Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 22 SEPTEMBER 1896

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TUESDAY, 22 SEPTEMBER, 1896.

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

QUESTION.

RAILWAY POLICY.

Mr. LISSNER asked the Secretary for Railways—

1. Is it the intention of the Government to introduce a railway policy during the present session?

2. Will the line from Croydon to Georgetown and the extension from Mareeba to Atherton be included in the next Government proposals?

The SECRETARY FOR RAILWAYS replied—

1. I am not aware what meaning the hon. member attaches to the term "railway policy."

2. When proposals for new railways or extensions are submitted to Parliament the lines in question will be taken into consideration.

LAND BILL.

SECOND READING—RESUMPTION OF DEBATE.

Mr. ARMSTRONG: I would like, before discussing the question of our land laws and the provisions embodied in the measure before us, to do as other hon. members have done and congratulate the Secretary for Public Lands upon the very great work which he has achieved in the codification of our laws as shown in this measure. In as far as the codification is concerned, I heartily congratulate the hon. gentleman, but in regard to the new principles which at this stage in our history it was necessary to introduce, the measure is somewhat wanting, as I shall endeavour to point out as I pass on. At the same time, the hon. gentleman is entitled, not only to the congratulations of this House, but of the country, for the very simple measure which he has brought in. The greatest trouble which has arisen in connection with our land administration in the past has been due to the high price placed upon our lands. I do not see that this Bill overcomes that difficulty, which has contributed more than any other factor to retarding settlement and preventing people coming to our shores. Not only Queensland has made a mistake in this direction; I believe that every colony in Australia has made the same mistake. Hundreds of immigrants who might have come here—and immigrants of the very best class, immigrants

possessing £100 or £500—have been turned away from our shores purely on account of the greater facilities for acquiring cheap land which have been offered by other countries. Those men who have come here, instead of becoming proprietors of land and employers of labour, have acquired vast areas of leasehold land, and people who have come here in search of employment have found it difficult to obtain, and instead of being distributed over the country are collected in the towns. I firmly believe that unless some radical change is made in our land policy the difficulty we have experienced in the past will become more painfully evident. It might be thought, although our land is artificially dear compared with the price asked in other countries, that, owing perhaps to immigration, labour would be artificially cheap. But those men who have come here from the old country have found on their arrival that the labour conditions are not very much superior to those obtaining in the country from which they came. I hold that unless you offer cheap land you cannot pay a high price for labour, and unless you have cheap labour you cannot give a high price for land. Hon. members opposite I know have this question seriously at heart, and are anxious that a better rate of wages should obtain throughout the colony, and I commend this to them—that if they force Crown lessees and others acquiring land to pay the extortionate price they have had to pay in the past, a further and greater reduction in wages than has taken place must follow. What we must do, if we are to successfully compete with other countries, is to give cheap land, because then we can afford to pay fair wages, whereas if we have to pay a high price for our land we shall have to give a proportionately low price in wages. The administration of our land laws has been blamed by some speakers who have preceded me, but I do not blame the administration of our land laws. I have always held that if there is a possibility of making money off the land there is no power on earth which will prevent people from going upon the land; and, further, if there is no money to be made off the land, people will not go there voluntarily. Administration may do a certain amount of harm, but it can only have a temporary operation, because the voice of the people is being continually heard through their representatives here and in other ways, and difficulties with regard to administration are always easily and shortly overcome. I hold, first of all, that our laws should be made wide and comprehensive, and that they should be embodied in a settled policy which should not be capable of being amended and altered as has been the case in the past. The Minister, in introducing the measure, pointed out that there had been over sixty Land Acts introduced in the colony, and that at present there were some twenty-three in operation. That shows that those people who have come here, and who are settling on the land, have to do so under constantly fluctuating conditions. If we wish to induce settlement, we must give intending settlers something definite, something not subject to periodical alteration as has hitherto been the case. Of course, in introducing such legislation, there will be the question of vested rights to consider. No doubt those who have acquired land at a high price will have to suffer; but, I ask, what will be the value to the country of the vested rights which at present exist unless you introduce population? Every single vested right will be worthless without it, but if you can induce people to come out, those vested rights, although they may suffer at the inception of a new Land Act, in a short time will acquire a much higher value. The hon. member for Toowoomba, the other night, rather twitted the Secretary for Public Lands for not having shown what the financial working of the measure would be. All Ministers in introducing Land Bills in the past have had to justify their position from the financial point of view. It is worthy of commendation that the Minister did not place so much reliance on the financial aspect of the measure; if he had done so he would have shown that it was a Bill introduced in the interests of the Treasury, for it will ultimately have the effect of increasing our land revenue. I hold that the policy of looking to our lands as a means of bringing in revenue is a wrong one. What should be looked to is the utilisation of the land and the settlement of the country. We have huge areas of land which are incapable of close settlement; we have huge areas capable of being more closely settled than they are, and further areas of high-class land in the coastal districts which are capable of settling an immense number of people. But I hold that neither the present Bill nor the land policy we have pursued in the past will have the effect we all wish to see. We must not forget that we are, as it were, at the antipodes, and that there are vast tracts of land every day being brought under civilisation on the African continent and in South America, and that at no distant date very favourable inducements will be offered to people to settle there; and there can be no doubt that those inducements will be greater than those proposed to be given under this Bill. We should lead the way by giving still easier terms than will undoubtedly be given in the countries I have mentioned. We have the past history of countries now settled to be guided by. In 1863 the United States, when they were inducing population to go there, they offered the finest land in the Mississippi and Missouri valleys for a dollar an acre to people who would take up the land and live upon it. At that very time land was being offered in Canada at 8s. 6d. an acre, and they could not get people to go there. There was very little difference in the distance between Europe and Canada and Europe and the United States, but the cheaper land to the south of the boundary line induced people to flock to the United States. That was in 1863. In 1867, the Canadian legislature and the leading men there, seeing that they were not getting a fair proportion of the stream of immigration, reduced the price of land to 70 cents an acre, and when Sir John Macdonald became Premier he allowed any man to pick 160 acres who would settle upon it. That had the effect of inducing people to go to Canada. Something in that direction is necessary in Queensland at the present time. Then there is the Argentine Republic, in South America, which is now offering large inducements to people to settle there. Already, in thirty years' time, the population has increased from 1,000,000 to over 4,000,000, and, instead of 180,000 under cultivation as in 1857, there are now 15,000,000 acres, with a wheat export amounting to 1,500,000 tons. Those results have only been brought about by a wise, liberal, and comprehensive scheme of land legislation. In speaking of Canada I might have pointed out that in two districts alone—I take the figures from a book in the library called "Railways and Settlement in Canada," by Ward, which is well known—that in Manitoba, the increase of population between 1871 and 1891 has been something enormous, it having risen from 18,995 in the former year to 152,506 in the latter; and that in British Columbia, during the same period, the population increased from 36,000 to 88,000. Those are only two districts, but settlement has been going on just as rapidly in other parts of the dominion. If Canada, which has no great industries, such as our wool and meat industries, to

help her, can do this, surely we can; for I hold that we are in an even better position than Canada. It was all very well for the Secretary for Lands the other night, when an hon. member was pointing out what Canada had done in this direction, to say that the land so disposed of had been acquired by land syndicates. But after all it was Canadian land, and it was Sir John Macdonald's policy, as could be seen by anyone who would read his "Life," to give the land in small areas to people who would reside upon it. That is the policy which has contributed largely to the advancement of those countries, and something will have to be done in that direction here. I do not intend to discuss the laws which were passed previous to 1884. Much has been said with regard to the 1884 Act. That Act, as you will remember, was introduced because just previous to that time the then Premier, Sir Thomas McIlwraith, had to go to the country on the question of land-grant railways. Under that scheme he proposed to take away a certain number of runs, and the lessees stirred up public feeling to such an extent that the project was defeated. The question of the land-grant railway was a burning one at the election of 1884, and the Land Act of 1884 was introduced as the representation of current public feeling at that time, but the very men who had taken all the trouble they possibly could to oust Sir Thomas McIlwraith because he proposed to take over a certain number of runs for the purpose of pushing his railway through were the men who condemned the Land Act when it was passed, because, instead of taking away the whole of the country of a few lessees, it took away half of their runs—practically half of the runs within the scheduled area. Previous to the Act of 1884 settlement under the Act of 1878 had been very large, but the value of the land selected was only 12s. 3¼d. per acre. It was felt then that there was an absolute necessity for cheaper land. In 1893, the last year of settlement under the Act of 1878, there were 137,473 acres selected by homestead selectors, and 511,232 acres by conditional selectors, the total number of fresh settlers placed upon the land being 1,907. The working of that Act had been fairly conducive to prosperity, but still there was a cry for cheap land; and cheap land was offered to them in the form of a lease which would have been well enough if the conditions under which the reassessment should be made had been amply stated in the lease, and had been made a portion of the law. Had that been done, settlement under the Act of 1884 would have been greater than it has been. I have given the settlement in 1883. After an experience of ten or eleven years of the working of the Act of 1884, it has only settled 1,100 permanent settlers. Certainly, as stated by the Treasurer in his Financial Statement, there has been a wide expansion in the area taken up as grazing farms, but it is close settlement that we wish to see in Queensland. The persons who take up those areas are holders of large tracts of country, and that is not the settlement we wish to see in the colony. They hold their leases for a period of thirty years, subject to a reassessment of the rent, and their tenure is practically secured to them. But what we wish to see is the settlement of the land by persons who will cultivate a portion and improve other portions for the purpose of embarking in some of the many industries that the colony offers them the opportunity of going into. I say there was a requirement in 1883 for cheaper land, and that cheaper land was supposed to be given under the Act of 1884, but the experience of those who have taken up land under that Act is that it is not cheaper, because they do not know in what position they are with regard to rent. The great fault of the Act of 1884 is that there is in it no statutory reassessment of the rentals. How many of those lessees outside the scheduled area who had the opportunity of coming under the Act have done so? None.

The SECRETARY FOR PUBLIC LANDS: Oh, yes.

Mr. ARMSTRONG: There are a few round Winton, but, taking the colony as whole, I am practically right in saying that none of the lessees outside the scheduled area have come under the Act.

Mr. GLASSEY: What are you referring to now?

Mr. ARMSTRONG: I am referring to the great difficulty there is in getting settlement on the land, owing to the fact that settlers do not know what they will have to pay during the tenure of their leases, and I was pointing out that the lessees of runs outside the scheduled area had not brought their holdings within the four corners of the Act of 1884, because the devil they knew under the Act of 1869 was better than the devil they did not know under the Act of 1884. Under section 20 of the 1869 Act the raising of the rents was a statutory amount, and they preferred to remain under that Act to bringing their runs under the Act of 1884. And the same argument that holds good for them holds good for the smaller settler, even if he is only a 320-acre man, because he understands his business just as much as the larger holder.

Mr. JACKSON: Why did so many come under the Act of 1884?

Mr. ARMSTRONG: None who were outside the scheduled area and under the Act of 1869 came under the Act. Those within the scheduled area did, because it was compulsory with them.

The SECRETARY FOR PUBLIC LANDS: There was no compulsion.

Mr. ARMSTRONG: There was no compulsion, but still there were benefits. As I have explained, the lessees under the 1869 Act, knowing the statutory increases of rent that would be placed upon their runs, and knowing that they would have a twenty-one years' lease straight out, did not come under the 1884 Act. They said, "Here is a Land Board, and if we go and develop our country they will come down upon us and say, 'Your country is now capable of carrying more sheep or cattle,' and our rent will be raised." I was on the Diamantina at the time the Act of 1884 came into operation, on a station that was within the scheduled area, and a number of men who had been working at dams and other improvements which would make the run give a better return, were dismissed. It was compulsory for the lessees to do that, and it will still be compulsory for men to keep their hands on their purse strings unless something of the nature I have mentioned is embodied in this Bill, and the rental and conditions under which the lessees hold their runs are fixed by statute. I now come to the Bill before the House, and I wish to say to the Minister that I have absolutely no bias in the matter. I am actuated by the same desire as hon. members are actuated by—a sincere desire to pass a land law which will contribute to the prosperity and welfare of the country. Although I must condemn certain portions of the Bill, there are others which I freely admit are unquestionably liberal, and a step in the right direction; I shall refer to them as I come to them. The first question that engages one's attention is that of the Land Court. The Land Board, as we have known it, is to be increased to three members, and is to be called a Land

Court. The Minister, in introducing the Bill, said he thought it would be necessary to introduce into that court a man who has had a long legal training, or, at any rate, a man of high standing as a barrister. He also proposes that all questions of law shall be decided upon appeal to the Supreme Court, and that questions of fact shall be decided by the Land Court. If there are two practical men on the board and one barrister, and any difficulty arises, is it not likely that questions of fact will also be decided legally? If two men are of opposite opinions, the barrister will decide between them, and he will decide to some extent, as a barrister generally does, upon the theory of the thing. If it is necessary to increase the number of men sitting on this court, a practical common-sense man should be added. A legal authority might be all very well, but I am rather afraid that we have far too much law at present in Queensland. I have no feeling against the Land Board as it has been administered in the past; I think that wherever there has been friction or trouble it has been through not being able to get at the responsible head or somebody who could deal with the question. The red tape has been such that it is not within the power of any ordinary man in the country to get to the members of the board, or someone who could remedy his troubles.

Mr. DAWSON: They were hunted about from pillar to post.

Mr. ARMSTRONG: No. As men I have the highest opinion of the Land Board; when I could get alongside of them I found that they were conscientiously willing to do everything they can to overcome any difficulties brought before them. But, on the other hand, if a barrister is added, things will be decided more from a theoretical and legal point of view, and therefore I object to a barrister being included. I congratulate the Minister upon taking a large amount of the work which will have to be done under this Bill upon his own shoulders; I only regret that in some instances he has not taken more. At any rate, he has taken over a large number of the smaller matters which in the past have given a great amount of trouble. I have more than once seen the Land Court deciding matters only upon the evidence of their own officers. Now, if the court were composed of practical men they would have an innate knowledge of these questions, which would help them to decide for themselves; but they are forced to take the evidence of their officers. I once heard the case of a selector of 160 acres decided. This unfortunate man was applying for his certificate; the reason why it was not granted in the first instance was that he had not put on quite sufficient improvements, and there was also some question in regard to residence. Apart from the merits or demerits of the case, I wish to refer to the question of the evidence. This man and his wife came down and brought a witness, at expense to himself and possibly great personal inconvenience. He showed that very little improvements remained to be done, and they had been completed since the time the inspecting officer was round there. Then with regard to residence, he had to stand the brunt of hearsay evidence. The bailiff said the conditions had not been complied with A member of the Land Board asked him how he knew it, and he replied that he had been told so in the neighbourhood. This was two or three years ago, and if we are going to have these two-penny-halfpenny little questions brought against settlers it will not tend to promote settlement.

The SECRETARY FOR PUBLIC LANDS: Probably a lawyer would have prevented that evidence from being admitted.

Mr. ARMSTRONG: He might; but it would be a question of fact, and the lawyer would have nothing to say.

The SECRETARY FOR PUBLIC LANDS: Not as to the admission of evidence?

Mr. ARMSTRONG: If that is so, I admit that that is the only one good argument I have heard in favour of a lawyer being upon the board.

The SECRETARY FOR PUBLIC LANDS: It is the strongest argument there could be.

Mr. ARMSTRONG: The Land Board generally base their decision upon the reports of their officers. Only some eight months ago an officer was asked why he did not report upon certain lands in a certain way, and he replied, "It is no use my reporting in that way; they will not accept my report if I send it like that." I do not make any charges against any individual, but as I have made these statements in the House, I am willing to give the Minister all the information I possess. I am stating this to show what has come within my own practical knowledge. Leaving the Land Court, the question of disputed boundaries should, at this period of our history, be settled more easily than by going through all the present forms. With the country so well known, and surveyors so plentiful as they are, the Crown should make such provision that there can be no question of disputed boundaries with regard to pastoral or other properties. Coming to the powers of the local commissioners, they should be given greater powers than they now possess. I happened to be at a commissioners' court some time ago, and there were fifty or sixty applicants for land. Each lodged his application, paid his money, and got a receipt for it. Then they had to go away and come back in a week or ten days, when their applications would be dealt with. Why should not some discretionary power be given to the commissioners so that when the applicants are all assembled the ballot can be taken for each piece of land at once, instead of bringing them back at another time? That would save them considerable time and expense.

The SECRETARY FOR PUBLIC LANDS: That is constantly done.

Mr. ARMSTRONG: It could be done very easily. I asked why it was not done, and the commissioner said he had no power. And there is no provision in the Bill which gives that power.

The SECRETARY FOR PUBLIC LANDS: Yes. It was done in the case of the selections on Kilcoy and in the case of Rosenthal. There are dozens of cases in which the ballot is taken on the same day as the applications are put in.

Mr. ARMSTRONG: These are certainly innovations carried out in the Lands Office. They are not provided for in the Acts, and they have not been within my experience, and I have had a good deal to do with such matters.

The SECRETARY FOR PUBLIC LANDS: This has always been so.

Mr. ARMSTRONG: Here is another trivial thing which might be remedied. A man lodges his application and the money deposit required; he gets a receipt, and when the money is handed back to him he is charged a 1d. stamp for getting his own money back, when it is only handed back to him across a counter.

An HONOURABLE MEMBER: It is unfair.

Mr. ARMSTRONG: It is not that it is unfair, but it is so silly and foolish, and it might be so easily overcome.

The SECRETARY FOR PUBLIC LANDS: That would mean an amendment of the Stamp Act. It is done under the Stamp Act.

Mr. ARMSTRONG: Surely it should be sufficient for the applicant to sign some official document.

The SECRETARY FOR PUBLIC LANDS: And evade the Stamp Act?

Mr. ARMSTRONG: These little things may appear to some hon. members as very trivial, but they cause a great deal of friction and trouble. Before I deal with the question of the pastoral leases I would like to say that I cannot understand why members generally should have such a down on the pastoralist, the man who has done so much—in fact, the man who has done everything to make Queensland worth living in.

An HONOURABLE MEMBER: Who has?

