Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 3 SEPTEMBER 1889

LEGISLATIVE ASSEMBLY.

Tuesday, 3 September, 1889.

Caswell Estate Enabling Bill—report of select committee.—Crown Lands Acts, 1884 to 1886, Amendment Bill—committee.—Adjournment.

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

CASWELL ESTATE ENABLING BILL.

REPORT OF SELECT COMMITTEE.

Mr. POWERS brought up the report of the select committee on this Bill, and moved that the paper be printed.

Question put and passed.

The second reading of the Bill was made an Order of the Day for Friday, 6th September.

CROWN LANDS ACTS, 1884 TO 1886, 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.

The MINISTER FOR LANDS (Hon. M. H. Black) moved the following new subsection to follow subsection 9 of clause 3 :—

The following provision shall be added to section one hundred and thirty-one :—

> Any person holding a license under this section may use animals and vehicles in the removal of timber or other material as aforesaid, and may while so employed depasture the animals being used therein upon Crown lands or holdings under Part III. of this Act in such numbers, for such time, in such manner, and subject to such conditions as the regulations may prescribe.

Mr. BARLOW said he presumed the subsection was intended to remedy the evil pointed out some time ago, whereby timber-getters were harassed by the pastoral lessees, because of depasturing their stock on the runs.

The MINISTER FOR LANDS: That is the intention of the clause.

Mr. ADAMS said he would like some information as to the nature of the proposed regulations. In his electorate the squatters and timber-getters worked very well together, for the simple reason that the squatter charged a nominal price for the privilege of running cattle on his run. It was nothing but just and equitable that such a charge should be made, and he thought the maximum sum that the squatter could charge per head per month should be named in the regulations.

The MINISTER FOR LANDS said the regulations proposed to be framed were to be recommended in each case by the land commissioner of the district, and would be equitable both to the timber-getter and squatter. The late Attorney-General, Hon. A. Rutledge, gave it as his opinion that timber licenses covered the right to depasture the stock necessary for the removal of timber. There appeared to be some doubt about that opinion, and in a case which occurred recently at Pialba, where the Crown lessee objected to allow the depasturing of stock on his run, the Supreme Court had reversed the decision given by the late Attorney-General and concurred in by the leader of the Opposition, and decided that the right did not legally exist. There was no doubt that in many cases where timber-getters endeavoured to carry out their occupation in a *bonâ fide* way by depasturing only on the leased half of a run those cattle which were necessary for carrying on their occupation, no great difficulty was likely to occur, but many cases had come to his knowledge where the timber-getters formed permanent camps and turned out their stock, which was not absolutely necessary to carrying on their occupation. That was not just to the lessee of the run, and the regulations which the commissioners would no doubt suggest, and which the Government would gazette, would be to the effect that the timber-getter had the right of travelling along the road and camping for the night on the run if he was unable to get off the run, but he would not be allowed to form a permanent camp and take possession of a portion of the run for which the pastoral lessee paid rent. Any disputes that took place would be decided by the commissioner for Crown lands where the dispute took place. The hon. member for Bundaberg had suggested that the lessee should have the right of charging for cattle depastured by the timber-getter. That was a matter between the timber-getter and the lessee. He did not think it the duty of the Government to say that the lessee should charge so much and no more. If a timber-getter desired to depasture more stock than were absolutely necessary for carrying on his occupation, he could go to the pastoral lessee and make any terms he liked with him, but it was considered that the timber-getter had the right of depasturing that number of stock which were absolutely necessary for the removal of the timber. And if they were detained unavoidably during a night they should have the right to turn out their stock, and be free from the danger of having their stock impounded. The clause would set at rest a question of principle which was somewhat vague in the Land Act of 1884.

Mr. HODGKINSON said that seemed to be another instance where the best intentions of Ministers of the Crown were defeated by the administration of the departments. There was not the slightest doubt that the object in giving a squatting tenure was to allow the pastoral tenant the use of the grass and nothing more; and in those districts of the colony in which the timber trade formed a very large commercial interest it should have been the duty of any competent officials in the subdivision of the runs to have borne that fact in mind. All those portions of country adapted for the production of timber of marketable value should have been reserved in the resumed portions of the runs, and the right of access and egress to and from them should have been just as carefully provided for; and a sufficient reserve of grazing land should also have been provided for the despasturing of the bullocks employed in the traffic. It was a fallacious idea to issue a license to any individual to carry on a particular trade and then deprive him of one of the essential tools of his trade. It was idle to issue a license to a timber-getter giving him the right to cut and remove timber from Crown lands, and then place him at the mercy of a third party having the power to prevent him going upon the land to remove timber which he had cut by virtue of his license. He was one of those who were not in the habit of abusing the pastoral tenant, but he knew that, like the rest of mankind, when they were placed in a legal position they very properly claimed the rights of that position. He thought it a great default that the timber interest had not been more carefully guarded. It was a very important one, and when they had a proper system of forestry it would be of still more value to the colony than it was now. All the timber-producing districts of the colony were well known, and they were not of so great an extent as would have prevented the provision he had alluded to being made in respect of them; but in places like Pialba, and the whole districts connected with the timber export ports, surely to goodness it would have struck any man of ordinary common sense to make provision for the exigency that had now arisen. The Minister for Lands said it would, under the clause, be left to the board, and the rights of the timber-getters would be defined by a set of regulations somewhat on the same principle that they passed a Goldfields Act, and left it to the Minister for Mines to compile regulations to carry that Act into effect. It would be rather unwise, he thought, to leave the timber-getters to the mercy of those through whose default they were now engaged in special legislation, simply because a self-evident duty had not been performed—the recognition of the existence of the timber-getters and the preservation of the rights for which they paid an annual premium. The Minister for Lands talked about a man not being allowed to camp for more than one night, but the hon. gentleman must know that that was absurd. He (Mr. Hodgkinson) had known instances of men being compelled

to remain at one camp for six months, though they were anxious to get out of the spot. Suppose a man lost his bullocks or was overtaken by floods, or suppose the ground was boggy, it was absurd to say that the timber-getter should keep a force of bullocks sufficient to tear his load out irrespective of all obstacles. He hoped before the Committee passed the clause, they would have more assurance from the Minister for Lands, who was the real ruler upon the subject, as to the nature of the regulations proposed and the restrictions likely to be imposed upon the timber-getters. They were in charge of the Committee at present, and it would be a bad thing if they escaped the charge of the Committee, and were handed over to an individual whose interests, to say the least, were not identical with their own. If they accepted money from an individual for the performance of a certain work, and issued a license to that person, he should, in common law, enjoy all the rights necessary for the enjoyment of the privilege for which he paid the license.

Mr. POWERS said he had already given a notice of a clause he had intended to propose dealing with that subject, and the Minister for Lands proposed in that amendment to deal with the question by way of regulation. He was very glad the discussion had arisen, because it would have been perfectly impracticable to carry out the idea the Minister for Lands seemed to have —that timber-getters should only depasture their bullocks on a run for one night. In his own district there was a railway station on the leased portion of a run, and the timber from which the timber-getters were working on that run was also on the lease. They had to go for the timber and back to the railway station, and were working continually between the timber reserve and the railway station and were never off the lease. The Minister for Lands had also talked about roads, but there were no roads, and the timber-getters had simply to go across the run to get the timber, so that a regulation to allow a man to camp for only one night on a run would not meet the difficulties that had arisen in the district he was speaking of, and that was the Tiaro district, and the one in which the case recently before the Court had arisen. Persons camping had to look out for water and to get feed for their bullocks. In dealing with that question one thing was certain, and should be remembered, and that was that the Crown lessees in taking up their runs were aware that a license to cut timber on those runs was provided for in the Act, and that the licensee had the right to go and remove that timber. They knew also that the timber-getters did not, as a rule, use horses and carry corn with them, but that they used bullocks and would require to depasture them. He contended that the lessee knew what he was about in taking up the lease and knew that those conditions attached to it, and he (Mr. Powers) was very glad the clause had been introduced. The only difficulty would be in the framing of the regulations, which, of course, would be different in different districts. The present lessees said they had a right to the grass, and the Supreme Court had held that that was so, and it was therefore necessary to insert a clause in the Bill to prevent the question arising again, so that when the leases fell in, as they must do, the persons taking them up again would know that the timber-getter had a right to depasture the bullocks he used, by Act of Parliament, and not only by regulation.

Mr. MURPHY: How about the present lessees?

Mr. POWERS said their case would have to be dealt with, as was proposed, by regulations, but if such a clause was passed, future lessees would know that timber-getters had the right to depasture their bullocks. If it were left entirely in the hands of the pastoral lessee, the timber-getter would have to pay whatever compensation the grazier might demand. The miner was being treated in a different manner. The miner was being granted the right to go upon a pastoral tenant's land to search for minerals; but the State, in that case, would pay compensation. If that clause were passed he hoped the regulations would be framed in such a way that the timber-getter would not be placed at the mercy of the grazier as he was now. One grazier had told him that he was quite agreeable to reserve a large area upon his run where the timber-getters might camp while cutting the timber, and if that were done in all the timber districts, the men would not interfere with anyone. As far as the present lessees were concerned, the regulations might be made, but he thought a clause should be inserted in future leases so as to give timber-getters the right to go and take the timber which the Government had granted them licenses to take.

Mr. MURPHY said that if such a clause were to be inserted in leases, it would render the leases perfectly valueless to the grazier. Such a clause would entirely destroy the indefeasible leases granted to the pastoral tenants. He had received an indefeasible lease from the State for his run, and he contended that that Committee had no right to break that lease by passing such a clause as that proposed. He would stand up for his legal rights in the matter, and he would advise any other pastoralist to do the same. The clause would be a practical repudiation of the rights given to the pastoral tenants under their leases. Under the Act of 1884, the Government had the power to resume whatever portions of the runs they pleased, and they should have foresight and resume the portions of most value to the State; but they could not come down on the unfortunate pastoral tenant and give another man a lease over his head. How many working bullocks and men might go upon a run under that clause, and disturb the stock of the lessee, driving them from the water, and making the lease absolutely valueless? Anyone knew that intruders on a cattle run, for instance, camping about the water, and riding about hunting for their working bullocks, and cracking their whips, would disturb the grazier's stock to such an extent that the grazier would be much injured. There were two sides to the question, and simply because there were a few persons in the colony concerned in the getting of timber, the Government should not override the rights of another class of quite as much value to the colony, though, perhaps, not so popular, because they were well-to-do. No sane man would take a lease from the Crown if another man had the power to use his land, and in many cases it would mean ruin to the pastoral tenants. The Government should resume the portions of the runs upon which the timber stood, and give the lessees the compensation provided for by the Act of 1884. It was laid down in that Act, that the pastoral tenant should receive compensation when part of his run was resumed. As the resumption was not voluntary, but was forced upon him, it was not fair to break his lease in that way. There was no reason why any injury should be done to the timber-getting industry, but the Crown should resume the forests, and compensate the pastoral tenant for the resumption, but it was not fair to injure the pastoral tenants in the manner proposed.

The MINISTER FOR LANDS said that the hon. member for Barcoo would almost lead the Committee to suppose that the subsection came upon the pastoral lessees as

a perfect surprise. The hon. gentleman had referred to the indefeasible leases, and said that something was now proposed to be done which had never been contemplated. From clause 131 in the Act of 1884 it could be plainly seen that the pastoral lessee, when he got his lease for the leased portion of his run, distinctly understood that it carried with it the right of the timber-getter to cut and remove the timber upon that land. The clause read as follows :—

"The regulations may authorise the issuing of licenses to enter any Crown lands or any holding under Part III. of this Act, and to cut thereon and take therefrom any timber."

The intention of the clause now introduced was to set at rest the somewhat vague point as to the right of the timber-getter to depasture the stock necessary for him to carry on his operations. The late Government had distinctly held that he had under clause 131 undoubted rights to graze sufficient stock. No doubt hon. members knew the alternative to that plan, though it was a somewhat roundabout way of dealing with the question, and would probably be more injurious to the Crown lessee than the proposed clause. There was nothing to prevent the Government from proclaiming roads in all directions through the runs, and that carried with it the right of grazing stock for half-a-mile on either side of the road. That would have rather a damaging effect upon the pastoral lessee in many cases. The hon. member for Barcoo said that it could be done in a legal way by resuming the portions of the runs which contained the timber, and granting compensation for the renewed portions; but there was no compensation for resuming a road. He did not know what view the Land Board would take, but it was very likely, considering that it was intended to give the timber-getter the right of removal, that the compensation for the road necessary for such removal would not be very great.

Mr. HODGKINSON said he knew that the leader of the Opposition, who would be admitted as a competent legal authority on the point, held that the clause in the principal Act did virtually mean what it was framed to mean. Unfortunately the courts had ruled differently, and the proposed subsection had been introduced by the Minister for Lands with the view of laying down the law clearly on the matter. The subsection, as it stood, by no means warranted the fears expressed by the hon. member for Barcoo. The whole of the timber-producing portion of the colony affecting the pastoral leesees was of a comparatively limited extent; it would only affect a very limited portion of the colony. The timber-getters, whose industry existed long prior to the passing of the Act of 1884, had certain rights, and without infringing on the rights of the pastoral tenant—which he would never advocate without giving them compensation—the subsection was intended to define clearly what those rights were, and not to leave it to the interpretation of any court or individual. With a view of placing an immediate issue before the Committee he would move, by way of amendment, that all the words after the word "numbers" be omitted, with the view of inserting the following :—

And for such period as may reasonably be required for the removal of such timber or other material as aforesaid.

He did so in order to get an expression of opinion from the Committee, independent of any regulation that might be framed by a body over whom they had no control. Their object was not to injure the pastoral tenant, but to protect an industry which existed coincidently with the provisions embodied in the Act of 1884. His object in moving the amendment was simply to embody in the amending Act a definition of what the desires of the Committee really were with regard to the timber-getters of the colony.

Mr. HYNE said he believed it was the desire of the Minister for Lands to remove a grievance that had existed for some time; but the subsection did not go far enough, and would not remove the grievance. He would suggest that the hon. gentleman, in drawing up his regulations, should consult some practical man on the subject. Under the subsection it would be impossible to remove timber without the timber-getters being liable to have their stock impounded. After several wet days the land got into such a state that the men could not work with their waggons. On such occasions they took a tent, camped on the edge of the scrub for five or six days, and did the work known as "snigging" timber out of the scrub on to the road, but under the clause they could not do that, because they would only be allowed to camp for one night. It would be impracticable for them to leave the scrub and go off the leased run to private land to camp for the night. If the hon. gentleman would consult someone with a practical knowledge of timber-getting before drawing up his regulations it would assist very much in making the clause more workable than it was at present. The remarks of the hon. member for Barcoo were scarcely applicable to the question. His (Mr. Hyne's) experience of timber-getters was that they did not want to do anything that would interfere with the squatters. There was a better feeling between the two classes in his district than had existed for a long time, and the timber-getters were paying the squatters for the right of grazing their bullocks. He believed that what the squatters chiefly complained of was that the timber-getters often brought thirty or forty bullocks on to a run. That should not be allowed, and if the number was limited to, say, fourteen, it would meet the wishes of the majority of the timber-getters. He had consulted with several of the leading timber-getters on the subject, and they considered that was a fair number. Many teamsters kept two teams of bullocks, one always spelling, and it would be an injustice to the squatter to allow one team to be grazing, while the other was at work, and no *bonâ fide* timber-getter would desire to do anything of the kind. But those men ought to be allowed the right of camping on a run longer than one night.

