Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 25 OCTOBER 1901

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The SPEAKER (Hon. Arthur Morgan, *Warwick*) took the chair at half-past 3 o'clock.

QUESTIONS.

LEAVE OF ABSENCE TO INSPECTOR CRIBB.

Mr. LESINA (*Clermont*) asked the Secretary for Railways—

1. Is it true that Inspector Arthur Samuel Cribb, of the Railway Department, has been granted leave of absence on full pay.
2. If so, what is the reason.

The SECRETARY FOR RAILWAYS (Hon. J. Leahy, *Bulloo*) replied—

1. Yes.
2. He has taken advantage of the annual leave of absence provided in the regulations, and which is enjoyed by all employees of the Railway Department.

TANK ENGINES ON SUBURBAN RAILWAYS.

Mr. LESINA asked the Secretary for Railways—

What measure of success has attended the trials or tests made with the tank engines on the various suburban lines?

The SECRETARY FOR RAILWAYS replied—

I have no official report, but I understand that the tests made have proved satisfactory.

Mr. LESINA: I desire to ask the Secretary for Railways whether, when he receives the report in reference to the tank engines, he will lay it on the table of the House before his Estimates come on?

The SECRETARY FOR RAILWAYS: I never can tell what I shall do until I have a subject matter before me. After the report is in, if the hon. member asks me, I will tell him.

DAY LABOUR ON GOVERNMENT RAILWAYS.

Mr. TURLEY (*Brisbane South*): I beg to ask the Secretary for Railways, without notice, if he will lay on the table of the House the report of Mr. Stanley in connection with day labour on the Government railways?

The SECRETARY FOR RAILWAYS: I can only say that I have never seen any report of Mr. Stanley's on the subject. It never reached me if he made one. I will inquire if he made such a report.

Mr. TURLEY: The *Courier* of 3rd October states that he has made such a report.

The SECRETARY FOR RAILWAYS: I believe it is proceeding satisfactorily, if that is what the hon. member wants to know.

Mr. TURLEY: I understand there was a report submitted.

The SECRETARY FOR RAILWAYS: I have not seen it.

ACTING CHAIRMAN OF COMMITTEES.

The ATTORNEY-GENERAL (Hon. A. Rutledge, *Maranoa*): I move that Mr. Annear take the chair in committee for this day, in the absence of the Chairman.

Question put and passed.

REPORT ON BANANA TRADE.

On the motion of the HON. A. S. COWLEY (*Herbert*), for Mr. Smith, it was formally resolved—

That there be laid on the table of the House the report by the inspector under the Diseases in Plants Act who visited the southern colonies in connection with the banana trade.

FACTORIES AND SHOPS ACT AMENDMENT BILL.

On the motion of the HOME SECRETARY (Hon. J. F. G. Foxton, *Carnarvon*), it was formally resolved—

That the House will at its next sitting resolve itself into a Committee of the Whole to consider of the advisableness of introducing a Bill to amend the Factories and Shops Act of 1900.

PUBLIC SERVICE ACT AMENDMENT BILL.

THIRD READING.

On the motion of the ATTORNEY-GENERAL, this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Council for their concurrence, by message in the usual form.

PRICKLY PEAR SELECTIONS BILL.

COMMITTEE.

Clause 1—"Short title"—put and passed.

On clause 2, as follows:—

Any country lands which are infested by prickly pear may be proclaimed open for selection as prickly pear selections under the provisions of this Act.

The proclamation declaring such land open for selection shall appoint a place and a time (not being less than four weeks from the date of the proclamation) at which the land will be open for selection; and at and after the time so notified the land shall be open for selection accordingly.

The proclamation shall specify the numbers of the portions and their respective areas:

Provided that no portion shall exceed three hundred and twenty acres in area.

The proclamation shall further specify the maximum amount of money per acre which will be paid to selectors of the respective portions by way of bonus under the provisions of this Act.

When any land is so proclaimed open for selection, maps shall be prepared and exhibited to the public at the office of the land agent and at the Department of Public Lands in Brisbane showing the land so open, its distance from railway or water carriage, the maximum amount of bonus payable to the selector per acre, and such other information as may be prescribed by regulations in that behalf.

The SECRETARY FOR PUBLIC LANDS (Hon. W. B. H. O'Connell, *Musgrave*) said he should like the hon. member for Dalby to inform the Committee how he proposed to provide the money to be paid as bonuses to selectors. There was no provision in the Bill for raising the money, and the Lands Department had no

money available for that purpose at the present time. Did the hon. member propose that the money should be voted by Parliament?

Mr. BELL (*Dalby*): The course he proposed was that before the Government made any expenditure of that kind they should ask the House to vote the money on the Estimates or the Supplementary Estimates.

HON. A. S. COWLEY (*Herbert*): The hon. member had got the Lieutenant-Governor's message for the necessary appropriation, and could deal with the matter in the Bill. The Bill was initiated in committee on the 27th of September, and the necessary appropriation was recommended by message from His Excellency the Lieutenant-Governor.

Mr. BOLES (*Port Curtis*) wished to know if these prickly pear lands were to be surveyed before they were declared open to selection. He thought it would be better that they should be classified before they were thrown open to selection.