Mr. ARMSTRONG: Hon. members may not run down the squatters so much in this House, but they do so from one end of the country to the other when they get outside. I do not say that every hon. member opposite does so, but some do so, and it seems strange that this sort of cry should be so constantly raised. With regard to the pastoral leases proposed to be given under this Bill, I think, with the hon. member for Leichhardt, that Part III. of the 1884 Land Act should have been re-enacted in this measure, and all the lands outside the schedule area should have been brought under it compulsorily. In that way all the runs would have been brought under the one measure. Another direction in which objection may be raised to the provisions laid down in this part of the Bill is that there is no fixity of rental provided for. I have already said that to secure the development of country you require first fixity of tenure, and, secondly, fixity of rental. Let it be decided by this House that when a man takes up one of these leases the rental he shall pay shall be fixed by statute for a certain period, and subject after that to certain fixed increases. If that is done, the lessees under this Bill will be placed in a much better position. The hon. member for Drayton and Toowoomba dealt with the very small rental derived from leases under this part of the Act. That is the old cry—the squatter is not paying enough. But is the pastoral industry in a very happy position? Do not the records brought down to this House from time to time show that the banks and financial institutions hold the bulk of the land?

Mr. KERR: Not in the instance he referred to.

Mr. ARMSTRONG: He referred to the Fairbairn prospectus, but really prospectuses are not very much to be relied upon. They are very often not worth the paper they are written on, and I shall not discuss that instance. The hon. gentleman also said the rentals are low as compared with the rentals charged in New South Wales. Will the hon. member look at the New South Wales rentals charged upon lands similarly situated to those with which he compares them in Queensland, and then say whether they are higher or lower?

Mr. GROOM: I have seen them.

Mr. ARMSTRONG: Then the hon. gentleman has not paid sufficient attention to them or he would see that the rentals in the western division in New South Wales are in hundreds of cases lower than the rentals for back country in Queensland. The rentals in the central division are somewhat higher; but the reason for that is that they have got natural water there and railway communication.

Mr. GROOM: The runs in New South Wales are classified. They are not here.

Mr. ARMSTRONG: It is all very well to make that as a broad statement; but the statement the hon. member made was not as to classification or anything else, but that sufficient revenue was not received from runs in Queensland as compared with New South Wales.

The SECRETARY FOR PUBLIC LANDS: Nor is there. He was quite correct.

Mr. ARMSTRONG: The hon. member said nothing whatever about classification, and the hon. member in setting forth one part of the argument should also state the conditions obtaining in New South Wales, and I firmly believe that every squatter in Queensland, if he could be placed in a similar position to that of the lessees of most of the runs in the central division of New South Wales, would be only too happy to pay the same rental for his land that they pay for theirs, because he knows how expensive the carriage of station products and supplies really is. Then, I hold that the fines provided for here and also in Part IV. are ridiculously high; and I go further, and ask why one section of the community—the lessees under this portion of the Bill—should be singled out and made to pay a higher fine than those, for instance, holding land under Part IV.? Why not bring them all into line and not make the law for one in this respect different from the law for another? I repeat that the fines provided for are absurdly high, and should be amended. I approve thoroughly of the proposal to do away with the question of unavailable country. If there is country classed as unavailable let it remain in the hands of the Crown to do what they choose with it, but it is absurd to provide for it as unavailable when we know, as the hon. member for Leichhardt pointed out, that it is used as available country in many cases. A rental should be charged for all land occupied whatever that rental might be; and this is one of the wisest provisions of this Bill. I come now to the question of compensation for improvements in respect of leases of resumed areas and lands held under occupation license. I cannot see why they should not be treated alike, or why the man who makes improvements upon land which he holds under an occupation license should not be allowed to get the value of them when the Crown requires that land.

Mr. GLASSEY: The value to an incoming tenant?

Mr. ARMSTRONG: Certainly; I see no reason why it should not be so. Not necessarily, as the hon. member says, the value to an incoming tenant, but if the Crown retires the license, the Crown should pay for the improvements made, and the incoming tenant is always prepared to pay a certain amount for any improvement there may be upon the land. I have not heard of any objection coming from them.

The SECRETARY FOR PUBLIC LANDS: Oh, yes!

Mr. ARMSTRONG: I cannot understand why the holder of an occupation license should not have his improvements protected as well as a man who holds under a resumed area lease. Why should one not be treated as well as the other? The first thing under Part IV. to which I take exception is the provision that the Minister may withdraw land from selection after it has been proclaimed open. That is unwise, and should not be allowed. We have heard the St. George case spoken of on several occasions. There can be no reason why lands which are once proclaimed open for selection should not be allowed to be selected. At any rate, the withdrawal should take place a couple of months before the actual date on which they were proclaimed to be thrown open. The St. George case is a blot on the administration of the Lands Department which it will take years to efface. People went there to select with the best intentions, and a few minutes before the land was to be thrown open it was withdrawn. Such a power should not be placed in the hands of the Minister, and I am certain the Minister would be only too glad to have that power taken away, because he must be put to an immense amount of trouble through lessees wishing to have lands withdrawn at the last moment. I rather think that if clause 88 is enacted it will lead to a lot of trouble. That is

the clause which deals with priority of application. It seems to me to open the door to blackmailing. I ask any man if he wanted a particular piece of land—perhaps an eye; the best part of the country, that it was essential that he should get—if he is not likely to be put to a lot of trouble by people coming to him and saying, "I am going to have that land, and if you do not pay me so much I will apply for it." If another applicant did get it he might charge the person who really wanted it a lot of money before he would give up possession. The Secretary for Lands decides upon the report of his land agent.

The SECRETARY FOR PUBLIC LANDS: No, the commissioner.

Mr. ARMSTRONG: I might be put in this position: The land agent might be a near relative or friend of mine, and therefore the clause would be better left out altogether. There are, of course, several other arguments against it which I can adduce in committee. I approve of the principle of the Minister confirming applications for land. The hon. gentleman said himself that persons sometimes had to wait months for confirmation because the board is travelling all over the country. I agree with the suggestion from the other side that the age limit at which we allow people to select should be reduced from eighteen to sixteen years. There are a large number of native-born children who would be more likely to take an interest in the land if they were allowed to select at sixteen than if they had to wait until eighteen. When the suggestion was made the Minister interjected, "Why not allow them to select at twelve months?"

The SECRETARY FOR PUBLIC LANDS: Why not make it fourteen years?

Mr. ARMSTRONG: I think it is sufficient to make it sixteen years. There is reason in that, because we know that boys of sixteen in this climate are much further advanced than those of eighteen in colder climates.

Mr. FINNEY: Why not reduce it to ten years?

Mr. ARMSTRONG: Because it would then be an absurdity.

Mr. FINNEY: No, you would provide for children when you got them.

Mr. ARMSTRONG: What we wish is to see people settling on the land, and they will not settle at the age of ten years. The provision dealing with forfeiture I object to. It is illiberal, and I cannot see why people who, through unfortunate circumstances, are obliged to leave the land should not have some compensation for improvements under Part IV. I appreciate the objection taken by the Minister, but I say that forfeiture should not hold good in all cases. The Minister should have a discretionary power to say whether the improvements should be forfeited or not. If he has not, and a deserving case comes before him, he will only be able to reply—"That is the law."

Mr. LEAHY: It should be more elastic.

Mr. ARMSTRONG: Yes; the Minister said there should be elasticity in regard to the land laws generally.

The SECRETARY FOR PUBLIC LANDS: No; I said as to tenures and areas.

Mr. ARMSTRONG: Well, this is a case where elasticity would be of great use. Discretionary power should be given, and a Minister who is worthy of his position is worthy of giving that power to. I hope the clause will be made more elastic. Now I come to the question of agricultural farms. Under the 1884 Act the holders of these farms paid a certain annual rent and they got fifty years tenure. They also had the right within twelve years of making their farms freehold, and the payment for the twelve years was regarded as part of the purchase money.

The SECRETARY FOR PUBLIC LANDS: Not necessarily.

Mr. ARMSTRONG: The Act is very plain on the subject.

THE SECRETARY FOR PUBLIC LANDS: Only during personal residence. You did not say that.

Mr. ARMSTRONG: I was going on to say that they have the right to make these lands freehold at any time before the expiration of twelve years, if they have lived upon the land for five years. You can acquire the leasehold for fifty years, or practically you can acquire the freehold in twelve years. That is the intention of the Act. Under this proposal we are offered agricultural farm land at 3d. an acre rental for twenty years, and on the twenty-first year we are supposed to pay the balance of the purchase money. Although the tenure is improved, yet at the end of the twentieth year, if you cannot pay your 5s. an acre down, you have to walk out. That is what it amounts to.

An HONOURABLE MEMBER: And forfeit your improvements.

Mr. ARMSTRONG: There is to be forfeiture of improvements and everything else; you must walk out. Will any hon. member tell me that that is a liberal measure? I call it most illiberal and oppressive. In all probability many men will be forced to borrow money in order to maintain themselves at the expiration of the twenty years on the holdings which they have spent twenty years of hard work upon. I would like to see the hon. gentleman grant the alternative of an extension of the lease for fifty years.

The SECRETARY FOR PUBLIC LANDS: With reassessments as at present? There are to be no reassessments under this Bill.

Mr. ARMSTRONG: There are to be no reassessments, but at the end of the twenty-first year a man has either to pay 5s. an acre or walk out. Even with the reassessments the rental a man would pay at the end of a fifty-years' lease would be less than the interest he would have to pay if he has to borrow money to pay the 5s. an acre.

The SECRETARY FOR PUBLIC LANDS: How do you know what the reassessment will be? Your own argument is against you with regard to pastoral properties.

Mr. ARMSTRONG: I am not dealing with pastoral properties, but with agricultural holdings. I admit that the purchasing price has been reduced, but, even so, it would be more liberal to give a man the option of having a thirty years' extension of his lease, or of paying the 5s. an acre during the twenty-first year. I am strongly in favour of the tenure under the Act of 1884, even though the rent is subject to reassessments; and I think that very few who acquired their land under the Act of 1884 will bring their holdings under this Bill. Another strong objection I have to this part of the measure is in connection with the fencing conditions, which are those laid down in the Act of 1861. Now, the conditions laid down in that Act are simply absurd. The condition with reference to town properties is that it must be a four-rail fence, in suburban lands a three-rail fence, and in country lands a two-rail fence.

The SECRETARY FOR PUBLIC LANDS: The value of it.

Mr. ARMSTRONG: That is an absurdity. A two-rail fence in some places would cost an enormous sum, but if a man chooses to insist upon it it has to be done. Some monetary value should be fixed.

The SECRETARY FOR PUBLIC LANDS: It would vary in every district.

Mr. ARMSTRONG: Quite so. On the Diamantina plains you have to pay 1s. for a post not two inches through. But it would be far

better that a monetary value should be stated than to allow things to go on as at present, when a man can force you to put up a very expensive and useless fence. The hon. member for Leichhardt objected to allowing men to acquire freeholds, but I think the hon. member for Kennedy, who said that he could see no objection to it, represented the farmers better than the hon. member for Leichhardt. I do not object to allowing men to acquire freeholds. We should give every man a chance to do what he chooses, and either let him make his holding a freehold at the end of twenty years, or let him get an extension of lease for another thirty years, in either case the country gains. The hon. member for Toowoomba proposed that, concurrently with this Bill, men should be provided with cheap money, so that they would have an opportunity of going on to the land, of buying machinery and other necessaries. I certainly should have thought, after the experience we have had of subsidising people who are unfit to go upon the land, that such an argument would never have been advanced by the hon. member. He referred to the experience of Germany and Austria, where people have been provided with cheap money, but he forgot to say that those countries are thickly populated. Giving such assistance in those countries is a very different thing to subsidising men from goodness knows where, and enabling them to go upon the land to compete with those already there. The Raiffessen system of land credit is totally inapplicable in this country. In Germany and Austria the owner of the land borrows on his deeds; but here we have huge areas of Crown lands which we want to get people to settle upon. I am strongly in favour of giving the farmers who are already here cheap money, and at a later period of the session I shall have some remarks to make upon the subject. I am glad the Secretary for Lands admitted that the property of men who have taken up land in the past at a high price has been depreciated by the successive land laws which have been passed since they acquired their land. I congratulate the hon. gentleman upon having introduced a more liberal measure of homestead selection. It is proposed to give a larger area than formerly. I believe 160 acres of good land will be sufficient, and 320 and 640 acres of inferior land. The mistake that has been made has been in connection with the value of the improvements which have to be made upon homesteads. There is a hard-and-fast proviso that before a homestead selector can obtain his freehold he must expend 10s. per acre on improvements, whether they are necessary to him or not. At an earlier period of the session I said that I never could see why a man should be forced to place more improvements upon his land than were absolutely necessary to enable him to make a living, and no one has ever been able to refute my argument. I believe that we should make it a condition that either the selector or his family should reside on the land, and make it their home. If a man has 640 acres of poor land, for which he has to pay 2s. 6d. an acre, it seems an absurdity to compel him to expend £320 in improvements on that square mile of land, whether those improvements are necessary or not.

Mr. DANIELS: £120 would fence it.

Mr. ARMSTRONG: Quite so; and very much less in some districts. Surely the *bona fides* of a man is shown by his settling himself and his family on the land. Let the 160-acre man make whatever improvements he thinks fit, they will not come to much less than 10s. an acre. Let the 340-acre man make improvements to the extent of 6s. an acre, and the 640-acre man to the extent of 3s. an acre. It would be most oppressive to compel a man with 640 acres of poor land to spend 10s. an acre on it in improvements. There is another direction in which this will work hardly. The homestead selector has to pay not only 10s. an acre for improvements, but he has to pay to the Crown at the end of ten or five years 2s. 6d. an acre, or 12s. 6d. in all, whereas the unconditional selector can acquire land at 13s. 4d. an acre.

The SECRETARY FOR PUBLIC LANDS: That is not a fair argument.

Mr. ARMSTRONG: But it is a real one. An unconditional selector, who has not to reside on his land nor to make one atom of improvement, can acquire the freehold for 13s. 4d. per acre, or only 10d. an acre more than the other man, who has to reside and make costly improvements. That is a provision in the Bill, and no doubt all will avail themselves of the unconditional clauses rather than the class we wish to see —the homestead selector. The question of improvements should be left on one side as long as the man lives on the land. He will be obliged to make improvements to make his 160 acres profitable, and, as I said before, in not many cases will they fall far short of 10s. an acre. It would not amount to quite so much on a 340-acre selection, and a man with a 640-acre selection, instead of spending £320 on improvements could, as the hon. member for Cambooya said, fence it all in for £120, or even £80. The grazing farms and grazing homesteads portion of the Bill remains practically the same as in the 1884 Act, excepting that pre-emption is allowed. Some hon. members have taken exception to pre-emption being allowed. I do not. I hold that it is a wise provision, and I give the Minister credit for having reintroduced it. The objections raised by the hon. member for Toowoomba with regard to pre-emption in the old days do not hold good now, if they are not abused. Under the old system, on every 25-mile block that a lessee held he was allowed to pre-empt 2,560 acres. That would have been very well if it had stopped there, and small freeholds would have been created all over the colony. But the evil was that, no matter how many blocks a lessee held, he was allowed to consolidate all his pre-emptives. If a man held fifty blocks he could have all his pre-emptives in one area. Such a thing is not likely to happen under this measure, the principle of which is a correct one; it will save the country, in the long run, the great cost of having to buy back those lands for grazing farms and homesteads. This grazing farm industry is progressing, and is likely to progress to an enormous extent, and with this wise provision the holders will settle on their homesteads, and build in the meantime. With others, I hold that the rent the grazing farmer has to pay is too high.

The SECRETARY FOR PUBLIC LANDS: Not in all, surely.

Mr. ARMSTRONG: Perhaps not in all, but in very many instances; the fault is that it is not based on a proper classification, and on the carrying capacity of the land. The question of auction *versus* ballot crops up under this part of the Bill. Objection has been taken to the ballot; I know that it is capable of abuse, and that it has been abused. But I question very much whether auction will overcome the difficulty that exists. I believe that the wealthy man, if it comes to a question of money, will knock the poor man out.

Mr. DANIELS: Or offer him £5 to clear out.

Mr. ARMSTRONG: If a man does that he deserves to lose it. Abuses will creep in under auction as they have under ballot, and I question whether the collective wisdom of this House will overcome the difficulty or prevent it. I do not see how anything is to be done unless you provide that, whatever the number of applicants may be, the man who has no land shall always have priority. You might overcome it a little bit in

that way. You might even go further, and provide that if all the applicants happen to be landholders the man who is the smallest holder should have priority.

The SECRETARY FOR PUBLIC LANDS: Suppose none of them have any land?

Mr. ARMSTRONG: I would give priority to the man who asks for the smallest area.

The SECRETARY FOR PUBLIC LANDS: But each application is for the same area. Each man applies for a specified farm as it is surveyed.

Mr. ARMSTRONG: The whole question is surrounded with difficulties, and at best they can only be palliated, not removed. The provisions for scrub selections are to a certain extent a step in the right direction, but they do not go far enough. Where land is overrun with scrub to the extent that some of our land is, if we made a present of it to people—gave them the deed of grant for nothing, provided they lived on the land for a certain number of years and cleared it—we should be doing a benefit to the country. Will anyone who has travelled from here to Toowoomba, and seen the scrub on the hills in the Rosewood and Lockyer electorates, tell me that it would not pay the country to give those lands to people who will live on them, clear them, and bring them into a high state of cultivation? I am perfectly convinced that it would. Consider the scrub selections from the prickly-pear point of view. I have cleared thousands of acres of prickly pear, and I know fairly well the extent of the cost. I would rather to-morrow morning buy cleared land than get land on one-third of which there is prickly pear at a gift, because it would be cheaper. When we know these things, why do we stop at trifles? Why not give a man 160 acres or 320 acres, or as many acres as he liked to take up, provided he would live on the land and clear it? I adduced this argument in the House before, and the late Secretary for Lands, Mr. Barlow, said, "Oh, you will give the best lands in the colony away." What does that matter, if men will settle on them and bring them into a high state of cultivation? There is no doubt that scrub exists on some of our best lands, but what use are they at the present moment? If we wanted them we should have to clear them, and I am convinced, from actual experience, that land infested with prickly pear could not be cleared under from 15s. to £1 per acre, and thousands of acres could be bought alongside such lands for the same amount of money. With reference to the pepper-corn rental mentioned in connection with these lands, I should like the Minister, when replying, to tell me how those lands will be rated by divisional boards. The rating now is based upon twenty times the annual rent, and I should like to know how they will overcome that difficulty if the rent is a pepper-corn rent.

