrue to her after the sale.

Question—That the Bill be now read a second time—put and passed.

On the motion of Mr. ALAND, the committal of the Bill was made an Order of the Day for to-morrow.

BRITISH COMPANIES BILL No. 2.

Second Reading.

The PREMIER said: Mr. Speaker,—This Bill is a Bill to amend and declare the law of Queensland with respect to joint-stock companies incorporated in other parts of Her Majesty's dominions. The subject of Australasian joint-stock companies is one of the questions which was referred by the Parliament of Queensland and the Parliament of Tasmania to the Federal Council. It is, I think, very desirable that, as far as Australasian joint-stock companies are concerned, they should be dealt with by the Federal Council. But at present that matter is not ripe for legislation by the Federal Council. Questions have arisen, however, with respect not only to Australasian companies, but to British companies generally, or, as they are sometimes called, foreign companies. The term "foreign companies" may be used to signify companies formed under the laws of countries not part of the British Dominions. But in a certain sense all companies not incorporated under some law in force in Queensland may be called foreign companies. There is little doubt that their status and rights are the same. I use the expression "some law in force in Queensland" because, of course, a joint-stock company may have been incorporated otherwise than by Act of the Parliament of Queensland. For instance, it may be that a joint-stock company may have rights in Queensland by virtue of an Act of Parliament of New South Wales passed before this colony was separated from New South Wales, either an Act expressly referring to that company or a general Act; or by virtue of some Act of the Imperial Parliament passed before the granting of legislative institutions to the Australasian colonies. There is also another way in which a company may be incorporated, and that is by Royal charter issued under the common law, which I need hardly say is in force in Queensland. Although that exercise of the Royal prerogative has now almost entirely fallen out of use, the Royal prerogative exists in Queensland as much as in Great Britain, although it may be very doubtful whether it could be exercised by the governor of the colony. These are the ways in which companies may be established, which could insist on the courts of this colony recognising them as corporations. I may point out that it has been said, and was said lately by a learned judge, that the incorporation of joint-stock companies at all is an exercise of the Royal prerogative, and that although there are Acts of Parliament saying how joint-stock companies may be constituted, that is merely prescribing the mode in which the Royal prerogative is to be exercised. That was said by a learned judge two or three years ago in regard to a building society. In addition to companies incorporated under some law which is in force in Queensland there are a great many other companies which may be called foreign companies in the sense that they are companies established by the law of some other country which this country is not bound to recognise. The status of those corporations has given rise to great difference of opinion. Certain things are settled with respect to them. For instance, it is settled that they are entitled to bring actions in courts of law. They can be sued in courts of law, if they can be found. They can make contracts in respect to personal property, and enforce them, and probably can take leases of land. As to these matters, I think, there is very little doubt; but when it comes to a question of holding the fee-simple of land, then doubts arise. It will be difficult for me to explain briefly the nature of the reason for the distinction; but one of the best illustrations may be taken from the case of bankruptcy or insolvency. It is a recognised principle of the law of nations that the personal property of a man, wherever it is situated, follows him, so that if a man who is domiciled in Queensland is made insolvent by the law of Queensland, all his personal property, all the world over, will pass to his trustee. That is settled by the law of nations, and has been given effect to in a case from Queensland. One of the official assignees claimed, in the English courts, the property of a man who had been made insolvent in Queensland, and obtained it; but the same rule does not apply to real property. As to real property, the rule is that the property follows not the person of the owner but the law of the place where the land is situated. So that if a man in Queensland becomes insolvent, having land in other parts of the world, that does not pass to the trustee. That is dealt with under our insolvency law, by saying to the man, "You shall not get your certificate until you hand over the land to your creditors." Now, I conceive that in the case of a foreign company the same principle would apply, and that if the company were wound up, the real property in Queensland would certainly not pass to the foreign liquidator, and that the foreign courts could not deal with the lands of that company in Queensland. That is an illustration of the distinction, and when we consider the nature of a foreign company, which is merely recognised by courtesy, I do not see any reason for holding that it is entitled to hold land. It has never been decided anywhere that it can do so, as far as I am aware. I think in some of the American States a special enactment enables these companies to do so, but in many of the American States it has been held that they cannot do so. The matter has been very carefully considered

by lawyers of more or less eminence in the Australian colonies, and by a good many in England. I do not profess to say that my view is the right one, but I conceive it is right, and my view is, to a certain extent, borne out by a decision of the Supreme Court of this colony. The question was decided by the late Chief Justice, Sir James Cockle. A company called the Central Meat-preserving Company, formed in England, had acquired land in Queensland—whether rightly or not is another matter, and it was being wound up in England. The creditors of the company in Queensland sued them, obtained judgment, and issued execution, under which the sheriff was going to sell the land. Then the English liquidator brought an action in the name of the company to restrain the Queensland creditors from taking the land on the ground that it was an English company being wound up in the English court. The decision of Chief Justice Cockle, which was a very short one, I will read :—

"There is not any law or custom, or any usage of comity or statute, to justify me in preferring a foreign or say extraneous company or official liquidator to a Queensland creditor who has gone against the realty. No Imperial Act extended to the colonies, or explicitly or implicitly adopted therein, and no Queensland Act, or New South Wales Act in force in Queensland, requires me to do so. Were I to do so I must have recourse to some principle of which, depending neither on municipal law, usually so-called, or on international law, it might be difficult, for me at least, to present a clear view. I do not feel called upon to make a precedent of doubtful expediency."

That is the only decision in this colony on the subject, and I do not know of any in any of the other colonies, or that the matter is likely to be settled authoritatively without appeal to the highest tribunal. Well, so much for the law as it is. I have taken the opportunity of expressing my opinion rather at length, because, unfortunately, when a deputation lately waited on me on the subject, although I took great pains to speak very slowly and deliberately, on every important point I was represented to have said the very opposite of what I really did say. This Bill proposes to deal with all British companies ; that is all companies incorporated in other parts of the British dominions, which companies we recognise for certain purposes, but which we probably do not recognise for all purposes, and it is proposed to declare the law with respect to them definitely. As to foreign companies—that is, companies incorporated in some foreign country—we will leave them alone. It is not thought desirable to deal with them, but I believe it is desirable that British companies should know what their status is, and I do not know how they are to find that out unless the Legislature intervenes. We know there are a number of companies desirous of carrying on operations here. Many of them would be of great use and benefit to the colony, and there is no reason why they should not be encouraged. We propose that a company of that kind may register itself here ; that it shall produce to the proper officer evidence showing that it is duly incorporated in some other part of the British dominions. Upon that proof being given it may be registered here and will then have exactly the same privileges as if it had been originally incorporated in Queensland. That is the scheme of the Bill. It is proposed also that these companies shall have the corresponding obligations of a company registered in Queensland ; they will be required to have registered offices where they can be found, and by which they can be made amenable to the process of the courts of Queensland. That, I think, is very important. I have known cases of companies carrying on business in Queensland that could not be found. I remember having an official complaint made to me some years ago, and representations made that it was wrong that companies carrying on business in Queensland, and having very large dealings in Queensland, could not be found or made amenable to the jurisdiction of the courts. It is not proposed to insist that all companies shall have registered offices, but the privileges of the Act will not extend to any company that does not comply with its provisions. Then, in order to settle the law as to holding real estate, we propose that from the first of July next the following enactment shall have effect :—

"A British company is not, except by virtue of some Act of the Parliament of Queensland, or some Act or ordinance having the force of law in Queensland, or some Royal charter extending to and having effect in Queensland, competent to take, hold, convey, or transfer land in Queensland, unless such company has been registered in Queensland under this Act."

We leave the law as it is, whatever it is, up to that time. By the 1st of July every company will have plenty of time to comply with the provisions of the Act if they want to avail themselves of its privileges. Then with respect to the winding-up of a registered company, it is proposed that it shall be amenable to the courts here so far as its operations in the colony are concerned. Its land and the money due to the company upon the security of land here "shall be applicable in the first instance in payment and discharge of the debts of the company contracted in Queensland, in priority to any other debts of the company." I believe that is the law now ; at any rate, the present law has much the same effect. The 14th section will clear up any doubt as to existing titles. It provides that any British company which holds land here shall, if registered before the 1st July next, have all the rights and privileges with respect to such land as if the Act had been in force and the company had been registered under its provisions when the company acquired the land. It is proposed to repeal the Foreign Companies Act of 1867 except as to companies already registered under that Act. I do not see the use of having the two Acts on our Statute-book, because all the rights possessed by companies registered under the Foreign Companies Act, which are not very many—except that they can hold as much land as they like—will be equally conferred by this Bill. In connection with winding-up a curious question arose in the case of the Oriental Bank, which was ordered to be wound-up in two or three different places. The South Australian Bank was ordered to be wound up both in England and in South Australia ; but which court properly has jurisdiction, or which will have to give way, nobody knows. Probably the point will have to be decided by the Privy Council or House of Lords. With respect to a company's right to hold land, in the Bill as first introduced, a limited power was proposed to be given analogous to that given in the case of the Bank of New South Wales and one or two other banks incorporated by Royal Charter, which may hold land for the purpose of carrying on business and by way of security for debts, but not for the purpose of speculation ; and I at first thought it desirable to adopt that principle, but on further consideration I thought it better to put all joint stock companies on the same footing. It is desirable that the law on the matter should be settled, and I think the provisions of the Bill are what the law ought to be, if they are not what the law is at present. I believe this Bill makes very little change in the law, if any, except with regard to the registered office of a company. Some objections, I believe, are made to that, but I think that if a company wish to trade here they certainly ought to be amenable to our courts, and I object to any person or company coming here and acquiring property and liabilities without being liable to make good those liabilities. I cannot see any reason

on earth why they should not be made amenable. I have heard that some companies would decline to have anything to do with Queensland if they were compelled to have an office, which means that they would not come unless they could be free from all liabilities to this extent—if anybody wants to bring an action against them or to enforce an action he must go to the country where they are incorporated, which may be England or Scotland. The 12th clause declares that "the Supreme Court has jurisdiction to wind-up a registered British company so far as it carries on operations within Queensland." The jurisdiction to wind up a foreign company has been exercised in England and in this colony; but doubts have been suggested on various occasions as to whether it really exists, and the section will remove all doubt. In order that the Act may not affect anybody's rights injuriously it is provided in the 16th section that the Act "shall not be construed to diminish or affect any existing jurisdiction or authority of the Supreme Court, or any existing rights, liabilities, or disabilities of British companies, except so far as the same are expressly diminished or affected by the provisions of this Act." That refers specially to the 10th section, which declares that British companies cannot hold land in Queensland unless they are registered under the Act. I move that the Bill be read a second time.

Mr. CHUBB said: Mr. Speaker,—The Chief Secretary has introduced the measure in a very able and clear manner. No doubt there are many nice and interesting questions concerning corporations and companies. One case I think the Chief Secretary referred to affecting the Royal prerogative—whether the Royal charter could now be granted to a company to trade in Queensland—that is one of those questions which are connected with the Bill.

The PREMIER: It is a practical question, because there are companies carrying on business here now which were created by Royal charter after our legislative institutions came into existence.

Mr. CHUBB: I understood the hon. gentleman to refer to the incorporation of companies under Acts of Parliament, and the exercise of the Royal prerogative—the Royal prerogative being exercised, I suppose, by the Royal sanction of the Act of Parliament authorising the existence of the company. Hon. members will understand that this Bill allows foreign companies to come here, but does not insist on reciprocity in the way of our companies going to other countries — it is entirely one-sided so far as that is concerned. I agree with the Chief Secretary in requiring any company coming under the Bill to have a registered office in the colony. Difficulty has frequently arisen in connection with finding out the locality of a company, and not long ago the process of a court was advertised in the newspapers and the *Government Gazette*, and posted outside the office of the agent as service on the company. Well, all these difficulties at any rate will be swept away by clause 8. There is no hardship in requiring a company to have a registered office, and that will be the place to serve process. I know there are companies that have expressly declined to have an office in order to avoid being sued in Queensland. When persons had any dispute with them the agents said they must go to the head office. Some insurance offices put stipulations in the contract that they shall only be sued at the head office in Sydney or New York, or wherever it is. Now, if trading companies—which do not come here to benefit the colony, but to make profits for the shareholders—come and enjoy privileges, they ought to be bound by the laws of the land. I see the Bill as reintroduced is wider in its scope than the old Bill. That dealt with joint-stock companies only, but this includes companies and corporations whether incorporated by an Act of Parliament or a charter, or letters-patent. With regard to winding-up, in the case referred to by the Chief Secretary, the Colonial court assumed the power, in a sense, by refusing to give effect to the claims of the English administrator. It certainly assumed the right to deal in this colony with the property of the company, and to give the local creditors rights against it. Clause 13, which provides that money due to the company on the security of land in Queensland is to be applied, in the first instance, to the payment of debts in Queensland, might possibly be evaded by a stipulation that the money was to be paid in London. Companies, like other people, sometimes try to evade the law if they can—in an honest way of course. At the same time we can take every reasonable precaution that companies coming here to trade shall be amenable to the laws in the same way as persons who are actually domiciled here. The question of two windings-up—one in this colony, and one elsewhere—is of course not concluded by this Bill. It gives the Supreme Court authority to wind-up companies; but of course it does not, and could not, deprive the Imperial courts of their jurisdiction. It simply declares a right which has been exercised by the courts of this colony. I remember a curious case which arose the other day with respect to a winding-up, in which a nice point would have arisen had it not been compromised. The winding-up of a Victorian sugar company was ordered by the courts of Victoria. The property included a sugar estate in this colony, which had been sold by the liquidator in Victoria, and the Queensland creditors moved the court here to grant the winding-up to them. What would have happened it is hard to say, but, fortunately, for the settlement of the question the parties compromised.

The PREMIER: The land did not stand in the company's name.

Mr. CHUBB: No; it was in the name of a nominee of the company; but the question which would have had to be determined was how far our court would interfere with a winding-up going on in another colony. Now, there is a peculiar effect which may be produced by our Companies Act. The opinion has been expressed, and I agree with it, that foreign companies, like aliens, cannot hold land in Queensland; but under our Companies Act there is nothing to prevent seven Frenchmen or seven Chinese from forming a company in Queensland, registering themselves, and then holding land. They can certainly get over the difficulty in that way; and it is the only direct way, so far as I know, in which they can get over it. That ought not to be allowed; I do not think it is right, so long as we keep to the principle that aliens ought not to hold land. I am very glad to see this Bill introduced, because there are some companies outside Queensland who think they will be in a better position under this Bill; and the doubts which have been suggested as to their legal status here will be removed. I shall give my assistance in the passing of the Bill. I approve of it very much.

Mr. BROWN said: Mr. Speaker,—I take a great interest in this measure. I think it will meet the case of companies who are anxious to come here and do business—lend money and so on. I quite agree with the remarks that have fallen from the hon. the Chief Secretary as to the advisability of such companies having a registered office in the colony. I also concur in his remarks about the companies being amenable to our

courts in the event of their being wound up. I will not take up the time of the House. I merely express the wish that the House will pass this Bill without any delay.

Question—That the Bill be now read a second time—put and passed.

The committal of the Bill was made an Order of the Day for to-morrow.

CROWN LANDS ACT OF 1884 AMENDMENT BILL.

COMMITTEE.

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

Mr. WHITE said he had to move a new clause to follow clause 13. In the settled districts there was a considerable amount of country that was very inferior in quality; in fact, a lot of it was really worthless, and nobody could get a living upon it. It was lying open at the present time, and the larger quantity of it had never been in the squatters' hands. It was unavailable country, and had never been paid rent for. It was surrounded by pretty close settlement, up the various creeks, and in other places where the land was not so bad, and had been picked over for many years. The only good purpose it could be put to now was for some farmers who were hemmed in — small farmers, who wanted grazing paddocks for their stock, and who would put up with a little bad land to take it up for that purpose. They would not make anything out of the land itself, but they could afford to pay rent for it through having it in conjunction with the rest of the farm. If those farmers had the power to select a moderate quantity of that land within a certain distance, without having to go to the expense of keeping a bailiff upon it—they could not go and live upon it themselves—it would be useful to them, and it could not possibly be useful to anyone else. He had to propose the following additional provision, in the case of two or more agricultural farms being held by the same person :—

"The provisions of the two next succeeding sections of this Act shall be in force in such districts or parts of districts as the Governor in Council on the recommendation of the Land Board may appoint by proclamation. But no such proclamation shall be made with respect to any land which has not been open to selection under the principal Act, or some Act repealed by it, for at least five years before the date of the proclamation."