Mr. MURPHY said that one of the wrongs the timber-getters inflicted upon the graziers was that instead of going on a run with a team of fourteen bullocks, they took a large number of horses, a large number of spare bullocks, entires, mares, dozens of goats, in fact a perfect menagerie, and set up a regular township in the midst of the run. If the timber-getters brought on to the run only the team of bullocks actually necessary to draw the waggon and the logs, there would not be so much difficulty in the matter; but if the door was thrown open to them as proposed a lessee might have half-a-dozen or a dozen teams, and 400 or 500 bullocks and horses camped on the edge of the forest for months, in order that the timber-getters might spell their cattle. It was the abuse of a law of that kind that was the danger; that was what the pastoral tenants were afraid of. If they were perfectly satisfied that the regulations would be sufficient to meet the case, then there would be no objection, but it was the abuses that were likely to creep in under that clause that they were afraid of; abuses which might actually render the leasehold worthless.

Mr. NORTON said the subject had been brought under his notice by more than one lessee in the settled districts. He took it that it applied much more to the settled districts than

any other, from the simple fact that it was in those districts that the great bulk of the timber was found. The real complaint, he believed, was that the timber-getters made large camps on some of the lessees' runs. One gentleman who was in Brisbane some time ago consulted with him on the matter. He said he did not object to the timber-getters using the ordinary number of bullocks required, but that there were about 200 on his run, and as it was a small run that was a great tax upon him. He accompanied the gentleman to the Lands Office, where the Minister for Lands showed them the opinion that had been given by the late Attorney-General, Hon. A. Rutledge, which was to the effect that the timber-getter had the right, by reason of his license, to go on the run and use the land for that purpose. As the hon. member for Barcoo had pointed out, the whole difficulty lay in the fact that the license, if it conveyed the right to graze, might be very much abused. He was disposed to take a very liberal view of the Act of 1884, and he thought the license given under the clause referred to by the Minister for Lands conveyed an undefined right to go on the run and cut timber, and to use working bullocks or other stock for drawing it away, however distant it might be. On his run there was a patch of timber—not scrub, which was most frequented by timber-getters in large numbers, and in which case it became a real tax on the lessee; but in his case and others, where the only timber to be got was hardwood, and they had not many timber-getters to deal with, they could afford to be liberal, because he thought the right to cut timber, and to draw it from the land, conveyed the same right as was held by persons taking stock across a run by a public road. Of course stock must travel, and even though the right might not be expressed in the Act, they would still have the right to depasture on the land adjoining the road. That was expressed in the Act, because there was a limit fixed, and he held that when the Act of 1884 was passed it was intended that the timber-getters should have the right to depasture their stock as long as it was necessary to do so in carrying out their business. They had the right to use the road from the boundary of the run to the portion of the run where they got the timber as a public road for that purpose. Of course it was not a defined road, but it was used in the same way as an ordinary road, the only difference being that, instead of being used for travelling stock, it was used by the teams passing backwards and forwards drawing timber, and they had the right to camp when they were obliged to camp. He believed it would be better to adopt some system such as that proposed by the Minister for Lands than the amendment proposed by the hon. member for Burke, because the amendment would give the timber-getters a distinct right to go where they pleased and to camp where they chose. If a clause was passed declaring that they had the right to graze their stock on the land, he thought it should be under regulations. Regarding the matter from his point of view, he believed it was intended that the timber-getters should be entitled under the Act of 1884 to graze their cattle on the runs when passing backwards and forwards, but that keeping a large number of spare bullocks grazing on the land was an abuse of that undefined right.

Mr. ADAMS said he believed the timber-getters should be protected as much as the squatters, and the squatters as much as the timber-getters. Not long ago the hon. member for Maryborough mentioned an abuse that had occurred in his district, where a squatter actually gave the whole of the grazing right to one man, so as to keep other timber-getters off; and how did they know that the same thing did not happen in other parts of the colony as well? He thought they ought to determine the amount that the timber-getter should have to pay for the grazing right and the amount the lessee should be allowed to charge. Then both parties would know exactly what position they stood in. He knew that in some districts squatters were in the habit of charging considerable sums for the cattle depastured on their runs by timber-getters. It had been said that the matter should be left to the board, but the board might turn round and declare by their regulations that the timber-getters should remain only a certain time on the run, perhaps only one night or two nights, as the case might be. As explained by the hon. member for Maryborough, in wet weather timber-getters usually camped alongside the scrub, in order to be able to "snig" the timber out, which could be done better in wet weather than dry, because the logs would slide easily along on the wet soil. Therefore, he thought they should determine what the squatter should be able to charge for the grazing right, and for that purpose he would suggest that all the words on the last line of the clause be omitted with the view of inserting the following:—

> To payment to the lessee of any run not more than 6d. per head per month, for all cattle so depastured thereon.

He did not think any timber-getter would grudge paying that for depasturing the cattle necessary for carrying on his work.

Mr. PALMER said that though the 131st clause of the Land Act of 1884, as the Minister for Lands pointed out, gave the timber-getter the right to graze stock on a run, the 132nd clause of that Act gave the pastoral lessee the right to object to the timber-getter grazing his bullocks on his run. The 132nd clause said:—

> "A lessee may make any reasonable objection to the exercise of the powers conferred by any such license in respect of his holding; and the right to exercise such powers after any objection has been made shall be determined by the commissioner subject to appeal by the board."

The hon. member for Burrum said the timber-getter was at the mercy of the grazier, but he (Mr. Palmer) thought it was the other way about. There was no doubt, as the hon. member for Barcoo had stated, that advantage would be taken of such a clause as that proposed by the Minister for Lands; and it was so loosely worded that he (Mr. Palmer) saw nothing to prevent a man from taking out a timber license and depasturing his stock on a run for six months, or during the whole of the wet season, without any expense whatever. The Minister for Lands also stated that it was within the power of the department to proclaim roads through runs, reserving half-a-mile on each side for depasturing the stock of the timber-getters; but he never heard of that being done before. Of course there were such roads for travelling stock; but it was well known that any stock found beyond the half-mile boundary might be impounded, and frequently were impounded. There was no doubt that giving a man a license to cut timber conferred some sort of right to take the timber away, but that right ought to be defined, otherwise the clause would operate injuriously to the pastoral lessee.

Mr. STEVENS said he did not think the clause would inflict any great hardship on the pastoral lessee. It would simply enable the timber-getter to carry on his avocation as the Act of 1884 intended. If a timber-getter kept his bullocks too long on a run, the lessee would have his remedy at the nearest court, because there was no doubt that if he proved his case the timber-getter would be punished. With regard to the clause of the principal Act quoted by the hon. member for Carpentaria, he thought

that had reference to the timber on a run that might be required for building or fencing. If a squatter had a limited quantity of timber on his run, and required it for his own use, he might under that clause very properly object to that timber being taken away.

Mr. POWERS said he thought hon. members ought to allow that the decision given by the Supreme Court in reference to the matter, was to the effect that if a timber-getter went on a run, and did not fasten his bullocks up for the night, but let them out to graze, all the squatter had to do was to take them to the pound. It was admitted that the timber-getter had travelled as far as he could under ordinary circumstances, and that he simply let his bullocks out for the night; yet it was decided that his license did not give him the right to depasture his bullocks even for one night on the run of the pastoral lessee, as the Act now stood. Therefore some declaratory clause was necessary, and the one proposed by the Minister for Lands declared the right, and provided that it should be subject to regulations. The discussion had shown that in different districts different conditions existed. When timber was got out of scrubs, the timber-getters must remain on the run of the pastoral lessee while engaged in taking the timber away. He would point out that the scrub country was given to the pastoral lessee for nothing as unavailable country, and that was the place where the timber-getter went for his timber; but he could not graze his bullocks in the scrub. The grazier paid nothing for the scrub, but the timber-getter was prepared to pay smoothing to the State for his license, and also for the carriage of his timber along the railways. Although they could not repudiate, and did not wish to repudiate, the right of the lessee, they did not want menageries on the runs as referred to by the member for Barcoo. They wanted the thing limited by regulation. No timber-getter wanted to depasture an unlimited number of cattle and horses on a run. He (Mr. Powers) considered that section 131 gave the right to go on the land, and the lessee knew what he was about. As to section 132, it only gave the lessee the right of objection for good reasons to the encroachment of timber-getters within an area of two square miles for a period of a month, simply for the purpose of allowing the lessee to get what timber he required for station purposes first. There was a limit put on the timber-getters, but they might appeal to the commissioner only on a certain day, and at a certain time. He took it that the pastoralists knew of those rights when they accepted their leases, and it was unfair to deal with the matter by regulation. He hoped the clause would pass, and the hon. member for Barcoo, and those interested in pastoral pursuits, might be assured that such regulations would be made as would prevent those persons getting the right to graze on runs who were not engaged in the timber industry.

The MINISTER FOR LANDS said the main point in the case that came before the Supreme Court, where a decision was given against the timber-getter, was the fact that no regulations had been framed to regulate the depasturing of stock. He had listened with interest to the opinions of hon. gentlemen, and he certainly held that the pastoral lessee had a right to be considered. He had a lease given to him, subject to certain conditions, of which the timber licenses formed one, which lease was supposed to be indefeasible. He was inclined to think, from what he had heard, that the right of the pastoral lessee should be protected, at the same time that the timber-getter's right should be equitably considered; and he could not but think that the opinion expressed by the late Attorney-General, and concurred in by the leader of the Opposition, was really the correct opinion—that the timber-getter, having paid for his license, had the undoubted right to remove timber and depasture the stock necessary for that purpose. No regulations had been framed defining what the rights of the timber-getter were, so far as depasturing stock was concerned, and the amendment introduced was for the purpose of defining that. However, it appeared that some apprehension was felt that the clause would in some way endanger the right of the pastoral lessee. By turning to clause 130, subsection 2, it would be found that the Governor in Council might, from time to time, by proclamation, make regulations for any of the matters following, and one of them was: "Providing for the due carrying out of the provisions of this Act." Now, one of the provisions of the Act was to allow the timber-getter to cut and remove timber, and he took it that the Government had power to frame regulations to carry out that intention. The hon. member for Maryborough made a very good suggestion when he said in framing the regulations practical men should be consulted, and that the regulations should vary according to the conditions of the different districts. He also said that they should be so framed that they would not unnecessarily interfere with the rights of the pastoral lessee, and that the undoubted rights of the timber-getters should be fairly considered. He thought, therefore, that the Act giving the Government power to frame regulations for carrying out one of the undoubted provisions of the Act was quite sufficient. Subsection 5 of the same clause—130—also gave power to frame regulations, "authorising, forbidding, or regulating the cutting of timber upon, or its removal from, Crown lands." Therefore, with the consent of the Committee, having heard the discussion and believing that the Act gave sufficient power to frame regulations, he would withdraw the subsection, on the distinct understanding that regulations would be framed to meet the difficulty which existed.

Mr. HODGKINSON said he presumed it would be necessary also for him to withdraw his amendment.

Mr. POWERS said before the amendment and subsection were withdrawn, he might mention that there was no question about a person having the right to remove timber or going upon the run to take the timber. The Chief Justice said they had that right, but must carry their fodder with them. The case was argued by two men who knew what they were talking about—Mr. Chubb and Mr. Virgil Power. The latter represented the timber-getters, and put the best case he could before the Chief Justice. The case was ably argued, and the Chief Justice said that the question was clear—that timber-getters could go upon the runs at all reasonable times, but not depasture stock upon them, and upon it being pointed out that working bullocks did not eat corn, he went so far as to say that they must be taught to eat corn. Therefore he (Mr. Powers) thought the subsection would be a protection. There was a majority in favour of it, and he hoped the Minister for Lands would not withdraw it. The subsection could do no harm, and in the interests of the timber-getters it should be inserted.

The MINISTER FOR MINES AND WORKS (Hon. J. M. Macrossan) said he had no doubt the hon. gentleman was perfectly right as to the words of the Chief Justice, but then the Chief Justice had no regulations before him, made under the Act for the purpose of carrying out the clause. If he had had such regulations before him, the matter would have been perfectly different. The

subsection provided for the making of regulations which they had the power to make already. He believed the opinion of the late Attorney-General and the leader of the Opposition was quite correct —that when they gave a license to cut timber they gave an implied power to use certain facilities for removing it, and all that was required to carry the law into effect was to make regulations, providing that the timber-getter should not depasture on the run 200 or 300 head of cattle, when only twenty or thirty head were sufficient. He did not see that they need discuss the subsection any further. It simply provided for what they had the power to do already.

Mr. SALKELD said that before the clause was passed, he would like to know what would be the result if the pastoral tenant took action, as the hon. member for Barcoo professed his intention of doing? Would the Government defend the timber-getters' action in the Supreme Court?

Mr. SAYERS said the hon. member for Maryborough had mentioned the case of a man who had been ruined by a lawsuit in connection with that matter, though, in the opinion of the late Attorney-General and the leader of the Opposition, he had acted within his rights. That was a case of great hardship, and the Minister for Mines and Works had just admitted that the man had right on his side, and he (Mr. Sayers) thought the Government would only be doing what was right if they put that man in his former position. If nothing else was done, the timber-getters would be in just the same position as before, and if they had to contest the point with the Crown lessee they would simply be ruined at law.

Mr. HYNE said he was very pleased to find the Minister for Lands had introduced the subsection to provide for regulations on the subject, and he hoped they would not lead to litigation between the timber-getters and the squatters. He would like to ask the Minister for Mines and Works if he was sure the Act gave the power to make regulations dealing with the grazing right? If he was sure of that he would be perfectly satisfied. It had occurred to him that the squatters already had the right given them, and that the Act only gave power to make regulations dealing with the timber and not in any way with the grazing right.

The MINISTER FOR MINES AND WORKS: It gives power to make regulations to carry out the provisions of the Act.

Mr. HYNE said that if that was so he was erfectly satisfied.

Mr. SALKELD said that subsection 2 of clause 130 of the Act of 1884 dealt with regulations providing for the due carrying out of the provisions of the Act, and subsection 5 of the same clause provided for regulations authorising, forbidding, or regulating the cutting of timber upon or its removal from Crown lands. The proposed subsection dealt with the right to depasture stock used by the timber-getter, and the question was whether the regulations authorised under clause 130 of the principal Act covered that.

Mr. BARLOW said it would be a great pity if the clause was withdrawn, as he was sure it would receive a large amount of support. So far as his memory served him, the Chief Justice had drawn a very clear distinction in the judgment he had given between the right of transit and the right to the consumption of the grass on a run; and the leader of the Opposition had told them the other day, in connection with another matter, that the consumption of one blade of grass might constitute an actionable wrong. It seemed to him that the proposed subsection would only make security sure, and would do justice to a number of honest, decent, hardworking men who required assistance. It would not apply to all parts of the colony, as timber-getting was not carried on in all parts of the colony.

Mr. MURPHY said the hon. member thought there was no harm in doing an injustice to one lot of honest, decent, hardworking men, in order to do justice to another lot of hardworking, decent, honest men. Why should they do an injustice to one class to benefit another? He only wanted to keep within the four corners of the Land Act, and he did not want the lease, already granted by the Committee to the pastoral tenant, infringed in any way. If they once commenced to tear away any of that kind of legislation, they would soon tear it away altogether. He, as the representative of a squatting community, was naturally anxious that the lease given to them, and for which they had fought and struggled, and for which they had sacrificed so much, should not be destroyed. An hon. member laughed at what he said, but when they came under the Act they had to surrender one-half of their runs in order to keep the lease for the other half; and now the contention of the hon. member for Ipswich was that they should give another man a prior and a better right—for that was what it amounted to—over the half that was left to them. Moreover, they had been rated by the Land Board, and their runs were taxed according to their grazing capacity, and if the Committee gave another man the right to graze upon their runs they immediately decreased the grazing rights of the pastoral tenant. The pastoral tenant had really to pay so much per head for the sheep, cattle, and horses grazing on his run; and, taking the case of a small run carrying 1,000 head of cattle, if another man was allowed to put 200 or 300 working bullocks on that run, the pastoral tenant's right was reduced to that extent, and he should receive compensation by having his rent reduced to that extent. If the Land Act provided for what was proposed he had no case, as the squatters in coming under the Act took upon themselves all its pains and penalties; but if that was not so, it was unfair now to pass retrospective legislation that would interfere with those leases. The pastoral tenants formed a very much larger class in the community than the timber-getters, and they should receive at least as much consideration from the Committee as the timber-getters.