The SECRETARY FOR PUBLIC LANDS: They need not pay any rates as far as the Lands Department is concerned.

Mr. ARMSTRONG: Of the remaining portions of this measure there are some that I approve of, and one that I approve of most thoroughly is that which provides that the matter of special leases shall remain in the hands of the Minister. No end of difficulty has occurred through everything in connection with those leases having to come before the Land Board; and the fact that the Minister is now to have absolute control in this matter will be satisfactory to workers in mineral and stone quarries, etc. The reclamation clauses are good, but the clause dealing with the exchange of land for public purposes should be widened; it is too narrow in its application. At any rate, the Minister should have more power than it is proposed to give him under that clause. Besides the objections to this Bill which I have already mentioned, I have others, among which is the one that there is no provision for dealing with pests, such as the rabbit and tick pests, which are a national evil. I hold that the rabbit question should never have been treated as a local question; that it should have been dealt with as a national question. I hold that a Bill dealing with our land laws should have some provisions dealing with such pests as the rabbit, the tick, and the marsupial, but such provisions are omitted from this measure. Provision should also have been made for dealing with riparian rights. We know that difficulties in connection with that subject exist at the present time, and that there has never been any attempt to settle them. Unless we make a start now we shall only delay the day to a period when more complicated difficulties will crop up. The Government in coming down to this House with this land measure have had an opportunity which probably no other Government in Queensland ever had. They hold in one hand a Land Bill and in the other a Local Government Bill. We know that in dozens of cases the Local Government Bill dovetails into the Land Bill. Many suggestions have been made by the Commission which sat on the local government laws of the colony, which should have been considered in framing this measure and incorporated in it. It is a pity that some consideration was not given to those suggestions.

The SECRETARY FOR PUBLIC LANDS: What are they?

Mr. ARMSTRONG: I could give you a whole list of them. There is one that I remember right off, dealing with lands thrown open to selection in inaccessible places, which is probably one of the greatest stumbling blocks with which local governing bodies have to deal; but there is no provision in reference to that in this Bill. I am speaking now as one who has been more or less, directly or indirectly, connected with the land for years; and I know that if anything is required that is not provided for in the Act the Minister will not take any responsibility upon himself. If the matter which I have mentioned is not specifically dealt with in the Act the Minister will say he has no power to deal with it. Under the present law the Minister has power to withdraw lands from selection, and that is the power under which the matter is now dealt with. There should also be some liberal provision dealing with huge areas, such as those which we know exist in the North on the Leichhardt, Landsborough, and Nicholson Rivers, where there are large areas of some of the finest land in Queensland growing cane naturally. Some provision should have been incorporated in the Bill giving men special facilities and concessions if they will go to such far away parts of the colony and develop the land there. I can assure the Minister that I have not dealt with the Bill in any party spirit, or with any feeling of opposition to him or to the Government. I have stated the objections I have to the measure, because I know that they are real, and I firmly believe that the Bill will not be sufficient to realise all that is hoped for from it by the Government. I believe that the proper thing to do is to divide the colony into districts, not as suggested by the hon. member, Mr. Groom, into Northern, Central, and Southern districts, because the same difficulties would exist in those divisions as now exist in the colony as a whole. What should have been done in the first place was this: A belt of land on each side of the railways stretching, say, 200 miles into the interior should have been classified as settled country; the country outside of that, for, say, 150 miles, should have been classed as semi-settled country; and the land outside of that again should have been classed as unsettled country. We have three land industries in

Queensland: the large grazing industry, the small grazing industry—such as grazing farms—and the agricultural industry. The whole of the lands in the settled districts should have been available for settlement by agricultural or smaller settlers; the intermediate or semi-settled country should have been left to the grazing farmer; and the outside districts to the pastoralists. Each should have fixity of tenure and fixity of rental. If the lands had been so classified they would have been charged a rental upon the classification of the land—higher in the settled than in the semi-settled, and higher in the semi-settled than in the unsettled country.

Mr. HARDACRE: What about the Peak Downs, where there is no railway?

Mr. ARMSTRONG: That is the only district in that position, and that is proposed to be connected by railway in the near future. This might easily have been done.

The SECRETARY FOR PUBLIC LANDS: Quite impossible.

Mr. ARMSTRONG: I believe that we shall yet see in Queensland a measure passed which will have that or a very similar effect. I hope that if this measure becomes law it will conduce to the prosperity of our people generally. I think if the suggestions I have made are incorporated in the Bill they will tend to improve it, and bring about that state of things we all wish to see—the prosperity and progress of Queensland.

Mr. DANIELS: I certainly must compliment the Secretary for Lands upon the trouble he has taken in connection with this Bill. He has simplified the land laws considerably, and there are certainly a lot of improvements in the Bill. The land laws are the principal thing upon which we have to depend for the future prosperity of the country. I could not help but listen to the remarks of the hon. member for Lockyer, who contended that the age at which people should be allowed to select should be reduced to sixteen years. I do not see why it should not. I have advocated before that parents should be allowed to take up small homesteads for each of their children, and when the child becomes of age, if he refuses to take up the land it can revert to the Crown. When a child has been reared upon the land he will know how to get a living from it, and he will have a selection of his own if he likes to take it. I do not think there is anything ridiculous in reducing the age, and I shall support any measure that will have that effect. In regard to improvements in such cases, if I took up a selection for my child, and when he becomes of age he does not want to select, the value of the improvements would be my loss. I would try to provide a home for him; and if he did not like to accept it, it would be his fault and not mine. In dealing with this Bill, I do not intend to go outside the colony, as some other hon. members have done. We do not want to bring in the land laws of other colonies, and it would be far better if we confined ourselves to our own. A great many have found fault with our past land laws, but I think they were very good land laws. The fact is they have been spoilt in the administration all through. They have not been administered in the spirit in which they were passed by this Assembly; I am very sure of that. Inferior portions of land have been thrown open to selection, and the selectors have been harassed in one way and another, so that people have been prevented from settling upon the land. Another fault has been the want of information at the local land offices. For instance, I know of a case in which a man went some 400 or 500 miles to look for some country, but when he went to the local land office there was not even a map of the district there, and he could not be told what was open for selection and what was not. That was about eight or nine months ago. I have been told since that there is a certain time when the maps kept in the local offices are sent to Brisbane, and it is very likely that was the case in this instance; but it is ridiculous that at an important land office there should be only one map. A friend of mine applied for a selection once, and there was not even a local map to show where the land was, and he had to get one of his own.

The SECRETARY FOR PUBLIC LANDS: Was that where there was an officer of the Lands Department, or an officer of another department doing his work?

Mr. DANIELS: It was a land agent.

The SECRETARY FOR PUBLIC LANDS: Perhaps a constable.

Mr. DANIELS: I think each office should be supplied with a few maps. This man wanted information about a certain portion of land and they could not give it to him. I went to Rockhampton, where there was a land commissioner, and asked for information about this land, and you may scarcely credit it, but I could not find out there whether it was leased land or a selection, or what. I thought I would try further, and came to Brisbane, and there was only one man in the office here who could tell me. Some said it was leased land, others said it was a reserve, and so on. That state of affairs could easily be remedied. They should have sufficient maps, and the local land agents should be supplied with all the necessary information. During the last two or three years anyone could get more information at my house than at the average land office.

The SECRETARY FOR PUBLIC LANDS: You are so wide awake.

Mr. DANIELS: Living amongst a lot of farmers who have sons growing up who want to settle on the land, I considered it my duty to get all the maps and information I possibly could, and I have done it. I am very sorry there is no clause in the Bill empowering the Minister to sink bores, run races, and cut up land into small holdings in the dry country.

The SECRETARY FOR PUBLIC LANDS: Oh, that comes in in another Bill. The amendment of the Water Authorities Bill is going to deal with that.

Mr. DANIELS: I am very glad it is going to come in somewhere, because it is a thing that is much wanted to assist the people to settle upon the land. I am sorry to see that no provision is made to do away with the impounding of a grazing or agricultural farmer's stock. When a selector selects a grazing or an agricultural farm on the resumed area of a run the lessee of the unresumed area has the power to impound the farmer's stock as soon as they get off his own selection, until he has fenced, while the squatter can run the whole of his stock on to the selector's land and the selector cannot interfere with them—can only drive them back.

Mr. LEAHY: That is not correct. He can impound if it is wilful.

Mr. DANIELS: For wilful trespass, yes; but how is a man to prove that the squatter told his bullocks to go on to his land when he says they went on of their own will in the night? If you could summons the bullock himself there might be some chance to prove wilful trespass. Both parties should be dealt with alike. If, for instance, the selector has not got more than sufficient stock to half stock his own land, the squatter should not have the right to impound his stock.

Mr. KING: It is very seldom done.

Mr. DANIELS: I know that, but there is a nasty one here and there who does it, and I do not think they should have this right. When a selector takes up a part of a resumed area the squatter feels hurt and he has power to impound

the selector's stock until his land is fenced. It takes time as well as money to fence land, and in this way his selection is absolutely useless to the selector for two or three years. Such a state of things is not right and I was in hope that some amendment would have been proposed to deal with it. The senior member for Toowoomba said that to get people to settle upon the land we must get some system of providing them with cheap money. I do not say that the Government should advance them money to go upon the land, but they should lend them money upon the improvements. If a selector put on improvements valued by the Crown lands ranger at, say, £50 it would not be too much of a stretch for the Government, or some kind of State bank, to lend him on them £20 or £25, because if the selector threw up the land anyone else selecting it would be very glad to get the improvements at half price. This is possible, and it should be done to help selectors to settle upon the land and to take them out of the hands of the extortionate money-lenders, who charge them 10 and 12 per cent. The same thing applies to those already settled upon the land; before the Government get people settled in Queensland they ought to assist those settled on the land to get out of the hands of the extortioners. They could do it easily if they liked, as they borrow at 3½ per cent., and they could give a loan to the farmer on the security I have mentioned at 5 per cent. The balance of 1½ per cent. would over and above pay working expenses, and in this way the Government could assist people and make a little revenue at the same time. Even if we appeared to lose money by lending in this way the extra amount of settlement that would take place, the extra traffic on our railways, and the extra receipts from Customs would over and above pay the Government for the money they lent without any increase of interest at all upon what they paid for the money themselves. Another thing I may mention is that if a selector happens to be behind with his rent he is charged for the first month 5 per cent., then 10 per cent., and then 15 per cent. Though under this Bill that is reduced to 7½ per cent., the selectors have hitherto had to pay 15 per cent. for three months. I have a complaint here on the subject which is a bit rough.

The SPEAKER: I ask the hon. member not to go into details of amount. That is a question which should be dealt with entirely in committee.

Mr. DANIELS: Very well; but in the case to which I was going to refer a man was charged at the rate of 60 per cent. per annum. He was a little over two months behind, and he was charged 15 per cent. That is extortion, and it should be remembered that last year and the year before there were exceedingly bad seasons. That is what the Government charged, and that kind of thing would ruin a man. Another thing is that hitherto grazing farmers have not been encouraged as they should have been. There is no doubt that the worst portion of the runs have been thrown open as grazing farms; and while the average rental for these farms is £4 a square mile, the average rent paid by the pastoralist is 16s. a square mile. You may take it as a matter of course that he has the superior country, as if he did not get it he would grumble.

The SECRETARY FOR PUBLIC LANDS: He very often did.

Mr. DANIELS: Very seldom, and there is a great difference between 16s. and £4. The grazing farmer has to fence within three years, and either he is paying too much or the squatter too little. Then, again, the squatters hold good land near railways, for which they pay no more rent than for land which is hundreds of miles away from a railway.

Mr. LEAHY: Not as much in some cases.

Mr. DANIELS: That is altogether wrong, and should have been rectified long ago. In dealing with the Land Court I have a suggestion to make, but I am pretty sure it will not be acted upon, although I think it is a very good idea. We are to have three members of the Land Court. Why not have three Land Courts in different parts of the country, and divide the colony up in the fairest way possible? We give the present Land Board members £1,000 a year each. Under my proposal if you gave them £500 a year each it would cost us very little more for the three courts than for the one. The Secretary for Lands shakes his head, but I think we could get very good practical men at £500 a year each. In fact, I believe we could get the present men for £500 a year each. I am very glad to see that the unavailable country clauses are to be abolished. I know places where half the land is classed as unavailable when every inch is good land. If it is not fit for sheep, it is excellent land for cattle. In fact much of it is good enough for sheep. That is classed as unavailable land, while the grazing farmer has to pay for every inch of his land, whether available or not. With regard to improvements on selections or grazing farms, I certainly think they should be paid for, and the value should be the value to the incoming tenant, not whatever value the lessee puts upon them. The Secretary for Lands is very much afraid that he will have to pay a lot of money to reclaim the bores which the grazing farmers are putting down, and he says the expense would be a severe drain upon the Treasury in twenty or thirty years. I don't think it would be at all severe. Say a man has a 20,000-acre selection, and has put down a bore costing £2,000. If it is worth 5 per cent. to him, why should the Government not pay 2½ per cent. less and take it over? If he has a lease for thirty years, all the Government would have to pay would be a quarter of the cost, or 5s. in the £1. If it cost £2,000, the Government would have to pay £500. I think that would be a fair thing. I would be quite satisfied in my case if I were allowed at the end of thirty years a quarter of the cost of the provision I am making for water. I would consider myself well paid, as I would have had the use of the improvements for all that time. I do not think it would be unjust to partially pay for the improvements, but if you do away altogether with paying for improvements then you will put a stop to improvements being effected.

The SECRETARY FOR PUBLIC LANDS: That is not proposed in the Bill.

Mr. DANIELS: It is in the case of the land being forfeited. Another point touched upon by the hon. member for Leichhardt was the condition of having to spend 10s in the £1 on improvements. That may easily be got over. Say there is good land valued at £1 an acre, of which 160 acres may be selected; 10s. an acre improvements upon that would be sufficient. Then land valued at 15s. an acre, of which 320 acres may be selected, could have improvements to the extent of 7s. 6d. an acre effected upon it, and land of an inferior nature might have improvements to the extent of 5s. an acre. That would meet the case, and I hope the Minister will make that alteration. With regard to the resumed portion, a man may take a grazing right over it, but he is not to have the right of stopping people who want to look for land from going upon it and inspecting. I do not see any clause in the Bill which says that he is bound to open his fences to anyone who wants to come in. I have known squatters stop intending selectors from coming upon their runs when looking for land. They must not go over the fence, and the gate is locked. They might tie their horses to

the fence, and walk five or six miles; but I do not think a man has much chance of looking for land under these conditions, and there should be some clause in the Bill compelling the lessee to make the land accessible to intending selectors.

The SECRETARY FOR PUBLIC LANDS: That is a very difficult thing to deal with.

Mr. DANIELS: It is a difficulty that will have to be got over.

The SECRETARY FOR PUBLIC LANDS: I don't think you can.

Mr. DANIELS: If I have a run with part of it resumed, and there are applications from the general public to inspect the land for selection, and I keep the gates locked, how are intending selectors to inspect it?

The SECRETARY FOR PUBLIC LANDS: That very seldom happens.

Mr. DANIELS: It has happened several times within my own experience. If it only happened once it should be put a stop to.

The SECRETARY FOR PUBLIC LANDS: We may find some method of dealing with it in committee. I am prepared to accept a suggestion.

Mr. DANIELS: Then dealing with the leases, I see that they may be put up to auction. I contend that they all should be put up to auction. That was the case with the leased portions of runs. When a lease expired it was put up to auction, but it was put up in such blocks that it was impossible for a man with small capital to touch it. There was a species of freemasonry about it. The squatters, or the representatives of the banks, would say to each other, "If you do not bid for this land I will not bid for the other." Of course they always got the land at the upset price, and the upset price was always low—in fact, as a rule too low. There are cases where some stations are paying quite enough rent, in fact too much; but there are others again who are paying too little. Another point to which I wish to refer is that all land that is thrown open as agricultural farms should also be thrown open as agricultural homesteads.

The SECRETARY FOR PUBLIC LANDS: Any area up to 1,280 acres?

Mr. DANIELS: No. Supposing a man applies for 160 acres, he should be allowed to select it as a homestead.

The SECRETARY FOR PUBLIC LANDS: So he can now.

Mr. DANIELS: He cannot. Plenty of land is thrown open as agricultural farms that cannot be selected as homesteads.

The SECRETARY FOR PUBLIC LANDS: Where?

Mr. DANIELS: In different places—land thrown open as unconditional selections——

The SECRETARY FOR PUBLIC LANDS: Oh, land thrown open to unconditional selection! But you said agricultural farms. Unconditional selection does not mean agricultural farms.

Mr. DANIELS: Well, agricultural areas.

The SECRETARY FOR PUBLIC LANDS: That is provided for.

Mr. DANIELS: It is not provided for as I would like to see it. It is the same with regard to grazing farms. I contend that any land that is thrown open for grazing farms should also be open to men wishing to take up grazing homesteads.

The SECRETARY FOR PUBLIC LANDS: Up to 20,000 acres?

Mr. DANIELS: No, up to the lesser area—2,560 acres. When land is thrown open both to selection as grazing farms and grazing homesteads, priority is given to the homesteader, because he takes up a smaller area and has to reside on his holding. The very fact that he is given priority is an acknowledgment that it is better for the country to allow the land to be taken up in smaller blocks. There are hundreds of young men who would take up 2,560 or even 1,280 acres as grazing homesteads, but they have not the money to take up a whole block of 10,000 15,000, or 20,000 acres. Although they have been reared on the land, and know how to get a living from it, they have not the money to fence these larger blocks and to put down the survey fees and the first year's rent The result is that the land is left there, and it is only the moneyed man or the man with strong backers who can take it up. If we want people to settle on the land we should give them opportunities of taking up smaller blocks, and if that is not done I contend that we are not trying to get people to settle on the land. I am pretty sure that on the Darling Downs alone there are hundreds of young men who would go out and take up some of these grazing farms if they were thrown open in smaller blocks of 1,280 or 2,560 acres.

The SECRETARY FOR PUBLIC LANDS: Why don't they apply?