The MINISTER FOR LANDS said there was a great deal in what the hon. member for Stanley had said in respect to the character of the land in some of the older settled districts of the colony. It had been picked over and over again for a great number of years, and a large quantity of it was wholly too bad to induce anybody to apply for it. The hon. gentleman was correct in what he said—that the land was not likely to be used. Certainly it might be improved by ringbarking and clearing away the undergrowth and rubbish which grew upon inferior land, and be made valuable land; but the work that that would necessitate would, of course, require the expenditure of a great deal more money than a selector would like to incur if he were obliged to carry out the residence conditions upon such land. In many cases there was no water upon it, and in others it was a long distance from water, and very often it was rocky, mountainous country. The clause that the hon. gentleman had suggested would meet the case, and, on the whole, there were sufficient restrictions to prevent its being abused, inasmuch as the Governor in Council would have power, on the recommendation of the Land Board, to open only such lands as were of the character referred to. Those lands were not suitable for settlement themselves, where the actual residence of the selector was required upon them, and there was also the additional safeguard required, that the land should be open to selection for five years under the present or some previous Act. If it had been open for five years, that would be a pretty good guide in the more settled and thickly populated districts as to the character of the land. If it had been even fair land it would have been taken up. He had also had the matter represented to him by one or two of the commissioners, especially by the inspecting commissioner, who had referred to it on different occasions as one that would meet the requirements in some districts, in East and West Moreton especially, by allowing men to take up those inferior lands in that way. The hon. member for Stanley had evidently had the subject brought under his notice, perhaps by personal experience. He (Mr. Dutton) had no objection to the clause with the reservations which were proposed to be imposed; but he believed it would require a slight amendment to prevent abuses creeping in, by which a man holding only one or two acres of land might be prevented from taking up the maximum quantity allowed under the Act—1,280 acres. That would be contrary to the spirit of the clause; in fact it would be an abuse of it. If it was amended in that respect he should have no opposition to offer to the hon. member's amendment.

Mr. LUMLEY HILL said it was very edifying to see the alacrity with which the Government accepted any amendments that were brought in by their agricultural supporters and small grazing men, while they refused to pay any attention whatever to amendments suggested by pastoral tenants. He had not the slightest intention to oppose the proposed new clause, and his reason for supporting it was that it tended in the direction of getting the land out of the hands of the Government as quickly as possible, and that was what he wished to see. It was diametrically opposed to the Minister for Lands' beautiful theory of nationalising the whole of the land, and making the State the perpetual landlord. The hon. gentleman's land policy, based on that theory, had been the most disastrous land policy ever adopted in the colony, and if the Colonial Treasurer was in a position to give an unbiased and unprejudiced opinion upon it, from a financial point of view, he would say that it had been an utter failure. Had such a clause as the one now proposed been moved by a pastoral tenant, it would have been denounced as an attempt to open the door to dummying; and no doubt practically it would open the door to dummying, from an agricultural farmer's point of view. Still, as it would tend to get the land out of the hands of the State and induce people to settle upon the land, he should cheerfully support it.

Mr. PALMER said the amendments that were now coming forward were on a progressive scale—liberal, more liberal, and more liberal still. But the clause now under consideration was rather restrictive in one particular; its benefits were to be restricted to the present lessee. If the thing was good in itself it should apply to all cases, and for all time to come. As it stood, it seemed as if the clause was to be passed for the benefit of a single person. He hoped the clause would be improved by making it still more liberal.

Mr. MURPHY said it seemed to him that they might safely term the clause "the White relief clause" or "the White enabling clause." It and the two which were to follow seemed to have been especially framed to enable that hon. member to dummy. There was no doubt the hon. member had taken up a

selection at some distance from his present freehold land, and the clauses were brought in to enable him to hold land legally which he was at present holding illegally, as without them the land must be forfeited. The clauses were brought in and accepted by the Government simply to allow the junior member for Stanley to escape the consequences of his illegal acts. He was sorry the Government had accepted them.

Mr. WHITE said it was well for the Government and well for the country that there was a class of farmers ready and willing to take up inferior country which the pastoralists would not look at on any consideration—land which they would not give half-a-farthing an acre for. That land the farmer, with the assistance of the farm he was already working, could turn to some account. It was land which, from all time, had done nothing but feed kangaroos and wallabies, and the farmers were willing to rent it as an agricultural area at 3d. an acre, although it was really not worth it. But the farmer could afford it in conjunction with the farm he was working, by turning it into a grass paddock within easy reach. Although that would enable the farmer to pay the rent, he did not expect he would ever pay the principal.

Mr. CAMPBELL said that if the clause was good for the present lessees of farms it should also apply to those who had already fulfilled the conditions and obtained their deeds. They were at least as much entitled to the benefit of it as the present lessees, because they were residing on their land and doing good to the country. It was just as important to them as to the present lessees that they should be enabled to acquire small paddocks of inferior land within easy distance of their farms. The hon. member for Stanley claimed, he believed, to be a farmer, but from what they knew of him they knew he was not. The hon. member was an owner of agricultural land which he did not till himself—in fact, he was a landlord, sitting down and receiving rents from the hard-earned money of others.

Mr. WHITE: I do till land myself.

The PREMIER said there ought to be some limit as to the area to be taken up. It might not be convenient to allow a man, simply because he had an area of country land which he lived on, to take up a farm of the maximum area 10 miles off without any occupation at all. Power ought to be given to impose conditions with respect to area, and that could perhaps best be done by inserting after the word "districts," in the 2nd line of the clause, the words "and with respect to farms of such area." That would be an improvement, and it might prevent abuses. He moved that the clause be amended by inserting after the word "districts," in the 2nd line, the words "and in respect of farms of such area."

Mr. ALAND said he would like to know whether persons who had selected under the Act of 1876, and had got their titles to land, would have the privilege sought to be conferred by that clause?

The PREMIER: Yes.

Mr. ALAND said the reason he asked the question was that in his neighbourhood there was a great deal of the kind of land referred to by the hon. member for Stanley. There was land there which had been offered for selection over and over again, and since the Act of 1884 came into operation the land had been again thrown open to selection. He thought he might safely say that none of it had been selected, because it was of inferior quality. It was a good many years since selection first began in that district, and of course the good land was taken up, and what was left was no good for agricultural purposes. If some means could be adopted by which the present holders of agricultural areas could take up those lands, it would be a very good thing indeed, but he was afraid that 3d. per acre rent would be a great deterrent to its being selected.

Mr. SCOTT said the junior member for Stanley had stated that the men who would take up those outside areas could afford to pay the rents, but might not be able to afford to pay the purchasing price of the land. He (Mr. Scott) hoped that would not be the case, as he was quite sure that there was no landlord so bad for a country as the State under any circumstances whatever. He could not conceive of a worse landlord than the State. He was therefore of opinion that the sooner the land got into the hands of private individuals the better it would be for the country, and he thought there would be a better prospect for the future of the colony if they had a gradual, and at the same time pretty free, alienation of the public lands.

Mr. NORTON said he thought the Minister for Lands was coming to very much the same conclusion as that arrived at by the hon. member for Leichhardt. All the amendments were tending in one direction—the cutting away of the leasing principle. It was like a lot of mice nibbling at a cheese—they nibbled away until at last the whole thing toppled over.

The PREMIER: This is strongly confirmatory of the principle.

Mr. NORTON: Strongly confirmatory of the principle! He did not think so; it was offering all sorts of inducements to the people for buying the land.

The PREMIER: Occupying it.

Mr. NORTON said it was all very well to talk about occupying it, but by those amendments they were offering people inducements for buying the land. He thought the sooner the leasing principle was knocked over the better it would be for the colony, and he also thought the Minister for Lands had altered his views on the subject very much since the passing of the Act of 1884. The amending measure now before them and all the amendments proposed on it were evidence of a desire on the part of the Government and on the part of private members of the Committee to get rid of the leasing principle. The whole system was gradually undergoing a change; they were practically abandoning leasing, and returning to the principle of alienation. They could not help seeing that that was really the idea of many members who had introduced amendments in the Bill before the Committee. With respect to the particular amendment now under consideration, he was not going to apply it to the hon. member who had proposed it. He did not know whether the hon. member introduced it for his own personal advantage or not, though it was certainly insinuated just now that his object was to benefit himself—to enable him to hold more land than he could under the law as it stood at present. Perhaps he had that object in view; but if the amendment suited him, the probability was that it would suit a great many others who were in the same position. He (Mr. Norton) did not, however, wish to press that matter any further. What he wished to refer to particularly was the case he mentioned when the measure was before the Committee last week. He then read a letter, or a portion of a letter, from a gentleman who was cultivating a piece of suburban land as an orchard, and whose object was to be enabled to take up other land under that Bill outside the boundary of the municipality and be able to hold it without personal residence, because he considered that personal residence in one spot—the land he was cultivating—should

be sufficient. That gentleman might possibly extend his cultivation outside the boundary, if he was allowed to take up land there; but the proposed new clause would not, in its present form, apply to such a case. The provision only applied to such lands as the Governor in Council, on recommendation, might appoint by proclamation. It did not apply in all cases. He was referring now to a district within thirty miles of Rockhampton. There fruit cultivation had been carried on very successively for a number of years, and he thought from the success which had already been attained that it would be largely increased if encouragement was given to men to undertake the work on a large scale. Therefore he considered that the gentlemen to whom he had alluded deserved great consideration in the proposal he had made. He (Mr. Norton) could not see why, if the amendment was to apply to one case, it should not apply to all cases. Why should the provisions of the clause be applied exclusively to districts as the Governor in Council, on the recommendation of the Land Board, might appoint by proclamation? Why should the two farms be within a distance of ten miles from one another? With reference to selections held by the present selectors of land, he would point out one difficulty which was mentioned to him the other day. Many selectors under the Act of 1876 took up smaller areas of land than they would like to have done, simply because their financial position would not allow them to take up more; but they intended to add to their holdings at some subsequent time. Under the present Act the runs had been divided, and a number of those men were now left in the middle of leaseholds, and when adjacent lands in the same district were thrown open, they would not be able to select any portion of those lands because they were beyond the specified distance of 10 miles within which they could select. Why should not people who had taken up a comparatively small selection under the former Act with the intention of eventually taking up more not be allowed to take up land more than 10 miles from their present selection when they were in a position to do so? He could not see why they should not. In fact he could not see why the provision should be adopted at all. As it stood the very men who wanted to take up land under the provisions referred to would be excluded from doing so because the board did not think it necessary to proclaim land open to selection in that particular district.

Mr. KELLETT said he could not understand the deduction made by the hon. the leader of the Opposition at the commencement of his speech, that the Minister for Lands was evidently of the same opinion as the the hon. member for Leichhardt—in favour of disposing of the land and getting rid of it. He (Mr. Kellett) only wished the Minister for Lands was getting a little bit into that line, but they had as yet seen nothing to lead them to that conclusion. He should be only too happy to see that hon. gentleman becoming more enlightened than he was at present, and leaning a little in that direction. He (Mr. Kellett) was entirely in favour of any clause that would make it more easy for people to settle on the land, and he was glad to see the Minister for Lands moving a little in that direction, because he wanted to see an easy way provided of getting on the land, so that as many persons as possible should go there and clear out of the towns. Every little assistance given in that way was a benefit, and therefore he had great pleasure in seeing an amendment of that kind brought in. But at the same time he could not see why they should fix a limit of 10 miles. Why should it not be 20 as well as 10?

Mr. NORTON: Or 40.

Mr. KELLETT: He would not say 40; he would say in the same land agent's district. He thought that might be very fairly allowed. He did not see why any arbitrary number of miles should be fixed.

Mr. STEVENS said he thought the amendment would be a very useful measure of relief in some cases and that the hon. member who introduced it was to be congratulated upon having done so. He thought that liberty should be given to selectors to take up land which was lying idle alongside them. He knew many places in the coast districts that had been picked and repicked. The land that was left was of very little use except for grazing on a very limited scale, and an opportunity should be given to farmers to acquire that land for the purpose of running their stock upon it. But he thought the principle should be made applicable generally—that was to say, that all lands that had been proclaimed open and were not selected within five years should be available for selection in the way intended by the Bill. He could quite understand the objection to the limit of 10 miles being excised, because it was generally understood that the land taken up in the way proposed was to be worked in connection with the farm for the relief of persons who had not sufficient land on the farm. It was for their relief that the provision was brought in, so as to enable them to select that class of land and run their stock on it. He thought the amendment a very good one.

Mr. MURPHY said he thought he could find an answer to the question put by the hon. member for Stanley, Mr. Kellett, who wanted to know why the distance should be limited to 10 miles from the farm already taken up. The answer was that the selection taken up by the hon. member for Stanley, Mr. White, was exactly 10 miles from the farm previously held by him; and in the same way that he wanted to stop the railway in his district at his own back door, so he wanted the clause to extend only so far as his second selection. His (Mr. Murphy's) objection to the clause would be removed if it were made of general application. His objection to it was that, as drafted, it applied only to the case of the hon. member for Stanley, Mr. White. If it was made of general application he should support it; otherwise he should vote against it.

Mr. WHITE said the selection he had taken up, as he had previously told the Committee, was only 3 miles from his present residence. As to the question of distance, he conceived that a selection at a greater distance than 10 miles could not be worked very comfortably with the farm. A man living 10 miles away could get on his horse, ride to the selection, look round the cattle, bring some of them back to the farm, and so on, but beyond that distance it would be a very difficult process.

Mr. DONALDSON said he wished to point out that it would be quite possible under the clause for a selector to get someone else to dummy for him. That had been done many a time.

Mr. STEVENS: That land is not worth dummying.

Mr. DONALDSON said he had only just entered the Chamber, and had not heard the previous arguments on the clause, and probably he was treading on ground that had been already gone over, but he thought it was only right to point out that if the clause was passed in the way proposed it would open the door to evasion of the law.

An HONOURABLE MEMBER: That is what is wanted.

Mr. DONALDSON said he did not want to see the laws evaded. His wish was to encourage *bonâ fide* settlement. As a squatter, he had never tried to exclude settlement. On the contrary, he was in favour of encouraging and assisting every man who desired to settle on the land, but he did not wish to see the door opened to an evasion of the law.

Mr. LUMLEY HILL called attention to the state of the Committee.

Quorum formed.

Mr. BLACK said the general object of the amendment was one which, he thought, was very much in accord with some of the objections that had been raised against the Bill when it was originally introduced into the House. Increased facilities for acquiring land would be given by that clause. He did not know whether it had been intended by the Government to grant all the facilities that that clause would do, but he thought it rather doubtful. He took it that the clause as proposed by the hon. member for Stanley, Mr. White, was to the effect that the holder of an agricultural farm, on which he resided personally, would be able to acquire another farm, the area of which, together with that which he resided on, was not to exceed the maximum area available in the district—1,280 acres, or less proportionately; but the selector would be able to hold a second farm, if within ten miles of his first holding, without any residence conditions whatever—he would not be required to reside either personally or by bailiff. Well, if he were correct in that supposition—and he took it that the view he held was correct, from what he had heard the previous speakers say—he could only say that it was a liberality which had never been attempted in connection with their previous land legislation. He was not going to blame the Government for accepting such an extremely favourable concession as that would be to the agricultural selector; but he would like to be assured—assuming that he was right that residence, either by bailiff or personally, was to be done away with on that second area—whether the improvement conditions were also to be waived, for it was quite evident that, if no residence whatever were necessary, they could not expect any improvements to be made. Improvements would necessitate residence either personally or by bailiff. However, if the Government were prepared, in order to meet the case, as proposed by the hon. member for Stanley, to do away with the improvement conditions, he thought it should be clearly understood. Then another point he would like information about from the hon. the Minister for Lands was, whether the clause was to be retrospective or not? Was the hon. gentleman listening? He wished to know whether that clause was to be retrospective—that was, whether it was to have the effect of legalising any irregularity or illegality that might have taken place up to the passing of that Bill in the case of selectors?