Mr. MURRAY said he would be sorry to see the subsection withdrawn. What they wanted was to enable the timber-getters to get at the country on which they were felling the timber, and he thought that the regulations proposed could be very easily framed. The best plan, he thought, would be to proclaim a road through the run to the place where the timber was got, and that would leave half-a-mile on each side, which would be sufficient for the depasturing of the bullocks employed in drawing the timber. The lessee would, of course, require some compensation for a road being proclaimed through his holding.

Mr. BARLOW said there was a good deal in the contention of the hon. member for Barcoo as far as it went, but he (Mr. Barlow) understood that at present there were certain rights given to travelling stock under the Act, and if that did not cover the case of the timber-getter it was inferentially considered to create a sort of inchoate right to do all things necessary for the cutting and carrying off of the timber. They were now only seeking to make that right clear. He did not wish to prefer any one class to another, but it seemed necessary for the well-being of the colony, and for the carrying on of the timber trade, that the men engaged in the industry should have the right to do those things.

As to the wrongs of the squatters in connection with coming under the Act of 1884, and of the surrenders and sacrifices they had made——

Mr. MURPHY: There are no wrongs. They made a bargain.

Mr. BARLOW said he had not understood the hon. gentleman to say that they had made a bargain with the State, but that they had made certain sacrifices. He did not profess to have any practical experience in squatting; but gentlemen to whom he had spoken on the subject had said that the compact made in connection with bringing runs under the Act of 1884 was exceedingly advantageous to the squatters. Questions of that sort, of course, must be decided upon principles of justice, and the leader of the Opposition could set them right as to the legal bearings of the question. He understood that the Chief Justice had drawn a clear distinction between the right of transit and the right of consuming the grass.

Mr. NORTON said that he considered that timber-getters had exactly the same right, though not defined so clearly, as those in connection with travelling stock through a run. The Crown lessee had no reduction made from his rent on account of the land which was used by travelling stock. The owners of travelling stock had a right to depasture their cattle for half-a-mile on either side of the road. The law laid down very clearly the rights of travelling stock, and he believed that the law also intended to express—though it had not done so in so many words—that the timber-getter, who had to pass through the leased portion of a run in order to get the timber from where he had cut it, had a right to camp for the night, if necessary, and turn his cattle out on the leased portion of the run. Certainly the right was not defined, but he did not see how it could be legally denied. The timber must be got out of the place where it grew. It was to the advantage of the country that it should be got, and no great harm was done to the lessee, except in a very few cases where the timber-getters used the country, not only for depasturing the cattle employed in drawing the timber, but for turning out a large number of cattle to graze.

Mr. STEVENS said that in the event of a dispute between the pastoral lessee and the timber-getter, the Government had the right to make a road to the timber. He did not know whether his view was correct or not, but if it were it would be more awkward for the Crown lessee to have roads made to all the timber on his run than to let the timber-getter depasture his stock there. If roads were made, the timber-getters could go to the timber whenever they pleased. Since he had spoken previously he had been told that the Government had not the power to introduce a clause interfering with the rights acquired by the pastoral lessees who had come under the provisions of the Acts of 1884 and 1886. The Crown lessees had certain rights which could not be interfered with. So far as he was concerned, as a pastoral lessee, he had not the slightest objection to the timber-getters having the right proposed to be given.

Mr. MURPHY: There is no timber on your run.

Mr. MELLOR said that he did not think the Act gave the power to frame regulations for the purpose of allowing the timber-getters to graze cattle upon the leased portions of runs. He might call the attention of the Minister for Mines and Works to the fact that doubts were still entertained in reference to mining on the leased portions of runs. The hon. gentleman had previously stated that the Act of 1884 did not give the power to make regulations upon that subject.

The MINISTER FOR MINES AND WORKS: The miner has not to pay compensation.

Mr. MELLOR said he understood that the two matters were in the same position exactly, and he considered it would be better for the Committee to put the question beyond doubt. The hon. member for Charters Towers had pointed out a case where a gentleman had suffered grievously, and if regulations had been framed he would have been entitled to compensation, but there had been no regulations. As had been pointed out over and over again, the lessees were fully cognisant of the fact that licenses would be granted for cutting timber upon the leased portions of their runs. He was sure it was only a technical flaw in the Act of 1884, of which advantage had been taken, as when they were passing the Act they had all thought that the timber-getter would have full power to go anywhere his license allowed him to go, and that he would have the right to depasture any cattle. He had had that right previously upon Crown lands, and it had been intended that he should continue to have it; but, to put it beyond a doubt, a clause should be inserted in the Bill laying down that right clearly.

Mr. MACFARLANE said that he thought the Committee would make a mistake if they allowed the subsection to be withdrawn. He believed that the first impressions of the Minister for Lands were right, that there was a flaw in the Act regarding the timber-getters, and that the subsection would set it right. He did not think the Crown lessees would suffer a very great wrong if the timber-getters had the liberty of depasturing their cattle while they were cutting the timber, from the fact that every tree which was cut down would in the very nature of things cause more grass to grow for the squatters' stock. The amending subsection should be passed to deal out common justice to those men who had got their timber licenses with the understanding that they could depasture their cattle while they were cutting down the timber. If the regulations which the Minister for Lands proposed to frame would be the means of carrying out the intention of the clause, without embodying it in the law, the passing of the amendment would do no harm whatever.

The HON. SIR S. W. GRIFFITH said he should like to know what the Government proposed to do, whether they were going to withdraw the subsection from the Bill or not? On several occasions during the session the matter had been mentioned, and the Government had undertaken to deal with it, and place beyond all doubt the power of timber-getters to do what was absolutely necessary to enable them to go for the timber and remove it from those holdings. It was held for some time that under section 131 timber-getters had a right to depasture their cattle or horses on the land for such a time as was absolutely necessary to enable them to remove the timber; but lately, as hon. members knew, the question had been brought before a judge in chambers. He had previously called attention to the meagre character of the report of the decision given on that occasion. The case did not appear to have been very much argued; indeed it was unfortunate that it was not argued before the full court fully, as the importance of it deserved. However, it appeared to have been decided that under section 131 timber-getters had no right to depasture their oxen or horses on a squatter's land. If that was so, regulations would not give them the power. The Minister could not make regulations conferring additional powers. He could make regulations regulating the exercise of the powers already conferred by, but he could law

neither confer a new right by regulations nor take away from existing rights by regulation. Regulations were only to give effect to the law as it existed. There certainly appeared to be very grave doubts whether the right in question existed or not. He certainly had thought it did, but it seemed to have been decided by the court that no such power existed. If so, regulations could not give it. What was wanted was an Act of the legislature, either in a declaratory form, as suggested by the hon. member for Burrum in the amendment of which he had given notice, or in the form proposed by the Minister now; and he could see no objection to the amendment in the form proposed by the Minister for Lands. It would exactly meet the case; and because the circumstances might be various, he thought it would be better that it should be in a general form as proposed by the hon. gentleman, rather than go into details to the extent proposed by the hon. member for Burrum, which could be provided for very well by the regulation. If the first attempt was found to be unworkable, or caused any hardship, it could be altered without the necessity of asking the legislature to interfere. He had been strongly of opinion that the clause conferred the power, but in the face of the decision which had been given—which might, but was not, he thought, likely to be reversed on another case being raised under precisely similar circumstances—it was the duty of the Committee to deal with the matter one way or the other to remove the doubt. If it was intended that squatters should be entitled to prohibit timber-getters from going on their runs, let them say so; but he did not think the Committee would do anything of the kind. If there was a defect in the Act of 1884, it was a purely accidental and formal one. When the squatters took up their runs under that Act they knew perfectly well that clause 131 conferred upon timber-getters the right to take timber off their runs, that they could not take it off without using cattle and horses, and that those horses and cattle would have to eat grass. The objection now made on behalf of the pastoral tenants was a purely technical and flimsy one, and had no merits in it whatever. It was an attempt to take advantage of an accidental omission—if there was one, which he doubted—and was not deserving of the slightest consideration from the Committee. It was the duty of the Committee to deal with the matter. The Government were pledged to deal with it, and they had brought forward a proposition which would deal with it in a thoroughly satisfactory manner. He hoped they would not withdraw it, for they could only deal clearly and satisfactorily with it by some such clause as that. If the squatter believed that his grass would be injured by cattle camping on his run for the night, and if that was not right, say so, and give him compensation for the half-dozen blades of grass lost. Pay him a penny a week for agistment, but do not give him anything more than he lost. What were leases for? Every man of ordinary common sense knew that when a privilege was given to timber-getters to go on runs to remove timber, it must include the right to take drays on to the runs to remove the timber, and to draw the drays by the means ordinarily used in this colony, that was, by animal traction. That was a necessity. There were no merits in the case set up by the squatters. As to talking about indefeasible leases, that was all moonshine.

The POSTMASTER-GENERAL (Hon. J. Donaldson): You did not say so in 1884.

Mr. MURPHY: The hon. gentleman at one time says one thing, and at another time another thing.

The HON. SIR S. W. GRIFFITH said he had maintained it several times. When people were trying to put a forced interpretation on the words of a statute, the legislature had intervened, and stated what it meant.

The POSTMASTER-GENERAL: You said it was a freehold for the term of the lease.

The HON. SIR S. W. GRIFFITH said so it was; but if a freeholder who had a freehold, subject to the condition that people should go on his land and dig for gold, claimed compensation for the breaking of the grass in order to get at the gold, the legislature would step in and say that it included that right too. The legislature meant to give these rights to the timber-getters; and the squatters, when they took up their leases, knew it, but, as a doubt had arisen on the subject, it was the duty of the legislature to step in and say exactly what they did mean.

Mr. MURPHY said the hon. gentleman was making an attack on the squatters, as usual. The hon. gentleman was always attacking one or other of the industries of the colony, and he did not care, so long as he was appealing to the class which possessed the greatest number of votes, how much he injured any other class in the community. The squatters did not want to claim any more rights than the Act of 1884 gave them. They were, as he had said before, absolutely dependent upon the grazing capacity of their runs. They did not argue that timber-getters had no right to go on to their runs with teams to haul the timber away. It was the abuse of that right that they were afraid of. If persons knew that by merely taking out a timber license, it would give them the right to depasture their cattle on leased runs, they would enter upon it with all the stock they possessed, and go all over a man's run. Of what value would the lease then be to the squatter?

The HON. SIR S. W. GRIFFITH: The clause, as framed, would obviate all that. It provided that regulations may prescribe what will prevent it.

Mr. MURPHY said he knew what it meant; but he was not willing to leave the power to any Minister for Lands. He would much rather see the rights of timber-getters, so far as grazing was concerned, laid down by law. He would very much sooner that was done than that they should be left to the mercy of any Minister for Lands. He was very glad that the Act of 1884 had taken so much power out of the hands of the Minister for Lands, and placed it in the hands of a board that the whole colony—at any rate the pastoral tenants—had every confidence in. They did not want to be again placed in the power of the Minister for Lands in those matters.

The MINISTER FOR LANDS said he understood that the case recently decided by the Chief Justice in the Supreme Court in favour of the lessee was so decided because there were no regulations framed. His contention was that if that decision was in consequence of there being no regulations framed, subsection 2 and subsection 5 of clause 130 of the Act of 1884 gave the Government power to frame regulations for the depasturing of stock necessary for the removal of timber; therefore that clause actually gave the power that was asked for in the amendment.

The HON. SIR S. W. GRIFFITH: Is supposed to but does not.

The MINISTER FOR LANDS said he understood the opinion of the hon. gentleman and the late Attorney-General to be that it did give that power.

The HON. SIR S. W. GRIFFITH: The Supreme Court is of a different opinion.

The MINISTER FOR LANDS said the hon. gentleman had stated that the case was not fully argued before the Chief Justice.

Mr. POWERS said he had previously pointed out that the clause dealt with what was included in the Act—that was the right to go on the land and cut timber, and take it away. The doubt that had arisen was in reference to the right of the timber-getters to depasture the stock necessary to carry on their business; and he hoped the Minister for Lands would not withdraw the subsection. He was sure that a majority of the Committee were in favour of it. The Government were pledged to deal with the matter, and they had been informed by legal members and others who understood the subject that the regulations would not effect what was desired. Therefore, he would ask them to take the voice of the Committee on the question. He was present when the case was argued in the Supreme Court, and he could assure the Minister for Lands that the question of the want of regulations did not arise at all. The question was as to the right to depasture. The hon. the leader of the Opposition had put the matter very clearly and strongly before the Committee, and he (Mr. Powers) hoped the clause would be put to the vote.

The MINISTER FOR MINES AND WORKS said he was under the impression that the case referred to was argued in the Supreme Court, but it now appeared that it was argued in chambers before the Chief Justice. He certainly thought a case of so much importance should be tried by the full court. It seemed that the Committee were completely in the dark as to the arguments used, and he thought the Minister for Lands or the hon. member for Burrum should have provided them with the arguments used on both sides. At present all they had was the bare decision of a judge of the Supreme Court in chambers.

Mr. POWERS said he did not see how the arguments could be supplied, unless they were taken down by a reporter. The whole case appeared in *Hansard*. All the facts were admitted, and the question was whether a man engaged in the timber industry had the right to encamp for one night on the run when he could not in the ordinary course of business get off the run. The hon. the leader of the Opposition stated at the time the case was brought before the House that he did not want any further particulars. If the hon. gentleman had asked for further information he (Mr. Powers) would have endeavoured to supply it. The case was argued by Mr. Chubb on one side, and Mr. Virgil Power on the other, and he was sure that those gentlemen, having accepted their briefs, would not neglect to put the whole case before the Chief Justice.

The HON. A. RUTLEDGE said he thought it very desirable that the amendment should be adopted. He was not at all satisfied that the case was fully argued before the Chief Justice in chambers, neither was he satisfied as to what the actual facts of the case were. Still there was the fact that they had an adjudication on the question, and they had no certainty that even if the case were fully argued before the full court the decision of the Chief Justice would be reversed. He therefore thought that when they had a Land Bill before them they should take advantage of that opportunity of doing away with the doubt that existed on the subject, and of making the matter secure in the interests of the timber-getters. The right being conferred on timber-getters to cut timber, it was only reasonable that the Minister for the time being should have the right to frame regulations, to be approved of by the Governor in Council, setting out the conditions under which that timber might be removed. Those regulations would not be the mere will of the Minister. No doubt a question of that sort would be carefully considered by every member of the Cabinet before approval, so that there need be no fear as to the nature of the regulations. He thought it was very desirable that they should take that opportunity of rectifying the difficulty that had arisen, by adopting the subsection proposed by the Minister for Lands.

Mr. MELLOR said he thought it would be very much better to have the subsection inserted in the Bill. It certainly did not do anything more than what was proposed by the Minister—to keep the power to make regulations. He was sure that unless the matter was clearly defined there would be widespread dissatisfaction among the timber-getters, and a great deal of injury would be done to a very valuable industry. He therefore hoped the Minister for Lands would allow the subsection to be inserted.

The HON. SIR S. W. GRIFFITH said he had the statement of the case given by the hon. member for Burrum on the 23rd July. The question submitted to the court was—

> "Whether the power to fell, cut, saw, split and remove timber, given to holders of licenses under the Crown Lands Act of 1884 and the timber regulations of the 5th November, 1888, implies a power in the holders of such licenses to turn out and depasture their working bullocks on any holding of a pastoral lessee of the Crown, under the Crown Lands Act of 1884, provided that a journey to and from the place whence the timber is removed cannot be effected in one day, and that such depasturing is not for a longer time than is necessary for the ordinary purposes of an encampment for the night."