Mr. DANIELS: They have not the power to do so at present.

The SECRETARY FOR PUBLIC LANDS: Yes, they have.

Mr. DANIELS: I have asked in the office whether certain lands which have been thrown open in 20,000-acre blocks could be taken up in grazing homesteads, and I have been told that they could only be taken up as grazing farms. That is why I want land to be thrown open to both forms of selection.

The SECRETARY FOR PUBLIC LANDS: At the same rental?

Mr. DANIELS: I do not know that the grazing homesteader would grumble if the grazing farmer had to pay a little more rent than he has. Eight selectors could take up nearly 2,560 acres each out of a 20,000-acre block, which might be taken up by only one grazing farmer. Now those eight selectors, in sending up their galvanised iron, wire, stores, and so on, would naturally make the railways pay much better than they do at present. Indirectly, both through the Customs and the railways, we would receive more revenue from the land, even though we got a smaller rental per acre. It would be better for the State to let the land at ¾d. per acre to the grazing homesteader than to let it to the grazing farmer at 1½d. per acre.

The SECRETARY FOR PUBLIC LANDS: Practically you want to make the grazing homesteads 20,000 acres?

Mr. DANIELS: Nothing of the sort. When the Bill was going through some hon. members on the other side said that the area was too small; but I contended that it was quite large enough, and that it was too large for many men, who would not have enough money to fence. It takes a great deal of money to start on even a small area like that. I would like to see the same provision extended to agricultural farms and agricultural homesteads. A man should be allowed to take up to 160 acres as an agricultural homestead. A man came here from Victoria on behalf of four or five friends. He went over our railways in different directions. He went out from Rockhampton, and he wrote down to me asking me to try and get certain lands thrown open for selection which had been thrown open for unconditional agriculture—I do not know what they call it.

The SECRETARY FOR PUBLIC LANDS: Unconditional selection.

Mr. DANIELS: At all events the rental was something like £1 10s. or £2 per acre. The Minister said that he did not see that it was right to alter it and allow the land to be thrown open as homesteads at 2s. 6d. per acre, and the

result was that this person went back to Victoria and told his friends that he could not get any land that would suit him.

The SECRETARY FOR PUBLIC LANDS: Why, a man wanted to take up a homestead within nine miles of Brisbane.

Mr. DANIELS: So would I, if I could get it. This was out at Yeppoon, near Rockhampton. There is another thing I do not see why we should always be so particular about. The Bill provides that a married woman may not take up a selection unless she is separated from her husband. Why should that be? When a man and a woman marry they are only two persons working in co-operation. If she has selected before marriage she can hold the selection, and I do not see why she should not be allowed to select after marriage, especially, as mostly happens, there is a large family to maintain. Then there is the 88th clause, which gives priority to the first person who requests the Minister to declare open for selection any specified area of unsurveyed land. That may be right enough up to 2,560 acres, because that is only a small holding, and a man must occupy it himself, not by bailiff; but when it comes to grazing farms of 20,000 acres it means something very different. It means that on a station the resumed portion of which, or the greater part of it, is good, the squatter can get dummies to select the whole of it. It is no use the Minister shaking his head, because I have seen it done. The squatter can put down the names of different people to select, and a boundary rider on each 20,000 acres would be the bailiff. The result would be that the squatter could either take up the whole of the resumed area, in 20,000-acre selections, if it was worth his while, or select it in such a way that the remainder would be useless to anybody else. The applicants may or may not be in existence, but in any case they do not want the land, which is taken up for the station, and all the stock on the land belongs to the station and not to the persons in whose names the selections are taken up. The next provision to which I will refer is that giving the holder of a 20,000-acre block the right to make a freehold of 2,000 acres. I think it is ridiculous to give him 2,000 acres. I am quite willing that he should be allowed to pre-empt a certain portion of his holding, but it should not be more than 320 acres. That is quite sufficient to protect his improvements, and leave him a nice little farm when he has to give the other up.

The SECRETARY FOR PUBLIC LANDS: What would be the good of 320 acres in pastoral country?

Mr. DANIELS: It may be no good now, but it will in the near future. With regard to auction sales for selections, I do not believe in it at all. It would work out in this way: I apply for a selection; Tyson wants it, and says he intends to have it. I know he can beat me; and when he says to me, "Here's £5 and your expenses, and you can withdraw." I know very well that if I do not take it I shall be beaten in any case and have to pay my own expenses. Of course I take the £5 and clear out so as to clear myself. Under the ballot system a capitalist may put in ninety or 100 applications, but he has always to find the money and to trust the men he has put in, and even then the poor man has one chance in 100 of drawing the selection, where he has none under the system of auction. I would give everybody the same chance. There is another way by which we could induce settlement—that is, by giving land-orders to be available for paying the rent. Why should we not give any man who settles on the land a land-order—if he has not had one previously—for, say, £20, to be used towards paying his rent and for no other purpose? There are young fellows reared in Queensland who are as good if not better than most newchums; why should not they have land-orders? Why should not my son, born in the colony, be placed on the same footing as a new arrival who has paid his passage out? A new arrival gets a £20 land-order, and my son gets nothing.

The SECRETARY FOR PUBLIC LANDS: There are no land-orders given now.

Mr. DANIELS: The hon. member for Bulimba advocates the giving of land grants to immigrants. Why not extend the principle, and treat our own people in the same way. It would be a cheap way of settling the land? To give a young man a land-order for £20 for this special purpose would be an inducement to him to take up a selection; and there are thousands who would avail themselves of it. Why should not I have a land-order? My father has helped to build up the colony, and fight the battles of olden times; and why should not I have a land-order, as well as some members of this House who paid their own passages to the colony?

The SECRETARY FOR PUBLIC LANDS: Let us all have land-orders.

Mr. DANIELS: Just so, if you believe in land-orders; but I do not believe in them. All I say is that if new arrivals are given land-orders to pay their rent, young fellows born in the colony should have the same privilege. With regard to the provision which states that when the conditions are not fulfilled selections shall revert to the Crown, I think that is rather a serious matter. As the hon. member for Lockyer has said, the forfeiture should be optional on the part of the Minister. I have full confidence in the Minister, and believe that he would not allow a case of glaring injustice to occur. If he considers that a selection ought to be forfeited let it be forfeited, but he should have some option in the matter.

The SECRETARY FOR PUBLIC LANDS: That would mean that there would not be any forfeiture.

Mr. DANIELS: Why should it if a selection deserves to be forfeited? The provision regarding transmissions is one that has been long required. I will now refer to the provision with regard to co-operative settlers. The Co-operative Communities Settlement Act passed in 1893 was ruined in the administration, and I say it was intended to be ruined.

The SECRETARY FOR PUBLIC LANDS: Oh, no!

Mr. DANIELS: Oh, yes. The Government did not give them good land. We have good land, and the people agitated to get good land in different places; but they could not get it, and were shoved on to land where it was impossible for them to make a living on the soil.

The SPEAKER: I would remind the hon. member that that has nothing whatever to do with the Bill now before the House.

Mr. DANIELS: I beg your pardon. I was drawn into the matter by an interjection. With regard to the clause allowing men to co-operate on agricultural homesteads, if it is to the mutual advantage of people to co-operate, and they wish to do so, I do not see any reason why the principle should not be extended to grazing farms.

The SECRETARY FOR PUBLIC LANDS: What? Residence by bailiff?

Mr. DANIELS: No, not residence by bailiff. This provision simply gives persons power to co-operate and work in union. One may be a shearer or bridge builder, and able to do better work outside, while another may be a better man on the farm; and a group of selectors may be able to do collectively what they cannot do individually. They may not be able to get the machinery they require if they work individually. For instance, the small farmers on the Back Plains on the Darling Downs were unable

to get a threshing plant, which cost £850, except by co-operation, and there are different ways in which co-operation would be an advantage. With regard to scrub lands I am of the same opinion as the hon. member for Lockyer, that it would be a good thing if we could get people to clear those scrubs by giving them the land for nothing. I would give them the deeds for all the prickly-pear land they would clear, and in doing so we should be doing a good thing for the colony. I would also do the same with regard to a lot of our useless scrub land. I dare say the Minister knows of millions of acres of land on the Weir, Jones, and Moonie Rivers, where it would be a good thing for the colony if it were given to people for nothing, provided they cleared it.

The SECRETARY FOR PUBLIC LANDS: They will take it up under this Bill.

Mr. DANIELS: I hope they will, but I do not think it is very probable. I notice that if there is a default in payment of the peppercorn rent on these selections for sixty days, the selector will have to pay, in addition to the rent, a penalty of 7½ per cent. on the amount due. I would like to know what is 7½ per cent. on a peppercorn rental. With regard to the occupation licenses, which are for one year only, and not for permanent settlement, I approve of the auction system being applied to them. Taking the Bill as a whole, it is certainly an improvement on previous measures; but there are three or four clauses that want knocking out, and I hope they will be knocked out when we get into committee.

Mr. LEAHY: In discussing this very important measure I may take it for granted that every hon. member is actuated by motives to make the Bill as just and liberal as possible to the different classes of people who will be settled upon this vast territory for years to come. For a long time to come our population will consist of a great many classes of settlers, and I do not think that even the hon. member for Bundaberg will deny that those are fair premises to start with. I intend taking the advice given the other morning by the leading journal in regard to this Bill, asking that hon. members should, as much as possible, confine themselves to those portions of it of which they have special knowledge. Although I may have to criticise the Bill in some parts, I am certain that the Secretary for Lands will do me the justice to believe that my remarks will be the result of conviction, and not of any party or other feeling. To commence with, I congratulate the hon. member upon the manner in which he has consolidated the existing land laws. He deserves great credit for that, and also for the synopsis with which he has supplied us, and which has been very useful to me. I am sure it will have been of service to all hon. members; in fact, it has been stated by the Press that the synopsis is as good as a second reading speech. I shall endeavour to criticise the Bill as it presents itself to me, and go carefully over certain portions of it, even if I have to refer to notes. I think I may divide the Bill into three parts—the old law, which is consolidated; next, matters which have not been included in it, but which some hon. members think should have been; and, thirdly, the new law which has been put into the Bill. The Secretary for Lands, in explaining the Bill the other night, said he did not think the scheme of classification which was affirmed in this House in an informal manner last year was practicable, as too many matters would be involved in it; there were questions of policy, which under our system of responsible government are left to the Ministry, and also they would have to go a great deal over the country. I deny that it would be necessary that they should go a great deal over the country, although the hon. member who introduced the motion last year said it would be necessary. I do not think that classification would be a difficult question at all, and, bold as it may appear, I shall venture to classify the lands for the hon. member in ten minutes.

The SECRETARY FOR PUBLIC LANDS: I do not deny that at all.

Mr. LEAHY: Then why is it not done? South Australia is classified, and to a certain extent New South Wales is classified. The latter is divided into the Eastern district, the Central district, and the Western district; and Mr. Carruthers, the Secretary for Lands, is now appointing a commission for the purpose of still further classifying the land. A few months ago he said it was impracticable to do anything just in the way of land legislation until all the lands were classified. I do not see any insuperable difficulties at all. It is a thing that will have to be done sooner or later, and the sooner we go about it the better. Since the Bill has been before us, different schemes of classification have been suggested. The hon. member for Kennedy proposed that there should be three divisions, corresponding to the New South Wales divisions of Eastern, Central, and Western. Another hon. member suggested that the colony should be divided into Northern, Central, and Southern districts, and the hon. member for Lockyer proposed a division, which showed that he has a very good grasp of the question. I would suggest that the colony should be divided into three divisions—Eastern, Central, and Western, and that the lands in each should be classified. I would divide them into A, B, and C classes first and foremost. Lands within ten miles of the great trunk lines of railway I would call division "A." For thirty or forty miles on either side of lands included in "A" I would classify the land as "B," and all lands outside that I would include in "C." In class A—the lands for ten miles on either side of the main trunk lines of railway, and of other railways if thought necessary—would be for agricultural selectors and small settlers; the lands in the class thirty or forty miles on either side of that would be for grazing farmers and such like; and the outside lands, far away from the railways, where the country would require to be watered, and so on, would be for grazing, and the pastoralist would have an opportunity of settling down on those lands for many years to come. That classification might also be extended to our main rivers, and along our coast in certain places. Then we would not have this difficulty constantly confronting the Minister now of having to decide what value he would put on this and the other land. He would have first and foremost the A, B, and C classes in each of the three divisions. The size of the different holdings in each class would be regulated to a great extent according to local knowledge; the subdivision must in every instance be done by local inspection. I do not know of any other way of getting over that difficulty. That is the system of classification in other parts of the country; it is the system in force in South Australia to a great extent, and the system foreshadowed by Mr. Carruthers in New South Wales the other day. I submit that the experience of such a system in other countries where the conditions as to rainfall and other conditions are very similar to those obtaining here shows that these would be fair lines for us to proceed upon. So far I think nobody has attempted to follow the hon. gentleman in the speech he made to this House. Hon. members have proceeded with their criticisms of the Bill without making any, or but very little, reference to the very elaborate and careful speech which the hon. gentleman gave us in moving the second reading of this Bill,

I shall endeavour to follow him to some extent, but before doing so I shall deal with another matter connected with classification, and that is the principle of the exchange of lands. In New South Wales a great deal of the settlement which has been so much talked of during this discussion to-night and last week, where 2,500 settlers have settled upon the land in one year under Mr. Carruther's Bill of 1895—a great deal of that settlement has been under the exchanged lands system, repurchased, I think, in some cases; but at all events the principle is strongly recognised in New South Wales by a Radical Government kept in power by the Labour party. The principle which is so much abused here is giving useful results in New South Wales. But that is not so much the point I want to make just now in connection with this principle of the exchange of lands. Ten or twelve years ago, when the public lands first began to be brought under the Act of 1884, a great many of the squatters were anxious, as I believe some of them are yet, to keep out the grazing farmer and small settler. I always look upon that as a great mistake, but in carrying out that purpose they always tried to get the division of their runs made in such a way as to secure that the resumed portions would be furthest away from the townships and centres of population, so that no inducements might be offered to settlement, because settlement is more likely to take place around townships and centres of population where the settlers might carry on some other little business in the towns. But they have since discovered that a great deal of the land around the townships is useless to them; in any case they do not want to be continually impounding people's stock, and invite a system of reprisals with the people whose cattle they impound. They have found that it would be better for them to have the resumed portions near the townships and their leased portions away from them, where the land is equally good for grazing purposes and that is a decision which may be equally serviceable in the interests of both classes in the community. The hon. gentleman told us that in this Bill there is a question of policy in every page and also contentious matter. In saying so I think the hon. gentleman was inviting too much discussion. I do not think there is a question of policy in every page of the Bill. I think that if you take seven or eight vital points in this Bill—and there are seven or eight vital points and very objectional points in it—leading features of the Bill——

The SECRETARY FOR PUBLIC LANDS: Mine was a mere figure of speech of course.

Mr. LEAHY: Quite so. If you wipe those out there is no reason why the Bill should not be dealt with in a week or two. The greater portion of the Bill is the existing law, and though hon. members have made reference to this and that new provision, in this consolidation some existing clauses have been divided and parts of them taken into others. That is so, is it not?

The SECRETARY FOR PUBLIC LANDS: Yes.

Mr. LEAHY: Quite so; and these have been looked upon as new. Coming to the consideration of the Bill itself, the first important part in it is covered under Part I., where the hon. gentleman proposes to repeal the existing law in so far as it relates to every lease——

An HONOURABLE MEMBER: Repudiation!

Mr. LEAHY: The hon. member for Bundaberg knows exactly what it is, as he is continually being charged with repudiation. At all events I want to emphasise this very strongly because from the remarks made by the leader of the Labour party the hon. member seemed to think that this only refers to a certain portion of the people, the pastoral tenants or "squatters" as they are called. Let me tell hon. members that, with the exception of the agricultural homestead man, it refers to every lessee under the Crown, whether it is the agricultural farmer, the grazing homesteader, the grazing farmer, or the squatter. Every single man of these when his time comes and his land is resumed or his rent fixed, is denied the right of an appeal from an arbitrary tribunal—the justice given to the commonest citizen in the State—of an appeal to a superior court from an irresponsible body. Would the hon. member for Bundaberg sanction anything of that kind?

An HONOURABLE MEMBER: No.

Mr. LEAHY: The hon. the Premier laughs. Before I sit down I will tell him what his views were a few years ago, and although members may change sides in this House I have yet to learn that the doctrine of moral justice ever changes.

The PREMIER: Hear, hear!

Mr. LEAHY: Hear, hear? You will hear more before I have done.

The PREMIER: I am not disagreeing with you.

Mr. LEAHY: I know the hon. gentleman will not disagree with me. I shall be very much surprised if he does.

The PREMIER: What have you got to fight for?

Mr. LEAHY: Because this provision is in the Bill, and it is not going to remain in the Bill. The hon. gentleman referred to this subject at great length. I have not done what the hon. member for Mackay did a few years ago in regard to the late hon. member for Ipswich, but I notice on this subject he occupies eight columns. I have been through his speech very carefully, and I intend to criticise it carefully too. It is a speech that will require a great a great deal of reasoning and a great deal of argument before it will convince many hon. members of this Chamber. The hon. gentleman felt his position. I sympathised with him at the time; I sympathised with him when I had read his speech in *Hansard;* and I sympathise with him more to-night, when I reflect upon the weakness of the case which he tried to justify before a common sense tribunal like this. The hon. gentleman condemned this court of appeal, which was constituted under the Act of 1884. I will confine myself entirely to the appeals from the fixing of the rents, because in the five other classes of Crown tenants the rents are all fixed for the first ten years by proclamation, except in the case of the pastoral tenants So that so far no similar case to this has arisen in regard to the other pastoral tenants. The first period of the grazing farms will, however, be falling in directly, and so will some of the agricultural farms, and then we shall see what difficulties will arise—when, on account of the exigencies of the Treasury, the rents are raised. There is no doubt that those persons should have an appeal to the highest court in the country or to some tribunal removed from those who have the fixing of the rent in the first instance. The hon. gentleman condemned that tribunal; he said it was a partisan tribunal.

The SECRETARY FOR PUBLIC LANDS: No, I did not. Pardon me.