The MINISTER FOR LANDS: No.

Mr. BLACK said he thought it was quite right if it were not to be retrospective that that should be understood, because he had heard it rumoured that the clause was introduced for the purpose of what they might call "whitewashing" certain individuals who had been dummying lands up to the present time. However, he was very glad to have the assurance of the Chief Secretary that the clause was not to be retrospective, and that it was only to apply to selections taken up after the passing of the amended Act. He would also like to know whether the lessee of the second farm would be allowed to sublet? That was a point which should be clearly understood. And also whether he could mortgage his second farm?

The PREMIER said that the conditions under which a selector would take up a farm under the proposed clause were exactly the same as those applicable to any other selector in regard to subletting, mortgaging, improving, and everything else, with the one exception of residence by the lessee. The hon. member spoke as if the proposal was something entirely new in land legislation. That was not so. The present was the fourth time he had heard it discussed. In 1876 the question was discussed, and a clause put in that Act though not going quite so far as now proposed. In 1879 an amending Bill was brought in, and a similar proposition was again brought forward. During the passage of the Act of 1884 through the House the same discussion came on, and the privilege was given, though in not quite so extensive a shape as that now proposed to be given. It was now the fourth time the question had been discussed. The only point was—is there any justification for it? The justification was that in many of the older parts of the colony, where the land had been picked over, there were little bits which might be taken up and used by leaseholders or freeholders as branch farms or out-stations to be worked with their homesteads. He believed they would conduce to settlement, and that the clause was a good one. The matter had been so often debated in the House that he did not see there was anything new to be said about it. Of course 10 miles was quite an arbitrary distance to fix from the homestead, but probably that was quite as far as would enable the place to be really worked from the home farm.

Mr. BLACK said he quite agreed with the Chief Secretary that it was a matter which had been previously debated. The hon. gentleman had pointed out that in the 1868 Act and also in the 1876 Act it was to a certain extent introduced. But when they came to the Act of 1884 the salient principles of the previous Land Acts were entirely reversed, and it was considered only in conformity with the views of the Government on land legislation that land selection without occupation should not be on any conditions accepted. However, the Premier had pointed out that it was considered necessary now to modify those extreme views then held, and he was quite prepared to meet the hon. gentleman half-way when he admitted that it was necessary to revert to the conditions that had prevailed under the Act of 1876. And he thought that the sooner they went back entirely to that Act the better it would be. They were gradually approaching it. They were facilitating the acquisition of freeholds, and now they were allowing the acquisition of land without occupation. They would have an amending Land Bill next session, if the precedents established since 1884 of bringing in an amending Bill every year were followed; and he would advise the Government during the recess to consider the advisability of burning the Land Act of 1884 and reintroducing that of 1876.

Mr. LUMLEY HILL said he wanted to know distinctly whether the clause was not going to be made applicable to the case of the junior member for Stanley, Mr. White. He had understood it was to be a relief clause brought in for that hon. member's benefit, and it seemed to him to be very hard, from what had been said just then from the Ministerial benches, that the hon. member would be unable to avail himself of the conditions of this Bill. That was a phase of the question that had not occurred to him before. He did not think he should have been so ready to give his support to the amendment if he had thought the hon. gentleman was not going to get

the benefit of it. He should like to know from the junior member for Stanley if he intended to endeavour to avail himself of the condition of the amendment.

Mr. WHITE said he should be very willing and very glad indeed if the clause could be made retrospective, but at the same time that was not his absolute purpose in bringing forward the amendment. He was quite willing to have his amendments carried somewhat as they stood, because they were for the good of the community.

Mr. ADAMS said there seemed to be an objection to the clause simply because the junior member for Stanley could not avail himself of it, but he did not think the hon. member ought to be considered at all. He thought the good of the country generally should be considered, and it was well known that there were numbers of pieces of land really not worth anything to any outsider. People who lived adjacent to those lands should be able to take them up, and consequently he thought the amendment a good one. He was not very much taken up with the Land Act of 1884, and agreed with the member for Mackay that it ought to be burnt. He thought it would be better to consign it to oblivion. Under the previous Act anyone wanting to select land knew exactly what he was going to select, and not only that, but he knew what he was going to pay. Under the present Act it appeared to him that not only did a man not know what he was going to pay for the selection, but he did not know what he was going to pay for the survey of the selection. Surveys under the present system very frequently cost about twice as much as under the previous Act. He held in his hand a letter he received some time ago from the Lands Department, which said :—

"SIR,

"Referring to Mr. Thomas Williams's letter forwarded by you on 5th instant, relative to a demand for £3 12s. 7d. on account of extra survey fee on selection, as per margin, I have the honour to state that the sum charged is what the survey has cost the Government.

"The amount now demanded is the difference between the money paid at date of application—£6 14s.—and the actual cost—£10 6s. 7d."

Now, under the previous Act the selector always knew the cost of survey, but under the present Act he did not. He had been advised, and the Minister for Lands had also been advised, that that selection had been surveyed on two sides, and the consequence was that in place of paying in accordance with the schedule the owner had to pay £3 12s. 7d. more. So much for the Land Act. With regard to the amendment of the junior member for Stanley, he considered it one that would be a benefit to the country generally, inasmuch as there were parcels of land now lying utterly useless, which would be utilised by those in possession of adjacent land. He should be most happy to support the amendment.

Mr. BLACK said he would like some reliable information about the one word "is." The clause said, "if the same person is the lessee." He took it that that might apply to the lessees at the time of the passing of the Act.

Mr. NELSON said he did not see the necessity for the latter part of the clause, which said :—

"But no such proclamation shall be made with respect to any land which has not been open to selection under the principal Act or some Act repealed by it, for at least five years before the date of the proclamation."

He did not think there was any occasion for that sentence, because it would be perfectly safe to leave the matter to the discretion of the Governor in Council and the Land Board. There were many places in the country that had not been open to selection for five years, and why should the Governor in Council not be able to proclaim those areas as areas which would come under the operation of the two following sections? He moved the omission of all the words from the word "but" to the end of the clause.

Mr. NORTON said he thought there was a great deal in the proposed amendment. They had to remember that the Act had to be administered by the board and not by the Minister, and surely they would have judgment enough to know whether it was desirable to throw open the land or not. The board had shown a great deal of discretion in the past, and there was no reason to expect that they would act unfairly. For his part, he felt certain that it was desirable to leave it in the hands of the board to proclaim what land they thought fit open to selection.

The MINISTER FOR LANDS said it would be highly desirable, at all events, that the powers of the Land Board, as well as those of the Governor in Council, should be defined within certain limits, because that would be an additional assistance to their judgment. If lands which had been thrown open for five years were not selected, that showed that in the judgment of the public they were not worth selecting. The judgment of the public would have preceded the judgment of the board and the Governor in Council, and on the whole he thought it would be more reliable. If the public had not taken up the land within five years the board and the Governor in Council, with such information as they had, would determine whether it should be thrown open or not.

Mr. LUMLEY HILL said he certainly thought the board were better judges as to whether land should be thrown open than the public as represented by the majority of the Committee—the men who sat behind the Government, and forced every one of their measures connected with land legislation through the House regardless of any principle of common sense. The party who constituted the majority were town members essentially, who did not understand the working of the land laws of the country. They thought Brisbane such a great place that it would go ahead by itself. A few years ago they were doing so uncommonly well that they thought the people outside must be doing a great deal better, so they tried to throw the taxation from their own backs on the people outside; but they were now beginning to realise the fact that they had not done a good thing either for the country or for Brisbane. As to the amendment proposed, he should be perfectly satisfied to leave the throwing open of the land, under the proposed amendments, to the judgment of the Land Board. Those amendments afforded more liberal means of access to the land than the Act of 1884.

Question—That the words proposed to be omitted stand part of the clause—put, and the Committee divided :—

AYES, 26.

Sir S. W. Griffith, Messrs. Dickson, Dutton, Rutledge, Miles, Foxton, Moreton, Sheridan, Kellett, Foote, Groom, W. Brookes, Aland, Bulcock, Isambert, Jordan, White, Campbell, Buckland, Wakefield, McMaster, Annear, Stevens, Macfarlane, Salkeld, and Higson.

NOES, 14.

Messrs. Norton, Chubb, Macrossan, Black, Nelson, Govett, Adams, Hamilton, Palmer, Donaldson, Jessop, Ferguson, Lumley Hill, and Murphy.

Question resolved in the affirmative.

New clause, as printed, put and passed.

Mr. WHITE moved the following new clause to follow the clause last passed :—

If the same person is the lessee of two agricultural farms, one of which is at a distance not exceeding ten miles from the other, the conditions of occupation may

be performed with respect to both farms by the residence of the lessee or another person, being his manager or agent, as prescribed by the principal Act, upon one of such farms; and such residence shall be equivalent to the residence of the lessee or that person upon each of the farms, and shall confer on the lessee in respect of each farm the same rights as his own residence or the residence of that person, as the case may be, would have conferred.

Mr. PALMER said it would be an improvement if, instead of the distance being limited to 10 miles, the clause applied to the whole of the agricultural district in which the land was situated. Did the clause mean 10 miles in a straight direction, or 10 miles by road?

Mr. LUMLEY HILL: Ten miles as the crow flies.

Mr. BLACK said that before they came to that he would move that the word "is" in the 1st line be struck out, and the words "shall after the passing of this Act become" substituted. He moved that in order to meet the explanation of the Minister that the Act was not to be retrospective.

The PREMIER said the word "is" was always used in modern drafting to express the time at which the question arose. It was the form of expression which had been used for many years. There was no reason why the same privileges should not be given to persons having selections at the present time as to those selecting after the Act came into force.

Mr. BLACK said the explanation given just now was that the Act was not to be retrospective.

The PREMIER: Nor is it to be.

Mr. BLACK said the hon. gentleman had just said that there was no reason why it should not apply to selections now in existence, as well as to selections taken up after the passing of the Act.

The PREMIER: That is not making it retrospective.

Mr. BLACK said they had been led to believe that a number of selectors were engaged in dummying—taking up selections without complying with the provisions of the Act. He had asked earlier in the evening whether the clause was intended to put them in a safe position, establishing them in the occupation of two farms when they had only complied with the residence clauses on one. He was told that it was not the intention to make it retrospective; and he merely wished that to be made perfectly clear.

The PREMIER said he supposed he must treat the hon. member's speech as serious; but the term "retrospective" was not ordinarily used in the sense the hon. member seemed to attribute to it. The clause provided that after the passing of the Act, if a man had two farms, residence on one would be equivalent to residence on both. That was not the same as providing that residence before the passing of the Act should be equivalent to residence on both, which would be retrospective. It laid down a rule which was only to apply after the passing of the Act.

Mr. ADAMS said that if the hon. member for Mackay would only look at the hon. member for Stanley he would see how he had borne the burden and heat of the day; he had been so long in the country that he had not a hair between his head and heaven. The hon. member for Stanley deserved a certain amount of credit; he did not bring in the amendment for his own purposes, but for the good of the colony. It was absolutely necessary that they should take into consideration that it was for the good of the colony, and he was perfectly satisfied that the hon. member would accomplish his purpose; and the consequence was that he would vote against the amendment of the hon. member for Stanley and for the amendment of the hon. member for Mackay.

Amendment put and negatived.

Mr. PALMER said he proposed to amend the clause by inserting after the word "other" the words "or both of which are within the same district."

The MINISTER FOR LANDS said the amendment was quite inadmissible if the object of the clause was to be carried out honestly. There were some land agents' districts 40 or 50 miles through, and what would be the good of a farm to a small holder 40 or 50 miles distant? The only effect of the amendment would be to enable a man to acquire land which would be utterly valueless to him except for dummying purposes, without requiring him to carry out the conditions. There would be some sense in confining it to the agricultural area in which the farm was situated, but even that would be excessive. Ten miles was certainly the outside at which a man could work a farm in conjunction with the holding on which he resided.

Mr. KELLETT said he was sorry the Minister was so illiberal in the matter. Why should the line be drawn at 10 miles? Could not a man work a farm as profitably 12 miles away as well as 10?

The MINISTER FOR LANDS: There must be some limit.

Mr. KELLETT said there was a limit proposed by the amendment within the same district. For his part he thought they ought to strike out the 10-mile limit, and put in the amendment of the hon. member for Burke, instead of including both. He did not see that it was very liberal to draw an imaginary line 10 miles or 12 miles away. If a man lived in the same district he could work a farm a longer distance away, as it was not necessary for him to ride over to it every day. The land was supposed to be waste land, and it was proposed to utilise it in some way by grazing stock upon it, so as to make it return a revenue to the country. If a man fenced his selection and made other improvements, it would not be necessary to ride over to it every day. It was not to be worked as an agricultural farm, because it was evidently land that could not be used for agricultural purposes at all; so that there was no sense in limiting the distance. The land was simply waste land, and if a selector was allowed to dispense with the condition of residence he would fence it and graze stock upon it for six months or eight months in the year. If the country was really waste land the Government ought to be only too glad to know that people would utilise it. There was a lot of it that men would not take up at 5s. per acre, and to make use of that land they might fairly agree to the proposition to make the condition apply to all land in the same district, instead of limiting the distance to 10 miles.

Mr. LUMLEY HILL said he considered the amendment ought to be accepted by the Government, as he did not see how a hard-and-fast line of 10 miles could be laid down. He intended to support any proposition that would contribute to make the provisions of the Bill more liberal, and give people greater facilities for settling upon the land. An agricultural farmer might want a "spelling" paddock for his horses or working bullocks, and he would just as soon go 15 miles as 10 miles, and leave them for two months or three months. He certainly thought the amendment of the hon. member for Burke ought to be accepted.

Mr. PALMER said anyone who had the interests of the selector at heart would accept the amendment, because a selector might have commenced in a small way, as had been said before that evening, and have taken up a small area, but as his means increased he sought opportunities to increase his holding. In the meantime he might be circumscribed, and the amendment would allow him an opportunity of going a little further and reaping the advantages given by the clause. It was giving the selector one more chance to struggle for a living on the land, and his chances were not too plentiful at present. All members who represented the selectors' interests ought to vote for the amendment.

Mr. ADAMS said if he were in order he would move an amendment after the one before the Committee was disposed of. He would ask the ruling of the Chairman whether, if the present amendment were lost, he could move another.

Mr. NORTON: Not in a preceding part of the clause.

Mr. ADAMS said if that were the case he would move his amendment at once. He would move that in the first portion of the clause—"when the lessee of an agricultural farm is the *bonâ fide* occupier of any country land situated at a distance not exceeding ten miles"—the word "ten" be omitted, and the word "twenty" be inserted in its place.

The CHAIRMAN: I may point out that the hon. gentleman is dealing with another clause. The Committee are considering the 2nd new clause.