Upon the facts stated the decision then given might have been given by a court who were of opinion that timber-getters were entitled to depasture their stock on the runs of pastoral tenants, provided they did not keep them there longer that was absolutely necessary. They did not know, and could not find out, what the real ground of the decision of the court was; but if the court decided that it was unlawful to do that, the sooner the law was altered the better; and if it was a matter of doubt, the sooner the doubt was removed the better. From every point of view the amendment should be inserted, and he believed it would be carried by a large majority.

The MINISTER FOR MINES AND WORKS said he believed the 131st clause of the principal Act gave the timber-getter the right to use bullocks and to depasture them also. It did not do so in plain terms, but inferentially; and he thought that subsection 2 of the 130th clause gave the Minister power to remedy, by regulations, whatever was wanting in the 131st clause, by stating plainly the number of bullocks that might be used, and the time they might be depastured on the run of the lessee. As to the 109th section, of which the hon. member for Gympie spoke, that plainly said that compensation must be made to the pastoral lessee for any damage actually done; but the miners would never pay compensation to any squatter for prospecting on his run.

Mr. JORDAN said it would be a pity to withdraw the amendment. It could not possibly do any harm, but would make perfectly clear what was now obscure. He could not agree with the arguments of the hon. member for Barcoo, because when the 131st clause of the Act of 1884 was passed, it was intended that the timber-getter should have the privilege of depasturing his bullocks on the run of the pastoral lessee while engaged in removing timber therefrom. The only objection to that privilege was that it might in some instances be abused, but it would be possible to provide for

that contingency in the regulations. In fact, the rights of the Crown lessees, as well as those of the timber-getters, should be protected in the regulations. As the leader of the Opposition had suggested, the lessee should have the right to claim payment for the stock depastured on his run in cases where the privilege was abused. The clause did not confer the power to make regulations—that was conferred by the principal Act—but it made clear the right of the timber-getter to depasture the stock employed in removing timber, and he hoped it would not be withdrawn.

Mr. AGNEW said that if the clause could do no good it could do no harm. At present the timber-getters were suffering great inconvenience in consequence of the ruling recently given by the Chief Justice; and the clause clearly laid down the intention of the legislature when the 131st clause of the Act of 1884 was passed. It was only fair that the Act, which gave the timber-getter the right to remove timber should also protect him while so engaged, and he therefore trusted that the amendment would not be withdrawn.

Mr. MURRAY said he thought that, from the timber-getters' point of view, the regulations were quite satisfactory; but he saw no method by which they could be forced on the pastoral lessee. The squatter had an indefeasible lease, and a man had no more right to enter upon his country and use his grass than to enter a house leased by another man.

Mr. POWERS said the pastoral lessee knew very well that timber-getters had the right to get timber, and that the ordinary way of removing that timber was with bullocks. He knew that previous to 1884 they were allowed to go on the runs of the pastoral lessees, and that the 131st clause of the Act of 1884 was intended to give them that right, too. He asked on that ground to have the clause inserted. There were hon. members who thought that regulations could not be made, and when made were of no use. If they were right, and those holding opposite opinions wrong, then it would be a good thing to have the subsection inserted. It was a good provision to have in the Act under any circumstances, and he hoped it would be accepted by the Committee.

The MINISTER FOR LANDS said the intention of passing the amendment was undoubtedly to set at rest any doubt that might have arisen as to the right of the timber-getters to enter upon land under pastoral lease, and depasture their stock, and it was also intended to protect the rights of the pastoralist, giving the timber-getter the right to carry on his operations according to the intentions of the Act of 1884. The question was whether the 130th clause, referring to regulations, gave the power to pass regulations for that purpose. If it did not, and his contention originally was that it did not, then the subsection proposed should be accepted. Then it was contended that the Government had power to frame regulations without the proposed amendment. If the Act did give the necessary power without the amendment, then the amendment was unnecessary; if, on the contrary, the Committee thought it advisable to put in the amendment, he had not the least objection to it going in.

Mr. STEVENS said he was not quite sure that the Committee understood the question. Were they voting for the clause or the amendment of the hon. member for Burke?

The CHAIRMAN: I may explain how the question now stands. The question was that the subsection, as proposed to be inserted, be so inserted; after which it was moved by way of amendment, by the hon. member for Burke, that all the words after the word "numbers" be omitted, with a view of inserting the following—"and for such period as may reasonably be required for the removal of such timber or other material, as specified." Since then the hon. member for Burke has asked permission to withdraw his amendment, and that was objected to by the hon. member for Burrum. The question now is that the words proposed to be omitted stand part of the clause.

Mr. HODGKINSON said his only reason for proposing the amendment was this—of course he knew perfectly well that it would not in any way modify such regulations as the Minister thought fit to frame—but the Minister for Lands distinctly stated that in reference to the regulations he was in favour of camping being allowed for one night. They had had one instance given in which a timber-getter did not move at all off the lease. The timber was cut from a scrub on the lease and taken to a railway siding also on the lease, so that during the process of getting timber and removing it the timber-getter was never off the lease, and any restriction as to time might absolutely prohibit his occupation. What was the use of allowing a camp to be made for one night only, at a place where, owing to wet weather or loss of bullocks, a man might be compelled to camp for a fortnight. His bullocks might even be driven away by some opponent cognisant of the spirit of the regulations. He was not an advocate for interfering with one scintilla of the vested rights of the squatter, and his amendment would not interfere with him. When the land was conceded to the squatter, it was perfectly understood that the timber-getter had a pre-existing right. In the same way it was understood that the gold miner was not to be interfered with in his search for gold, but owing to an omission in the Act he was interfered with, and they wanted to guard against that in the case of the timber-getter.

The HON. A. RUTLEDGE said when they voted on the question, they voted for the retention or omission of the words proposed to be omitted by the hon. member for Burke. He submitted that the subsection as it stood was preferable. It comprised everything they could possibly desire, and was much more comprehensive.

Question—That the words proposed to be omitted stand part of the subsection—put and passed.

Question—That the subsection proposed to be inserted be so inserted—put and passed.

Question—That clause 3, as amended, stand part of the Bill—put.

Mr. BARLOW said he had a short amendment to propose. He had given a copy of it to the Minister for Lands, as he had been unable to put it in print. Hon. members would remember that one of the most violent and possibly unreasoning objections taken to the Act of 1884 arose from the 104th section of that Act. The matter had been brought very prominently under his notice when he was contesting the election, the result of which returned him to that House. The 104th clause had been constantly held up as a weak point in the Act of 1884, on the ground that the lessee or the pastoral tenant of a holding under the Act would crowd upon his holding such an amount of improvements as might render the taking away of the holding from that man an impossibility. It had been continually urged against the Act of 1884, that that would be the effect of that clause, and in connection with the discussion the other day with respect to the thirty years' tenure of grazing farms, a small

reminder had taken place with reference to the objections taken to clause 104. The amendment he proposed to submit to the Committee had for its object the defining and limiting of any excessive improvements upon a holding or run. The Premier, he saw, was disposed to make merry at the expense of that amendment.

The PREMIER: I think it a very serious subject.

Mr. BARLOW said he thought it was, and he thought the clause would probably have the effect of shutting up some of the adverse criticism which had taken place in regard to the Act, and especially in regard to the 104th section. He did not presume to say that anything he proposed must necessarily be right, or that the amendment was accurately framed to carry out the object he had in view; but he thought some limitation was necessary in order to put a stop to the comments made upon that 104th section of the principal Act. The 104th section said:—

"Where there is upon a run or holding an improvement, the pastoral tenant or lessee shall be entitled, subject to the provisions of this Act, on the resumption under the provisions of this Act, of the part of the run or holding on which the improvements are, or on the determination of the lease otherwise than by forfeiture, to receive as compensation in respect of the improvements such sum as would fairly represent the value of the improvement to an incoming tenant, or purchaser of the whole run or holding."

He proposed, in the amendment which he would read to the Committee, to prevent the putting on any holding of an excessive improvement, and the putting upon a run or holding an excessive improvement with a view to working it in conjunction with other holdings under the Act. It had been constantly stated during the discussion on that Bill that persons had obtained a large number of grazing farms and had worked them as one property. It was quite possible that they might upon one of those selections put an improvement, or that there might be upon one of those selections some natural feature which would enable the holder to work it as a sort of headquarters for the whole, and therefore he had endeavoured in his amendment to confine the improvements to each holding with reference to itself. Without further comment he would read the amendment, which was as follows:—

The one hundred and fourth section of the principal Act shall be read and construed as if the following proviso had been originally added thereto:—Provided that compensation shall be allowed only in respect of such improvements as are or were fairly and reasonably necessary to the proper and profitable working of the run or holding; taking into consideration its actual area only and its classification as either a grazing farm, an agricultural farm, or a lease under the thirtieth section of the principal Act.

He thought that amendment was one worthy of something more than ridicule from the Government; though perhaps, in their opinion, it might be too effectual in relieving the Act of 1884 of one of the great objections raised, and most industriously circulated, against it. He submitted the amendment to the Committee, not in the belief that it must necessarily be right, but in the belief that it was a fair attempt to deal with a question which had formed the subject of so much comment.

The MINISTER FOR LANDS said the hon. member would have done better to have had the amendment printed and circulated, so that hon. members could see it, because it appeared to him to strike a very serious blow at one of the provisions of the Act of 1884. He was not aware that the 104th section had been seriously criticised, though it certainly had been stated that when a lease under it had expired the amount to be paid in compensation would be very large indeed. The clause provided that at the time of the expiration of the lease, the lessee was to be paid whatever the value of his improvements was to the incoming tenant. The amendment, it seemed to him, would, if carried, have the effect of throwing considerable doubt upon what improvemements a lessee was to put upon his holding. Who was to decide it?

Mr. BARLOW: The Land Board.

The MINISTER FOR LANDS said he did not believe it was right to limit the improvements that a lessee might consider it necessary to put upon his holding. His holding was comparatively secure to him for fifty, thirty, or twenty-one years, as the case might be, and different holders would have totally different ideas as to the improvements necessary for the effective working of their leases. The hon. gentleman said in the clause he had proposed:—

"Provided that compensation shall be allowed only in respect of such improvements as are or were fairly and reasonably necessary for the proper and profitable working of the run or holding."

That applied to holdings of all kinds—to agricultural farms, as well as to grazing farms or pastoral leases, and he thought it would be introducing a very serious element of uncertainty into the improvement clauses affecting the different holdings.

Mr. GRIMES called attention to the state of the Committee.

Quorum formed.

The MINISTER FOR LANDS said that at present the lessees were—reasonably, he thought—left to decide for themselves what improvements were necessary for carrying on operations upon their holdings. The Act defined what the minimum of such improvements should be. In the case of agricultural farms it could be either fencing, or an amount of expenditure equal in amount to the value of the fencing, and five years were allowed in which the improvements were to be made. With grazing farms fencing was an absolute necessity, and had to be erected within three years. From that time to the termination of their leases—at the end of thirty years for grazing farms, and fifty years for agricultural farms—it was very reasonably and properly left to the discretion of the lessees what improvements they chose to put on. He would point out that the conditions were different under different circumstances. Take the case of two grazing farms. In the one case the lessee was inclined to go in for extensive subdivision of his property. He might prefer making a stud farm of it, necessitating very valuable improvements, such as subdivisions, sheds, paddocks, lucerne paddocks, and perhaps, artesian wells. He might decide, having a tenure of thirty years, that it was for his advantage to improve that farm to a very great extent. Should he do so it would be to the advantage of the country, as the improvements would necessitate the employment of a considerable number of men, and if his operations proved successful he would certainly be the means of inducing others to do likewise. Now the adjoining selector, on the contrary, might be a man of comparatively limited means, and he might decide merely to put up a ring fence round his selection, using it simply as a grazing farm, and not improve it to any further extent. He would ask the hon. member for Ipswich, who was to decide between those two men as to what was the proper kind of improvements to put on those leaseholds, and for which the lessee was to receive compensation at the end of his lease? He assumed it would have to be left to the Land Board to decide what improvements should be sanctioned, but it would be a bar to the industry of the individual if he had to apply to the Land Board for permission to make every improvement he contemplated.

On those grounds it would not be advisable for the Committee to pass the amendment. It appeared to him to be very difficult to work the scheme. The one Land Board could not exist for ever, and a succeeding Land Board might take up a totally different view from the present board—either allowing a greater amount to be spent on improvements than the present board, or disallowing many improvements which had been made. On that ground he could not advise the acceptance of the hon. member's amendment, unless he could give further reasons for its acceptance.

Mr. BARLOW said that as the amendment was not in print, he would mention for the information of hon. members that it proposed to deal with improvements on the three classes of holdings—pastoral tenure, grazing farms, and agricultural farms—when resumptions took place otherwise than by forfeiture, the improvements to be dealt with on the basis of their value to the incoming tenant—that those improvements should be only such as were fairly and reasonably necessary to the profitable working of the holding. And it went on to propose that each improvement should be dealt with in respect to the individual area of the holding dealt with, that the improvements should be improvements that were adapted to the class of holding on which they were situated. It was not a question of improvements to be put upon the land before the lease was issued. It was an attempt to deal with a question that was often asked during the general election—What would become of those holdings when the leases ran out? Sham Liberals and advanced Liberals, and various other forms of political chameleons, said the country would have to pay such an enormous amount for the improvements which would be put on those holdings that the country would be glad to convert them into freeholds to get rid of them. The question was put before the farming constituencies, where the land question was a live question, in every form of misrepresentation, in order to scare them off the excellent principles of the Act of 1884. His amendment did not attempt to dictate to the tenant what improvements he should put on his holding. It simply cautioned him that if he put improvements on a grazing farm which properly belonged to an agricultural farm, he should suffer the consequences in not being allowed any compensation for that portion of the improvements when the time came that the State had to deal with them.

The POSTMASTER-GENERAL: The law distinctly says that now.

Mr. BARLOW said he would submit that the law did not say so distinctly. The 104th section of the Act was the most involved piece of legislation to be found in it; it was the pivot on which all the objections to the Act of 1884, and all the misrepresentations, turned at the last general election. The 57th section simply provided for the minimum improvements; it stated the least thing a man must do in order to obtain the benefits he sought. If the 104th section had said that the minimum was all that would have to be paid for, it would have been a very different thing. Then the argument of the Minister for Lands would exactly apply. But the 104th section of the Act of 1884 said the compensation to be paid for improvements should be such a sum as would fairly represent the value of the improvements to an incoming tenant, or purchaser of part of the holding as regarded a pastoral tenant, and as regarded the whole of the holding of a grazing farm or agricultural area. The proposed amendment did not deal with present improvements; and it did not prevent a man making what improvements he liked. He might put up a tower of Babel or any expensive improvements he liked, but he would only be paid for reasonable improvements of the character adapted to the class of land which was improved. That was how he (Mr. Barlow) had expounded the 104th section of the Act, about which there had been so much misrepresentation Some people seemed to think that when the thirty years in the case of grazing farms and the fifty years in the case of agricultural holdings expired, a sort of chaos would take place; that an enormous sum of money would have to be borrowed by the Government, in order to pay for those improvements; that, in fact, they would never be able to pay for them, and that the land would virtually become freehold. Therefore, if the discussion did no other good it would challenge attention, and refute the misrepresentations that were circulated respecting the Act of 1884. His contention, which if wrong could be contradicted, was that the improvements would not stand in the way of letting and re-letting the land to new tenants, or to the old tenants at continually increasing rental, and if the board did its duty the State would get full value for the land. It did not matter to the State whether the old tenant or a new one occupied the land so long as it got an adequate return for it. The amendment would prevent excess in improvements and tend to make them suitable for the class of land for which they were intended. Considering all the misrepresentation there had been on the subject, he thought they could not do better than settle the question by debate, by the adoption of the amendment, or by an authoritative declaration by the Minister for Lands respecting it. He had endeavoured the other evening to insert an amendment the effect of which would have been to prevent the locking up of agricultural land in grazing farms, but it was defeated, and if he was to be in the same trouble on the present occasion and get his amendment flattened out by two Ministers for Lands, he could not help it. He had studied the question as bearing upon the recent elections and the haziness and misconception that existed respecting it, and if the debate did no more than to elicit clear light upon the subject he should be entirely satisfied.