Mr. LEAHY: I have got it here in *Hansard.* At all events, the hon. gentleman said the assessors were partisans.

The SECRETARY FOR PUBLIC LANDS: That is a different thing altogether.

Mr. LEAHY: If two of the people who constitute the court are partisans, then surely the court itself is a partisan court? The hon. gentleman said they were incompetent.

The SECRETARY FOR PUBLIC LANDS: Yes, I said that.

Mr. LEAHY: And the hon. gentleman said that anyone who went inside the court and heard the proceedings would, to a certain extent, be disgusted.

The SECRETARY FOR PUBLIC LANDS: I don't think I said that.

Mr. LEAHY: The hon. gentleman was never in the court whilst the cases were being tried. There were only two cases which have come forward, and he was not there.

The SECRETARY FOR PUBLIC LANDS: You are mistaken.

Mr. LEAHY: The hon. gentleman might have looked in at the door, but I was there the whole time and did not see him.

The SECRETARY FOR PUBLIC LANDS: Your statements are not correct.

Mr. LEAHY: I accept the hon. gentleman's statement at once. I certainly was there the whole time, and I do not see how it was possible to miss the hon. gentleman's conspicuous figure.

Mr. JACKSON: You are charging the board with being partisans of the Government.

Mr. LEAHY: I will charge them with more before I sit down. I have not got to that stage yet. Now, how is this court constituted? By one of the judges of the Supreme Court and the assessors, whom the hon. gentleman compared to a couple of people squabbling up country over an arbitration case. The inference was that they were like a couple of people haggling over half an acre of land.

The SECRETARY FOR PUBLIC LANDS: I meant in your district.

Mr. LEAHY: Well, possibly, human nature is the same in my district as elsewhere. But how was this tribunal composed? One of the most upright judges in the land sat as chairman. There were only two cases which came before the court—one for fixing the rent for the first period, and the other for the second period, and they were both test cases. But who were the assessors? They were as honest and upright men as could be found in Queensland. Two of them had sat on the Treasury benches for years. One was the Hon. B. B. Moreton and another the late Hon. J. Donaldson. Could he find me any more honest men in the country? Those are the men the hon. gentleman held up to the execration of the whole country.

The SECRETARY FOR PUBLIC LANDS: Speak the truth. Say what I said if you must quote me.

Mr. LEAHY: There were only four assessors. Another was a brother-in law of the hon. gentleman, a very excellent man, Mr. A. C. Grant, of B. D. Morehead and Co.

The SECRETARY FOR PUBLIC LANDS: He is no relation of mine.

Mr. LEAHY: Perhaps I am wrong there. I thought he was. At all events, he is a very excellent man. Does the hon. gentleman deny that he is a good man?

The SECRETARY FOR PUBLIC LANDS: They would not have been chosen if they were not good men.

Mr. LEAHY: Yet the hon. gentleman, in face of that statement, asks this House to take away the protection of the Supreme Court because he says these men were partisans. I will leave that subject now, and leave it to the House to say whether these were not suitable assessors, and whether they are not as highly-esteemed men as ever sat on the Treasury bench.

The SECRETARY FOR PUBLIC LANDS: Are we not partisans?

Mr. LEAHY: I hope not. I am not a partisan. I never was and never will be. I sit on this side because I believe in the policy of the Government as far as they have gone, but if I do not believe in their policy I will tell them so. The hon. gentleman went further and said this was a unique tribunal, unknown in any other English-speaking country. Is not the Admiralty Court composed of a judge with two assessors, and is there not an Act passed quite recently in South Australia which constitutes a similar court? The hon. gentleman has challenged members to give him precedents, and it may not be waste of time to read the clause from the South Australian Act. Section 27 of the Pastoral Act Amendment Act of 1895 says—

"Such board shall be called the Tenants' Relief Board, and shall consist of a Judge of the Supreme Court, to be nominated by the Government, assisted by two assessors, one to be appointed by the commissioner and the other by the lessee."

The SECRETARY FOR PUBLIC LANDS: What are the functions of the board?

Mr. LEAHY: To revise the rents of the pastoral tenants—exactly what was done in the cases which came before the Supreme Court here.

The SECRETARY FOR PUBLIC LANDS: Not by way of appeal from the Land Board.

Mr. LEAHY: I thank the hon. gentleman for that reminder. The whole of the hon. gentleman's argument was wrong, because it was not an appeal from a court at all. The Land Board is not a court, though the hon. gentleman now purposes making it one. At present it is an appeal from the Land Board. Does the hon. gentleman know that there is always an appeal? In New South Wales there used to be an appeal from the board to the Minister. At present there is an appeal from the Land Court—which is constituted exactly as the hon. gentleman proposes to constitute his Land Court—to the Minister. An application being made to the Minister, he instructs the court to rehear the case. That is practically an appeal. There is also an appeal in South Australia. I do not know any place where there is not an appeal. Before proceeding with the other side of the question, I would like to remind the hon. gentleman that these gentlemen who he says are partisans only differed in their award by 2s., and the judge fixed the amount at 1s. from each, and complimented them in open court upon the matter. Now I want to get at the department over which the hon. gentleman presides. Of course in attacking the department it does not of necessity follow that I am attacking the hon. gentleman. I only want to show that his reasoning was wrong. The hon. gentleman said that the present system was to a great extent abused. I shall show him that the abuse has been on the other side, and that it was through the unfair, unjust, and arbitrary action of the Lands Department that these people were driven into the appeal court. It was intended under the 1884 Act that the board should stand fairly between the Crown and the pastoral tenant and the other classes of settlers constituted under the Act. It was further provided, in order to remove them as far as possible and their servants and agents from the control of the Government, that the commissioner who was to report to the board should only be appointed on the recommendation of the board. That was repealed in the Act of 1891. In every case it was provided that action should be taken by the Land Board instructing the commissioner to report, but action has never been taken in that manner. The Secretary for Lands sends out a man—not the commissioner—the commissioner is ignored in the matter. We are now asked by the hon. gentleman to agree to a clause in this Bill to validate the illegal actions of the last twelve years. Another man whose duty it is to divide the runs, and who, according to the hon. gentleman, is a partisan, reports, but he does not send his report to the Land Board, but

to the Minister. The practice has been in the past that the report should go direct to the Minister, and it has been hacked and hewed by the Lands Department, and then sent to the Land Board.

The SECRETARY FOR PUBLIC LANDS: You know that has never been done since Mr. Dutton's time.

Mr. LEAHY: I admit that I do not think it has been done since then, or very little. I wish to be quite fair to the hon. gentleman. The hon. gentleman admits that it was done in Mr. Dutton's time.

The SECRETARY FOR PUBLIC LANDS: I believe it was brought up in the House.

Mr. LEAHY: I will make Mr. Dutton speak for himself. Reports were sent back to commissioners, and they were instructed to send in reports such as the Minister wanted.

The SECRETARY FOR PUBLIC LANDS: You know that is not the practice now.

Mr. LEAHY: I know there are the same dividing commissioners now as when Mr. Dutton was in office, and commissioners are like other people. When they get a good salary of £1,000 a year they are anxious not to lose it, and as soon as they find out the kind of report the Minister wants, rather than lose their £1,000 a year, they follow his instructions. There was one man who stood out as above corruption. He made a report on some country in the Burdekin, which did not suit the Minister, and it was returned to him; but he refused to alter it, and he got "sacked" for it. Why should this be done?

The SECRETARY FOR PUBLIC LANDS: Was that recently?

Mr. LEAHY: No, but there was a case within the last year or two—during the reign of the last Administration—which occurred in the Gulf country, where a man was sent up to divide a run, and because his report did not suit he was dismissed, and another man was sent up to do the work. Will the hon. gentleman deny that?

The SECRETARY FOR PUBLIC LANDS: I have no knowledge of it.

Mr. LEAHY: Is it any wonder that I desire that there should be an appeal to the Supreme Court from this kind of jobbery?

The SECRETARY FOR PUBLIC LANDS: That is not the board—those are commissioners.

Mr. LEAHY: The board are exactly in the position of the police magistrate. They take the commissioner's evidence, and the commissioner's evidence is always taken. The Premier admitted that the commissioner actually fixes the rent.

The PREMIER: I do not remember saying that.

Mr. LEAHY: Will the hon. gentleman allow me to read what he said in 1886? This was on a motion brought forward by Mr. Donaldson, to call attention to a certain leading article which had appeared in the *Evening Observer*, reflecting on the board, and Mr. Donaldson thought it should not be allowed to pass without notice, and he moved the adjournment of the House. The debate took place on the 23rd September, 1886. I shall read, first of all, what the then Secretary for Lands, Mr. Dutton, said—

"I mean to control these commissioners as long as I am in office, and I say if they do not carry out their work as I consider correctly, then they shall amend their way of doing it or clear out. Distinctly and emphatically I say that."

The PREMIER: That is the way they did things—not the way they do them now.

Mr. LEAHY: I tell the hon. gentleman that they have the same commissioners now, and they do not want to be taught their duty twice. One has been dismissed, and the others will take fine care that they are not. Here is what the Premier said upon the subject——

The PREMIER: Any honest man would have condemned that system.

Mr. LEAHY: You have exactly the same commissioners now that you had then.

The PREMIER: But they act under different instructions.

Mr. LEAHY: I challenge the hon. gentleman to show that what I say is wrong, but I am not going into that matter. I go back to what the hon. gentleman said at that time—

"There can be no doubt that the explanation of the Minister for Lands has taken the public generally by surprise, because it never was known or supposed that the Minister for Lands was to interfere in any shape or form with regard to the valuations made by the board. On the contrary, a distinct understanding was promulgated throughout the country that the board was to be an independent board, altogether apart from any political bias or any bias whatsoever that might be brought to bear upon it by a Minister of the Crown or any other person connected with politics. I am therefore rather surprised that the hon. gentleman states to us, and actually justifies the action which is now going on whereby he treats these commissioners as his servants——

"The MINISTER FOR LANDS: Hear, hear!

"Mr. NELSON: And arrogates to himself the right to review their work—their valuations and their reports—before they come before the board. I think that is doing entirely away with the benefits which were promised should accrue to us and the public in general from the establishment of the board, and is importing into that tribunal an element which was the very one we were desirous of getting rid of, and which was the great recommendation we had before us when we appointed this board to work the Land Act. I cannot now even see that the thing is justified, because when I look at the Act I see that the board is appointed by the Governor in Council; the commissioners also are appointed by the Governor in Council; so that there is little difference there except that the board is appointed under the Great Seal, if that is any difference."

The hon. gentleman then quoted the 8th clause, and went on to say—

"Does not that show that the board are in connection with the commissioners? When they want to get the valuation of any property they communicate directly, according to this, with the commissioners, and the commissioners reply directly to them. I cannot see how this clause of the Act can be read in any other way, and I think that the Minister for Lands is going altogether out of his way in getting these reports from the commissioners, and reviewing them previous to their being laid before the board."

The hon. gentleman knows the law. That is what he stated ten years ago.

The PREMIER: Is that all?

Mr. LEAHY: I have another quotation here, in which the hon. gentleman gives his opinion on the commissioners, which I will read while I am on the subject—

"It was quite possible that the sins which the hon. gentleman laid on the past administration of the land laws of the colony might be quite as much due to the maladministration of the commissioners as to that of the Ministers. He had heard of cases where undue influence had been brought to bear on the commissioners, and where they had been corrupted to a very large extent."

That was ten or eleven years ago. I have pointed out to-night that although the position of parties has altered, and the politics of the country have altered, the principles of moral justice remain the same.

The PREMIER: The practice has altered, too.

Mr. LEAHY: I ask the hon. gentleman to show me where the practice has been altered. The board calls upon the commissioner to report, and it goes to the Secretary for Lands still.

The PREMIER: He is only the vehicle.

Mr. LEAHY: We want to guard against this kind of malpractice.

The PREMIER: Can you show a case where the Minister has ever interfered?

Mr. LEAHY: Here is something more that the hon. gentleman said about the commissioners, who, I repeat, are the same men we have now—

"Not only the rights of private persons but the interests of the public ought to be protected. A commissioner might rob the public by giving preference to some friends of his own, or by passing applications which ought not to be passed. In cases of that kind the board would have no notice, and the commissioner's report would go almost as a matter of form."

There is much more of the same kind, but as I do not want to make a long speech I am only skimming over ground which ought to be gone over very carefully. Now, with regard to this right of appeal, the Chief Secretary, with that keenness in commercial matters characteristic of his country, insisted upon having it, and these are the words he used at the time—

"The Minister for Works, in his usual way, took it for granted that only the present pastoral tenants would be affected; but the Bill applied to all—not only to the pastoral tenants but to the selectors and small leaseholders who would be called into existence. It would affect them all for years to come, and he asked, was it reasonable that they should give to two men—particular friends of the present Minister for Lands, who were to be appointed by him, and who would hold office for the term of their natural lives—those immense powers without some mode of appeal against them? No such despotic power could be granted by any people who had been accustomed to live under responsible Government."

The SECRETARY FOR PUBLIC LANDS: I wish you would distinguish between the different Land Ministers.

Mr. LEAHY: This was ten years ago, and is in a bound volume. Nothing the present Secretary for Lands has said in his official capacity has taken that form yet. The Chief Secretary at that time advocated this right of appeal.

The PREMIER: I advocated local land boards.

Mr. LEAHY: I have gone over *Hansard*, and there is no record of it there. The hon. gentleman voted with his chief; he was too clever to advocate anything of that kind. It will do good to go back to those days before the hon. gentleman was corrupted by politics. That is what the hon. gentleman is asking us to do now—to swallow those words of wisdom which he delivered in this Chamber ten years ago. The Minister for Lands devoted an hour to this matter, but it would not be proper for me as a private member to devote as much time to it as he did. I have shown very clearly that there is a precedent for this court of appeal—in South Australia and other places. I have shown the high character of the men constituting that court—that they are not partisans; I have shown that the jobbery in the past has been with the Minister, and that the commissioners, according to the Chief Secretary, are not to be trusted; and I have shown that there has been no necessity for this practice to be carried on lately, because the commissioners got a severe lesson at the start.

The SECRETARY FOR PUBLIC LANDS: Who is getting £1,000 a year?

Mr. LEAHY: One of them is getting £1,000 a year, but even £500 or £600 a year with travelling allowances is a salary that a man would not care to lose.

The PREMIER: You say we have the same commissioners now, and in another part of your speech you stated that some of them have got the sack.

Mr. LEAHY: I said that one of them, on the Burdekin, got the sack. But we have the same commissioners now; I do not know that there is one new one.

Mr. DAWSON: He got the sack because he would not cook his report?

Mr. LEAHY: Quite so; he refused to alter his report. The Minister, in making his appeal to the House in reference to this tribunal, said the objections which had been raised had no foundation, but I have shown him that there has been jobbery. I have referred to a case which occurred within the last year or two, and which he has not denied. I believe that the principle which he has proposed in this Bill would not be submitted to in any country having responsible government, and this House ought not to submit to it unless there is some other tribunal appointed for the hearing of appeals. I am not in love with appeal to the Supreme Court—it is too expensive; but we should have an appeal. Now, I will leave that matter, and come to the Land Court. It is proposed in this Bill to constitute a new tribunal, which is to consist of the present members of the Land Board and another who the Minister told us is to be a member of the legal profession. Let me say at once that I cast no reflection on the members of the Land Board. I make this statement because I believe that some remarks I made last year, or the year before, in criticising the Lands Estimates were misunderstood. I was speaking then of the board and the machinery under which the board acts, and my reflections were on the commissioners and not on the Land Board. I believe it would scarcely be possible to get men of a higher standing than the present members of the board. They are very excellent men—men of the high class, incapable of doing anything dishonest if they knew it—but they are mortals like other men, and they pay too much attention to the commissioners, just as a police magistrate pays attention to a policeman. The commissioners know exactly the kind of report to be sent in, and they report accordingly. A commissioner who was sent out my way put 50 per cent. more on the runs there than was put on runs in the Mitchell district and elsewhere where they have a good rainfall. If some of these commissioners wait until I am Minister for Lands, I will give them a lively time of it. I would make the pastoralists pay equitably. One should pay relatively as much for the land he holds as is paid by other pastoralists. I am not saying now that the rent of pastoralists is too high or too low, but I say that as a body they have not paid too much rent. At the same time, I say the rents have been inequitably fixed. I believe the Minister has a scheme for doing away with the appeal to the Supreme Court, and substituting in its stead another tribunal. Nine or ten days ago I mentioned to two members of the Ministry—the Secretary for Mines and the Attorney-General—a scheme which I thought would be suitable. The Secretary for Lands was not present, or I should have done him the courtesy of mentioning it to him before suggesting it to the House. My suggestion is that instead of there being three members of the court there should be four. I do not object to a lawyer being a member of a court if it is an appelate tribunal. The chairman of the court which I suggest could remain in Brisbane to confirm documents from commissioners, and so forth. The other three members should go on circuit, like a judge of the Supreme Court, sit and hear cases at different places, keeping always in mind the practice which was intended by the Land Act of 1884 should be adopted—that they must act with local knowledge. The commissioner who was to report under the 1884 Act was the local commissioner of the district, and he could bring his local knowledge to bear upon the cases which came before the court. This has not been done hitherto, and that is the reason of the inequalities and appeals which have occurred. If the hon. gentleman will remove those he will take a step in the right direction. At all events these members should go to different districts, and the Crown lands commissioner or police magistrate for the districts

could assist them on one side and the chairman of the divisional board, or some person appointed by the lessees, could assist them on the other.

The SECRETARY FOR PUBLIC LANDS: The chairman of the divisional board?