Mr. MURPHY said it appeared to him that the restriction in the clause would press very unfairly upon some selectors. For instance, a man might have a selection in the centre of a good tract of land, and it might be more than 10 miles from such selection to the edge of the good land. Why should men in such positions be debarred from selecting any of that refuse land? The selector who was within 10 miles of it would be enabled to better his position; but a man in the same district who happened to be more than 10 miles from it could not take advantage of the clause at all. He would ask the Committee if that was not manifestly unfair. They were placing men who happened to be in one place in a better position than men who happened to be 3 or 4 miles further away from the waste land. He would like to see the clause passed without any restrictions as to distance whatever, so as to give every man a chance. If the principle were correct, why not extend it to everybody who had a selection? If there were refuse lands, was it not better that they should be occupied as soon as possible, and that it should be left to the judgment of the selector himself to say whether or not he could profitably work one selection in one place and another 40 miles off in the refuse land? If the lands were really refuse lands, and of no value at all, why not let the man himself say whether it would pay him to do that or not? Why lay down a hard-and-fast rule as to what a man should do? Why make fish of one and flesh of another? They were only giving that concession to a very small portion of the selecting community, and he really thought the Government ought to accept the amendment, or even enlarge upon it, by striking out the limitation altogether. All members who represented selecting constituencies ought to support the amendment.

Mr. SALKELD said that if he was in order he would move that "ten" be omitted, with the view of inserting "twenty-five."

The CHAIRMAN: The hon. member cannot move that now.

Mr. SALKELD: Will the hon. member for Burke withdraw his amendment, in order to allow me to move it?

Mr. JESSOP said he hoped the hon. member for Burke would not withdraw his amendment, which was really a good one, but that, on the contrary, it would be accepted by the Committee. It would be a very great hardship for people living in the back blocks to be limited to 10 miles. Their children were growing up, and they wanted to extend their operations, just as business men in towns did. The object of the Land Bill was said to be to afford greater facilities for settlement. The amendment pointed out a way of facilitating settlement by enabling a man to select additional land anywhere within a land agent's district. The "ten miles" should not be omitted, because, if a man happened to be settled on the boundary of one land agent's district, he would then be able to select within that distance in the adjoining land agent's district. He believed in offering people every facility to settle on the land, and for that reason he hoped the amendment would be carried.

Mr. KELLETT said that if the amendment was not accepted it would look as if the proposed new clause was intended to serve one man—the hon. member whose name was at the head of the paper containing it—and a few others who were placed in a similar position. He would refer the Committee to the Laidley district itself as a case in point. A man who resided near the township, close to the present railway station, would be debarred from taking up the mountain ridges at the head of Laidley Creek, while those who happened to be settled a very few miles further up the creek could do so. It reminded him of the hon. member, Mr. White, asking that the Laidley Valley Railway should be stopped at 7 miles from the township. As the clause stood it made the thing an utter absurdity; it should be made to apply, if at all, to an entire district, and not to a few men only who happened to be in the position of the hon. member.

The MINISTER FOR LANDS said he was surprised to hear the hon. member, Mr. Kellett, attack his colleague in that way. He believed that hon. member was actuated by the purest and best motives in bringing his amendments before the Committee. It had become the fashion to abuse the hon. member, Mr. White, and that afternoon it had been begun by the hon. member for Barcoo. At that he was not surprised, because it was not in the nature of the squatter, pure and simple, to bother himself much about the interests of selectors; but he was surprised to find the hon. member, Mr. Kellett, taking up the rôle of the hon. member for Barcoo, and abusing his colleague as he had just done. There was a want of magnanimity and generosity about it that was utterly repugnant to his feelings. Whatever purpose the hon. member, Mr. White, might have in view, he (Mr. Dutton) was prepared to admit that it would be a very desirable thing if kept within reasonable limits. If a selector had a grazing paddock more than 10 miles away from his agricultural selection it would be practically valueless to him, and hon. members must bear in mind that in the North there were land agents' districts 80 or 100 miles through them. The only reason for taking up such land at a greater distance than 10 miles would be to keep it away from those living in the immediate neighbourhood, and afterwards selling it to them at a profit when they had acquired the freehold.

Mr. KELLETT said the Minister for Lands was going just a little too far, and he would not allow the hon. gentleman to come the high and mighty over him in that way. He never said a word against the hon. member for Stanley.

What he said was, that if the amendment was not accepted it would seem as if the clause had been brought in solely for the purpose of serving that hon. member, whose name stood at the head of the paper containing the new clauses, and a few others who were in a similar position to himself. He would not allow the Minister for Lands to misquote and misinterpret his words in that way. He never said a word against the hon. member for Stanley.

Mr. W. BROOKES: You did.

Mr. KELLETT said he did nothing of the kind. The junior member for North Brisbane seemed to pose as the mentor of the Committee, but he would take care that he did not come the mentor over him. What he said was taken down by the reporters, and he would take what they reported him to have said before the opinion of the hon. member or the Minister for Lands.

Mr. W. BROOKES: You will find it in *Hansard*.

Mr. KELLETT said he was quite willing to abide by *Hansard*; he was perfectly satisfied with what it reported him to say, and had not had occasion to correct his speeches as therein reported once in twelve months, which was more than some hon. members could say. What *Hansard* would report him in the morning as having said was that if the amendment was not accepted it would seem as if the clause had been brought in solely for the purpose of serving the hon. member and a few others who were in a similar position. His (Mr. Kellett's) object had always been to improve the Bill and to let down the Minister for Lands as gently as possible; but when the hon. gentleman misquoted his words in the way he had just done, it was time for him to say that he would not stand it. The clause, he repeated, was a most illiberal one because it was only intended to suit a few people in a district.

Mr. MURPHY: One person.

Mr. KELLETT said he would not go so far as to say one person; it would suit the hon. member, Mr. White, and a few others who were in a similar position. With the 10-mile limit a selector residing on the flat country on the banks of a creek would be unable to utilise the mountains and ridges at the head of it, and would be debarred from the benefits which the clause would give to others whose selections were not very far away from his. One selector ought to have just the same chance as another, and the instance he had given of the Laidley Creek selectors was a fair example of how invidiously the clause unamended would work. That was his reason, and he was not imputing motives to anybody. He simply wanted to see the thing made as liberal as possible, because the law at the present time was very illiberal.

Mr. FOOTE said he did not think the clause was intended to apply to any particular district, that was to say to any district such as Laidley. He thought the intention of the mover of the clause was very good, and that the provision would apply to pieces of land lying waste in any locality, whether it was land in mountainous or sandy country. The farms of many selectors were limited to a considerable extent, and selectors had not the privilege of turning out their stock on any adjacent or unoccupied land, near their holdings. He thought that the distance within which a second area of land might be taken up should be limited, and that 10 miles was a very reasonable distance. He would not, however, have any objection to make it 12 or 15 miles; but 15 miles should be the outside limit, because land lying at a greater distance than that would not be of much advantage to a farmer, as it would take a great deal of time to drive stock there. And it should not be forgotten that land of the character which might be taken up under the clause was not calculated to carry much stock, unless there was a very good season indeed. He was of opinion that the clause as it stood was a very excellent provision, and that it had been introduced with the very best motives. He hoped it would be adopted by the Committee. He believed the clause would prove a beneficial one, as it would be the means of a great deal of inferior land being taken up, and when they took into consideration the fact that it would apply more to the settled than the outside districts, and that the settled districts were very thickly populated, he thought it must be admitted that it would be a very great advantage to a selector to be allowed to take up a second selection within 10 miles of his present holding.

Mr. ADAMS said he quite agreed with what fell from the Minister for Lands, that to allow a selector to take up another selection anywhere in the same district would be rather too much. He took it from the ruling of the Chairman the other night that if an amendment was lost the original motion would be put and another amendment could not be proposed on the clause. He therefore moved that the word "ten" in the 2nd line be omitted with the view of inserting the word "twenty." He was perfectly convinced, from seeing the country as he had seen it under its many aspects, that 20 miles would not be too great a distance.

The CHAIRMAN: I must point out to the hon. member that he cannot move that amendment unless the hon. member for Burke withdraws his amendment.

Mr. PALMER: With the view of having the amendment of the hon. member for Mulgrave tested, I will, with the permission of the Committee, withdraw my amendment.

Amendment, by leave, withdrawn.

Mr. ADAMS said he thought ten miles was not sufficient, and moved that the word "ten" be omitted, with the view of inserting the word "twenty."

Mr. KELLETT: Mr. Fraser,—I wish to state that the hon. member for Ipswich, Mr. Salkeld, was on his feet before the hon. member for Mulgrave.

The CHAIRMAN: The hon. member will excuse me. The hon. member for Mulgrave was in possession of the floor.

Mr. KELLETT: When the hon. member for Burke withdrew his amendment, the hon. member for Ipswich immediately rose in his place and addressed the Chair.

Question put.

Mr. SALKELD said he hoped the Government would accept the amendment. He had intended to propose that "twenty-five" be substituted for "ten."

The PREMIER: You can leave out the word "ten" and then propose anything you like afterwards.

Mr. SALKELD said that with regard to the remark made about the motives of the hon. member who introduced the clause, he might state that he had been spoken to on the subject by several persons, and had intended to propose similar amendments himself if those had not been brought forward by the hon. member for Stanley. He thought 10 miles was too short a distance to fix as a limit. Anyone going through the West Moreton district would see numerous instances where persons held paddocks more than 10 miles apart; in some cases they were 15, 20, and even 25 miles apart. He could not see

that any harm would ensue by making the distance 20 miles. There was no doubt that in every district that had been settled to any extent they would always find corners or places in which were left pieces of moderate or poorish land, from 100 to 200 or 300 acres in area, and no one would take them up without having some other land to work in connection with them. He believed that under that clause a great number of such areas would be taken up, that they would be improved, and that they would prove of use to those by whom they were selected. The Committee might safely leave it to the judgment of selectors themselves as to what distance it would be convenient to have those second selections.

Mr. LUMLEY HILL said he really thought that the Government should give the Committee some idea whether they were going to accept the amendment or not.

The PREMIER : We said so three or four times.

Mr. LUMLEY HILL : That they will not? It has only just been brought forward.

The PREMIER : It has been debated all the afternoon.

Mr. LUMLEY HILL : Not the difference between 10 miles and 25 miles.

The PREMIER : Yes.

Mr. LUMLEY HILL said the amendment had only just been proposed by the hon. member for Mulgrave, and spoken to by the hon. member for Ipswich, Mr. Salkeld. For his part, he could not see the slightest reason why the amendment should not be accepted. Very good reasons had been given for it, which had not been answered at all by the Government. The Minister for Lands fancied that any man who had outside proclivities, or had been a pastoral tenant, had not the slightest sympathy for agriculturists or selectors, but he (Mr. Hill) could assure the Committee that he had the greatest sympathy with their welfare and success. He knew perfectly well that the success of the towns was dependent entirely on the success of the outside people, and although the Bill was a bad one from the pastoral tenant's point of view, he wanted to see it made as good as possible from the agriculturist and selector point of view. He wanted to give them every chance of working the thing out to a successful issue and to induce them to take up every stray corner or patch of waste land, whether it was 10 or 20 miles away from their homestead.

The PREMIER said he must appeal to hon. members who desired to see the Bill pass to endeavour to assist in passing it. It was quite plain from the proceedings on the last two or three occasions when the Bill was in committee, that some hon. members did not want to see it pass at all. It was quite evident that if every word in a clause was to be debated over and over again, it would be impossible to get the Bill through in anything like a reasonable duration of the session. He therefore appealed to hon. members who were really in earnest in the desire to see an amendment made in the existing law to assist the Government in passing the Bill.

Mr. NORTON said he hoped the hon. gentleman was referring to his own side of the Committee as well as the Opposition side. Certainly most of the opposition or talking in connection with the amendment came from the Government side. The hon. gentleman was very fond of twitting that side with a desire to introduce amendments which the Government could not accept, but they took very little notice of that—it was beneath notice. If the hon. gentleman's statement applied to the Opposition side of the Committee it was not true, but there was an intention on the part of some hon. members to endeavour to make the Bill a better one than when it was introduced.

Mr. ADAMS said, as mover of the amendment, he was sorry to see that the hon. gentleman at the head of the Government had lost his temper. He had been in the House for three months and he was perfectly convinced that hon. members would give him credit that he had never tried to ruffle the temper of any hon. gentleman in it. He did not bring forward the amendment with any such desire, but having had the experience he had had in the colony, he was quite as well able to judge as any lawyer what was beneficial for the general public, and especially for those who desired to settle upon the land. He had introduced the amendment, not only in the interests of his constituents but in the best interests of the colony generally; and he was perfectly satisfied that if the hon. gentleman at the head of the Government knew as much about selection as he did, he would give way on that point with a good grace and not show his temper.

The PREMIER said the hon. member quite misunderstood him. He did not object to amendments being moved, but what he protested against was, that every trifling amendment that was moved was taken advantage of to talk about the same thing over and over again. He had not the slightest objection to the hon. member moving his amendment, but they had been discussing the matter for a considerable time, and the only way of arriving at a decision upon it was by coming to a division.

The HON. J. M. MACROSSAN said what the hon. gentleman had said was quite correct, but they must remember that they were discussing a Land Bill, and the hon. gentleman knew as well as he did that a whole session had been passed discussing a Land Bill, and then nothing came of it. He hoped that would not be the case in the present instance. If the hon. gentleman himself really wished to see the Bill pass he must keep his temper, and get his hon. friend the Minister for Lands to keep his. He thought for a moment, when he saw the Minister for Lands standing up in fighting attitude about ten minutes ago, that he did not intend to pass the Bill, and he (Mr. Macrossan) was a little surprised at the coolness of temper which the hon. member for Stanley, Mr. Kellett, showed in taking the reproofs he did from the hon. gentleman so easily. The Bill would be discussed. Of course, no one could stop hon. members from talking.

The PREMIER: You can only appeal to their good sense.

The HON. J. M. MACROSSAN said it was no use appealing to their good sense when they wanted to discuss a Bill. That was the first time he had spoken; he had listened attentively, and had formed his opinion on the Bill, and no doubt other hon. members were in the same position. If the hon. gentleman wanted to get the Bill passed, he must keep his temper; as it was he annoyed hon. members, not so much by his speeches as by his *sotto voce* interjections. He indulged in a great deal too many of them, and if they had fewer the Bill would get on a great deal faster. He (Mr. Macrossan) wanted to see the Bill pass, therefore he had said nothing about it. The subject now introduced was one which might be discussed to a considerable extent. It was not new, having been discussed years ago, and no doubt on the present occasion every member had made up his mind how he would vote.

Mr. MURPHY said the hon. the Premier was angry at the discussion that was taking place, and spoke as if amendments were introduced simply for the purpose of obstruction. But the Minister for Lands was the greatest obstructionist in the Committee when the Land Bill was being discussed, because whenever he got up he made a personal attack upon some one. He had made a personal attack upon him (Mr. Murphy) and he felt very much inclined to get up and answer the hon. gentleman in similar language; but he thought he would not reduce himself to that level, and therefore he left it alone. So far as the statements he had made about the hon. member for Stanley, Mr. White, were concerned, they were substantially true. He had not stated one word with regard to that hon. member that was not perfectly true, and he had a perfect right to say what he did. No doubt it did not please the Minister for Lands to hear his *protégé*, as the hon. member for Stanley, Mr. White, appeared suddenly to have become, spoken of in that way, and therefore he had taken up that bantling of the hon. member so very hotly. He (Mr. Murphy) considered that if the hon. gentleman at the head of the Government wanted to shorten the debates he should keep the hon. the Minister for Lands a little more under control.

Mr. KELLETT said he was satisfied that the speech that had just come from the Chief Secretary would not facilitate the business at all. The hon. gentleman said that the matter had been discussed over and over again; but he (Mr. Kellett) contended that it had not. The previous proposition was to apply the principle to the whole district, and now the amendment was to make it only 20 miles; and the Minister for Lands had not said a word on the subject——

The PREMIER: Yes; both of us have. I made two speeches myself.

Mr. KELLETT said the Minister for Lands said his objection to the previous amendment was that a man might take up land 50 miles away, but now it was proposed to make the limit 20 miles—30 miles less—and he (Mr. Kellett) could not see what possible objection there could be to it. The Minister for Lands had not expressed his opinion at all upon that, and he (Mr. Kellett) thought he would have accepted it at once. He would like to hear what objection the hon. gentleman had to it.