The HON. SIR S. W. GRIFFITH said he looked upon the provision—which was forced into the Act of 1884—that on the resumption of a run or holding the lessee should be entitled to compensation for improvements estimated according to their value to the whole run as a very injurious one, because a man with a large run might make improvements upon it which might be much too large when the run came to be subdivided. In 1886 the pastoral tenants asked that the bargain made with them might be revised, and that they should get additional privileges. One was an extension of their leases from fifteen to twenty-one years, and when the Bill was brought in it altered the provision for compensation for improvements, and, in fact, provided, in accordance with the original proposal of the Government in 1884, that the compensation was to be not in accordance with the value of the improvements as upon the whole area, but as upon the area which was thrown open to selection. That was the alteration made in the law, and the improvements were now to be paid for by the incoming tenant, according to what they were worth to him. He thought that was a perfectly fair law. The amendment of the hon. member for Ipswich, although it seemed to make a provision more favourable to the country, was, he thought, really a step in the other direction. It would, in fact, go back to the provisions of the Act of 1884. It proposed that the

value of the improvements should be estimated according to the whole area of the run. He would estimate the value of the improvements not in accordance with the size of the new division—the piece offered for selection—but in accordance with the area of the whole of the run or selection. He thought the amendment did not tend in the direction the hon. gentleman desired, but rather in the direction of the mistake made in 1884, which was made notwithstanding the protest of the Government.

The POSTMASTER-GENERAL: You put it in.

The HON. SIR S. W. GRIFFITH said the hon. gentleman knew it was put in notwithstanding the protest of the Government. In 1886, however, the error was corrected; and it would be a great mistake to re-introduce the error now.

Mr. BARLOW said that his amendment was evidently imperfectly drawn, because his intention was to confine the compensation to the reduced area. In deference to the opinion expressed by the leader of the Opposition, he would withdraw it; but he believed the discussion had served to contradict the aspersion which had been cast on the framers of the Act of 1884 in regard to the question of compensation.

Mr. SALKELD said the hon. member for Ipswich had brought the amendment forward in consequence of attempts having been made again and again to discredit the late Government, by saying that when the leases expired the country would not be in a position to disturb the present pastoral tenants, inasmuch as the improvements would be of such enormous value that the Government could not possibly pay for them. If he did not mistake, that had been said by some members of the present Government; and if no other good had been done by bringing the matter forward, it had shown the fallacy of those assertions.

Amendment, by leave, withdrawn.

Mr. BARLOW said that, at the suggestion of the Minister for Lands, he now begged to move the amendment of which he had given notice; but he would first explain the modification he had made on the amendment as printed, in order to meet the objections suggested by hon. members on both sides. The hon. member for Stanley contended that land orders should be convertible; and he was sorry that hon. member was not present to hear what he had to say on the matter. The principle in connection with land orders of late years was that they should be issued to those who would become *bonâ fide* settlers; and if any person was not in a position to settle on the land, his land order had been issued under a misrepresentation. He failed to see why the native youths of the colony, and persons who had resided in the colony for some years, should be entitled to less benefit in connection with the land than those who had just come to the colony. Who was so fitted to settle on the land as the son of the man who had been on the land before him? That man was better acquainted with bush life and agricultural life in the colony than a person who just came out, and he was as much entitled to a land order. The objection to the clause as printed was that an immense number of land orders would be issued and would be floating about, and pressure would be brought to bear on candidates at election times, by persons willing to sell their land orders for anything they could get, to make those land orders transferable. His amendment was framed strictly on the lines of the land order system introduced by the hon. member for South Brisbane, Mr. Jordan, and provided that it could only be used by the person to whom it was issued, or by the husband or the wife, no other relationship being admitted. To meet the objection that might be used to bring pressure to bear on candidates at election times, he proposed that the person who used the land order should show his *bona fides* by going on the land and paying at least one year's rent and a portion of the survey fees. He therefore proposed to insert after the word "pounds" the words "provided that such person, or the husband of such person, is the holder of a license under the 54th section, or of a lease under the 58th section of the principal Act." No person would select land and pay the first year's rent, and a portion of the survey fee, simply to get a land order. And by another amendment he proposed to cut out from the operation of the system every person who had received a land order under any previous Act, except the Act which provided for volunteer land orders, because the persons who had received volunteer land orders had given a *quid pro quo* for them. Then a consequential amendment was necessary to enable the land order to be applied in refundment of the first, and in payment of any subsequent arrears of the rent of any holding. He would take as an example the case of a man aged twenty-one, and a girl aged eighteen, who had probably saved some money. What an assistance to them in taking up land would those united land orders be. He should be told he was annihilating the land revenue, but he had always contended that that was a very secondary matter to the settlement of people on the land, and if the amendment had the effect of settling people on the land, they could afford to lose the £40. That was the policy he advocated. There were one or two consequential amendments, but those he mentioned were the main features. If the country decided against the clause, he should have redeemed the pledges he made in bringing it forward. He saw no reason why native youths should not receive land orders as well as immigrants, and if they went on to the land and showed their *bona fides* by paying one year's rent and survey fee, that was an earnest of their intention to become good citizens. It was not unfair that the first year's rent should be refunded, and the land order applied to subsequent years' rents. Of course, that also applied to every native-born and naturalised British subject who had resided in the colony for five years, and he thought it should so apply. A person who had resided in the colony for five years was entitled to some consideration. The clause did not hold out any inducement to people to rush here for the sake of a land order. It would be said that a great many rich people would take up those land orders, but they could only do so to a certain extent. They could not draw distinctions between parties on account of their wealth. If the clause induced *bonâ fide* settlement they would have done well in passing it. He was not anxious to take up the time of the Committee, and probably every hon. member had made up his mind on the question. He would, therefore, move the clause as follows:—

Every person of European extraction who is of the full age of eighteen years, and is either—

(*a*) A native of the territory embraced within the colony of Queensland, and whether such person was born before or after the separation of such territory from the colony of New South Wales;

(*b*) A natural-born or naturalised British subject, and has at any time *bonâ fide* resided within the colony of Queensland for five consecutive years, and has not had issued to him any land order warrant under the twenty-eighth section of the Crown Lands Act Amendment Act of 1886, nor any land under any previous Act of this Parliament of Queensland, excepting under the ninety-eighth section of 31 Vic. No. 46;

shall be entitled to apply for and receive one land order in the form in the first schedule to this Act of the nominal value of twenty pounds. Provided that such person or the husband of such person is the holder of a license under the fifty-fourth section of a lease under the fifty-eighth section of the principal Act.

No more than one such land order shall be issued to any such person.

Application for such land order shall be made in the form of the second schedule to this Act to the land agent whose office is nearest to the ordinary place of residence of the applicant.

Upon the back of such application there shall be a statutory declaration made by the applicant under the Oaths Act of 1867, or under any other Act regulating such declarations, setting forth such of the following facts as the case may require :—

(*a*) That the applicant is of the full age of eighteen years, and that he has not already received a land order either under this present Act, nor under any previous Act excepting 31 Vic. No. 46, or in respect of any land order warrant actually issued to him under the twenty-eighth section of the Crown Lands Act Amendment Act of 1886;

(*b*) The place of birth of the applicant;

(*c*) That if not a native of Queensland territory, the applicant is a natural-born or naturalised British subject, and that he has *bonâ fide* resided within the colony for a period of five consecutive years, and the dates and places of such residence.

The land agent shall forthwith transmit such application and declaration to the Minister, and the applicant shall thereupon be entitled to have issued to him one land order as hereinbefore provided.

Land orders issued under this section shall not be transferable, and shall be available at any time to their full nominal value for the purposes and on the conditions following and no other, that is to say :—

In payment of the first or any subsequent year's rent of any holding under Part IV. of the principal Act, of which the person to whom the land order is issued, or the husband of such person, is, at the time of making such payment, the lessee;

In the event of the death of the holder of such land order, so much of the value thereof as has not already been so applied shall be available in payment of the rent of any such holding of which he was the lessee at the time of his death, or in payment of the rent of any holding in payment of the rent of which it might have been applied if the holder had not died.

At the time when the land order is applied in payment of rent, the person so applying it must be still a resident in the colony.

Every land owner shall have endorsed thereon a copy of the last preceding section of this Act.

The MINISTER FOR LANDS said he took it that the Minister for Lands might naturally be supposed, and was supposed by the country, to be the trustee of the public estate, and in that capacity he was compelled, and rightly so, to act upon the defensive when any attack on a large scale —and in the present case he said a gigantic scale —was made on the public estate. The hon. gentleman, in introducing the amendment, made the remark that the settlement of the land was the chief consideration, without too deeply entering into the question of revenue. He (the Minister for Lands) to a certain extent agreed with that; but when an amendment of that sort which involved a regular scramble for the lands of the colony, was proposed, it was only right to point out how, although it might to a certain extent induce a little additional settlement, it would utterly do away with the revenue branch of the department. If an amendment of that sort were carried it would be absolutely necessary that some other means should be devised for raising revenue. The hon. member said, "all natives of the territory, whether such persons were born before or after separation of such territory from New South Wales." That, therefore, applied not only to those natives at present resident in the colony, but to all those natives who might have been born in Queensland before separation and were now living in the other colonies or in England, if they chose to come here and take up land. He did not for a moment mean to say that all the natives in the colony would take advantage of the section and settle on the land, but let the Committee see what the number of the natives in the colony really were, leaving out those who were living elsewhere, and who would be entitled to land orders if they chose to exercise the right. According to the census of 1886, they had 124,074 natives in the colony, and allowing for an increase since that time in the same proportion as that which took place during the previous five years, he took it that they had at present 150,000 natives in the colony, all of whom would be entitled, under the amendment, to a land order of the value of £20.

Mr. BARLOW : The nominal value.

The MINISTER FOR LANDS said it was of the nominal value of £20; but if it was exercised, it would be of the actual value of £20. That meant that they should be hypothecating £3,000,000 worth of land on account of the natives.

Mr. BARLOW: Every native would not settle.

The MINISTER FOR LANDS said he admitted that, but a considerable number of them would, and if only one-third of them did it would mean £1,000,000. But that was only a small portion of those who would be entitled to land orders under the clause. There were the natives, and the next class it applied to was natural-born or naturalised British subjects, who had resided in the colony for a period of five years and had not already received land orders. Why, there were thousands in the colony who had not received land orders and who had resided here for five years, and who would, under the amendment, be entitled to claim land orders. Very likely a great many of them would claim land orders. He had noticed an expression of opinion already in the House as to the making of land orders issued already under the Act transferable, and £40,000 worth of land had been hypothecated in that way. There were numerous reasons now that they should be made transferable. He remembered that when the land order clauses were passed, he said that the holders of those orders would in time become so numerous as to acquire political power, and attempts would be made, and they had already been made, to make them transferable. He thought that was a danger they had to apprehend in connection with land orders already issued; but if they extended to two-thirds of the people of the colony land orders of the value of £20 each, they might depend upon it that some means would be adopted to make them transferable; and then they might do away with the Lands Department altogether, and let the people go in for a general scramble. But in addition to the persons he had referred to, lessees under the Act of 1884 would be entitled to land orders under the amendment. Why only under the Act of 1884? Why not lessees under previous Acts? Take the lessees under the Act of 1884: From the 1st December, 1885, when the Act came into operation, to the 31st December, 1888, there were 4,585 of those, and the Committee could certainly take it for granted that they were residents upon the soil. They would be entitled to land orders, and that would mean £91,700 worth of land. In addition to that, under the proposed clause, those lessees need not go and take up fresh land, but they would actually be allowed to use the land orders in obtaining a refundment of the rents they had already paid. They could be used against the first year's rents, and in payment of any subsequent year's rents. Those lessees had increased

to over 5,000 by this time, and they would be entitled, under the amendment, actually and at once, to a refund of £100,000, and subsequent payments. He would not at present criticise the amendment further than he had done. He would like to hear some arguments from hon. members in favour of it, and he thought it would be quite sufficient if he answered them as they were brought forward. From the way in which the clause was drafted, however good the intentions of the hon. member might have been, he thought that if the hon. member had looked at it a little more from a practical point of view—and a practical point of view must embody the financial point of view—he would not have asked the Committee to accept the amendment.

Mr. MORGAN said he did not rise to discuss the clause at any great length so much as to put in a word for the Chairman, who he knew held very strong opinions in favour of the clause. He thought it was a pity the Chairman had not an opportunity of expressing those opinions, as he might be able to carry conviction on the subject to the heart of the Minister for Lands. If they were going to be good to themselves there was a shorter way of getting at it than that proposed by the hon. member for Ipswich, and that was to estimate the unalienated balance of the land at the disposal of the colony and divide it amongst them. Speaking seriously, there was no doubt throughout the colony a large number of people who thought it a right policy to give land orders to native-born children. They could not see why strangers from the old country should be given a free grant of a portion of the territory, upon which their children born here had not the right to settle unless they paid the full value for it. The immigrants who received land orders paid a very low rate for their passage, certainly hardly sufficient to compensate the country for the establishment in London and bringing them out here, and it was felt that there was no reason why those people should be given a free grant of land when it was denied to children born in the colony. There were so many difficulties in the way, as pointed out by the Minister for Lands, that he thought he (Mr. Morgan) would not be able to appropriate, by the assistance of his children, any portion of the public estate. If he could see his way he would be glad to assist the hon. member for Ipswich and the Chairman, but he was afraid there was very little chance of his being able to do so.

Mr. BARLOW said he would like to say a few words in reply, and he would quote the little verse of poetry that had been quoted the other evening by his hon. friend the member for Ipswich, and say that, though beaten back in this fray, some day or other they would come in first in that matter. He had not been in the slightest degree discouraged or surprised with the reception his proposal had met. Every proposal of that kind was received with smiles of incredulity, and mountains of difficulty were piled upon it; but it went on increasing in strength, and that would go on increasing in strength, and at the next general election some hon. members would have somewhat changed their opinions. He was not discouraged by the opposition he had met with. He had only fulfilled a promise he had made to his constituents in bringing it forward. It appeared that the Committee was determined not to adopt the principle at any price, so he would not divide the Committee upon it. The arguments advanced by the Minister for Lands were only arguments founded upon the expediency of the case, and were not arguments against the principle. They were told over and over again by hon. members opposite that they had 428,000,000 acres in the colony, and when any question of locking up the public estate, or giving it away, or selling it by auction, was brought forward, they were told that they need not be afraid, as they had 428,000,000 acres to go upon. Not one person in twenty would go on the land, and not a married woman, whose husband was not a selector, could go on the land under the proposed clause, because under the Act she was unable to select. The selectors under the old Act could take up fresh land, so that there was no injustice inflicted upon them. He had brought the case of the native-born population before the Committee. If the Committee thought fit, he was quite willing to eliminate from his proposal the persons who had been five years in the colony. He knew the proposal was a wide one, but proposals of that sort must necessarily be wide; but he could not see why land orders should be denied to the native-born population when they were given to others with not half the qualifications of the sons of the soil. In bringing forward his proposal he had redeemed the pledge he had made to his constituents, and they would hear more of it in the future.