Mr. LEAHY: Well, I am not particular about the chairman of the divisional board, but let the court have some assistance, and then if there were dissatisfaction with the decision there could be an appeal to the other three members sitting in Brisbane. That would be a court of appeal. I do not know whether I am committing myself in saying this. I had a conversation with some other members of the House, and we agreed that we would uphold an appeal to the Supreme Court; but speaking for myself, I would be satisfied with the court I have just mentioned. Any court constituted as is proposed in this Bill—without any appeal from it to the Minister or to a judge of the Supreme Court, or to any other body—if they are not despotic, will, consciously or unconsciously, bring their likes and dislikes and their prejudices to bear upon a case. In making that statement I am not reflecting upon those who may be members of the Land Court. Mr. Bryce, in his "American Commonwealth," says, that no judge in any country is absolutely unprejudiced; that he has prejudices, whether he knows it or not, in certain cases; and if a member of the Privy Council makes a statement of that kind I do not think I am out of order in making the remarks I have done on this matter. It will be necessary to do something of this kind. The Land Board have as much work as they can manage at the present time. During the eleven years they have been in office they consolidated about 960 runs for the first period, about 130 more for the second period, making about 1,100 cases dealt with. There has also been some chamber work in affirming matters that came before them from the commissioners, and such like. Then as to the amount of work they got through. I have pointed out already that all the grazing farms that came in in 1885-6 will come on for rehearing directly, and all the agricultural farms will also come on for rehearing. The work will increase year by year, and it will be absolutely impossible for the board as at present constituted, or as the hon. member proposes to constitute it, to do the work. Three members cannot get through as much work as two, because there will be more discussion, weighing of evidence, and so on. It was also pointed out by the hon. member for Lockyer that there were 1,100 small holdings taken up last year and 300 agricultural farms, so that there have been more taken up lately than the 1,100 cases the board has dealt with since it was constituted. Therefore it will be absolutely impossible for the board to do the work, and the hon. gentleman must alter his scheme to that which I have suggested, or something like it. Now, in regard to Part III. Of course that extends to land outside the schedule and to resumed lands within it; and I would ask the Secretary for Lands if he has considered carefully what the operation of this Bill is going to be? Does he think that any man outside the scheduled area will ever come under its provisions, if it becomes law? I pause for a reply. The hon. gentleman gives me none. I will take it for granted that he does believe so.

Mr. DAWSON: He does not want to commit himself.

Mr. LEAHY: I shall commit him upon this point directly. Any pastoral tenant outside the schedule of the Act of 1884 has the right under the existing law, which will be repealed when this Bill comes into operation, to avail himself of the provisions of the Act of 1884. If he does that he will get a twenty-one years' lease, while this Bill only proposes to give him from ten to fifteen years. He will also get the land under better terms than he could get it under this Bill; he will further have the advantage of subsection (*e*) in regard to the fixing of rents—the value of the holding at the end of the second and third periods must be taken into consideration in comparison with the value at the end of the first period; the board may, if they think desirable, reduce his rent for the second and third periods. There will be no such advantage under this Bill. Another advantage is that he will be allowed for unavailable country under the Act of 1884; he will not have that advantage under this Bill. If a holding is resumed for closer settlement, the man who takes advantage of the Act of 1884 will have a right to accept it as notice of the resumption of the whole, and he will have the further right to demand that his improvements be not dealt with by this tribunal, from which there will be no appeal, but that they may be valued by appeal to the arbitration board under the Public Works Lands Resumption Act of 1878. Again, there is no such advantage under this Bill. And on top of all this he will have eleven years' additional tenure. Will any man be such a brainless idiot as to come under this Act under these circumstances? If not, where does the Bill come in? Under this Bill the most favourable term is a fifteen years' lease, but in the other case he comes in under the full strength of the Act of 1884. Under that Act he can take a fifteen years' lease with the right of payment for improvements to any amount to an incoming purchaser of the whole run or holding.

Mr. HARDACRE: That part is repealed.

Mr. LEAHY: That part is not repealed, except where they have taken advantage of the provisions of the 1886 Act. It is repealed if they get the twenty-one years. They will all come in before this Bill is passed, and I would advise them all to do so. If they do that they will get twenty-one year leases instead of fifteen or ten years under this Bill, and will be allowed for improvements, whether they amount to £10,000 or £40,000, at the end of the term. Compare them with the most favoured man under this Bill. Not one man outside the schedule of the Act of 1884 will avail himself of the provisions of this Bill; if he does, he will be fit for a lunatic asylum. The hon. member said the other night that if this court is constituted there will be a tribunal to deal with cases under this Bill, and he asked: Is there to be one tribunal for the old Act and one for the new? Supposing some man outside the schedule of the Act of 1884 is foolish enough to come under the provisions of this Bill, and his rent is being fixed for the second period, the court will be in this position: They will be fixing the rent of a man adjoining the scheduled area, and will compute it under subsection (*e*) of paragraph 5 of section 30 of the Act of 1884, under which there is an appeal to the arbitration board under the Public Works Resumption Act of 1878; on the other side they will be computing it without this provision at all.

The SECRETARY FOR PUBLIC LANDS: There is no difficulty about that.

Mr. LEAHY: The hon. member made a great deal out of it the other night.

The SECRETARY FOR PUBLIC LANDS: The same court can administer one law one day and another law the next day.

Mr. LEAHY: Supposing there were no difficulty, can the hon. member tell me upon what principle he introduced this Bill into the House? He proposes to give a ten years' lease in the Western country, where there is sometimes only four or five inches of rainfall in the year, and to give a twenty-one years' lease of some of our best lands, where there is a regular rainfall and

railway communication with our ports and markets. If there is to be any justice in the matter the principle should be reversed; the long leases should be allowed to those in the West, and the short leases to those in the East. The result of this Bill, if it is passed into law, will be that no man in his senses will come under its provisions. Before this Bill can be passed they will have come under the provisions of the Act of 1884, or else the whole of the lands in Western Queensland, especially those on the South Australian border, will be thrown on the hands of the Crown.

The SECRETARY FOR PUBLIC LANDS: They need not come under it unless they like.

Mr. LEAHY: Their leases will very soon expire, and the Act of 1890 will have been repealed by this Bill. They will be compelled to come in soon, and the West will become a wilderness—a haunt for dingoes and vermin of every description. The Government of New South Wales, a few years ago, forced a great deal of the western division of that colony into exactly the same position. The Government of South Australia also forced that colony into the same condition which the hon. gentleman seeks to force Queensland into. It strikes me that the hon. gentleman could not have been reading up the recent legislation in New South Wales and South Australia on this subject or he would never have attempted to bring in this Bill. Let me call the attention of the hon. gentleman to what the arbitrary and unfair legislation in the hands of the Crown in those colonies has led them into. I have referred to the effects there of hard conditions—too much rent and too short leases—and now what have they been compelled to do in New South Wales? When 8,000 or 12,000 miles of the western lands were thrown upon their hands in 1889 they had to introduce a Bill for the western district of New South Wales—and I may point out to hon. members who may not know the western district of New South Wales that it runs approximately from Walgett, near Bourke, to Cobar, and from Cobar on to Balronald —about 100,000 square miles in area—and with the great navigable river of Australia, the Darling, running through the heart of it. In 1889, going back upon exactly similar legislation to that which the hon. gentleman now seeks to introduce here, they gave a twenty-one years' lease to the pastoral tenants, but that was not sufficient inducement; and last year the present Secretary for Lands, Mr. Carruthers, brought in a Bill giving them twenty-eight years' leases over the whole of the western district of New South Wales

An HONOURABLE MEMBER: Improvements too.

Mr. LEAHY: Improvements, too; but I cannot go into all these things as I have gone past my time already. He brought in a Bill allowing them to have a rehearing and a refixing of their rents. That is going on yet, but the rents have been fixed so far that the reduction, according to the *Sydney Morning Herald* of the 17th of last month, amounts to £200,000 in the western district of New South Wales for the present year. Rabbits, ticks, and every item calculated to depreciate the value of a holding are taken into consideration in fixing the rent, and there is no minimum. What does the hon. gentleman think of that? Is not that a liberal measure? This Bill is claimed by the Government to be a liberal measure, and yet it has been condemned from that point of view by every member in the House, whether representing the pastoralist or the agriculturist. In the face of this will any hon. member get up and say it is to be compared with the liberality that exists in other countries? The hon. member for Toowoomba spoke of the rents we are getting from our lands, and when I objected to his comparison of the rents obtained in New South Wales with those obtained in Queensland, the Secretary for Lands interjected that they were getting three times as much as we are.

The SECRETARY FOR PUBLIC LANDS: I did not say that.

Mr. LEAHY: Dealing with the debate in a hurry, perhaps I have not given exactly what the hon. gentleman stated, and I accept any correction of it he may make; but I think he said they were getting three times as much, or something of that kind. Where does this come in? I admit that there is a great difference between the rents in New South Wales and in Queensland, but it is in the eastern division the difference is. On the whole the hon. member for Toowoomba made a very nice and a very moderate speech; an intelligent speech the hon. member always makes, and it is unnecessary to say he always makes an ingenious one. He read out for us a certain pastoral property prospectus, and I interjected that he ought to know it was like all other prospectuses —like any West Australian "wild cat," got up for nothing else but to attract English money. Who takes any notice of a prospectus of that kind? Is not the evidence of its value carried on the face of it? If they were making the enormous profits the hon. member stated, they would not need to go to the English money market or anywhere else to get money. Then the hon. member referred to the case of Momba. He said this was near our border, and he compared the rent New South Wales was getting in this case with the rent we are getting. Does the hon. member not know that it is just near Wilcania, where there is one of the finest navigable rivers in Australia; where the bales of wool can be rolled from the woolshed into the steamer and got to the markets of the world for from £1 to £1 10s. per ton? Let the hon. member, when he says these things, give the whole facts and nothing but the facts, and state the case fairly so that it may be judged upon its merits. I have the New South Wales Rent List here dated 3rd July, 1896, and signed by Wm. Houston, the Under Secretary, giving the rents for the coming year, the same as our list does; and I will take the rents of some of the runs in the western division, and near our border, where the imaginary line makes no difference. Here is Moolah, City of Melbourne Bank, 95,360 acres, rent $\frac{33}{100}$d., or about 17s. a square mile. This is for a twenty-eight years' lease, let the hon. gentleman bear in mind. It is not far from our border, and the rents are being fixed there just now, though I am not going into the extracts which might be made from the *Sydney Morning Herald* showing the reductions made in the rents, as I must do the hon. gentleman the courtesy of making a shorter speech than he made himself. These are instances of the rents for very large areas, as hon. members will see. The next I come to is Turlee, the Bank of Australasia, 117,920 acres, rent two-tenths of a penny, or about 10s. a square mile. Then there is Frome's Creek, which is exactly near us in the West; the area is 110,200 acres, and the rent $\frac{12}{100}$d., or also about 10s. a square mile. Then Magenta, 181,420 acres, rent three-tenths of a penny, or about 18s. a square mile. Then Mootwingee, area 38,660 acres, rent $\frac{33}{100}$d., or about 17s. 6d. a square mile. Then Buckalow, 197,400 acres, the rent $\frac{36}{100}$d., or about 19s. a square mile. These cases are from the official record of the rents paid for large areas in the western district of New South Wales, and who will get up and tell me that the rents are higher there than the rents in the West of Queensland, where we have to pay 26s. and 28s. a square mile, with nothing like the tenures of the runs in New South Wales?

The SECRETARY FOR PUBLIC LANDS: And down as low as 14s.

Mr. LEAHY: Where? Not in the West. I do not like to go into that matter because it is *sub judice;* and it would be unfair for me to take advantage of my position in the House to deal with it, otherwise I should like to take advantage of the hon. gentleman's interjection. I shall now give the hon. gentleman some of the rents of the central division of New South Wales, where they have a railway and a regular rainfall; and after all the rainfall is the great thing in pastoral pursuits. We have good country in the West, but what is the use of it when there is only four or five inches of rain in a year? If you get a wet season you can carry as much stock as the Darling Downs, but in a dry season you are parched out. What are the rents in the central division in New South Wales? On Wagingoberemby, 5,964 acres, the rent is 6¼d. an acre, or £16 a square mile. I am showing that the western division is lower than ours, and the eastern and central division is much higher than the central division of Queensland. Then there is Calga, 52,301 acres, at 4d. an acre or £10 10s. a mile; Ganmain, 71,000 acres, at 3½d. or £8 a mile; Bugilbone, 61,000, 3$\frac{9}{10}$d. per acre or £8 a mile.

An HONOURABLE MEMBER: What about unavailable country?

Mr. LEAHY: There is very little unavailable country on the Western plains; it only amounts to about 1 per cent. I think I have shown the difference in the position of things in Queensland and in New South Wales, but in the latter colony they have in addition protection for improvements. A man who puts down an artesian bore on a resumed area and discovers water gets twenty-eight years' lease of 10,240 acres around the bore. Have we anything like that in Queensland? We have nothing to encourage people to make improvements and in that way find employment for the people. If anyone disputes the facts I have stated, I can prove every one of them from official documents. Let that be understood distinctly, and do not let anyone get up afterwards and say that this or that is wrong. I will give them the proof if they do. In South Australia for the great bulk of the country they only pay 2s. 6d. a mile for the first fourteen years. Then it goes up to 4s. at the end of the term of forty-two years, and under a recently passed Act if a man discovered artesian water he gets five years' rent forgiven him of 100 miles of country. That is what I call liberal legislation, encouraging the improvement of the country, looking to revenue from our railways and Customs, and seeing that the working classes are well employed. That is what I call liberal land legislation, and that is what the people of Queensland have not got and have not recognised as what they ought to have. Now let us go to the Northern Territory of South Australia, which is only divided by an imaginary line from the country that the Minister wants to make this Bill applicable to. Three months ago they passed a Bill letting the Northern Territory in blocks of 5,000 square miles at a peppercorn rent for the first fourteen years, at the end of twenty-one years 3s., and for the full limit of forty-two years the rent is not to be 50 per cent. above or below what it was in the preceding period. How do we expect men to take up our back country when they can get such terms in South Australia? And yet the Secretary for Lands and the Chief Secretary, with all the experience he has had of pastoral pursuits, brings forward a Bill in this House and asks a lot of common-sense people to give a ten years' tenure in the West of Queensland, during the whole period of which they might not get one proper rainfall. They ask people to put their capital and work and risk their lives on properties like that, and then at the end of the term get no compensation for improvements. The hon. gentleman, I am sorry to say, has not gained much wisdom, but I hope it will come later on. Although I am speaking in this way about the pastoralists, I am indebted to them for nothing. But I say they are deserving people, and that when land is not required for close settlement they should be given every encouragement and treated fairly. I recognise at once that when the country is required for close settlement, for grazing and agricultural farms, the pastoralists must go. That must be understood at once. No man can say that in the past I have not advocated that the most liberal terms should be given to the small settlers; and if reasonable amendments are brought forward you will find no man more ready than I am to give to the small man the most liberal terms we can devise. This country is big enough for the lot of us; and let us have good terms all round and make things hum. With regard to Part IV. I have pointed out already, and the hon. gentleman does not deny it, that under sections 5 and 6 of the Amending Act of 1886 any man outside the schedule can elect to come under the schedule and take advantage of the extension of tenure for a further period of six years. That will be twenty-one years altogether. Now the grazing farmer who will come in under this is placed in exactly the same position as the pastoralist. He has to fence his holding, comply with residence conditions, and yet he neither gets the advantage of subsection (*e*) with regard to his holding or the right of surrender. He is placed on exactly the same footing as the pastoralist will be. I submit that the grazing farmer must get longer terms than this Bill gives him, and must have his rent lowered, because it is entirely too high. I may point out that when the 1884 Act first came into force the board fixed the rents, but the Government altered all that. There was not enough patronage for them, and they have fixed the rents in a most ridiculous manner. Out at Thargomindah the rent is 3d. an acre, and at Balonne 1d. to 1½d. In my opinion the rent must be fixed in a judicial manner, and there must be a regular appeal from the board—do not make any mistake about that. The hon. member for Leichhardt called attention the other night to the fact that occupation licenses were not treated in the same way as resumed areas. Well, they are not, and the Secretary for Lands is quite right in saying the tenure is not the same. I agree with a great deal that he says upon that matter.

The SECRETARY FOR PUBLIC LANDS: I am glad there is something you agree with.

Mr. LEAHY: As far as I can I will agree with the hon. gentleman and support him, but let me point out to him that this Bill differs from the provisions of the Crown Lands Act of 1892 in regard to improvements. There the occupation licensee has the right of making improvements with the permission of the board. Why is this difference made? If we encouraged our public lands to be improved we would find work for the unemployed, and thus add to the national wealth.

The SECRETARY FOR PUBLIC LANDS: And block settlement.

Mr. LEAHY: The hon. gentleman ought to know that it can only be done with the permission of the board—that is, the new board he proposes to create. If he thinks it cannot be trusted with such a petty matter as this, he ought to alter the board and have one which can be trusted.

The SECRETARY FOR PUBLIC LANDS: All improvements block selection all the same.

Mr. LEAHY: The value of the improvements on resumptions is their value to the incoming

tenant. If a man puts up a yard which would hold 20,000 head of cattle, while the incoming tenant only takes up country which will carry 500 head, the value of the yard to him will be that of a yard that will hold 500 head. Where does the injustice come in there? The only class of settlers that may perhaps receive any benefit from this Bill will be the agricultural farmers.

Mr. ARMSTRONG: No.

Mr. LEAHY: I bow to the hon. member as an authority on the subject. The hon. member for Leichhardt also knows a great deal about this class of settlers, and the Secretary for Lands paid that hon. member a deserved compliment for his knowledge of the land laws generally.

The SECRETARY FOR PUBLIC LANDS: I did not say that.