The MINISTER FOR LANDS said he did not say his objection was that a man might take up land 50 miles away, but that if the principle were extended to the land agent's district it might be 50 or 100 miles away. He objected to any extension beyond 10 miles, believing thoroughly that no man could make proper use of a branch farm at a greater distance than that.

Mr. MACFARLANE said he was very anxious to see the Bill pass, and for that reason he did not intend to talk much; but he would just say a word or two with regard to what had fallen from the hon. member for Barcoo in his last speech. What he said with reference to the mover of that amendment was not absolutely true. The hon. gentleman said that the selection of the hon. member for Stanley, Mr. White, was 10 miles away from his farm. Then the hon. member for Stanley got up and said it was only 3, but that was scarcely correct. He also wanted to say that the hon. member for Stanley had been blamed by several speakers, who said that he had introduced his new clauses from a personal motive. Now, in the West Moreton district around Ipswich, it was well known that the land had been nearly all taken up. There was some good land there, but if the area were limited to 10 miles it would quite prevent a farmer from getting any more land. It would not prevent those in the outside, but it would prevent those in the centre from getting good land. He did not think it would do any harm for the Government to accept the amendment of the hon. member for Mulgrave, and extend the distance to 20 miles, because if it would not pay the farmers to go 20 miles they need not do so, and therefore he thought it could do no harm, while it might do some good. He should therefore support the amendment of the hon. member.

Mr. JESSOP said he had always thought that when a Bill came into committee any hon. member could say what he had to say on the question. He was sure they were all aware that a good many members sat quietly on the second reading of the Bill, with the view of bringing forward some amendments in committee, and debating them; and he thought it was very unfair for the Premier to check any hon. member for speaking. That question had not been under discussion more than twenty minutes, and that was not too much time to allow hon. members to speak on it. He objected to being told to hold his tongue. The Minister for Lands seemed to think that some hon. members were not sincere, but he (Mr. Jessop) for one was thoroughly sincere, and he very much regretted that the hon. member for Burke had withdrawn his amendment without testing the feeling of the Committee on the question whether they should extend the limits to the boundaries of the district or not, as he was sure it would be of great benefit. Some hon. members had said that they thought the amendment had been brought forward by the hon. member for Stanley for his own benefit. He did not think so, and he did not think the Committee would legislate for the benefit of one man; they must do the best they could for all. He trusted the Committee would see their way to extend the distance from 10 to 20 miles, as he was sure it would be of great benefit to a great number of people. The Minister for Lands said that a person could not work two selections more than 10 miles from each other, but that was for the selector, and not for the Committee, to consider. If a person fancied he could manage two farms 15 or 20 miles apart, or even 50 miles, he should be the best judge, as the Committee could not tell what the man's circumstances were. If they meant to amend the Land Act, let them make it as liberal as they could, and give every facility they could to the selectors.

Question—That the words proposed to be omitted stand part of the clause—put, and the Committee divided:—

AYES, 22.

Sir S. W. Griffith, Messrs. Rutledge, Dickson, Dutton, Miles, Moreton, Sheridan, Foote, Brown, S. W. Brooks, Annear, Smyth, Kates, Wakefield, McMaster, Buckland, White, Jordan, Isambert, Bulcock, W. Brookes, and Aland.

NOES, 19.

Messrs. Norton, Macrossan, Chubb, Nelson, Jessop, Campbell, Hill, Murphy, Kellett, Govett, Foxton, Adams, Palmer, Higson, Ferguson, Donaldson, Salkeld, Hamilton, and Macfarlane.

Question resolved in the affirmative.

Mr. PALMER moved that the words, "or both of which are in the same district," be inserted in the 2nd line after the word "either."

Question put and negatived.

Mr. CHUBB said as the clause now stood it appeared to be doubtful, or at any rate open to argument, whether a selector might perform the conditions of residence partly on one farm and partly on the other—that was to say for six months on the one farm and six months on the

other. To remove that doubt he moved the omission of the word "one," on the 2nd line, with the view of inserting the word "either."

Amendment put and agreed to.

Clause, as amended, put and passed.

Mr. WHITE moved the insertion of the following new clause to follow that just passed:—

When the lessee of an agricultural farm is the *bonâ fide* occupier of any country land situated at a distance not exceeding ten miles from the nearest part of the farm, and personally resides on such country land, such residence shall be equivalent to the residence of the lessee upon the agricultural farm, and shall confer on him the same rights in respect of the farm as his residence on the farm itself would have conferred.

Mr. JESSOP said that, after the debate and division on the amendment to the last clause, it would be hardly worth while for any member to propose any alteration on that clause, unless the Minister for Lands declared his willingness to accept it. But he thought the Government might very well accept a certain amendment there, because it referred to another class of land altogether on which it would be of still greater benefit to have land at a greater distance than 10 miles. It would be in the recollection of hon. members that during the drought showers of rain fell 15 or 20 miles away from the homestead when none fell on the homestead. He begged to move the omission of the word "ten" in the 2nd line with the view of inserting "twenty-five." The clause referred to a different class of land altogether; it meant grazing areas.

The PREMIER: No; it only refers to agricultural farms.

Question put and negatived.

Mr. NORTON said that that might be a convenient time to refer to the point brought by him before the Committee the other evening. He meant allowing a man to occupy country land without the condition of residence if he occupied suburban land and cultivated fruit upon it. If the Government approved of that proposal, they had given no information to that effect, but they appeared to receive the matter so coldly the other evening that it was hardly worth while bringing it forward.

The PREMIER said he had considered the matter very fully when the hon. member had first referred to it, and again when he had referred to it that afternoon. He did not see how it could be practically carried out. Every man who had a 16-perch allotment of suburban land, or even quarter of an acre, would, by the proposal, be entitled to take up an agricultural farm of the maximum area without performing any conditions of occupation at all. That was a very large extension of the clause just passed.

Mr. NORTON said that the conditions would be that any occupant of suburban land having a certain area under fruit cultivation should be entitled to take up so much country land. It might be put in such a way that it would not apply to all cases. The object was to induce cultivation of the land for fruit-growing.

The PREMIER: How could you have fruit-growing without occupation?

Mr. NORTON said the fruit-growing was done on the suburban land. The gentleman who had written to him on the subject had 9 acres of suburban land, which he used as an orchard, and in order to utilise the whole of it for that purpose he wished to take up country land without the necessary residence, where he could feed his horses and a few cows. But it was no use making the proposal.

Clause, as amended, put and passed.

Mr. ISAMBERT said he would move the following new clause respecting settlement on homestead selections:—

Agricultural Townships.

The Governor in Council may by proclamation set apart any Crown lands not exceeding two square miles in an agricultural area in which the maximum area of any surveyed farm does not exceed one hundred and sixty acres as an agricultural township, and may cause the whole or any part of such lands to be subdivided into portions for purposes of residence.

The area of any such portion shall not exceed one acre.

The Governor in Council may reserve agricultural farms, the maximum area of which does not exceed eighty acres, in the immediate neighbourhood of any such agricultural township, for selection by such selectors only as shall reside for a term of not less than two years on a portion of such township.

Any selector of an agricultural farm in the agricultural area, the area of which does not exceed eighty acres, shall also be entitled to one of the portions in the township, which portion shall, for the purposes of this section, be deemed to be a part of the farm, and, for the period of not less than two years from the date of the commissioner's license, residence on the portion in such township shall be deemed to be residence on the farm.

The value of any improvements made upon the portion in the township shall be reckoned as part of the improvements required to be made upon the farm, but not to a greater extent than one-fifth of the value of such last-mentioned improvements.

For the purposes of this section the Governor in Council may make such regulations, and impose such conditions, and enter into such agreements with any party or parties of intending selectors as may be deemed necessary for the purpose of establishing any such agricultural township.

The object of the clause was to overcome the great difficulties which beset the agricultural settler. Every colonist who had only a limited knowledge of the conditions of settlement must be impressed with the immense hardships that beset the settler in consequence of scattered settlement. Settlers were isolated from many social comforts and facilities, and particularly when sickness overtook them they felt the isolation more severely. If settlement had been carried out in a more systematic form from the foundation of the colony, the squatters and pastoral tenants would have been less disturbed than had been the case, and the comforts of the people would have been more studied thereby; in addition to that, with more systematic settlement, the government of the country would have been facilitated and cheapened. Nowhere was there a greater necessity for systematic settlement than in the North, where the natives were as yet very troublesome, and harassed isolated settlers. He had been particularly struck, in travelling through the North, with the difficulties of settlement compared with the more thickly populated settled districts of the South. The new clause which he proposed was no alteration of the existing law, but it gave the Government power to reserve agricultural townships, and grant the privilege to settlers of living in a township together for mutual assistance and protection, and cultivating their farms by going out to them and not being obliged to live on them. By doing so they could assist each other. They would be able at once to establish schools, churches, and hospitals. From such centres of population it would be easy to construct roads and connect the centres of population, and in many respects, by co-operating, the settlers could overcome together difficulties which it would take years to struggle against and overcome singly. The advantages of such settlement were so great and must be so apparent to every man that it required no further explanation from him. He therefore moved the clause which he had read.

The MINISTER FOR LANDS said the object of the clause was to concentrate agricultural settlement, and he believed that was a very desirable object indeed; but whether it would attain that object or not he thought was not quite so certain. There was no doubt there was a good deal in it repugnant to Englishmen and Irishmen, and also to his own countrymen, who did not like to be confined to any particular locality strictly defined; but there were some who would appreciate the benefits that would result to them and their families from living in a community where they would have the advantages of education and social intercourse. A great many of the advantages that might have resulted from homestead settlement had been lost owing to selection having taken place in isolated areas all over the country. Many selectors had to fight an up-hill battle, and in many cases after they got their deeds they had been compelled to sell their land, because they found the difficulties connected with the business of an agricultural farmer almost insuperable. Under such a scheme as that just proposed, or something approaching closely to it, agricultural selectors would have all the advantages to be derived from being surrounded by men occupied in the same way as themselves, besides general social advantages, which could not be too highly estimated, and also convenience of access to markets. He believed the system would be appreciated by some people, though it would be a long time before his own countrymen would be willing to take advantage of it.

The HON. J. M. MACROSSAN: What class would appreciate it?

The MINISTER FOR LANDS said it would probably be appreciated by a great many men from England who were there engaged in agriculture, and who would prefer following their occupation in the same areas with other people to being scattered all over the country. When he spoke of his own countrymen, he meant Australians, who were impatient of restraint of any kind, a great many of them leading nomadic lives. It would be well for many of them if they submitted to more restraint, and had to take up land subject to such conditions as were now proposed, for it must be patent to everybody who had observed the effect of isolated settlement in New South Wales, especially where selection before survey was practised to such a large extent, that such settlement was not attended with beneficial results, but that in many cases families were brought up as white savages. The proposed clause would go a great way towards correcting that. In many districts the land was not sufficiently good or the good land was of too circumscribed an area to enable settlement to expand in the way proposed, but there were still some places where it could be done, and he thought the experiment should be tried. It would do no harm and might result in good.

The PREMIER said he was disposed to think that residence in the township should be entirely at the option of the selector.

The HON. J. M. MACROSSAN: Have you read the clause?

The PREMIER: Yes; a good while ago. The hon. member for Rosewood thought that agricultural selectors should be compelled to form a sort of township for mutual defence.

The HON. J. M. MACROSSAN: A socialistic affair.

The PREMIER said he did not care whether it was socialistic or not; but he thought it would be better if the latter part of the 4th paragraph read thus:—

"And for a period of two years from the date of the commissioner's license, the condition of occupation may be performed by the residence of the lessee on the farm."

That would make him reside on the farm for two years; and if there was any objection to that, it might be convenient to provide that he should reside on it for the whole of the time.

Mr. ISAMBERT said the object of the clause was to provide that farms immediately abutting on townships should be reserved for those who preferred to live in town; so that those farmers who preferred to live in town should have the privilege of selecting the farms immediately abutting on the town. If only ten farmers could be induced to settle together, it would form the nucleus of a civilised community, and become a centre round which settlement would progress with greater facility. It was only by forming a centre of population that settlement became possible in distant parts of the colony, owing to the danger to be apprehended from natives and other causes. In the settled districts it was not necessary, but in the North it was absolutely necessary to form centres of civilisation. He would point out that it was optional with the Governor in Council whether the clause was put into operation or not.

Mr. CHUBB said the scheme was an original one so far as the Committee were concerned, and there were some difficulties in the way. The creation of townships apparently limited the right to live in any one of them to the owners of farms near those townships; and if that was the case, how were the grocer and the baker to get a foothold unless they lodged with farmers? No provision was made by which any stranger could get his nose inside that Arcadian city in the wilderness. Another point was—how were those portions to be allotted? Would they be attached to the farms, balloted for, or would the first comer have the choice?

The PREMIER: That would be settled by regulation.

Mr. CHUBB said that the last clause gave the Governor in Council power to make agreements for establishing such township settlements. That might commit the Governor in Council to a good many things—to make one agreement with one man and a different agreement with somebody else. What kind of agreement was it to be? There ought to be a little more light thrown on the subject.

Mr. ISAMBERT said that, as he had already explained, the clause would only apply to a very limited number of farms immediately abutting on the town. It only ten, or even five, would start, it would form a nucleus. It was only reserving the homesteads immediately abutting on the township to those who preferred to live in town. Those who did not prefer to live in town could go into the second series remote from the township.

Mr. CHUBB said, as he understood it, the object was to create a town, and get a few persons to settle down by giving them the right of priority in selection.

Mr. W. BROOKES said that, though the amendment seemed somewhat singular to them, yet he did not think the idea was an original one. As for the socialistic element in it, he was not a bit afraid of that. He believed the idea was an American one—the hon. member for Townsville could tell them.

The HON. J. M. MACROSSAN: The Shakers' idea.

Mr. W. BROOKES said the system was established long before the Shakers were ever heard of. He believed it was the original idea of settling the United States. The township was certainly at the centre of all United States progress. He believed it would be a good thing to encourage closer settlement. They all

knew the long distances in the country that children had to go to school, the long tiresome journeys that had to be made to church or to the post-office, and the want of any centre of intellectual recreation, such as schools of arts or libraries. He was not infatuated with the amendment, but he thought it would possibly do some good. He claimed for it the support of the junior member for Cook, whose desire for the good of all was so well known. It might be the means of introducing a civilising, softening, humanising element into the country districts. He was inclined to think it would work, and if it would work he was quite sure it would do an enormous amount of good.

The HON. J. M. MACROSSAN said the only resemblance between the proposal of the hon. member for Rosewood and the township system in the United States was in the word "township," and that was a very remote resemblance indeed. The township in America resembled more the agricultural area which the Bill provided for. The whole country was divided in the survey into townships of 36 square miles—1-mile blocks. Each block was cut up into half-sections and each half-section into quarter-sections, so that there were four quarter-sections in each block. What were called townships were really agricultural areas, but there might be no town at all. The hon. member for North Brisbane, Mr. Brookes, had confounded the ordinary township system of America with Shakerism and free-loveism, and all other sort of "isms" that had started socialistically in the State of New York. No doubt the proposal of the hon. member for Rosewood might suit that class of people very well; and he thought it was that very class of people that it would suit. He quite agreed with the Minister for Lands that the people of Australia were rather too free in their ideas to accept the restrictions imposed by that clause. Looking at some of the restrictions, it seemed as if the hon. member must have got his ideas of settlement, not from any settlement taking place all over Australia, but from some country where people were compelled to settle, as in the military settlements of Russia. A man had to reside two years on the township before he had any right to a farm; how did that come in with our ideas of settlement? The thing was too absurd. If the hon. member could get people such as were spoken of some four or five years ago as coming to the Central district—the Mennonites from Southern Russia—people with the same ideas and the same religious faith—then he might possibly carry out settlement of that kind; but he did not see how it was possible with our mixed and diversified population. Of course the Government would accept the proposition. It came from a member on the Government side of the Committee, and that was almost a sufficient warrant for anything, however fantastic—to use a term which had been applied to that scheme. It was not only fantastic, it was hybrid settlement, and not the settlement they had been in the habit of encouraging. Had the proposition come from the Opposition side, the Minister for Lands would have laughed at it instead of treating it so mildly and saying it might possibly work with some classes of people. The hon. gentleman was very careful not to mention any class of people until he was pressed, and then he said he meant Englishman who were accustomed to do as they were told—people who had no will of their own. He presumed the hon. Premier was preparing an amendment to the clause; but he hoped, for the sake of keeping the Bill as it ought to be, that it would not be accepted, although he was afraid it would be. The question had nothing to do with the Bill as brought in by the Government, and if the hon. gentleman wished to carry out a particular kind of settlement like that he proposed, he should bring in a Bill to establish it and work it under that Bill, instead of bringing it in in one clause, because it certainly would require more elaboration than that.