The HON. SIR S. W. GRIFFITH said that he must disabuse the hon. member's mind of the belief that he was a reformer in that respect. It was more than seventeen years since he had first heard it brought forward, and he had voted against it then, and several times since. He had first voted against it in 1872, when the system was proposed by Mr. Forbes, a member for West Moreton, who was then Speaker. As far as his memory served him, six members had then voted for it. On a subsequent occasion more had voted for it, but more for fun than otherwise. He did not think the proposal had ever received any serious support. It was too much like what the Australian people were sometimes accused of being likely to do—that was, dividing the whole of the lands of Australia amongst themselves. He was sure his hon. friend was on the wrong track on the present occasion, as public opinion was not tending in that direction at all.

Mr. BARLOW said he had been opposed by the Minister for Lands and the hon. gentleman, but he was of the same opinion still.

Mr. JORDAN said that some twenty years ago there had been a system of giving land orders to induce immigration, and he had advocated the re-establishment system. That system had been a great success in attracting a population—a great desideratum in a new country. That immigration was not an immigration of paupers, costing £240,000 a year to the taxpayers. The people who came out under that system were people who paid their own passages, and who had intended to settle on the land. They were mostly people who had been connected with the land in England, and who otherwise would probably have gone away to the United States. He had pointed out at the time that the emigration from Great Britain was at the rate of nearly 1,000 a day, being 350,000 a year. The great bulk of those people who went to the United States and Canada paid their own passages, and took with them a large amount of capital. During the first year of the land order system in this colony between 6,000 and 7,000 persons had come out to Queensland from Great Britain, obtained land orders, and would have settled on the land, but that the land set apart for them was so abominably bad that it would not feed a goose—as Sir Charles Lilley used to say. Unfortunately, those land orders were transferable, and the consequence was that the persons holding them, finding the land was useless for their purpose, sold their land orders, which became a drug in the market. They were bought up by the pastoral tenants, and became depreciated from the nominal

value of £18 to £7 or £8. The shipowners who promised to take the £18 land orders for the free immigrants held at one time £50,000 worth of them, and they were absolutely unsaleable. After having advertised their system of immigration in the Australian colonies and in Great Britain to get offers for the conveyance of free passengers, they were obliged to buy back £25,000 worth at £15 apiece from the first shipowners, because they could not get any other firm to bring out any passengers. The transferability of the land orders was the reason why the system had failed. The system under the Act of 1868 was quite different. It was not proposed to make the land orders transferable, and they could only be used by the people who got them as rent, so that the former objection was entirely swept away. He knew the hon. member for Stanley did not approve of the non-transferable land orders, because he wanted to revert to that miserable system of transferable land orders, which had been a great failure. In one sense it was a great success, because during the very first year of its operation he (Mr. Jordan) sent out between 6,000 and 7,000 full-paying passengers, and during the six years the old system was in operation, the people who came out under that system, paying their passages in full, were ascertained to have brought with them an average of £30,000 in each ship. Doing away with transferable land orders, and getting rid of that great objection to them, commended itself to the House, and was carried in 1884. It would be a great mistake to give away the land as proposed in the amendment, and he saw no reason why they should despise the large revenue that would be shortly coming in from the operation of the present Land Act. In spite of the small sum that came in from selections, the increase of land revenue last year was £68,000. They could not afford to give away land; and the clause now proposed would lead to great evils and a general scramble for the land. He did not think the number of *bonâ fide* farmers would be increased if they gave the land away; for that which cost nothing was not valued. Land was cheap enough. Anyone who wanted it could get it for 2s. 6d. an acre, with five years to pay the money in. On those grounds he was opposed to the amendment. He wished to see land settlement greatly increase, but he thought the facilities were sufficiently large. Apart from homestead selections, the land taken up on the long tenure system last year was 167,000 acres, and if, as he believed they would, the holders converted their land into freeholds at the end of ten years, the value to the State of the amount leased last year alone would be £188,000 at the end of ten years. What he had to complain of was that the land-order system of immigration—although the law—was not in operation, properly speaking. The last report of the Lands Department showed that only 600 land orders had been claimed during the last two and a-half years, whereas during the first year of its operation, twenty years ago, between 6,000 and 7,000 persons came out under that system. The existence of the present system was hardly known at home. Persons had frequently come to him and told him that when they left the old country they did not know that there was any land order system in operation. Formerly no ship was allowed to leave unless the shipping clerk had interviewed every passenger, and given him his land order warrant. The law was the same in that respect now, and there was no excuse that so many persons came out without knowing that land orders were available. There was a little blame, he thought, also to be attached to the department here. Two respectable men had called upon him a week ago. One had just come out to the colony with a large family, and had brought capital with him; the other was an old resident of Brisbane. The newly-arrived immigrant had come to the colony with land orders for himself, his wife, and several children over eighteen years of age. He told him he had been to the Lands Office, had shown his land orders, and stated that he wanted to know where he could take up the land; that he was sent into a department where he was talked to by two youths who differed in their opinion as to how much land should be taken up, and he came away under the impression that with all his land orders he could only get one farm of 160 acres. He (Mr. Jordan) then directed him where to go, and told him that if he did not get the fullest satisfaction to come back and tell him. As the gentleman had not come back he assumed that he had got that satisfaction. Persons going to the Lands Department for information should, he thought, be sent to some intelligent person who could give them the information they required. He brought that under the notice of the Minister for Lands, not in the way of complaint, but to show him the necessity of providing that persons holding land orders should get the fullest information that could be obtained.

Mr. BARLOW said that with regard to the assertion of the hon. member that the land revenue would be annihilated if land orders were issued as he (Mr. Barlow) had proposed, that would only be in the case if large holdings could be obtained under the system; but in his amendment he had carefully guarded against the possibility of the transferable order being issued until the person had shown his *bonâ fides* by taking up the land and paying the first year's rent and part of the survey fee.

Mr. O'SULLIVAN said the hon. member for South Brisbane had applied the term "miserable system" to transferable land orders. The hon. member misapplied the term "miserable." It was to the miserable system of non-transferable land orders that he should have applied it. Nearly all those who came out under the transferable land order system took up land; at any rate all the land orders were used for that purpose. In fact, so quickly was the land taken up that the legislature made the orders non-transferable. This was the way they acted: They issued £30 and £18 land orders and actually bought them back for £15 afterwards. In fact they turned the Treasury into a pawnbroker's shop. They told the men to whom those £30 non-transferable land orders were issued to come to the Treasury and lodge them there and they would give them £7 or £6 for them; and if they took them out again they would have to pay £1 interest; so that in every sense the Treasury was a pawnbroker's shop, except that they did not put up the three balls. What was the mystery of the immense property the late Roman Catholic Bishop, Dr. O'Quinn, bought in the colony. He had brought out two or three shiploads of immigrants; the land orders, which were non-transferable, were made payable to him; but they were of no earthly use to him, and, on the advice of himself (Mr. O'Sullivan) and others, he bought land with them. That was the history of the immense wealth of the Roman Catholic Church at the present time. At that time the land orders were made non-transferable; but squatters all over the colony, and particularly on the Darling Downs, got lawyers in the city and large towns to draw up a power of attorney by which they were made transferable, and he knew that thousands of forgeries were committed over the matter. Those £30 land orders became so low that they were actually bought by lawyers in Brisbane acting for squatters for £4 and £5; but those orders bought land on the Downs and elsewhere for their full value. Had they been made transferable the squatter or purchaser would have had to pay £30 or £28 for

them, therefore he would not have been able to buy so much land or he would have had to pay a larger amount of money. There would have been no camp meetings of people who came to the colony, and had those land orders rotting in their pockets had they been transferable. If transferable, those land orders would represent so much cash in the colony, and would be invested in land. As a proof of that, he would state during the time cotton-growing was in progress in the colony, the bonuses for its cultivation were made transferable, and the result was that the people turned them over and bought land with them. The transferable land orders did more to settle people in West Moreton than anything that had been done in that House since he had been a member of it, which was from the very beginning. But so long as land orders were made non-transferable, they were of no use to anyone. In fact, they were a deception to the people at home, because many of them did not know the meaning of the words "non-transferable," and thought they would be able to make use of those land orders when they came out. Supposing a man who was a carpenter, paid his passage, came to the colony and got a land order; he did not want to go farming but to work at his trade, and what hardship was there in allowing him to hand his land order to a farmer, who would pay him for it and take up land with it? Although the amount of the land order was small, to those people it was large. That carpenter might be able to start in town on the proceeds of his transferable land order, while a non-transferable order would not be worth 1s. to him. What was the use of trying to deceive the Committee, when members were thoroughly well acquainted with the history of land orders in the colony.

Mr. BARLOW said what the late Right Rev. Dr. O'Quinn, who was one of the ablest men who had ever been in Queensland, did was this: He had a very large sum of money at his disposal for the purpose of building churches, and he killed two birds with one stone. He acquired land and brought his own people to the colony. He sent home that money he had at his disposal for ecclesiastical purposes and assisted the passages of a certain number of immigrants who obtained land orders, he was informed, in the name of the Right Reverend James O'Quinn. Those were not transferable; but if he had a basket full of them he could buy with them land to the value they represented. Surely the hon. member for Stanley must see that if land orders were made transferable they would be bought at a discount, and that the Government would suffer. On the other hand, if persons received land orders which bore on the face of them the condition that they must occupy the land, they could not grumble if the conditions were carried out.

Mr. O'SULLIVAN said he could not see how the Government would lose if he got a £20 land order for £5. If he had a land order, and gave it away to another man, how could the Government be at a loss?

Mr. BARLOW said he should have stated that the holder of the land order suffered through selling at a discount; and the Government suffered by having to accept the land order in payment for land at the full value from a person who would otherwise have had to pay £20 in cash.

Mr. O'SULLIVAN said the holder would suffer a greater loss by keeping the land order in his pocket.

Mr. BARLOW said he could go on the land, and use it at any time he chose.

New clause put and negatived.

Mr. ISAMBERT said he had a new clause to propose. The more the land order system was ventilated the more impracticable it was proved to be. On two previous occasions he had voted against it, and he believed the Minister for Lands had found to his sorrow that it was a mistake. Land orders had already been issued to the value of £40,000, and they were a source of vexation and dissatisfaction. He had been troubled a great deal by parties coming to the colony in connection with land orders, and he had told them plainly that the land orders were of little value; but that if they were made transferable they might become valuable in time. Those land orders, to the amount of £40,000, were 40,000 reasons that would tell at the next elections; and there would be no peace till some measure was passed by which they could be made available, because at present they were a snare and a delusion. Any private person who would perpetrate such a transaction would very soon have to make his bow before Mr. Pinnock. A great many of the people who came out with land orders were not fit to go on the land, and there was no land available for those who wanted to go on the land.

Mr. JORDAN: There is plenty.

Mr. ISAMBERT said the hon. gentleman ought to know better than to say that. He had taken Germans to the Lands Office when the hon. gentleman was Minister, and he could not tell them where the land was. All he could do was to refer them to the map. Any child knew there was plenty of land. But how far was it from centres of population? And what was the use of a homestead to a man who was a hundred miles away from a market? Land that ought to be available for homesteads was now used for sheepwalks, and he had been repeatedly bothering the officers of the Lands Department for information as to available agricultural land. They could show him land, forty miles beyond Pittsworth, exceedingly good land; but farmers would have to bring their produce forty miles to Pittsworth, and then send it a long distance by rail before they could find a market; and it would not pay them to do that. He thought that inducing people to settle on the land when they could not make a living on it, had been the means of blocking settlement and progress to a very great extent. The amendment he had to propose was simply to grant to every person of European extraction, of the full age of eighteen years, a piece of land not exceeding 160 acres, on condition of paying 2d. per acre per annum for five years for survey fees. He would let them have it on condition that they occupied it, and give them the right to transfer it to anyone else who would live on the land. His amendment included the abolition of the land order system, which he looked upon as a system of false pretences. His amendment included the abolition of the land order system. When he spoke to the Minister for Lands, he made the remark that it would be better to give the land away rather than have a scramble for it; but he (Mr. Isambert) would tell him something to the contrary, and take no less an authority than the Under Secretary. In a very excellent map showing the lands of the colony, he found that on the 31st December, 1888, under the 1876 Act, the whole of the land taken up as homestead selections in twelve years amounted to 116,798 acres, which was obtained at 2s. 6d. an acre. Supposing they had made a present of that land, in twelve years it would only amount to giving away £14,599. If they allowed any man who wanted 160 acres to take it up, and if they abolished the land order system, they would

have better results. The amount taken up as homestead areas was, in comparison, really so small that it almost took a microscope to find it. At present, the land order system was nothing but taking money under false pretences. The Minister for Lands, if he liked, could tell some very curious stories of how the land order system worked. He knew a person who had repeated correspondence with the Minister for Lands in order to get a suitable piece of land for a nursery, and in the correspondence he found the following, which was written from Bundaberg :—

"P.S.—Since writing the above, on inquiry I have ascertained that there is no suitable Government ground which would do for a nursery, excepting that portion set apart for a botanical gardens. If the Minister for Lands can grant me a small portion of this I shall be very thankful."

He believed that was not the only poor fellow who had been deceived by being told those white lies about the millions of acres that were available. A good many others were in the same predicament, and if they could get a piece of the botanical gardens would be satisfied. He hoped the Government would accept his amendment. It would be a great benefit to the Treasury, and do away with the growing system of issuing land orders that were never used. He, therefore, had much pleasure in moving the following amendment :—

Every person of European extraction who is of the full age of eighteen years, and is either—

(*a*) A native of the territory embraced within the colony of Queensland, and whether such person was born before or after the separation of such territory from the colony of New South Wales;

(*b*) A natural-born or naturalised British subject, and has not had issued to him any land order warrant under the twenty-eighth section of the Crown Lands Act Amendment Act of 1886, or any land order under any other Act of the Parliament of Queensland, shall be entitled to take up an agricultural farm subject to the provisions and limitations as to improvements contained in the seventy-fourth section of the principal Act, but shall not be required to make any payment therefor excepting the sum of twopence per acre per annum for five years for survey fees, and no more, but shall not be entitled to a deed of grant of such land in fee-simple.

Every such person shall be entitled to hold and occupy such land as he shall *bonâ fide* personally reside thereon, and shall have therein a tenant right which, after the expiration of three years from the date of occupation, and provided that the required improvements have been made, he may sell, devise, or bequeath to any person not disqualified from holding an agricultural farm under the principal Act, and in the event of his intestacy such tenant right shall follow the usual legal distribution of freehold estate within the colony of Queensland.

Such tenant right shall subsist and continue so long as any person, not disqualified as aforesaid, shall *bonâ fide* reside upon and occupy such land; but if there be, in the opinion of the board, a failure of such occupation for a period of more than three months without the written permission of the board, which they shall and may grant if they see fit to do so, it shall be lawful for the board to declare by notice in the *Government Gazette* the tenant right to have been absolutely forfeited, and such land shall thereupon revert to its original status as Crown lands.

The holder of such tenant right shall be entitled to take up a grazing farm not exceeding three hundred and twenty acres, and shall not, so long as he shall *bonâ fide* reside under his tenant right upon the agricultural farm as hereinbefore provided, be required to fulfil the conditions of residence required as to such grazing farm by the sixth subsection of the fifty-eighth section of the principal Act.

If there be within the boundaries of any agricultural area any land which in the opinion of the board is as to quality and fitness unsuited for agriculture, the Governor in Council may, on the recommendation of the board, by proclamation, set the same apart for occupation as grazing farms in areas not exceeding three hundred and twenty acres.

The twenty-eighth, twenty-ninth, thirtieth, thirty-first, and thirty-second sections and the second and third schedules of the Crown Lands Act Amendment Act of 1886 shall be and are hereby repealed.

The MINISTER FOR LANDS said that was another of those amendments which was almost a Land Bill in itself, and which would entirely revolutionise the Land Act of 1884, and it would certainly throw open the lands of the colony to speculators upon the most favourable terms he had ever heard of. What the hon. member proposed was briefly this : that anyone who desired to settle upon the land in future would be able to take up land under a different tenure. He would not even be asked to pay the modest 2s. 6d. an acre, the payments extending over five years. But he would be asked, allowed, and invited to take up an agricultural farm, the maximum area of which was 1,280 acres, at 10d. per acre payable in five years.