Mr. LEAHY: When I first read the Bill through I was pleased to see that these men—who are a most deserving class—were to receive some consideration, because I was anxious to see them fairly treated; but when I looked closely into the Bill all I could see was that the Minister may do a great deal for political purposes in connection with this particular class of settlement. At present it is very doubtful to me where the advantage lies. I think also that the pastoral tenant deserves better treatment than he gets under the Bill. I am not prepared to say that the men in West Moreton should receive as much consideration, because the land there is required for close settlement, and other lands along the coast will also require to be resumed in the near future for close settlement. I would point out, however, that the settled district goes right round the coast to Port Darwin, and a great deal of it is of no use for close settlement. A great deal of it is situated on the side of ranges, and would be useless to the small settler, so that it might be held under occupation license for six or seven years. Under Part IV. of the Act of 1884 agricultural holdings range from 160 to 640 acres. It is not intended to give more than 160 acres as a homestead if the land is good. If it is bad he does not want it at all. He does not want bad land under any circumstances. I submit that, as land on the ranges is of no use to the small farmer, the men who hold these lands should receive more consideration than they do under this Bill. While on the subject of resumptions for close settlement, I think that the time has come when a great deal of the provisions of Part VIII. of the Act of 1884 will have to be put into operation. Instead of allowing all the great basin in Central Queensland, where artesian water is found at 700 or 800 feet, to be held in large ranches, it will have to be divided up for small settlers. With regard to auction, it is a question on which side the balance of advantage lies. There is a great deal to be said on both sides. No doubt there is a great grievance in regard to the "clashers" mentioned by the hon. gentlemen, but it is a question whether there will not be a grievance on the other side if the land is put up to auction. This problem has been harassing Secretaries for Lands in all the colonies for a considerable time, and the matter has not yet been satisfactorily solved. I think the present Secretary for Lands in New South Wales has got nearer to a settlement than anybody else. Of course hon. members will tell me that the conditions are not the same as here. We have 1,000 acres for every man, woman, and child, and if they got that area as an agricultural homestead it would be a heritage, and if they choose to sell that heritage for a mess of pottage it would be their own lookout. In New South Wales, Mr. Carruthers said, they have got one man one vote, and they should have one man one selection. I think that is the only way the hon. gentleman will get over the difficulty. If a man takes up a selection and loses it, he should not be allowed to take up another, unless there was some reason for it.

The SECRETARY FOR PUBLIC LANDS: That will not get over the difficulty.

Mr. LEAHY: The Minister for Lands in New South Wales says that it will, and he settled 2,500 people on the lands last year. And he has a provision in his Bill which I would like to see in this Bill, that when a man takes up a selection—which he gets on very easy terms, 1½ per cent. for the first five years and 2½ per cent. afterwards on the capital value—as long as he fulfils the conditions he keeps his selection. I would give a man a homestead selection for nothing as long as he resides on it. A great deal has been said about pre-emptives. I would point out to hon members on the other side that the Government have not been very favourable to the pastoralists in this matter. The pre-emptive right is only given to the smaller settlers.

Mr. KERR: The squatters got them before.

Mr. LEAHY: Many of them are very sorry they took advantage of their right. Objection has been made that the eyes of the country have been picked out in the past—that the pastoral lessees took up the only available water, and consequently had control of all the surrounding country; but this objection no longer has any force since artesian water has been discovered at shallow depths. If a man gets 2,000 acres in this way, and makes a home on it for himself and his family, we should encourage it. I would go as far as they go in New South Wales, and say that such a man should not lose his land for the sake of the baliff or the usurer, or under any other circumstances. I have pointed out to the hon. gentleman—and he has not attempted to refute me by interjection, which has been the common course of differing with anyone's opinions during this debate—that the people outside the schedule will not come under this Bill. The result will be that three-quarters of the colony will not be affected at all by it; it will only apply to one-fourth of the colony. I would press this point further. This consolidation, for which the hon. gentleman deserves so much credit—for the time, the labour, and the simplicity displayed in it—will only apply to one-fourth of the colony.

The SECRETARY FOR PUBLIC LANDS: Oh, no!

Mr. LEAHY: Yes, for many years to come. If it is only to apply to a part of the colony, what is the use of the consolidation? We are not in a better position. Rather we are in a worse position than we were before. I have little more to say; I reserve a couple of cases of shot for committee. What I want to impress upon the hon. gentleman is what I commenced with, that a Bill of this kind should not be made a party measure. I give the Government all credit for honesty of purpose; if I did not I should not be sitting on this side. I do not suppose a man gets any more wisdom when he becomes a Minister than he had before. I am not speaking of the Secretary for Lands, but of all Ministers. They should not say there is no wisdom in the rest of the House?

The SECRETARY FOR PUBLIC LANDS: Who said so?

Mr. LEAHY: Nobody has said it on this occasion. I am asking Ministers not to say it, and I have heard them do it before now. If they bring their intelligence, which is great, to bear on the suggestions offered by the House, and treat the subject in a broad and liberal manner, it is possible to pass an Act this session, and to pass it without prolonging the session unduly, which will enable those who are anxious for small holdings to settle permanently on the land on such terms that they will be able to remain there, and

at the same time deal fairly with the pastoral tenants whose land will not be required for close settlement for many years to come. If we adopt a policy of this kind, keep ourselves free from class and party prejudices, and aim at nothing but the benefit of the country, it is possible for us to pass a Bill that will confer immeasureable services on Queensland.

Mr. McCORD: Having had an experience extending over thirty-five years on the land of the colony, I may be permitted to say a word or two on the Bill before the House. I agree with many of the remarks that have fallen from the hon. member for Bulloo, particularly with regard to the right of appeal. I believe there ought to be an appeal under every section of the Act. It would give greater confidence to all classes if they knew they had a superior court to appeal to in the event of anything which they considered hardship or injustice. The constitution of the new Land Board may be a matter for debate. My own opinion is that the two gentlemen who form the board now are quite as competent as they would be with an additional member, and would probably get through their work more quickly. Clause 34 grants a rehearing, but what is the good of applying for a rehearing to the very men who have given the cause for complaint. That is an additional reason why there should be an appeal. Clause 57 provides that the reassessment shall be at a rate not less than that paid for the previous period. I think that is a very arbitrary thing. Surely the board should have power to do justice in cases where, in their opinion, the rent ought to be reduced. Many cases might arise where, from unforeseen circumstances, a run may have fallen in value, and the board might think the rent was too high, and in those cases the board ought to have a discretionary power. If the board have the right to raise the rent of land in all cases they ought to have an equal right to lower it where they see that otherwise injustice would be done. In the same clause the penalties are, I think, too high, and should be reduced from 5, 10, and 15 per cent. to 5, 7½, and 10 per cent. respectively. I am in favour of reducing it as low as possible consistently with the Government receiving a fair interest for the money they are out of. With respect to resumed areas of runs in the settled districts, under the old Act the tenant has a right to come in under an annual occupation license at the same rent he was paying before. It is now proposed that the rent should be fixed by the board. That is a matter which may very well be debated in committee. As to improvements on resumed parts, I consider that instead of being a bar to settlement they are a good thing for the country. Such improvements give employment to a large number of people; but unless the tenant gets compensation he will do very little in that direction of a permanent nature. He will only make such improvements as, he will say, will last his time, and such a state of things would neither be good for himself nor for those who come after him. Therefore, reasonable compensation for improvements would be a fair thing in all cases. In the settled districts, where the leases have come under an annual tenure, I consider that fencing, ringbarking, and the destruction of poisonous plants should be included in the improvement clause. Fencing is an improvement, no matter where it may be put, and pastoralists who have this annual tenure should be encouraged to make some improvements in the way of fencing; indeed, they cannot manage their holdings with any advantage to themselves, unless portions are fenced. Therefore, I contend that the improvement clause should have reference to holdings under occupation licenses as well as to all other holdings under the Bill. With reference to reserves and commons, I hold that they should be vested in the local authorities. They are the people who understand the thing, and are in a position to carry out the provisions of this measure, as they have all the necessary machinery at hand. Any revenue that is raised from the grazing portion of a common should be spent in the district in which it is collected. The local authorities have to make roads in their districts, and in mining localities right up to the mines; they have also to attend to the conservation of water, and they get very little for the expenditure thus incurred. It would also be wise to have a clause under which persons who have secured holdings in the immediate neighbourhood of towns should be enabled to exchange them for other lands, particularly for pastoral purposes. Such exchanges might be effected without the payment of any money, and would be for the benefit of all concerned. With reference to agricultural holdings, I think the provisions of this Bill are not nearly liberal enough. I understand the trouble of those who take up land in forest country and have to root out great trees before they can start cultivation. It costs from £3 to £7 per acre in country where big gum trees grow, and it is a terrible job to undertake. I know the hardships suffered by men of this class in my own electorate, and my sympathy is entirely with them. They need every assistance that can be given to them, and every acre they cultivate is a benefit not only to the neighbourhood but also to the whole country. For that reason I would give them free every acre they cultivate, and I hope that when the Bill gets into committee the Minister will accept some amendments that will give relief to agricultural farmers. I am very pleased with many things contained in the Bill, and mean to support the second reading.

Mr. W. THORN: I must also compliment the Minister on introducing this Bill. There are many little clauses in the measure that can be amended, and I am sure from what the Minister told us in his opening speech that he wishes to make the Bill the best he can for the general good of the whole colony. The hon. member for Bulloo, to my mind, hit the nail on the head. The hon. member for Normanby last session proposed that a Royal Commission should be appointed to report on the lands of the colony, and that would have been one of the best things that could have happened before the introduction of this Bill. The hon. member for Bulloo was, to a certain extent, right in what he said about the classification of lands, but instead of going from ten to forty miles from a railway he should have gone further. We have had the Land Acts of 1868, 1876, and 1884, but there is a lot of land in the settled districts which has not been taken up under the Acts of 1868 and 1876.

Mr. BATTERSBY: Because they were not worth the money.

Mr. W. THORN: Exactly; that has been the difficulty. Under the present Bill the price is to be reduced to as low as 10s. per acre, but it should have been reduced still lower. There have been, within the last three years, ten square miles of country thrown open for selection in my electorate, and other portions thrown open under the Acts of 1868, 1876, and 1884 have not been taken up, and never will be. The land is now lying there as a common. I am not going back to condemn our old Land Acts. I am not quite equal to that task, as I am only a new member and have not given them the attention which I very likely should have done. With reference to the proposed Land Court, I do not agree with the Minister that we should have a learned gentleman at the head of it. What we require is a good, sound, practical man—a man who has travelled through the whole of the colony, and

knows it from one end to the other. Like my hon. friend the member for Toowoomba, Mr. Groom, I think we should have local boards in every district, whose duty it should be to point out the different values of the lands to the Minister and the Land Court.

The SECRETARY FOR PUBLIC LANDS: What are they to do?

Mr. W. THORN: Point out the values that should be placed upon different lands.

The SECRETARY FOR PUBLIC LANDS: That is not a function of the board at all.

Mr. W. THORN: I would like to know from the Minister who is going to value these lands? Who is going to say whether land is worth 10s. or 15s., or 20s. per acre?

The SECRETARY FOR PUBLIC LANDS: The commissioners and the surveyors—the best information that can be obtained by the department.

Mr. W. THORN: I was told last session that the Minister actually put on that value, when I was speaking about the occupation licenses in the settled districts.

The SECRETARY FOR PUBLIC LANDS: It is done in the name of the Minister.

Mr. W. THORN: These occupation licenses in the settled districts are a thing that will have to be considered very deeply. Some in the Stanley district are paying as much as £3 per square mile, while others are paying from 12s. 6d. to £1 10s., and the latter are better than the former. The hon. member for Lockyer made a very good hit when he said the cheapness of the land would be a benefit to the working classes of the colony; and I am really sorry that he did not go a little further and say that it would be a benefit to the farming classes also. They are the people whom we should look after. It is all very well to go outside into the unsettled districts and look after the large-area men. There are quite enough hon. members on the other side to look after them, and we on this side will look after the small men. The agricultural homesteads are also a large question. At present the homestead area is 160 acres, but they are allowed to take up to 640 acres under the Bill. If the value of the land is 20s. per acre, the maximum area will be 160 acres; if 15s., it will be 320 acres; and if 10s., 640 acres. The Minister says these questions will have to be settled by the commissioners, but to my mind the commissioners should have some other authority than their own. As the *Courier* stated, there should be a couple of local justices in each district. They do other work for the colony, and I cannot see why they should not do this.

The SECRETARY FOR PUBLIC LANDS: I can.

Mr. W. THORN: I think it would be a very good thing. Then we come to agricultural farms, which at present have leases up to fifty years In my district there are a great many men with 320-acre farms, which are valued at from £1 to £2 per acre. I do not see how this Bill will be any benefit to them.

The SECRETARY FOR PUBLIC LANDS: What rent do they pay?

Mr. W. THORN: They have been paying 6d. per acre, and some more. Should they come under this Bill they will forfeit all that they have paid.

The SECRETARY FOR PUBLIC LANDS: Quite the reverse. You have read it the wrong way.

Mr. W. THORN: I have been seeking information from one or two gentlemen well up in the land laws. It does not say that they will receive credit for what they have paid.

The SECRETARY FOR PUBLIC LANDS: It does.

Mr. W. THORN: Under the present Act compensation is allowed for improvements, except in cases of forfeiture. That is done away with under this Bill, which provides that all improvements, as well as the land, go to the Crown.

The SECRETARY FOR PUBLIC LANDS: That has nothing to do with what we are talking about. Look at section 120.

Mr. W. THORN: They have the right to make the land freehold in from five to twelve years, but if that were increased to twenty years, under the old Act it would be far simpler than under this Bill. They may benefit to some extent, but they will receive no credit for the five or six years' rent they may have paid.

The SECRETARY FOR PUBLIC LANDS: Yes. Why do you say that after you have been corrected?

Mr. W. THORN: I cannot see it, and therefore I hope the Minister will show me where I am wrong.

The SECRETARY FOR PUBLIC LANDS: Read clause 122.

Mr. W. THORN: I will read the clause, and hope I may be wrong. Coming now to scrub selection. To my mind that is the best feature of the Bill. The Secretary for Lands knows very well that we have a pest spreading in the shape of prickly-pear. We have heard a lot about the Japanese and Chinese invading Queensland, but to my mind the prickly-pear is going to take Queensland if something is not done before long. I do not say that the whole of my electorate is covered with this pest, but it is spreading fast. I should like the hon. gentleman to go a little further. The township of Jondaryan is in my electorate; within two miles of that township this pest is making a start, and we should start at it there. That land is valued at £2 an allotment, and there are no selectors who can afford to give that price for the land and put it under agriculture. In the first place it will cost them £3 or £4 an acre to clear it, and as there is a constant growth of the pest they must always keep grubbing at it. I would like to see that land given to those who would take it up at the peppercorn rental of ½d. or 1d. an acre. Then, under the Bill a person of eighteen years of age may take up a homestead. I should like to see the age reduced to fifteen years.

The SECRETARY FOR PUBLIC LANDS: Why not make it fourteen years?

Mr. W. THORN: Very well, make it fourteen years. I am quite agreeable, and give the parents of the native population a show to take up a home for their families. We have a large native population springing up; and if their parents were able to command 160 acres of land for those young people, when they came to the age of twenty-one they would be able to take to themselves wives and settle on the land, as I am sure they would do. I must congratulate the Secretary for Lands on the able way in which he has introduced the Bill, and with certain amendments I hope it will be passed this session in such a way as to make it a credit to the hon. gentleman and to the Government.

Mr. FOGARTY: I take it that the matter under discussion is the most important that can engage the attention of the House; in fact, it is the question of the day. We have heard a great deal about the 1884 Act, and that in the opinion of some it has not fulfilled the anticipations of those who carried it into law. I have no hesitation in saying that the Act of 1884 was an excellent one. I believe it would have fulfilled to a great extent the anticipations of those who passed it were it not for the extravagant borrowing involved in the £10,000,000 loan. That money was obtained very easily; a great proportion of it was completely squandered, the

Treasury received no return from it, and it has only added to the burdens on the shoulders of the taxpayers.

Mr. SMYTH : Toowoomba branch railways.

Mr. FOGARTY : None of the £10,000,000 loan was spent in the neighbourhood of Toowoomba.

Mr. ANNEAR : Oh, oh ! What about the Crow's Nest line.

Mr. FOGARTY : There was one vote from it placed on the Estimates for carrying out a very necessary work, the Drayton Deviation——

The SPEAKER : Order ! The hon. member is now dealing with the expenditure of the £10,000,000 loan, which has nothing whatever to do with the question before the House. I ask him to confine himself to the principles of this Bill.

Mr. SMYTH : That's the way I got it.

Mr. FOGARTY : I was endeavouring to show that the 1884 Act was not at all a bad one. So far as the provisions in this Bill with respect to homesteads are concerned I do not think that the Minister deserves the great amount of praise that has been lavished upon him, because hon. members will find that where the area is extended it is only in respect of inferior land to the extent of 320 acres, and in respect of land that is hardly fit at all for settlement it is extended to 640 acres. I do not think this will have a tendency to settle a permanent population upon the land ; in fact, it will be quite the reverse. It is well known that 160 acres is not sufficient to settle a prosperous class of people upon the land ; the rainfall in Queensland is very uncertain, and to succeed a man must have a fairly large holding. It does not do to place all our "eggs in one basket," and to succeed the farmer must combine grazing with agriculture. The 1868 and 1876 Acts enabled men to obtain a fairly large piece of good land, and men who settled under those Acts are in a prosperous condition to-day ; but if the land is inferior, what benefit is it to the 320-acre man or to the 640-acre man ? If the area was extended in the direction proposed in this Bill, and at the same time the selector was in a position to select good land, it would be the means of settling a thriving population that would certainly be the backbone of Queensland ; but this Bill contemplates nothing of that sort, and it will have no great effect in settling a farming population upon the land. There is no use in placing men upon indifferent soil. It matters not how expert the person in occupation of the land may be, it will be utterly impossible for the land to yield a fair return. A slight concession has been made as far as the unfortunate selector is concerned in regard to his falling into arrears with his rent, but the percentage charged is still too high, and the Government might with reason forego the penalty altogether. I am satisfied the country would suffer no loss, and indirectly it would be a gainer. I like the concession given to the married women in the direction of allowing them to select homesteads, but it does not go far enough. In many cases the wife, by the sweat of her brow, keeps the family, and industrious, frugal women like that should be placed on the same footing as other members of the community. I do not like the proposal to reduce the period allotted by the 1884 Act to the grazing farmer. A considerable amount of money has been expended in improving grazing farms, and the tenure should be sufficiently long to enable the persons who embark in this industry to receive a fair return for their capital and labour. A concession is given in the shape of a pre-emptive right. It is now a matter of history how the pre-emptive right worked in the early days, and I am certain that if a pernicious provision of that sort is allowed to become law it will be equally as injurious now as it was thirty years ago. On the Darling Downs persons who selected particular sites have been enabled to command large areas of land surrounding the pre-emptive right. Water frontages were secured and other natural advantages taken possession of. The consequence was that the State was offered a very small amount of rental by other holders of land, who were completely shut off from water ; artesian water being unknown in those days, and in fact not being available even now on the Darling Downs. If the grazing farmer is allowed to pre-empt 2,000 acres of his selection, the probability is that he will command the remaining 18,000 acres at his own price. That was our experience, and past experience ought to guide us in the future. I hope the pre-emptive proposal will be knocked out, and I certainly will divide the Committee upon it if no one else does. I certainly compliment the Minister upon his endeavour to deal with scrub lands, but I do not think his proposals are sufficiently liberal to attract people to those lands. This class of land should be had at a peppercorn rent, the only condition being a certain amount of clearing every year with an understanding that the land cleared shall be kept clear. Even if selectors would occupy the scrub land on those terms it would be an immense benefit. Farmers are now called upon to pay large taxation for the destruction of rabbits and marsupials, but if the scrubs were removed there would be no places for the vermin to breed, and in the open they would be easily destroyed. When the hon. gentleman was moving the second reading he gave hon. members all the information they could desire. I do not think he concealed anything, and members are certainly under an obligation to him for his able exposition of the principles of the measure. During one portion of his speech I interjected that I was totally opposed to the auction clauses in connection with grazing farms. The Minister told us the system was much better than the ballot, which had been abused. That is quite possible, but under that system a man of limited means had a chance of securing a farm. If the auction system is substituted, it simply means that the financial institutions and those with private means will secure the land, and the poor man will have no chance whatever. I should feel inclined not to accept the proposal under any conditions, and it is quite possible that some system may be devised to prevent blackmailing of selectors by unprincipled persons who lodge applications with a view of being bought off. If a stringent clause is introduced to prevent a practice of that sort, I would certainly support it. Another reason given by the Secretary for Lands in favour of the auction system was that in a number of cases the grazing farm is offered to the public at considerably less than its value. I find that the Treasurer, in his Financial Statement, made use of the following words :—

"The experience of the grazing farm system so far indicates a great increase in the number of sheep in the colony in the near future, as on these comparatively small holdings the number of sheep carried per square mile exceeds, by from 40 to 50 per cent., that carried on ordinary runs. This has been well exemplified in the Mitchell pastoral district, where about one-third of the sheep in that district are pastured on grazing farms, the united area of which is but a comparatively small proportion of the district."