Mr. PALMER said that was just the clause that they might expect to emanate from the hon. member for Rosewood, with his ideas of "loan fund," and "capital," and so on. It was exactly in keeping with the hon. member's expressions from time to time. But the great drawback to the scheme was that it was not practicable. For instance, the hon. member ordered townships to be built in certain places. Could anyone identify a township of which it might be said that it was ordered to be built in a certain place, and it grew? They had all grown by themselves from one cause or another, or from hundreds of causes, perhaps,—a camping ground on some suitable spot, or a blacksmith's shop, or a shanty. To say that the Government should survey a township, and that the residents should live there two years before they got their farms, was ridiculous. How were they to obtain a living in the meantime, in order to acquire that freehold of eighty acres in the agricultural area? The hon. member for Rosewood, in introducing the clause, said one of the reasons why it would be useful, in the North particularly, was the danger from the blacks. The hon. gentleman said the system would offer a means for people to crowd together to protect themselves in the townships. If so they would have to leave their farms, and stock, and implements at the mercy of the blacks. They would be fleeing from a danger instead of facing it, and exposing their wealth, whatever it might be, to the depredations of the blacks. Another drawback to the scheme was that new chums would dissipate their fortunes in those towns. New-comers must concentrate their energies upon the land they had taken up, and if they had to go two or three miles back to the township—that Utopian idea—they would waste the best part of their time. The whole scheme was very pretty on paper, and reminded him of Sir Thomas More's city of Utopia which he was going to build, but which never came to anything. He was afraid that the ideas of the hon. member were not practicable. He should like to see the hon. member successful; but his sentiments would not apply to their everyday colonial life, and the settlement of land under the peculiar circumstances under which it always had been settled in the colony, and always would be. There was a sort of colonial "twang" about their settlement and the growth of their townships, that no introductions from the Continent, or Russia, or America, would apply to.

Mr. ISAMBERT said he was surprised to see how hon. members misunderstood the purport of the clause. It would be manifestly unfair to make those who selected farms near a township live on their farms. The clause would reserve the farms near the towns for those who preferred to live there, and those who liked to live on their farms could do so; but they should be further out. It was simply giving the priority of selection to those who preferred to live in the township, which would be a centre of civilisation. If only ten farms were reserved the object would be accomplished. There would be no compulsion in it.

Mr. S. W. BROOKS said he thought the question was a little muddier than it was before. He thought the system was very well described by the hon. member for Townsville as "fantastic." Let hon. members imagine that Chamber in which they were sitting to be an agricultural area split up into 80-acre

and 160-acre farms, was it to be supposed for one moment that a farmer who occupied a farm right at one end would go into the township every night? Of all occupations in the world that needed constant attention day and night it was farming. The farmer must be there at the earliest break of day, or before the break of day. As some hon. members had said, the clause was worthy of the hon. member for Rosewood; it could have come from no other member in the Committee, and he, for one, would decidedly vote against it. It was most preposterous.

Mr. W. BROOKES said that it was all very well to call it preposterous; but immigration had been carried out in Manitoba much upon that plan. Numbers of Norwegians, Danes, and Germans landed at New York, and they and their bags and baggage were conveyed to a waste piece of ground prepared for them by the Government, and there they had established townships very similar to those proposed by the hon. member for Rosewood. That sort of immigration was still going on in Canada and Manitoba, and liberal men, well-wishers to the Irish, had settled some of the most inhospitable places in Manitoba, with a climate infinitely inferior to theirs, on some such plan as that. Of course it was Utopian to Australians, and it was a great pity that Australians were not more acquainted with the idea. To talk about "free-love" and "Shaker" societies was not fair, because those were the results of a vicious state of mind. The hon. member for Townsville knew that settlements like those were made before he was born. It was a proposition that might very well be discussed, and it was just possible that the amendment might be lost; but he felt that the Committee should be grateful to the hon. member for Rosewood for introducing a style of settlement into the country, which would knock the squatters into a "cocked hat." Townships of that kind in America were the centres of the strongest democratic feeling; they exhibited the active principle of Puritan sentiment in the United States, and in them the liberties and the freedom of the country had been conserved and advocated. There was nothing like it in Australia, but hon. members might make up their minds that the time would come—it might not be in their day—when it would be seen that it was the proper way of settling the country. As far back as 1860, agricultural areas, so called, were set apart for settlement of that kind but when the immigrants got there they found nothing but stony ridges, on which they broke their hearts. The idea embodied in the amendment shadowed forth the best possible system of peopling a great territory like Queensland.

Mr. McMASTER said he hoped the amendment would be carried, and he regretted very much to hear his colleague describe it as preposterous. He had not been to America, but he had been in Scotland, where the people were civilised, and he might inform the Committee that over a very large portion of the Highlands of Scotland that very system had been carried on for ages. In the part from which he came a village was formed, consisting of twenty-five or thirty families, with their farms surrounding it. They lived close together, had their schools and churches, and met in the evenings for mutual benefit. In some villages there was a reading-room to which they resorted. If not, they met at the fireside, and had a quiet chat about the affairs of the nation. The sooner they adopted that plan of settling people on the land in Queensland, the better it would be both for them and for those who came after them. It was a step in the right direction. Of course, care would be required on the part of the Government. It was quite true that the so-called agricultural land set apart by the Government of the day, when the hon. member, Mr. Jordan, sent out some of the finest men who ever came into the colony, was nothing but dry, gravelly, stony ridges; but if the Government took care to set apart good agricultural land, and selected proper sites for townships, the amendment would afford the means of settling large and thriving communities in places where townships were at present unknown. He would not go quite so far as to say that the amendment, if carried, would knock the squatters into a "cocked hat." He should be very sorry to see that, as the squatters were a class of people who should be encouraged to a certain extent. He admitted they were a class of people who could not be satisfied; the more they got the more they wanted; but they should have justice for all that, and when their land was required for agricultural or township settlement, they must move a little further on.

Mr. LUMLEY HILL said that after what the Premier had said about obstruction, which was evidently directed at him, he rose with great diffidence to say a few words about the proposed amendment. He would remind the hon. gentleman, however, that they were considering what was virtually a new Land Bill, and as he had never had an opportunity before of expressing his opinions on the land question in general, he might have spoken oftener than he would otherwise have done. As to the amendment knocking the squatter into a "cocked hat," it would do no such thing. The two classes would not interfere with each other, and what he wished to see more than anything was that they should not be brought into collision, and one class should not be continually scoffing at the other. Any agricultural area or collection of farms, located as was proposed, would not in the least interfere with the position of the pastoral tenant as he was at present. There was plenty of good agricultural land suitable for the purpose in the Cook electorate—rich scrub land where farms not exceeding 80 acres would afford an abundant living and something over, and where a farm of even 40 acres would bring in a competency. The scheme posesssed great advantages. It centralised the people, and would enable them to get their children well educated. It would facilitate the erection of hospitals——

An HONOURABLE MEMBER: And lockups!

Mr. LUMLEY HILL: And lockups, if they were needed, and would enable government to be carried on more economically and with less friction. He should have no hesitation in voting for the amendment. It was a step in the right direction, and if given a fair trial it would be found a success. It might be Utopian, according to their ideas and according to the system they had been working under; but anything would be an improvement on the Act of 1884, which had been proved to be utterly unworkable. No experiment of that kind could be too extravagant for them to try, more especially as it could be regulated by the Governor in Council, and pressure could be brought to bear on the Government if the scheme were found wanting. He would be glad to support the amendment before the Committee.

The HON. J. M. MACROSSAN said that if the Minister for Lands had any doubts about accepting the amendment they ought to be removed now when he was told that the Land Act of 1884 was so unworkable that that fantastic and Utopian proposal would be an improvement. The hon. member for Cook, Mr. Lumley Hill, recommended that the experiment should be tried on some of the fine agricultural lands in the district of Cook. He (Mr. Macrossan) knew something about that district; but he had

not yet discovered the fine agricultural lands there on which an experiment of that kind, if successful at all, would succeed. For such a scheme to succeed, the 80-acre farmers would want a market for their produce, and there was no market in the district of Cook. He knew there was good agricultural land in that part of the colony; but it could be got now for half-a-crown an acre, so that they did not want the experiment in that locality. It was preposterous to suppose that a person would take up a farm in a rich scrub and go to it every morning and return to the town at night. The arguments of the junior member for North Brisbane rather astonished him. The hon. member was, however, capable of taking up anything strange. But he tried to make the Committee believe by a sort of side assertion that the success of immigration to Canada and the United States for the last five or six years had been owing to some scheme such as that before the Committee. The hon. member should know better. The great success of immigration to Canada had been owing to the fact that the land was given away for nothing, not in little townships of the description proposed to be established under the amendment, but by giving every head of a family who chose to take it an area of 200 acres, and every person of eighteen years of age, no matter of what sex, an area of 100 acres; so that a man with a family of four or five grown-up children could get a large block of land; and the conditions under which it was held were very easy. The districts of Manitoba and Ontario, and other agricultural provinces in Canada, were settled in that way, and not by any such fantastic scheme as that proposed by the hon. member for Rosewood. He (Mr. Macrossan) need not repeat what had been said that evening and on other occasions about American Land Acts. The only thing of that kind that could be discovered in America was amongst the institutions he had mentioned. There were, he believed, people in Southern Russia of a similar character who lived in villages — namely, the Mennonites who wanted to come to Queensland. He had no doubt that the scheme might be very successful with such people, but they did not want to induce people of a certain class to come to the colony and live in communities; they wanted them to mix, and not to be divided into classes. They wanted to civilise them and rub off the prejudices which class living and class legislation always engendered. He did not know that very much could be said about the amendment, further than that it was an experiment which, if the Government wished to humour the member for Rosewood, they were, of course, at liberty to try; but he did not think any more blots should be put on the Land Act, and he was quite certain that would be a blot. If the system was at all practical let it be elaborated by some competent person, such as the hon. gentleman at the head of the Government.

Mr. ISAMBERT said he was astonished at the hon. member for Townsville thinking the amendment such an outlandish proposal. In South Australia and New Zealand in the early days there were large tracts of land purchased by Englishmen, on which somewhat similar settlements were formed, and he thought the Government could be quite as sensible as any speculator. If the scheme was found after trial to be a failure, then the experiment need not be repeated. He could assure the hon. gentleman that there was no socialistic intention behind the amendment. He (Mr. Isambert) had already received numerous inquiries for such settlement as he proposed, not from people outside, but from persons living in the colony. There were many young people growing up in the country who did not know where to get land, and as the hon. member for Cook, Mr. Lumley Hill, had stated, there was ample scope for trying the experiment in the rich scrub lands of the Cook district. It was to those parts of the country that the scheme was applicable. As he had already stated, that sort of settlement had been successfully tried in South Australia and New Zealand. His amendment left it entirely in the hands of the Government to prevent any mischief being done. The proposed reservation would be of limited area, and what was left of the reserve could be cut up into town lots and sold to persons who wished to live in the township. The scheme would not in any way interfere with the settlement of the land under the Land Act.

Mr. DONALDSON said he had listened with considerable attention to the hon. member for Rosewood to hear what proofs he would give that his scheme was likely to be successful. The hon. member had referred to settlements of a similar nature in South Australia and New Zealand. Now, they had no such settlements in either of those colonies. There were certain centres of population there, but on a basis quite contrary to that of the scheme proposed by the hon. member. With regard to the settlements in New Zealand, they were military settlements formed upon conquered lands, and the result there was that as soon as the soldiers got their title-deeds they sold out, and now, instead of settlements there were a number of large estates. He (Mr. Donaldson) knew from his own knowledge that not one of those settlements was a success. The men were compelled to take the land as part payment of their wages, and after a certain time they obtained a title, when, as he had just said, they sold the land. None of the people for whose benefit the land was intended were settled on the land. The object in view in forming those settlements was to afford protection to the people settled there against the Maories. That was the object they had in view. It was not for the purpose of forming some socialistic society, such as had been hinted at in connection with the scheme. He thought the hon. member for Fortitude Valley had spoken very sensibly when he said that a farmer required to give his whole attention to his farm. Now, supposing, for argument's sake, that settlement under the proposed scheme did take place, it would require 96,000 acres to settle 1,200 persons on 80 acres each.

Mr. ISAMBERT: Nonsense!

Mr. DONALDSON said it was not nonsense at all. That was the quantity that would be required, about 12 miles square; and if they compelled a farmer to travel 6 miles out to the limit of the settlement—because they could not all be alongside the town—what time would he have to look after his farm if he had to travel 12 or 14 miles a day to get to it? No industry required more constant attention than farming. He had been a farmer himself, and he knew that it required great attention and long hours of labour; and often very poor pay was obtained for that labour he was sorry to say. With regard to this colony, where could they get agricultural districts where they could form settlements of that kind? The hon. member for Cook said there were some portions of land in his district.

Mr. LUMLEY HILL: Plenty.

Mr. DONALDSON: But where was the market? What was the use of asking people to settle down on 80 acres of land without a market? It was quite different in other countries—the conditions were quite different to what they were here, because there they had large populations with markets for everything that could be produced on a farm, and, of course, such a system

might be profitably worked there. But certainly it could not be if a man had to live five or six miles away from his farm. Again, with regard to the agricultural land in the Cook district, he believed it was chiefly fit for sugar. At any rate, it was not wheat-growing country.

Mr. LUMLEY HILL: You know nothing about it.

Mr. DONALDSON said he had not been there, but he had been informed that it was not wheat-growing country. If any proof could be given——

Mr. LUMLEY HILL: Wheat is not the only thing it pays to grow.

An HONOURABLE MEMBER: Pumpkins.

Mr. DONALDSON said it would certainly require some inducement for a man to go on a farm there. It was a very serious question. He would like to see every inducement given for that kind of settlement. It was not antagonistic to squatters.

The HON. J. M. MACROSSAN: Quite the reverse of that.

Mr. DONALDSON said he was quite willing to do anything that he believed would be favourable to the farmer, but he could not see any inducement for a farmer to go upon 80 acres of land in the way proposed. It would be better for him to take up a larger area under another portion of the Act. He was perfectly satisfied that the system would not work. He agreed with the remark of the hon. member for Townsville, that it was not desirable to bring people here from other countries to settle down in communities. The more the people mixed up with each other the better it would be for the future of the colony. That was an undoubted fact, because where any particular class got together they were narrow-minded in their ideas. Education would do those people little good, but if they mixed up with the general community it would have a civilising influence on them. He did not care how ignorant people were who came here; if they mixed up with the community, not only would they add to it but they would be of very great assistance. He had seen small communities before in Australia, and was satisfied that it was far better for them to be mixed up with the general community. Therefore, he should set his face against anything of the kind proposed. It was an experiment that he was satisfied would not be successful; he did not think it necessary to debate it at great length, but merely rose to enter his protest against it, and to prophesy that it would not be a success.