Mr. ISAMBERT said he had altered the area to 160 acres.

The MINISTER FOR LANDS said he was quoting the copy of the new clause that he had in his hands. But whatever the area was, the clause said that every person should be entitled to hold and to occupy such land, and should have a tenant right, which, at the expiration of three years from the date of occupation, the occupant was allowed to sell, in fact it amounted to the same thing as disposing of his leasehold. He could sell the land at the market value when he had only paid up to that time 6d. per acre. Tenpence per acre spread over five years would not pay the survey fees. He thought their land law conditions were just about as liberal as anyone who really wished to settle upon the land could possibly desire. There was no necessity for the new clause ; and why the conditions of occupation should be reduced from five years to three years, he could not imagine. The clause did not specify where such areas might be taken up. They might be taken up in any part of the colony ; and not only that, but when the tenant had sold his farm, he could take up another. In fact, 10d. per acre would be the nominal value of the land in future, and the payments would be spread over five years. It was not necessary to go into a discussion as to the merits of land orders. He had never said anything very much for or against the system. There were some good points about the system ; but he was not so favourable to it as other hon. members were. As a trustee of the public estate he could not accept the proposed new clause. The hon. member who introduced it actually said it would be a benefit to the Treasury ; but he would not discuss the matter from the Treasury point of view, as he failed to see where the benefit came in. If 10d. was to be the future price of the public lands of the colony, he could not see the use of asking homestead selectors to pay 2s. 6d. per acre, with personal residence for five years, and the opportunity of acquiring the freehold at the end of that time.

Mr. JORDAN said when he was in the Lands Office every information was available for persons who wished to take up land, and the Surveyor-General, in his report for the year 1888, had shown the careful system on which full information upon that subject was to be obtained in the office. The hon. member for Rosewood had said that the land order system was a snare and a delusion, because there was no land fit for settlement, yet they had the fact that last year 125,000 acres were taken up as homesteads, and 167,000 acres as agricultural farms, so that it was absurd to talk in that way. There was also a

large area open all over the colony for selection, and anybody interested could find out exactly at the Lands Office where it was; but it was nothing in comparison to the quantity that would be available for settlement as the colony was developed and railways and settlement were extended. Was it not absurd to say that land orders were a snare and a delusion because there was no land fit for settlement, in a colony containing 428,000,000 acres? The hon. member for Rosewood knew he was speaking carelessly when he said that, and he was astonished when he heard that that hon. member had told one of his friends, a person who admitted he had no intention of settling on the land, that his land order was not much good now, but it might become valuable by-and-by. Lands were always available in connection with the payment of rents for farms, or homesteads, or even for grazing farms, and the hon. member seemed to have forgotten that. Last year 1,390,000 acres were taken up as grazing farms; but very few of those had been taken up by means of payments by land orders—not one that he knew of. If people knew that they could take up grazing farms and pay the rent for them with land orders to the extent they could, it would be one of the greatest inducements to come to the colony, and, therefore, to say that land orders were a delusion and a fraud was to say what was not actually true. There was an immense quantity of land now open for settlement, and the fullest information concerning it was now at everybody's service in the Lands Office. There was abundance of land open for homesteads, for agricultural farms, and for grazing farms.

Mr. ADAMS said it would be very amusing if they could find out the date of the postscript to which the hon. member had alluded. The hon. member had said that the postscript mentioned that the only land available for cultivation near Bundaberg was that portion which the Government had set apart for botanical gardens. If he recollected rightly, the people the hon. member had referred to came to the colony many years ago, and had not lived in the colony all the time. They had come out with a land order, and on arriving in the colony, found that they had to pay so much upon the land order before it would become available, and they had never attempted to pay what was necessary for many years. He had seen the reply to the letter referred to, and he took the matter in hand, and went to the immigration agent to ascertain whether the land order had been made available or not. He found that certain amounts had been paid at home which were not one-fiftieth part of what was necessary to pay the passages, and the balance had never been paid. When people came to the colony and improved it to such an extent as Brisbane, Maryborough, Rockhampton, Bundaberg, and other places had been improved, it was very nice indeed for anyone coming out from the old country with a land order to select land with it alongside the towns. That had never happened to the early settlers, who had been obliged to go out and seek for land, and people coming out now had greater facilities for getting land than the early settlers had. There were now maps and plans in all the land offices in the colony showing where land could be selected, and if any man wanted to select land in the vicinity of Bundaberg, he would only have to go twenty or thirty miles along the railway line, and he could get very fair land to select. He (Mr. Adams) would not have taken up so much time, but he thought it right to let the Committee know the sort of people the hon. member for Rosewood was talking about.

Mr. MACFARLANE said he held in his hand, in the amendments which had been proposed, a very good illustration of the saying that every man carried a Land Act in his pocket. Most hon. members could not support the amendments which had been proposed, and he thought very few would support the amendment now before the Committee. He looked upon the Act of 1884 as being so liberal that any tinkering at it in the direction of liberality was only time wasted, and that applied especially to the homestead clauses of the Act. With their liberal land laws any man could take up land up to 160 acres at 6d. per acre per annum, and any man who was not able to do that was scarcely justified in taking up land at all. He had always supported the Act of 1884 in its entirety; he believed that it dealt fairly with every class, from the homestead selector up to the pastoral tenant, and on that ground he had not been able to see his way to vote for any of the amendments that had been proposed. The particular amendment before the Committee might just as well have provided that a man could go and select land before survey, and sit down upon it, and then snap his fingers at either the Treasurer or his neighbours. He looked upon the homestead clauses as being so liberal that he did not think it would be possible to improve them. As had been well said by the hon. member for South Brisbane, a thing which could be got for nothing was seldom valued or improved. He hoped no further time would be taken up by discussing the amendment, which did not come under the designation of practical politics.

Mr. GLASSEY said he could not altogether agree with the hon. member for Ipswich that it was scarcely possible to amend the Act of 1884. There had been several amendments made in the Act since it had been passed, and it was quite likely there would be amendments made upon it in the future.

Mr. MACFARLANE: Not in the homestead clauses.

Mr. GLASSEY said that the homestead clauses were unquestionably extremely liberal, but as he had said on several occasions, notwithstanding the liberality of those clauses there was still room for improvement. He trusted the present or some future Government would see their way to give or lend monetary aid to persons willing to settle upon the land in a *bonâ fide* manner. He had said before that wherever the monetary assistance scheme had been established, in the end great good had resulted from the assistance thus given. He had no doubt that if a new departure was taken in that direction, and a proper scheme was drawn up whereby a certain amount of money would be advanced to persons willing to settle on the land, good would result from it. He would not confine his remarks to persons actually acquainted with agricultural pursuits, because since he had come to the colony he had met many who, prior to their arrival here, had had nothing to do with either agricultural or pastoral pursuits, but who, notwithstanding their want of experience, had become fairly successful farmers, and had by dint of industry and indomitable pluck and courage carved out homes for themselves and for their families when they were themselves no more. What he urged might now be considered Utopian and impracticable, but in the near future it would be found desirable, in order to give an outlet for their surplus labour that could not find profitable employment in other pursuits, especially about towns. It would be found desirable and necessary to take advantage of the best tracts of the country for that purpose, easily accessible to markets, and where water could be procured,

and good roads so as to provide reasonable facilities for the conveyance of produce to market. He repeated again that he hoped, in addition to the present liberal provisions of the homestead clauses of the Act of 1884, some scheme would be adopted by which monetary assistance would be granted to selectors. He did not mean to say that money should be given away, but that it should be advanced at a reasonable rate of interest, and on long terms. The best security they could have for the repayment of that money was, in the first instance, to get *bonâ fide* settlers. It would be found in time that the security would be ample, and no loss would accrue to the country. He knew of six or seven coal miners from his own district who had taken up land in a group near Crow's Nest. He would venture to say that if any hon. gentleman visited that locality where those persons were settled, which was eleven or twelve miles from Crow's Nest, they would find that those coal miners had made wonderful improvements. They had cleared a considerable portion of their land, they had fenced part of their land, sunk wells, built humpies for themselves and their families, and they were now preparing to put in seed. He had been at the house of one of them last Saturday, and had read a letter from one of his own friends among that group upon that subject, and he had told him (Mr. Glassey) that notwithstanding the drought they had experienced they had made fair progress, and with the present good seasons they expected good crops. Those men were not agriculturists, but hard-working coal miners, all of them having families, and they had taken up land with the object of earning a livelihood for themselves. Some persons might consider those opinions Utopian, but if they were to make a new departure, and placed upon the Estimates a sum of money to assist by way of loan persons desirous of taking up land, the result would be beneficial both to the persons who took up land, and to those living in the large centres of population, and to the colony at large. He believed the Minister for Lands had every desire to afford facilities to those wishing to settle on the land. Many persons would go upon the land, but they had not the means to enable them to do so. Perhaps they had been out of employment for some months, or they might have to keep their families upon very small wages, and after taking up land they might be some months before they could get any return from the soil. In such cases an advance of money would be of great assistance. He trusted that the Minister for Lands would give the suggestion full consideration. From what he had read and heard concerning the system in America and elsewhere, he was sure that it would prove successful if adopted here. In every scheme of that kind there must be some losses, but the good that would result would more than outweigh any little loss that might accrue. He would ask his hon. friend not to press his motion, because the chance of carrying it was very small.

Mr. ISAMBERT said he believed a great deal of the opposition on the part of the Government was because they did not understand his proposal. Perhaps before they left office the Government would see the wisdom of introducing some such measure themselves. The Minister for Lands had overlooked the fact that his proposal included permanent residence. If a man wished he could transfer his holding to another who was competent to hold the land; and so long as the land was permanently occupied, it could not be forfeited. He had opposed the land order system when it was introduced, because the Land Act of 1884 was so liberal. He had been asked what was the good of land orders, and he had replied that they were of very little use. The homestead clauses were so liberal that the land order system was not of much value. He was sure the Treasury would benefit if the land order system were abolished. That the land orders had got into the hands of people who were not suited for settlement was shown by the fact that very few land orders were paid in as rent; whilst those who took up homesteads were all experienced settlers who knew their way about. It took a person some years before he got colonial experience. He was perfectly in unison with the Minister for Lands in the belief that the land laws of the colony were very liberal. In fact they were so liberal that the land order system was perfectly useless, and was nothing but an attack upon the Treasury. The land suitable for settlement and available was very scarce. When immigrants went to the Lands Office they were shown land unsuitable for settlement, and so much was that the case that, on several occasions, propositions had been made to Parliament and the Government to buy land already alienated and re-sell it to settlers on long terms. Was not that a proof that really suitable land was very scarce? Again, the hon. member for Bundanba spoke about an old man who had settled at Crow's Nest. That man had to go on the high mountains, while the beautiful plains which were the most suitable for settlement had been dummied or otherwise obtained by land-grabbers. He held that every acre of land which was not used for the purpose for which it ought to be used, was a hindrance to the progress of the country. The Minister for Lands must soon come to see the necessity of imposing a tax on those large estates, so that the men who did not care to pay a land tax would sell the land to those who would occupy and cultivate it. He was entirely opposed to the land order system, and if he had made his amendment an absurdity, it was a lesser absurdity than the existing system. It was the lesser of two evils. With the permission of the Committee he would withdraw the amendment in the hope that the Government would soon see the necessity of introducing a provision to abolish the land order system.

Amendment, by leave, withdrawn.

Mr. PLUNKETT said he had an amendment to propose, which he believed was a very necessary one. It was that—

> Section seventy-four of the principal Act shall be read and construed as if instead of the words "one hundred and sixty," inserted therein, the words "three hundred and twenty" had been therein inserted.

Hon. members on both sides of the Committee had said that the terms of the homestead provisions were very easy for a man who wished to select. There was no doubt they were easy, but there were a good many hon. members who spoke lightly of the difficulties that homesteaders had to undergo, who knew very little about the matter indeed. A homestead of 160 acres was a very fair one to start with, provided it was first-class land and in a good situation. His reason for proposing the amendment was that in the Logan and Albert districts, in East and West Moreton, and on the Darling Downs, the best land had long since been selected, and what was now available for homesteaders was very inferior land, far removed from water carriage and railway communication. The difficulties homestead selectors had to encounter in order to make a home on such land was far greater than those which had beset homesteaders in the past, and he therefore wished to allow men in those districts to extend the area they might take up so as to make a living on the land. He admitted that in some parts of the colony 160 acres was sufficient and the price very reasonable. But it was not so in other parts of the country, and if they desired to settle people on the

land they must offer them such facilities as were necessary to make it profitable to select. It would pay the Government to give them the land for nothing, if they made their homes upon it. He did not say that that should be done, but he did say that they did not so much want to get a revenue from the land as to encourage *bonâ fide* settlement upon it; and his reason for introducing the amendment was to give men a chance of making a home on the land and rearing their families in comfort. He did not think hon. members would wish to restrict men to making a mere living on the land, and he was sure that in the electorate he represented, and in all electorates in the settled parts of the colony, 320 acres was not one bit more than a man could make a living upon. In the interest of selectors, he hoped the Minister for Lands would accept the amendment he now proposed, and extend the homestead area to 320 acres. He moved the insertion of the amendment as a new subsection.

The MINISTER FOR LANDS said it had been a principle of their land legislation for a great many years that those persons who were willing to confine themselves to the comparatively small area of land of 160 acres, known as the homestead clause in the old Act, and which was continued in the Land Act of 1884, should be allowed to do so, and that they should obtain the concession of getting their land on the easiest terms to themselves that could possibly be given, and on terms equitable to the country—namely, 2s. 6d. an acre—the payment being spread over five years, and the one condition of personal residence being always insisted upon. That was the principle which had pervaded their land legislation for many years, and he had not heard any complaints as to the area being too limited. Those who were not satisfied with that area were at liberty, under other conditions of the land legislation, to take up a larger area at an increased price. The amendment was to the effect that the 160 acres should be increased to 320 acres, the reason alleged by the hon. member being that in certain areas in the Southern part of the colony, where settlement had naturally taken place on account of their proximity to large centres of population, the land still remaining unselected was of a comparatively inferior quality, not suitable, indeed, for agricultural settlement. The homesteader required, as a rule, good agricultural land. Was it advisable, in any way, to induce the homestead selector who wanted agricultural land, to take up 320 acres of bad land? He admitted that 160 acres of land was no good if bad, but would 320 acres of bad land be better? Would it not be better if those centralising influences were not encouraged to so great an extent? A principle of that sort must be of universal application. It must apply to parts of the colony where land was undoubtedly good. If the unselected land in the Southern part of the colony was too poor for agriculture, there was no reason why applications should not be sent in to have it converted into grazing areas. He could see the necessity for exercising more discrimination in opening up so many lands in agricultural districts under the grazing farms section of the Act. It must be borne in mind that owing to proximity to market, and various other causes, inferior lands in the Southern part of the colony were, in many cases, far more valuable than superior land in some of the distant parts, and very great care would have to be taken in throwing open the lands referred to by the hon. member as grazing farms, because they might become extremely valuable when more was known about the means of preserving fruit, and when they had brought into effect a system of irrigation, which he hoped would be done before many years elapsed. He gave the hon. member credit for the best intentions in moving the amendment, but he could not support it, on the ground that the conditions that had prevailed for so many years, and which had given satisfaction to the homestead selectors, were sufficiently liberal, at all events for the present time, to cover the requirements of those selectors who were satisfied to get their lands at a very low price on condition of personal occupation.

Amendment put and negatived.

Clause 3, as amended, put and passed.