Considering that at the time the land was thrown open to the general public the grazing farmer was asked to pay four times as much rent as the large runholder, and that that was not too high, the large runholder has been rated considerably too low. In the Warrego district, the whole of the magnificent frontages along the river have been secured by the large holders ; the grazing farmers have to provide water and make more

improvements in proportion to the area of their holdings than the large holders, and then they are asked to pay four times as much rent. It is totally unfair, yet up to the present we have heard of no complaints from the grazing farmers, nor have they asked for any reduction in their rents, and if they have succeeded in paying such rents, the Government should increase the rents charged the large runholders. If they are not in a position to pay an increased rent, then they should make way for a better class of people—the grazing farmers. I should be very pleased if the Government would take possession of the large runs, survey them, and offer them to the public as grazing farms. By this means a very large amount of permanent settlement would take place, and an immense revenue would accrue, both from the increased rental and from Customs duties derived from the consumption of dutiable goods by the large population settled on those lands. In the event of the Government resuming the land from the pastoral lessee, where a fence has been erected, say, for fourteen years, no compensation is given. Probably that is the correct thing to do; but if an unfortunate selector comes along a friendly arrangement is entered into between the Government and the old lessee, whereby the selector is called upon to pay for this worthless old fence. I speak on this point from personal knowledge. Why should not the selector be treated in the same way as the bigger man? If favour should be shown in any direction it should be shown to the struggling man. I regret that the Secretary for Lands has not seen his way clear to introducing an amendment in connection with repurchased lands. Although the Government are empowered by the Act to repurchase lands to the extent of £100,000 per year, I believe they have exercised the privilege freely up to the present, and no doubt settlement will follow the purchases they have made; but in a number of cases the prices paid were too high. Had these proposals been submitted to this House for ratification or rejection, I am certain that a better bargain would have been made in the interests of the colony, as people with a knowledge of the lands would have been in a position to speak of their value, and no fictitious prices would have been paid. Consequently would-be selectors would have been able to select land at a more reasonable rate than they have been called upon to pay under existing circumstances. Another point I wish to draw attention to in connection with these repurchased lands is that in a number of cases selectors have been completely led astray by the Lands Department. Lithographs have been sent into the districts where the land has been purchased. Roads were clearly defined, and the selector, after furnishing himself with a plan of the country, visited each block. He made his selection and made considerable improvements. I admit that he did this at his own risk, but he naturally thought that the lithograph was correct, and that there would be no alteration in the roads shown in the plan. Later on, however, he found that the thing had been so carelessly drafted that the Government were compelled to make alterations. I understand it is the custom for the surveyor to simply take a starting point and travel a certain distance north, south, east, or west. He has not sufficient time at his disposal to enable him to examine the whole of the land, and in a number of cases alteration has to be made in order to avoid boggy creeks and inaccessible stony ridges. When the alteration is made, it invariably is made to the injury of the selector. The leveller land, and the land probably more fit for cultivation—that is, free from stone and timber—is taken from him for road purposes, and hence his holding is considerably reduced in value. There is no provision in the present Act under which consideration can be shown to these men. I do not for a moment doubt that the Government would sympathise with such a case, but unfortunately there is no machinery at their disposal by which they can grant relief. Therefore, the Secretary for Lands, when dealing with the land laws of the colony, should have taken into consideration this matter. I know that he is not ignorant of it, because applications and complaints have both been made to him, and he ought to have lent them, if not a sympathetic ear, a fair one. There is another matter to which I wish to draw the Minister's attention, and that is with regard to the Land Court at which the selector should be called upon to lodge his application. In a number of cases men are compelled to travel at least 100 miles to attend a certain Land Court. I think the Minister might very well allow a would-be selector to apply at the nearest Land Court. Cheap money has been advocated here for farmers. I am quite satisfied that cheap money is within measureable distance. It has been a great success elsewhere, and I think we might very well introduce it here. It would be a great boon to the struggling farmer, and would be no loss to the colony.

The SECRETARY FOR PUBLIC LANDS: Where has it been a great success?

Mr. FOGARTY: In New Zealand—an unqualified success.

The SECRETARY FOR PUBLIC LANDS: I do not think so.

Mr. FOGARTY: The hon. member for Lockyer advocated cheap land instead of cheap money, and contended that if the land was obtained by the farmer at a cheap rate the farmer would be able to pay a better rate of wages. The argument is far-fetched, to say the least. I am certainly in favour of cheap land, and also of a decent wage being paid, but I do not think cheap land alone would bring about that desirable condition. Cheap money would be both safer and better. Probably the Premier, who I know is desirous of settling a fairly prosperous class of people on the land, will seriously consider the matter. I was under the impression some time ago that during the present Parliament he would introduce a measure to that effect. I know he was communicated with, on the eve of the last general election, by the hon. member for Lockyer, on the matter, and his reply was characteristic of the hon. gentleman; he was extremely cautious; but, reading between the lines, I think he rather favoured the idea. Perhaps he does; and I hope that before the present Parliament expires cheap money will be an accomplished fact. I do not know whether, under this Bill, the grazing farmer is in a position legally to impound the large stockowner's stock. I know it is not so in the Act to which you, Sir, prevented me from referring; but I would submit that the grazing farmer, and even the grazing homestead selector, should be placed on the same footing as the large stockowner. If the pastoralist is in a position legally to impound the selector's stock, the selector should be in a position to return the compliment by impounding his. The hon. member for Bulloo spoke about the necessity of exchanging lands in the vicinity of towns. I presume he means that superior lands near towns should be exchanged for other lands remote from settlement. But he forgets that settlement is extending, and will keep extending till the end of time. Hitherto these exchanges have not been in the interests of the country. I know of one case where the exchange was at the rate of two acres to one; but the one

acre in the vicinity of the town was totally unsuited for settlement, and the exchange was a remarkably good thing for the landholder, but quite the reverse as far as the interests of the colony were concerned. Therefore I hope that, if the Government contemplate making any exchanges, any proposition of the kind will be submitted to Parliament before it is finally ratified. During this debate members have raked up the old musty files of *Hansard*. I do not think that is a fair thing to do. A man with a fairly good mind is open to conviction, and it is quite possible that a man may have discovered the fallacy of statements he made five or ten years ago; and he has a perfect right to alter his opinions. A man who does not alter his mind occasionally has very little mind to alter. Another mischievous provision in the Bill is that giving priority to persons applying for certain lands to be thrown open. If that is the case there is nothing to prevent the man of means or the syndicate of means from making the application and securing all the land available in 20,000-acre blocks. They could utilise their friends or their employees, and Tom, Bill, Harry, and Dick might secure the selections, and all the time their wages are going on. The next thing would be to effect a mortgage; and, although it may be only a bogus mortgage, it is recognised by the law. Then the mortgagee disposes of the land by private contract to himself or some member of his family. That certainly would defeat the end the Government have in view in connection with settling people on the land. That is one of the very worst features in the Bill, and I hope that a very great modification will be made in it when we get into committee; in fact, I would like to see the provision expunged altogether, as I am sure it will not lead to settlement, but quite the reverse. I agree with my hon. friend, the member for Aubigny, that the age at which persons should be allowed to take up land should be reduced, but I do not say it should be reduced from eighteen to fifteen. If the age were reduced to sixteen years that would be quite sufficient. That would enable a number of people who are anxious to take up land to put in their applications two years earlier than at present, and it would particularly apply to the native population, a population I have a very great deal of sympathy with. I therefore hope that when we reach the committee stage the Minister will accept some amendment in this direction. A large quantity of land has been open for selection for some considerable time, and it has been said that the hunger for land is not so great as some members would lead the House to believe. But the hunger is much greater than the most eloquent tongue in this House can describe. The reason why the land is not taken up is that the price is excessive. If it was reduced to a reasonable rate I am sure we should have no reason to complain that thousands of acres are now open and that the general public will not avail themselves of the privileges offered them. I think I have mentioned my chief objections to the Bill. I have been as brief as possible. Had I been allowed more latitude I certainly should have occupied more time, but I have endeavoured, as far as my lights go, to show the weak points in the measure. I know perfectly well that if it becomes law it will be materially altered, perhaps, to such an extent that the father of it, the Secretary for Lands, will scarcely know his own child.

Mr. BOLES: I have listened with a great deal of attention to the speeches which have been made, and was particularly interested in the speech delivered by the hon. member for Bulloo, who dealt very trenchantly and very fairly with the land laws of the colony. I agree to a great extent with what he said. There is no doubt that in dealing with this question we are dealing with a most important one—one with which the interests of the country are to a great extent bound up, and in which the people take a considerable amount of interest. There is no question which enlists the sympathy of the outside districts and provinces more than that of land legislation. Under our present cumbersome and unwieldy system it was almost impossible for an ordinary layman to get an intelligent grasp of our land laws, and the Government and the hon. gentleman at the head of the Lands Department deserve credit for bringing this codification before the House. It presents our land laws in simple language, and rectifies some anomalies which exist. From the opinions which have been expressed by some members at different times, one would almost imagine that it was almost the work of a lifetime to prepare such a measure as this. There is no gainsaying the fact that there is a general consensus of opinion that the land laws require consolidating. I know that at one time it was suggested that a Royal Commission should be appointed to do the work. Last year a private member of the House, who is by no means a legal luminary, or bush lawyer, had the hardihood to grapple with the question, and whatever may have been the defects of his measure I think it was a fair codification of the land laws of the colony. At any rate the hon. member deserves credit for his attempt, and I am not so sure but that his action spurred the Government to do their duty. Although this Bill professes to be a liberal measure, I should be inclined to go to a greater length than it proposes to go. I agree with some hon. members that there has been too much land legislation in the past. The tinkering that has taken place in connection with it at different times has tended to interfere a great deal with settlement. I have been looking over some of the musty debates in *Hansard* during the past few days, and it is most refreshing to read the speeches delivered in the early days on the land question. One would almost conclude from reading them that members in those times were suffering from some sort of dementia, for they seemed to think that any person who acquired land outside a town boundary would dig it up and take it away. It does not appear to have struck them that by acquiring and cultivating land, expending labour upon it and improving it, the people were creating wealth which would be a benefit to the whole colony. The present Bill tends to liberalise matters somewhat, and although I agree with it in a great measure, still it might go some distance further with credit to ourselves and benefit to the country. What has caused most trouble in the outside districts is the matter of administration. This is not an isolated question, but it has been continually urged that there has been defective administration in the outside districts. I am very much inclined to think that the grievances I refer to have accentuated the feeling in favour of territorial separation to some extent. It is by no means a local grievance, because you hear it wherever you go. It has already been said by one hon. member that no matter how good a land law may be, its results will be disappointing without proper administration, and I think the Government will not get the return from this Bill that they expect. It has been suggested that courts should be constituted for the three divisions of the colony, and the suggestion is a sound one. I never could understand how two or three gentlemen huddled together in one corner of the colony could administer the land laws of this vast territory. Independent boards should be constituted in the three divisions, and each one should

concentrate its attention upon its particular division. I do not say there should be three persons appointed to each board. Under our system of judicature one judge decides questions of fact as well as of law, and I do not see why that could not be done in the case of a land board, with two or four assessors who have local knowledge.

The SECRETARY FOR PUBLIC LANDS: And local interests.

Mr. BOLES: Of course the present board travels over the colony, but that does not give much satisfaction to small selectors. Under the present system it often occurs that a selector takes up land upon a part of a run on which there happens to be something in the way of improvements—fencing, for instance. It is imperatively laid down that the selector must pay down the value of that improvement. The pastoral lessee bases the value upon the price paid some sixteen years ago, when fencing cost £60 or £70 per mile, but the selector bases it upon what the fence could be erected for now, minus the deterioration, and there is a very wide margin between the two. The board is appealed to, a great deal of negotiation goes on, and the selector receives notice to attend the Land Court at Bundaberg to defend his position. It is far better for the selector to pay the amount claimed rather than ride 200 or 300 miles. Even if he is sure to win the case he will be out of pocket. If independent boards were constituted it would do away with that source of worry. The hon. member pointed out that the Government intend to reduce the rents. That is a very good feature of the Bill, and I am pleased to see it. It is admitted generally that some of the best parts of the land have been already alienated, and it is only reasonable to suppose that the remaining portion of the land should be allowed to go at a lower rate. Agricultural farms will be reduced to 10s., but I do not know that calling a piece of land "agricultural land" makes it so.

The SECRETARY FOR PUBLIC LANDS: It can only be a mere name.

Mr. BOLES: I know that in these 1,280-acre blocks a great deal of the land is taken up purely for pastoral purposes. There may be a few acres placed under cultivation for the benefit of the homestead, but it is mainly used for grazing purposes. While the hon. member was speaking upon that point, there were a number of interjections to the effect that a great deal of the land was not worth 5s. I fully agree with that, and I think the hon. member agreed with it also. In that case, why should it not be reduced to what it is worth? If the land is worth 20s. or 15s., it will always fetch that in the open market, but if it is not worth 5s., how can you expect it to be taken up for 10s.? The underlying parts of the hon. member's speech went to show that he desired to give more license, so that there should be no more restrictions than possible. I would be willing to give more power than is asked for. I think it would be a good thing if the minimum were reduced to 5s., or even less than that, because I take it that the Land Board in throwing land open for selection would carefully look into the matter of the value; and if there is one thing more than another that the Land Board is famous for, it is looking after the interests of the State. I do not see how it will affect private enterprise or vested interests to reduce the price of land that is admittedly not worth more than 5s. an acre, and I cannot see how that land is likely to be taken up if the minimum price is fixed at 10s. an acre. In the settled districts there is a lot of unavailable land that the State is getting no return from and from which it is not likely to get any return under present conditions—zamia country, a good deal of it; and some scheme might be introduced by which persons would be encouraged to take up small holdings of it as low as 500 or 1,000 acres, in order to try to get rid of those pests. Some other hon. members, and the hon. member for Normanby, can give a good deal of information on this matter. Some encouragement must be given to people to induce them to take up this land, and if the minimum were reduced to 5s. I have no doubt a good deal of this country would be acquired. It might have to be dealt with in some way different to what I have suggested, but still it is worthy of consideration, and I do not see how the reduction of price would interfere with vested interests. At present, when lands thrown open at £1 and 25s. an acre have remained for some time unselected, if you go to the Under Secretary and tell him that the price is too high and that if it is reduced the land will probably be selected he will say: "Well, it has been open for some time now; we cannot reduce the price below the minimum of 15s., but we will reduce it to that." And in some cases I have no doubt it has been taken up at the lower price. In the majority of cases it is known that the land is not worth the price put upon it and it is allowed to lie idle. I am speaking now of the settled districts, where there are a great many people such as road-makers, carriers, and others who would not go in wholly for agriculture but who would like to have a home where they would put up a house and fence in the land as they got time, and that would be doing some good to the country and giving it a far more civilised appearance than it has at present. As it is now it is only the home of the bush-rat. It has been contended by some that the pastoral lessee pays too little and by some that he pays too much or quite enough for his land. I contend that if the pastoral lessee pays quite enough, the grazing farmer is paying too much for the land he uses; and if the grazing farmer is paying only a fair price, then the pastoral lessee can very well pay a little more than he does at present. It seems that the department has discouraged the grazing homestead settlement. I do not know why, as it seems to me that 2,560 acres may be within the margin of the pocket of the small man who cannot afford to go in for the larger areas. I know that this form of settlement is discouraged to a large extent. It was stated that it would be an encouragement to people out west to take up land, but if it is good for those people it is good also for people nearer the coast, and it is a system I would much like to see carried out, because there are a great number of men with a small capital who would be prepared to take up land in those moderate areas and put stock upon them. The land thrown open to that settlement would not be agricultural land but what might be called second-class pastoral. On the whole I am favourably disposed towards the Bill, and I have not the slightest doubt that with some few amendments it may be made a very good measure. The hon. member for Bulloo deserves to be complimented upon the speech he delivered; he has dealt with the land systems of the country in a way which possibly no other member could do. I do not suppose any member is opposed to the Bill, which, I think, may be discussed apart from party lines, and hon. members should lay their heads together to make it as complete a measure as possible.

The HON. J. R. DICKSON: I move the adjournment of the debate.

Question put and passed; and the resumption of the debate made an Order of the Day for Thursday next.

The House adjourned at eighteen minutes pas 10 o'clock.