Mr. LUMLEY HILL said there appeared to be a considerable amount of misapprehension with regard to the capabilities of agricultural development, and also with regard to the markets of the district he had the honour to represent. He could assure hon. members that markets there were developing rapidly. They had a market at the Palmer Gold Field, which was now reviving again; they had the Normanby and Hodgkinson Diggings, and all round about Herberton and Tinaroo, where mining operations were going ahead very fast, and in a manner which promised to support a very large population; so that they would have a very profitable market for a great many of the various articles which could be grown exceedingly well in that part of the country. He was not quite sure whether wheat could not be grown on some of the uplands. He believed it could; the soil was very good, and the climate was cool. There were tablelands, with an elevation of something like 3,000 feet, and with a climate very much resembling that of Toowoomba and Warwick—places very much farther south. He regretted very much to have to discuss a matter of that kind in that way; but there were some members in the Committee who were so very ignorant of the requirements of the different districts of the colony that he was obliged to allude to it in order to show that there was a possibility of the proposed agricultural area scheme being a success. He could assure the Committee that there were plenty of products which could be grown in the agricultural portion of the Cook district, and for which they had the markets of the world at their doors. It would grow coffee, rice, sugar, and——

An HONOURABLE MEMBER: Tobacco.

Mr. LUMLEY HILL: Yes, tobacco; bananas, and all sorts of tropical fruits; in fact, they were growing them now and exporting them to the Southern markets; and why should they not be able to continue to do so? It was no use for hon. members to say that they could not get a market, because they had a market now, and carried on their operations with considerable profit.

An HONOURABLE MEMBER: With coolies.

Mr. LUMLEY HILL: With kanakas, Javanese, and all sorts of people; they were a mixed lot. He could not help laughing when he thought of the civilising influence mixing up was supposed to have. Certainly there were a great many colours and shades of people employed in cultivating the soil in the district he had the honour to represent.

Mr. NORTON said he was one of those who took some interest in the amendment of the hon. member for Rosewood, and he had listened attentively to what that hon. member had to say on the subject. He was quite sure that theoretically it was a very good amendment, which could do no possible harm in connection with the Act they had at present to work under. It had been said on a previous occasion, and often repeated, that almost every man in the House carried a Land Bill in his pocket, and certainly they were getting a good many amendments from the Government side of the Committee. He thought, however, that the amendment deserved to be considered on its own merits, quite apart from anything in connection with the Land Bill of the Government. He could only say that theoretically the proposal was a good one, but how it would be carried out, in case it was ever brought into operation, was quite another matter. For his part he did not think it would do any great service. He knew from what the hon. member said that his idea was that a number of people would take up selections in an agricultural district, and that they would all come to live on those allotments in the township. That was all very well and satisfactory if they got, say ten farms, but when they got beyond ten farms they would have the difficulty of the distance which the men would have to travel backwards and forwards to their work. He (Mr. Norton) had had nothing to do with farming for many years, but before he came to Queensland he lived in a district where a great deal of farming was carried on, and he had had something to do with it; and his experience was that if a farmer was to live well by his land the earlier he got on to it and the longer he stuck to his work the better. That would be impossible for a number of men taking up selections as proposed by the hon. member. But there were other reasons why men should live on their land. If they lived a mile or mile and a-half from the land under cultivation, what a racket the cockatoos would make with the corn! It was not much corn the farmers would get. Another difficulty was that if a large area of land were occupied in that way the farmers would be all bound solely to the cultivation of

their own soil. Many of those men started in a small way and looked to get employment elsewhere. He knew that in the district where he lived when the small man had finished his own operations he sought and obtained employment from his larger neighbours. That could not be got in such a community as was proposed; or the men would require to be much better off than the men who now commenced in a small way. He did not like to say anything that would hurt the feelings of the Minister for Lands, but there was a general feeling outside that that hon. gentleman was a little cracked in his upper story, and when it was known that he was so ready to accept all the grotesque proposals brought forward the feeling outside would be confirmed in that respect. They all knew that the hon. gentleman had a hobby, but he not only stuck to his own hobby, but was quite prepared to put all other jockeys on to ride their hobby horses. Speaking seriously, he thought the Government had made a great mistake in regard to that land measure. It was their business when they brought in an amending Bill to make up their minds what it was they would amend in the original Act, and they ought to have been prepared to go on with that and let the House know it. Instead of doing that there had been a crop of amendments, and a great many more were in view, and putting them all together, they occupied more time than the Bill itself. The Minister for Lands did not like to refuse the amendment of the member for South Brisbane on his land-order scheme, nor to refuse the member for Rosewood on his agricultural townships scheme, and so on. But where was it to stop? The Bill instead of being a Government Bill would be a mass of amendments of the most diverse character, which nobody thought of ever being brought before the House when the Bill was introduced. The leader of the Government seemed disposed to blame hon. members for causing delay by discussions, but it was the Government's own fault entirely. If the Government were prepared to listen to schemes of that kind, which were purely experimental, and which he thought were very impracticable also, and to accept them, or half accept them, they must expect that any amount of amendments of different kinds would be brought down and discussed in the hope that part of them at any rate would be carried. Theoretically he thought the hon. member for Rosewood was quite right, but when it came to practice he did not think his scheme would work. He did not say that because he wished to oppose the hon. member in any way, for he believed he was perfectly sincere in bringing forward his scheme. It had already been pointed out that even if it did answer it would have a bad effect, inasmuch as it would induce large numbers of people belonging to different nationalities to settle down in isolated spots, and not to mix with the other people themselves while their children would grow up as much foreigners and remain foreigners twenty years hence as when they came to the colony. It was well to have an intermixture of foreign blood, but when foreigners came here they should remain foreigners no longer. The sooner they became Australians the better, and that could only be done by inducing them to settle or to intersperse themselves amongst the people. That could not be done if they were settled in small communities where they could dispense with learning the language of the country—where they could commune in their own native tongue, and where there was no necessity for their becoming in word and in deed Australians. It was desirable for that reason that the hon. gentleman's proposal should not be accepted.

The PREMIER said it was most unfortunate for the country that whatever the Government proposed in connection with land legislation was always wrong—in the opinion of some hon. members. If the Government did not accept amendments they were entirely wrong, and if they did accept them they were entirely wrong. In fact, the run of bad luck which the Government had had in connection with the Land Act was most extraordinary. One would think that a collection of the most stupid men in creation would, even by accident, have hit upon at least one good idea, but the Government did not appear to have done so, and the singular part of the thing was that the hon. gentleman opposite was always right. The Government side were always wrong and the Opposition always right. On the doctrine of chances that was a most extraordinary condition of things, but they must continue to submit to it and try to do better. As to this clause, he thought that it wanted amending, at any rate, and he was going to propose some amendments. The first sentence would be better transposed, so as to read "In any agricultural area in which the maximum area of any surveyed farm does not exceed 160 acres, the Governor in Council may by proclamation," etc. Regarding the 3rd paragraph, he thought before the two years were up a great many of the selectors would want to live on their farms. A man might want to live in the township with his younger children, and let his sons live on their farms. He thought that to compel them to live for two years in the township would be a mistake, and he therefore proposed to omit all the words after "selection" on the 3rd line and insert "under the provisions of this section." Then the next paragraph should be amended by omitting all the words after "farm" on the 4th line, and inserting "so that the condition of occupation may be performed by the residence of the lessee either upon the farm or upon the portion within the township." He hoped the hon. member would accept the amendments he had suggested. He believed the experiment was worth trying in a great many places—in the Cook district, for instance, where under the existing law settlement was necessarily isolated and was likely to remain so for a considerable time. If ten or a dozen men were enabled to settle down and live close to one another, that would conduce to the settlement of the country. For his own part he had often thought of such a scheme. Of course it was an experiment, but if tried it might be successful. He therefore proposed the first amendment he had indicated—namely, the transposition in paragraph 1, which was merely formal.

Mr. MURPHY said there was one thing in the clause he could not understand, and that was why the Land Board should not be consulted. In the Act of 1884 the Land Board played a very important part; in fact, nothing could be done except upon their advice, and he did not see why they should not be consulted in that matter. As the Premier was amending the clause, he might as well bring it within the venue of the Land Board. He did not suppose the Minister for Lands had already lost confidence in the board.

The PREMIER said it did not occur to him that the Land Board should have anything to do with the matter. It was purely a question of administration. No one would be injured by the clause, and it was not necessary for the Land Board to see that the land was not being wasted by improvident Ministers. It seemed to him to be outside their functions.

Mr. MURPHY said that was a further departure from the principles of the Act. It

was intended that its administration should be put almost exclusively under the board, and he did not see why that clause also should not be brought under their supervision. They were getting further and further away from the principles of the Act.

Mr. PALMER : So much the better.

Mr. MURPHY said the hon. member for Burke suggested "So much the better," and so it might be, but still the Minister for Lands was abandoning more and more of his principles in doing so.

Amendment agreed to.

The PREMIER moved the omission of all the words in the 3rd paragraph after the word "selection," with the view of inserting the words "under the provisions of this section." The amendment was merely intended to give effect to an amendment in the following paragraph.

Amendment put and passed.

The PREMIER moved the omission of all the words after the word "farm" in the 5th line of the 4th paragraph, with the view of inserting the words "so that the condition of occupation may be performed by the residence of the lessee either upon the farm or upon the portion within the township."

Mr. PALMER said he hoped the Minister for Lands was watching the amendment. He seemed to have abrogated his duties altogether. One of his principal ideas in connection with the land was compulsory residence. He would chain a man on his land and make him stop on it, no matter whether he liked it or not; but now he was sitting half asleep, and the Bill was walking through the Committee in any shape or form—in any way to suit the Premier and the hon. member for Rosewood. If the amendment were carried there would be divided residence—the man on the farm and the woman on the fancy allotment in the township. And if all the men were on the farms, and all the women in the towns, who was to look after the women? The "Rape of the Sabines" would be nothing to it.

Mr. NORTON said he would strongly advise the Minister for Lands to let the matter alone.

Mr. ANNEAR said there was no need to try to laugh the amendment out. He did not think the Minister for Lands was asleep at all. Everyone would agree that when the Chief Secretary took it in hand to put a clause into proper shape it would be properly done. Some hon. members said the clause would have no practical effect, but they did not know anything about village settlement at all. Most of them were Australians, who had never seen an English village in their lives.

Mr. LUMLEY HILL : I have seen plenty.

Mr. ANNEAR said that Tiaro, in the Wide Bay district, was something like an English village. Almost every person who resided there had a farm one or two miles from the village. If the clause were adopted people would take up land in and around villages, using the village as a township where stores would be erected and the blacksmith's shop and wheelwright's shop, and then the hotel. The hon. member for Warrego said the system had been an absolute failure in New Zealand ; but if he (Mr. Annear) had read correctly he believed that one of the most successful things ever done by General Feilding was to establish farming settlements around villages in New Zealand. It had also been said that the present Minister for Lands had a hobby of his own. He was glad that the hon. gentleman had a hobby different from the hobbies of some Ministers for Lands in years past, when the best lands of the Darling Downs and West Moreton passed out of the hands of the people because the different Ministers did not know what they were doing. Lands along the railway line had passed out of the hands of the people, and no settlement could take place there unless the land was purchased from the present owners at enormous prices. As much as £5 or £10 an acre had been paid within the last few years for land on the Darling Downs. He firmly believed that the amendments introduced that session would place the Land Act of 1884 in a clearer light before the people. He hoped the amendments of the hon. member for Rosewood would be carried, as he was sure they would have a good result.

Amendment agreed to.

The PREMIER moved the omission from the last paragraph of the words "and enter into such agreements with any party or parties of intending selectors," and of the word "deemed."

Amendments agreed to.

Mr. PALMER asked how the portions were to be allotted—by age, or lot, or ballot, or how?

The PREMIER said that would be fixed by regulation. It might be convenient to say that one particular allotment should belong to a particular farm. Then that might become inconvenient, and some other plan have to be adopted, such as allowing the selector to have his choice.

Clause, as amended, put and passed.

Clause 14 passed as printed.

On clause 15, as follows :—

"It shall not be lawful for a lessee of an agricultural farm under Part IV. of the principal Act during the first five years of the term of his lease to cut down or destroy, except for the purposes of holding or the making of improvements thereon or for sale as firewood, any trees upon the holding without the permission of the commissioner.

"A lessee desiring such permission shall apply for it in writing in the prescribed form, specifying the portion of the holding or particulars of the trees in respect of which he desires the permission. The commissioner shall thereupon inquire into the matter, and may refuse such permission or may grant it upon such conditions as may be prescribed, or, if no conditions are prescribed, as he thinks fit.

"Any such lessee who, within the period aforesaid, cuts down or destroys any tree upon his holding, except for the purposes in this section mentioned, without the permission of the commissioner, or contrary to the conditions of the permission, shall upon the information of the commissioner or other prescribed officer be liable to a penalty of not less than one shilling and not more than ten shillings for every tree so cut down or destroyed."

Mr. NORTON said he had no doubt the intention of the clause was good, but in many cases its effect would be very bad. Many men who had not much means looked to the sale of timber to enable them to carry on their selections, and without that they would not be able to take them up. It would be a great hardship in those cases to take away the selector's right to the timber on his land. Of course, the object of the clause was to prevent the land being taken up only for the timber ; but in many cases its effect would be to prevent selectors from going on the land.

The MINISTER FOR LANDS said that in some instances it was an assistance to the selector to get a market for his timber, but, on the other hand, the privilege had been very grossly abused; so that he thought the disadvantages outweighed the advantages of allowing the timber to be taken without check. The fact was, that a man taking up a timber selection got more for the timber off it in six months than he had to pay for the whole period.

Mr. ANNEAR asked the meaning of the words "except for the purposes of the holding." If a man took up an agricultural farm, and intended to cut down the whole of the timber so as to clear it, would the Minister consider that to be for the purposes of the holding?

The MINISTER FOR LANDS: Of course.

Mr. PALMER said he did not consider that a man should be prohibited from making a living out of the timber on the land just to carry him on while he settled there. Suppose he had no capital—and they were not attracting capitalists to the colony—the Minister for Lands looked on them as noxious animals that ought to be prohibited—supposing a man had no capital the clause would destroy his only chance of carrying on till he made the land productive. It was just part and parcel of the idea of the Minister for Lands in connection with the settlement of the land, narrowing it down to the smallest limit, and putting every possible obstacle in the way of the unfortunate settler who tried to make a living out of the land. The hon. gentleman had objected to an amendment that would have considerably assisted the selector who had selected in a small way and afterwards could not extend his boundaries. He dissented altogether from the principle laid down in the clause: that a selector should not make use of the timber upon his land, the sale of which might tide him over one bad season, or perhaps two, and land him in prosperity.

Mr. ANNEAR said that if a man went upon a holding of 160 acres, he did so with the full intention of making it his home, and what timber would there be on 160 acres that a man could make much out of? Under the clause, as soon as a man went upon a holding he would have the ranger after him, and be under surveillance all the time. It said that a selector should be liable to a penalty of not less than 1s. and not more than 10s. for every tree cut down or destroyed. There would not be many agricultural farms taken up while that clause remained in the Bill. A man would not take up 160 acres and settle down upon it with his family unless he intended to cultivate it, but he would be under surveillance as soon as he took up the homestead. He did not believe in the clause.

The PREMIER said the clause would apply to 1,280-acre farms as well as 160-acre farms. In some parts of the colony selections had been taken up for the purpose of taking off the timber. They paid 1s. per acre per annum until they had swept all the timber away. Hundreds of selections were taken up for that purpose, and it was a well-known means of defrauding the Government. The clause would strike at that, and it would do no harm to the *bonâ fide* selector at all. As to the ranger being after him, every selector was liable to have a visit from the ranger, if only to see that he was residing upon his land.

Mr. NORTON said he did not see how the Government would be defrauded. The selectors might take advantage of the weak points of the Bill and help themselves. The Government would get the benefit of it, and certainly there was no fraud in the matter.

The PREMIER said it was not an offence against the law, but the country did not get what it expected to get in giving those facilities to the selector.