Mr. PALMER said he almost felt as if he ought to apologise to the Committee for introducing another amendment after the number they had had before them that evening; but he would explain it very briefly. It referred to occupation licenses in the three land agents' districts of Burketown, Normanton, and Cooktown, and the conditions under which land was held there. The exceedingly small portion of that country which was occupied was, he believed, quite unknown to most hon. members of the Committee; there was nothing like it in any other part of Queensland. The conditions of settlement were of a very arduous nature, and it was necessary to encourage settlement there. Comprised within those three land agents' districts there were 34,000 square miles of country, from which the Treasury received but a very small income. There was, as he had said, but very little settlement there at present, nor was there likely to be under the present tenure. The amendment he proposed was to extend the occupation license from an annual license to ten years. A ten years' license was not unknown to the land laws of the colony, and he believed it was the only thing that would encourage people to settle in those out-of-the-way districts. It was not likely to be anything but pastoral country, for the present generation, at all events. If any part of it was suitable for agriculture, the conditions surrounding it were such that it could not be utilised for the purpose. The bulk of the land was pastoral, and not first-class pastoral. It was absurd to suppose that 34,000 square miles of land were to lie dormant, and bring nothing into the Treasury. The few settlers there had had to contend with many difficulties, foremost among which were the aborigines of the country. Quite recently a connection of his own was killed by the blacks, while asleep under his veranda, and the stockman, although he escaped with his life, was very badly wounded. The very first white men ever killed in the southern hemisphere were killed in the Normanton district 250 years ago, and the natives had never since lost the cunning of their right hands. In fact, the settlers carried their lives in their hands. Then there was the difficulty of the carriage of goods and of procuring supplies, all of which showed how necessary it was to encourage the pioneers of an unknown and unsettled country. The extension of the occupation license from one year to ten years would give them some encouragement. Turning to another subject, there was no reason why an imaginary line should be drawn between lands held at 5s. per square mile, and lands held as high as £2 per square mile. That price was too high, and the amendment proposed that the price should not be more than 20s., nor less than 5s. per square mile. Until recently there was a gap in the district between the Normanton and Cooktown districts, from Cape Sidmouth to the mouth of the Mitchell River, the country between which was not comprised in any land agent's district. That he thought had been met by a proclamation in the *Government Gazette* extending the Cooktown land agency to the Gulf of Carpentaria, but he did not know to what point. He hoped the Minister for Lands would be able to see his way to accept the amendment. He (Mr. Palmer) had

received letters from people holding blocks of country in those districts, saying that they would be very glad to get that encouragement, and that if it were granted, other persons would be willing to take up land under the ten years' lease. He proposed the following new clause to follow clause 3 :—

A licensee under Part V. within the limits of the land agents' districts mentioned in the schedule hereto shall be entitled to a lease of the land comprised in his license, subject to the following conditions :—

(1) The term of the lease shall be ten years, computed from the first day of January or first day of July next after the expiry of the license :

(2) Application for the lease must be made through the land agent to the Minister within three months previous to the expiry of the license:

(3) The rent shall be determined by the board, but shall in no case be more than twenty shillings nor less than five shillings per square mile.

In all other respects the lease shall, so far as the same are applicable thereto, be subject to the provisions and conditions of the principal Act.

The MINISTER FOR LANDS said the principle of the amendment was that the occupation license, which was at present an annual tenancy, subject to the absolute right of the lessee to renewal, should be converted into a ten years' lease. Those occupation licenses as a rule embraced the resumed halves of runs, which it was not considered advisable to lock up under any definite tenure, on the ground that altered conditions in various districts might, from time to time, require those lands for purposes other than grazing. They might be devoted to grazing farms, should a demand arise, or as years advanced they might be required for agricultural purposes. Therefore it was not considered advisable that they should be locked up under any lengthy tenure. The lessee had an absolute right to renewal, subject to such rent as the Land Board might propose at the end of each year. The lessee could not be dispossessed in favour of anyone else who would hold the land under the same tenure. Practically it was the same tenure under which the old pastoral leases were held—an annual tenancy, which he considered a very good one. It was proposed by the new clause to convert that annual license into a positive lease for ten years, and that the rent instead of being decided by the Land Board annually, according to the altered conditions of the country, was in no case to be more than 20s., nor less than 5s. per square mile during the ten years. It was true the hon. member proposed that the clause should only apply to the districts of Burketown, Cooktown, and Normanton, but as a Northern member, he (the Minister for Lands) thought they should be very cautious in what they did with those lands so far away, and of which they knew so very little. He was not by any means inclined to think that those lands could only be devoted to pastoral purposes. He believed that as population spread, and as new markets were possibly opened up in the East, those lands in the North would become of almost the same commercial value as the lands down South. If he thought those lands were not likely to be required for purposes other than grazing during the ten years, he would not object to the ten years' lease in preference to the annual renewal license ; but he would like that to be shown, and it had not been shown at present. Under subsection 7 of the clause just passed, provision was made for cases of occupation licenses of lands which could not be clearly defined in Brisbane. The first applicant had priority of right to an occupation license, and that would apply especially to the districts referred to by the hon. member. The only question was whether it was advisable that the annual occupation license should be converted into a ten years' lease. He was not strongly in favour of it ; perhaps some hon. members opposite might be, and he would like to hear their opinions.

The HON. SIR S. W. GRIFFITH said he sincerely hoped the Government would not accept the clause. The effect of it would be to lock up for ten years against settlement, the whole of the lands of the colony from Cairns northwards—the whole of the Cape York Peninsula and the Gulf country. That might not be the intention, but it was the proposal. The leases were to be subject to the provisions of the Act ; that was to say, they were to be indefeasible. They were to be leases for the whole ten years, without any power to resume any part unless full compensation were given to the occupier. Under the clause just passed, the man who found a good piece of land had the prior right to get it under occupation license, and by the proposed clause he would get an absolute lease of it for ten years ; and that would apply to the whole Cape York Peninsula. It would include the goldfields on the Etheridge, which, he believed, were in the Burke district.

The MINISTER FOR MINES AND WORKS : They could not take up a goldfield.

The HON. SIR S. W. GRIFFITH : Yes ; under the proposed clause they could get a lease for ten years. He would ask if they really know enough of the country thirty miles from the coast in the whole of the Cape York Peninsula to justify them in locking it up for ten years against settlement? It would be a monstrous thing to do. Yet that was really the proposal. The idea of occupation licenses was that lands not required for settlement might be granted from year to year to pastoral tenants at a certain rent. It was a sort of provisional tenure to the first discoverer of the land, until they were able to find out more about it; and it was now proposed that the first discoverer should have an absolute tenure for ten years. As the Minister for Lands had pointed out, the leases in that part of the country were previously for ten years, and when they were divided, half was given to the old tenants for ten years by way of compensation for the half that was left to be thrown open for settlement. The hon. member proposed to give another ten years to the succeeding occupiers, who would thus be put into a better position without any compensating advantage to the country. A great part of that country had been under lease, the part left to the tenant being leased at 40s. per square mile ; but it was now proposed that a man might get a lease of the remainder for ten years, at from 5s. to £1 per square mile. There might be a few isolated cases where no injury might be done by locking up the land for that period ; but he did not think that agricultural settlement should be stopped for ten years in the whole of that part of the colony. If the proposal of the hon. member were carried it would be worth while for people to take up the land at the price and keep it.

Mr. HODGKINSON said that the original area of the Etheridge Gold Field was bounded by the Gilbert River. A large part of that country presented no characteristics of a mineral region, and while he was warden there he was asked to report on it, and he recommended that it might be made of some use to the State by leasing it to the pastoral lessees. It was leased to them, and they held it under occupation licenses. By an unfortunate error in a telegram they had been able to drive out of the district one of the few *bonâ fide* agriculturists there. What would be the result if they had ten years' occupation instead of one year? He

had represented the matter to the Minister for Mines and Works, who, if he thought fit, could resume the country, and extend the boundaries of the goldfields to their original limits. The pastoral tenants had already driven out those men whose services in growing maize had been of inestimable benefit to the carriers; yet if the amendment were carried they would get a ten years' tenure at half the rent they were now paying.

Mr. PALMER said that neither of the hon. gentlemen who had spoken understood the question. The leader of the Opposition spoke of locking up the land for ten years; but it was not locking up the land, because by subsection 8 of clause 77 of the principal Act it could be thrown open for selection.

The HON. SIR S. W. GRIFFITH: No.

Mr. PALMER said that half the lease could be resumed for selection.

The HON. SIR S. W. GRIFFITH: No. That is under the old Act. That has expired.

Mr. PALMER said his amendment proposed to change the occupation license from an annual one to a ten-yearly one; and subsection 8 of clause 77 would apply equally whether it was a lease or a license. There would be less harm in locking up unknown, unpeopled, and unstocked land in that part of the colony for ten years than in leasing land for thirty or fifty years close to settlement. The amount derived at present from the occupation of that part of the colony was not anything like what it should be; and some inducement should be offered to people to occupy land there. Hon. members were speaking with regard to a condition of things of which they were utterly ignorant. There was no part of the Etheridge Gold Field within thirty miles of the coast.

The HON. SIR S. W. GRIFFITH: Part V. of the principal Act applies to the whole of the colony.

Mr. PALMER said he knew that occupation licenses applied to the whole of the colony; but he did not intend that the ten years' leases should apply to the whole of the colony. He had advocated the proposal to the best of his ability, and the leader of the Opposition did not wish to have any more information. The hon. gentleman seemed to condemn it without understanding it. As for the hon. member for Burke, he referred to a different case altogether. He (Mr. Palmer) might point out that the Act of 1869 was especially framed to encourage pioneers, and that it had done as much to settle Queensland as any Act that had ever been passed, because the people who took up country under that Act were satisfied with its conditions. His amendment merely asked for the application of a similar condition of things to the present time. The land was lying dormant, and likely to lie dormant unless something was done, and he thought that £1 a square mile was more than it was worth, considering that people who went there carried their lives in their hands.

Mr. HODGKINSON said the object of his argument was to show that an officer in the Government service, with the view of adding to the revenue, recommended that the land in the Etheridge district, which did not present mineral characteristics, should be leased under occupation license, and the pastoral tenants took advantage of that to retard the progress of settlement. He gave an instance which was perfectly familiar to the Minister for Mines and Works. That was an instance of the evil that might be wrought where the motive which prompted such a recommendation was good. He would confine himself now to the district which the hon. member for Carpentaria acknowledged was covered by his amendment, that was the Cape York Peninsula district. They knew very well that profitable mining was being carried on in the Coen, at Llankelly, and the Cape York Peninsula was metalliferous. There were indications appearing to any man competent to judge on the subject, of the existence of at least three minerals in payable quantities—gold, silver, and alluvial tin. He held that it would be very dangerous to give to any people an indefeasible lease and lock up that land for ten years. If they accepted that amendment they would have another demand for an amendment the same as the one with regard to timber-getters which they had discussed that evening.

Mr. PHILP said he did not think the hon. member understood the clause as the hon. member for Burke did. In 1869 all the land in the Gulf was taken up, except the land on the thirty-mile coast area. All west of that was taken up in twenty-one year leases, or nearly the whole of it.

The HON. SIR S. W. GRIFFITH: A great deal of the Cape York Peninsula is not taken up.

Mr. PHILP said a great deal of very fair grazing land was left within the thirty-mile area, and that was open for selection at £2 a square mile. There were 34,000 square miles of that country which could be made available if it were leased. If leased, it was still available for settlement, and could be taken from the lessees when required.

Mr. PALMER said the only settlement that had taken place on the peninsular took place under the 1869 Act, and the land was taken up at 5s. a square mile.

The HON. SIR S. W. GRIFFITH: There are some occupation licenses.

Mr. PALMER said lessees would not pay the exorbitant rent of £2 a square mile, and when they discovered they were in the thirty-mile area they threw up the country at once. If the Committee were against the amendment, of course he would not advocate it further.

The HON. SIR S. W. GRIFFITH: Where do you get the £2 a square mile from?

Mr. PALMER said some of the land had been proclaimed open under the Act of 1884 at £1 to 30s. a square mile and some at £2. There would be the making of a good many runs in that district, if the land was made available and people were encouraged. They would go out and risk their lives and money, such was the energy that was latent in bush people. They would run all risks if they could only get a fair chance.

Mr. HODGKINSON: Is there a good piece of country in the Cape York Peninsula that is not under occupation?

Mr. PALMER said there was a great deal. There were 34,000 square miles in the three districts. That could not all be bad. The hon. gentleman did not seem to know the district. Certainly a warden on a goldfield had not much opportunity of becoming acquainted with it.

Mr. HODGKINSON: Is there any piece of country not taken up in Cape York Peninsula that is not already occupied?

Mr. PALMER said there was a very great deal. In fact very little was taken up at the present time. As to the Coen Gold Field that the hon. member spoke of, it was not within thirty miles of the coast.

The PREMIER said that, speaking broadly with regard to the amendment, he thought it would be a mistake. It would be adding another complication to the existing complicated land laws, and they would have the Cape York Peninsula occupied and dealt with under a

different tenure. That would be a great mistake. For that reason he should oppose the amendment.

The MINISTER FOR MINES AND WORKS said the hon. member for Carpentaria had not carried out his expressed intention in the clause. His intention was to confine himself to the old thirty-mile belt from the coast, but there was nothing in the clause stating that. It took in the whole of the peninsula, and the whole of the Gulf country. There would be something to be said in favour of the amendment if the hon. gentleman confined himself to what he thought he was confining himself, because that country was not taken up, and if it could be taken up by any inducement held out by Parliament, it would be a great advantage.

The HON. SIR S. W. GRIFFITH said the present law provided for that being taken up. Take the whole of the land on the Batavia River and other places, upon the western side of Cape York Peninsula; that could be taken up under occupation license, and at any rent the board fixed; there was no minimum. All that land could be taken up by anyone who wanted it, and it would be proclaimed if anyone asked the Ministry to do so. He was quite sure any Government would be only too glad to encourage settlement in such a place.

Mr. PALMER said he could inform the leader of the Opposition that the land had not been taken up. The only land open there had been proclaimed in the *Gazette*, and the proclamation only extended to the mouth of the Mitchell River. It was only after years of effort that he managed to get it extended so far.

The HON. SIR S. W. GRIFFITH: I used the word in a different sense. It is open as far as the law is concerned.

Mr. PALMER said the Minister for Mines and Works had said that the schedule did not apply to the land agents' districts. The land agents' districts were specially proclaimed as being thirty miles from the coast and ran parallel with it. The three districts were described as running in a line thirty miles parallel with the coast. He had used the words "Burketown, Cooktown, and Normanton," because they were so proclaimed in the *Gazette*. There was no need to put in the whole proclamation. He believed the new clause was a good one, and the only valid objection that had been raised against it was that raised by the Premier, who said that it would only add another complication to the already complicated land laws. He knew that the amendment would meet a great want on the part of many people who wished to take up land that was not taken up at present and that would remain idle.

Mr. PHILP said outside the thirty-mile limit a man might take up a twenty-one years' lease at a rent of 5s. for the first seven years of the lease, 10s. for the second period of seven years, and 15s. for the third period. Between that limit and the coast—the part that was sought to be thrown open—there was an area of fair grazing land which had been taken up already at 5s. per acre, but beyond that there was a lot of land that would never be taken up. If it were, and it happened to be wanted for mining purposes at any time, it could be taken from the lessees without compensation.

New clause put and negatived.

The MINISTER FOR LANDS said they had spent a good deal of time over amendments, and he hoped they would soon be able to get on with the Bill itself. He now moved that the Chairman leave the chair, report progress and ask leave to sit again.

Question put and passed.

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

ADJOURNMENT.

The PREMIER said: Mr. Speaker,—I move that this House do now adjourn. The Government business to-morrow will be the Land Bill, and after that the Estimates.

Question put and passed.

The House adjourned at a quarter past 10 o'clock.