Mr. LUMLEY HILL said when the timber was gone there would be no use for the selector to stay there, and while the timber remained on the land it was of no use at all to the country or to the people. But when they complied with the regulations and worked off the timber, it brought so much money into the country, or rather prevented so much money going out of the country for other timber that would have to come in. He did not see any necessity for making such rigid laws for their forest conservancy. They had plenty of timber, and the only thing was to get people to utilise it. Surely they ought to be able to keep New Zealand timber from coming here with the immense area they had. It was a wonder, with the abundance of timber they had, that the Government should propose to place such hindrances in the way of their timber-getters when they were inundated with New Zealand timber.

Mr. PALMER said that for every one selector who selected with the idea of selling the timber and then forfeiting, there were a dozen or twenty *bonâ fide* selectors who remained upon the land. But they did not hear of them. When men took up selections, they took up the best land they could, but the best land did not, as a rule, contain the best timber. It was generally the inferior ridges that grew the best timber. He was sorry the hon. Minister for Lands would not accept a liberal idea when it was put before him. It was useless to amend the clause. He only protested against the principle that a man should not make the most he could out of his selection.

Mr. NORTON said he was sure that the great quantity of timber that arrived in the colony from other places was very much owing to the restriction upon the timber trade in Queensland. The timber-getters were always complaining that they were bothered with hampering restrictions; they had always to carry their licenses, and could only cut timber in certain places, or it would be taken from them and forfeited. He was certain that the introduction of a clause of the kind proposed would largely add to the grievances. For his own part he did not think that if even 10 per cent. of the selections that were taken up were taken up for the timber on them the country would come to any harm. If selectors simply went and destroyed the timber there would be reason to complain of them. But not if they turned it to a proper use, and in doing so helped to keep timber from outside places coming into the colony. Instead of hampering the timber-getters, the object of the Government should be to give them every facility to work the timber of the colony, and to prevent a large quantity from coming in from other places.

Mr. KELLETT said he was sorry to see the clause was not amended, because it was another hindrance to settlement upon the land. He considered that if they wanted to conserve their valuable timber they had better set apart timber areas where those good timbers were, and let the ordinary lands of the colony be taken up without any restrictions. He was certain that the new clause would stop settlement. Instead of trying to make it as easy as possible for people to settle on the land, all those restrictions and difficulties seemed to be put in their way. It was a great flaw in the Bill, as would be found out before it had been in operation very long.

Mr. CAMPBELL said he thought the restriction a very good one indeed. Hundreds of selections had been taken up, denuded of timber, and thrown up immediately afterwards. Although the timber was removed the stumps were left standing, and the land was rendered less valuable for agricultural purposes. The restriction contained in the clause should certainly be retained.

Mr. ANNEAR said the restrictions which had been placed on the timber trade had been the main cause of the falling off of the railway receipts throughout the colony during the last twelve months. Only last Monday night the Premier heard a very reliable gentleman say that that time twelve months ago his firm paid £150 a month for carriage of timber, used chiefly in the metropolis and other cities in the South; whereas, now their monthly payments in that way only averaged £17.

The PREMIER: What he said was, that one month they paid £150, and that during the corresponding month of the present year they only paid £17. He did not say anything about previous or subsequent months.

Mr. ANNEAR said the firm in question was very regular in its supply of timber by rail, and he believed the gentleman meant an average of £17 a month for the present year. The consequence of the restrictive policy of the Government was that a lot of people who had been in good circumstances were reduced to poverty, many hundreds were out of work, the railway receipts had fallen off 50 per cent., and the country was flooded with foreign timber. No man would take up a farm for the mere sake of the timber that was upon it. The best timber generally grew upon the worst land, and when a man took up an agricultural farm he did not want land of that description. He hoped the Minister for Lands would see the question in its true light, and relieve the timber-getters from a good many of the restrictions under which they suffered.

Mr. SMYTH said good timber grew on rich scrub land as well as on barren ridges. A lot of farms had been taken up in the Isis Scrub purposely for the sake of the timber that was upon them. It was only right that some restriction should be put upon the cutting of timber. Anyone who had travelled on the Gympie line must have been struck with the number of trucks that were loaded with mere pine saplings, much smaller than was allowed by the Act to be cut. No doubt they were taken from freehold land, but even in that case the Government ought not to allow them to be destroyed. All timber of that kind, even on private property, ought to be rigidly preserved, because when cut and used for building purposes it very quickly developed dry rot, and was in every way inferior to the timber imported from America. That was the reason why American timber took precedence over colonial timber.

Mr. NORTON said the clause did not prevent the cutting of timber on freehold land, and very rightly so, for an owner of freehold land had the right to cut down every stick upon it if he thought proper. Surely they were not going to hamper freehold land with restrictions of that or any other kind.

Mr. LUMLEY HILL said that on some of the rich scrub lands near the Barron River there was any amount of valuable timber. If men took up the land for the sole purpose of removing the timber, it would do no harm, and others would be only too ready to take it up after them for agricultural purposes.

Mr. NELSON said he thought the operation of the clause might be limited to certain districts; it could not apply to any district that he was acquainted with. How could a man have an agricultural farm with timber growing all over it?

The PREMIER: That is provided for in the clause.

Mr. NELSON said a selector could not cut down any timber without the permission of the commissioner having first been obtained.

The PREMIER: That will be "for the purposes of the holding." There is nothing in the clause to prevent a man clearing his land so as to enable him to cultivate it.

Mr. NELSON said the clause tended to restrict a man and prevent him from doing what he liked with his own land. Persons would be frightened from taking up land altogether if such restrictions were imposed.

Mr. KELLETT said the matter was at last reduced to an absurdity. They now heard that for the purposes of his holding a man might cut down the most valuable timber and burn it, but he could not sell it. If that was not destruction he did not know what was. In clearing his holding a man might burn but could not sell the beautiful pine trees from which they were told a couple of thousand feet of timber could be cut.

The PREMIER said he thought the difference between taking up a selection and cutting down all the good hardwood and pine trees, and clearing the ground for the ordinary purposes of cultivation should be apparent to anyone.

Question put and passed.

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

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that this House do now adjourn. I believe the only private business on the paper for to-morrow is the consideration in committee of a private Bill. The Government propose to go on with the Land Bill to-morrow, and to sit late with the hope of finishing it. I do hope that hon. members will address themselves to this very important question, for unless the session is to be protracted to an unusual length, it is necessary that the Bill should be in the hands of the Legislative Council by Tuesday next. In the next part of the Bill it is intended to propose a clause authorising the Government to alter the conditions with respect to the payment for country lands sold by auction. It will be necessary later on to recommit the Bill to make an addition to a paragraph in a clause which has already been passed by the Committee, and some other amendments.

Mr. NORTON: Is the new clause to reduce or extend the provision with reference to the payment for country lands sold by auction?

The PREMIER: To extend it.

Mr. HAMILTON said: Mr. Speaker,—Last night when speaking of what I considered was the unjust treatment Mr. Tomlinson, the Government Electrician, received from the Government after a report was made to them by gentlemen appointed to examine the installation of these wires subsequent to the fire which occurred in this Chamber, I referred to the fact that on a previous occasion the present Government Electrician had a fire of his own, and no inquiry was made into that. I have since heard that during my absence from the Chamber this afternoon the Colonial Secretary stated that I was in error in asserting that the fire took place while Mr. Barton was in charge. If I made an incorrect statement I am sorry for it; but at the same time I may say that I did not make that statement without some inquiry. Here is a short letter which I will read to the House:—

"Brisbane, 21st September, 1886.

"DEAR MATHIESON,

"I understand that you ascertained the fact that Shaw's people, under Barton, caused a fire in the Houses of Parliament about the 21st of May (at any rate before the 24th), and that you brought the fact under the notice of the Colonial Secretary in a letter, of which no notice was taken.

"Would you kindly let me know if this is so; because I also have brought it under his notice, and Barton is in as high favour as ever. There is no use struggling against such influence. There is nothing for it but to resign.

"Yours faithfully,

"THOMAS TOMLINSON.

"J. Mathieson, Esq."

The reply to that is as follows:—

"Brisbane, 21st September, 1886.

"DEAR TOMLINSON,

"In reference to yours of this morning *re* electric light at Parliament House: About the 21st of May I entered the Parliament House and the place was full of smoke, and I made inquiry and found that Mr. Barton, of Alf. Shaw's, had had a short circuit and set fire to the insulation of the cable under the floor of the Assembly.

"In a letter of mine to the Colonial Secretary, I drew his attention to it; but my letter was never answered. I also, in a statement of mine, drew attention to the ignorance of Mr. Starkie in electric lighting matters, but no notice was taken of that.

'Yours faithfully,

"(Signed) J. MATHESON."

I believe the Colonial Secretary, from the amount of correspondence he has in his department, may have overlooked this. Of course, Mr. Barton, if he was in charge at the time the fire took place, was not then an officer of the Government. But whether he was an officer of the Government or not, if the lighting was in his charge, it was just as necessary to make an inquiry then to ascertain who was in fault as it was when Mr. Tomlinson was in charge. I have since gone to the library messenger in the upper library, and he tells me that he was present at the fire which took place on the 21st of May, and that Mr. Barton, who was previously in charge, was there; that his attention was called to the fire by the smoke, that he saw several persons there, that the flooring boards were pulled up, and that there were shavings lying about. The fire might have been a very serious one had it not been discovered in time. I have, however, no doubt that the Colonial Secretary will inquire into the matter now that his attention has been again directed to it.

Mr. NORTON said: Mr. Speaker,—I am sorry that the Ministers are all gone out. But I see there are still three in the House. I wished to know what is the proposal of the Premier with reference to the Land Bill. There are a great number of members who are obliged to go into the country to-morrow by the early train. We are very anxious to go on with this Bill, but it will certainly be most inconvenient to those members who have to go away if it is brought on to-morrow. Of course it is important that the Bill should be gone on with, but it has been brought forward in such an extraordinary jerky way that no member could tell when it was coming on. We have had the Land Bill one day, then a couple of days of the Estimates, then some other Bill intervened; then we got another day of the Land Bill, and so it has gone on. Instead of bringing the measure on and going through with it, and then taking something else and going through with that, we have had this bad system, or want of system, and no one has had the slightest idea of what had been likely to come on. I see the Colonial Treasurer is outside the Bar; I am sorry it is not the Chief Secretary or the Minister for Lands. I think it is scarcely fair treatment to hon. members of the House that an important measure like the Land Bill should be brought forward—with an intimation that the Government hope to complete it—on a day that is usually devoted to private business, and when the Government know that a number of members are obliged to leave town.

The MINISTER FOR WORKS said: Mr. Speaker,—The Chief Secretary explained very clearly that the Land Bill will be taken to-morrow for the purpose of getting it through, and transmitting it to the Legislative Council as soon as possible.

Mr. NORTON: I know that.

The MINISTER FOR WORKS: If the leader of the Opposition would endeavour to keep his party a little better in hand, and not allow so much talk respecting the same thing over and over again, so much time would not be wasted. He himself is the greatest sinner in that respect, and if there had not been so much talk, the Land Bill would have been disposed of to-night.

HONOURABLE MEMBERS of the Opposition: No, no!

Mr. NORTON: Mr. Speaker,—I hope I may be allowed, with the permission of the House, to reply to the charge which has just been made against me. The hon. gentleman knows perfectly well that it has been members on the Government side who have occupied so much time to-night.

The MINISTER FOR WORKS: Keep your party in order.

Mr. NORTON: The Government do not keep their own party in order, Mr. Speaker, and when they do so it will be quite time enough to talk about keeping the Opposition side in order. As a matter of fact, the Government side do just as they like, and have delayed business to-night just as they liked.

Mr. PALMER said: Mr. Speaker,—This must be a small joke perpetrated by the Minister for Works. It is not often that he breaks out into jokes, but when he does he goes straight to the point. I never heard such a statement as he has made. Why, the hon. member for Rosewood has taken up the whole evening with that cloud-land Utopian scheme of his, and if anything ever comes of it I shall be very much surprised indeed, and not only myself but everybody who heard him this evening.

Mr. JESSOP said: Mr. Speaker,—I think it is hardly fair to attempt to go on with the Land Bill to-morrow. A most important matter—the land-order system—has to be discussed, and I contend that it is most unfair to bring a matter of that kind on on Friday. It has been the rule ever since I have been in the House not to take important matters of that kind on Friday when it is known that many members have to go home to the country on that day and return on Monday. I think there is no reason why the Land Bill should not be postponed until Tuesday. We have waited weeks and months for it, a good deal of time has been wasted over it, and it will not make much difference if it is now postponed until Tuesday. I think, under the circumstances, it would be good taste for the Premier to agree to postpone it. It appears to be a little bit of domineering to say, "I am going to carry this Bill to-morrow." We have been waiting weeks and weeks to go on with the Bill, and I for one cannot be here to-morrow. I trust that when the Bill comes on to-morrow the Premier will see his way to postpone the further consideration of it until Tuesday next.

The COLONIAL TREASURER said: Mr. Speaker,—Hon. members profess to be very anxious to close the session without unnecessary delay, and surely they cannot object to the Government proceeding with Government business to-morrow, especially as Friday has been usually set apart for Government business, after private business has been disposed of. The paper is not loaded with any great amount of private business, and when that is concluded, I do not think it is asking too much of hon. gentlemen who desire to close the session as speedily as possible, to proceed with the consideration of the Land Bill. The Premier very clearly stated that the reason for desiring to proceed with the Bill to-morrow was that it should be placed before the other House as early as possible

Mr. NORTON : It is the fault of the Government that it has been delayed.

The COLONIAL TREASURER : The hon. gentleman charges the Government with delay, but he must bear in mind that we have had to proceed with the Estimates along with the legislative business, otherwise we should have had to ask for a Supply Bill. By having had the Estimates sanctioned to a certain extent we have been able to dispense with a Supply Bill, which otherwise would have been necessary. I certainly cannot see any ground for the hon. gentleman's complaint with regard to the Government taking the Land Bill to-morrow after the consideration of private business. Surely hon. gentlemen cannot object seriously to proceeding with the discussion of that measure to-morrow, when it is fresh in their memories. I certainly think that if it were postponed until next week the Government would lay themselves much more open to the strictures of the hon. gentleman.

Mr. NELSON said : Mr. Speaker,—I think the hon. the Treasurer mistakes the point altogether. We do not object to the Government going on with Government business to-morrow ; we only object to going on with this particular business to-morrow. It is a day when country members are very seldom here, and as a rule we make arrangements that they may be able to get away. It would certainly be inconvenient for some hon. members to be here. There are plenty of other measures the Government may bring on to-morrow, and all we ask now is that they should postpone the further consideration of the Land Bill until next week ; that is a very moderate request. I think the Minister for Works would rather like his Estimates to come on to-morrow, because there will be a thin House, and perhaps he would be able to get them through.

The ATTORNEY-GENERAL (Hon. A. Rutledge) said : Mr. Speaker,—The hon. member says that there is plenty of Government business to go on with to-morrow, but on looking at the paper I find that the only other business the Government could go on with is Supply.

Mr. NORTON : The Companies Bill.

The ATTORNEY-GENERAL : The Companies Bill will not take up very much time ; it will probably only occupy an hour or so in going through committee, but that would make it too late to go on afterwards with such important business as the consideration of the Land Bill.

Mr. NORTON : We do not want to go on with the Land Bill.

The ATTORNEY-GENERAL : I think hon. gentlemen opposite cannot complain of the action of the Government in conducting their business throughout the session. Every consideration has been shown to members of the House. The Government, instead of sitting, as they do in the other colonies, until midnight and sometimes after, have always so arranged business that members have been able to get away to their homes at a reasonable hour—seldom later than 10 or half-past 10 o'clock. I really do not think that hon. gentlemen can complain that the Government have taken an unfair advantage of them in fixing the Land Bill for to-morrow. It is getting very late in the session, and if the Land Bill is to go through Parliament and become law this year, then it is indispensably necessary that the consideration of it should be resumed at the earliest possible moment.

Question put and passed.

The House adjourned at twenty minutes past 11 o'clock.