Mr. BELL: There would be no difference in this matter from the ordinary course which was followed in throwing land open to selection. The land would be marked out on a map, but he could hardly imagine that the department would consider it worth while to survey the land before they threw it open to selection.

Mr. BOLES: According to the present system land is surveyed before selection.

Mr. BELL: Land was taken up before survey on some occasions, and the department could take that course if they wished; but, if they had a number of surveyors available, it was quite conceivable that they would survey the land before they threw it open for selection. But if the present condition of things with regard to surveyors prevailed in the future, he thought it was more probable that the land would be thrown open before survey.

HON. A. S. COWLEY: Clause 1 provided that the Bill should be read and construed with the Land Act, 1897. He presumed that ample provision was made in the Act of 1897 for throwing land open to selection, for advertising, and for issuing proclamations. Was it necessary, then, to include in clause 2 paragraphs 2 and 3, which provided what should be specified in the proclamation?

The SECRETARY FOR PUBLIC LANDS did not know that there was any objection to those provisions being in the Bill. The procedure in throwing land open to selection was provided in the Act of 1897, and it was not necessary to provide that in this Bill. Four weeks at least was the time now during which land should be open before it was selected, and this clause repeated to a certain extent what was already provided.

Mr. BELL: This measure dealt with a new form of selection altogether, and there could be no harm whatever in having those paragraphs in, especially as the clause had been framed with them in.

Hon. A. S. COWLEY: I think it would be much better to leave them out.

Mr. BELL: He might say that the Parliamentary Draftsman had put them in the clause, and it would rather disarrange the clause if those paragraphs were omitted.

HON. A. S. COWLEY: If the Act was to be "read and construed with and as an amendment of the Land Act, 1897, hereinafter called the principal Act," not the slightest difficulty would arise from striking out paragraphs 2 and 3. They were not necessary, and he believed in making Bills as simple as possible. He would like to hear the opinion of the Attorney-General on the point.

The ATTORNEY-GENERAL (Hon. A. Rutledge, *Maranoa*): Although the paragraphs might not be really necessary, he could see no harm in leaving them in.

Mr. BOLES, referring to the paragraph relating to the proclamation of a bonus, said there was some prickly pear land with very little pear on it, and such land might be taken up under the terms of the Bill without a bonus being offered.

Mr. BELL: Under the terms of the Bill the Government could make the bonus as small as they liked, according to the quantity of pear and other conditions. If there was prickly pear land with so little pear that it would not be necessary to offer a bonus, the ordinary land laws could be allowed to apply to such land instead of bringing it under the provisions of this measure.

Clause put and passed.

Clause 3 put and passed.

On clause 4, as follows:—

When an application has been approved by the court, the applicant shall be entitled to a lease of the land from His Majesty.

The term of the lease shall be eight years, computed from the first day of January or the first day of July nearest to the date of the approval.

An annual peppercorn rent shall be reserved under the lease.

The amount of bonus per acre payable to the lessee upon compliance by him with the condition of eradication of prickly pear shall be stated in the lease.

During each year of the first five years of the lease, the lessee shall eradicate from one-fifth of the land all prickly pear growing thereon, so that at the end of the said period of five years the whole of the selection shall be absolutely cleared of prickly pear, and shall during the whole period of eight years keep absolutely clear of prickly pear every part of the selection from which the prickly pear has been previously eradicated.

If it is proved to the satisfaction of the commissioner that the lessee has in any year failed to perform the condition hereby imposed upon him, the Minister may (subject to the provisions in respect of forfeiture contained in Part IV. of the Principal Act) declare the lease absolutely forfeited and vacated, and thereupon the selection shall revert to His Majesty.

Mr. MOORE (*Murilla*) thought five years was too short a time to eradicate the pear. He knew a station where they had prickly pear, and it took seventeen years to clear it away. He moved the omission of the word "five" in the 1st line of the 5th paragraph, with the view of inserting "six."

The HOME SECRETARY (Hon. J. F. G. Foxton, *Carnarvon*): The provisions of this clause would be very much better it greater elasticity were given to them. There was such an immense variety in the degree to which land was infested with prickly pear, that in some cases a great many more years than five, or seven, or eight would be required for its eradication. It seemed to him that the terms of the leases, and the periods within which the pear must be eradicated, might, with great justice, be varied considerably, according to the extent to which the pear was growing on the land.

Mr. BELL: The provisions of the Bill were applicable to country which was more or less contiguous to a railway line, and where the soil was good—land which, were it not for the prickly pear, would be settled upon. That being so, they had to remember that the provision with regard to time had to be read along with the provision with regard to area. The maximum area was 320 acres. If the land was so densely covered with pear that it was obvious the maximum area could not be cleared within the limit of the time allowed in the Bill, the way to overcome that was to cut down the area offered for selection in such a case. If it were said that a less area than 320 acres would not be sufficiently attractive, he replied by saying that the presence of the railway line would make it worth a man's while to take up a smaller area than 320 acres under the terms which this Bill

offered. If the hon. gentleman suggested it, he was prepared to make the full term of the lease ten years instead of eight years. He understood that the hon. gentleman wished that the period during which the land had to be [4 p.m.] cleared from the prickly pear should be increased from five to seven or eight years, and that there should be a probationary period of two years, during which it should be kept down. If the hon. gentleman liked to move that amendment, he would accept it.

The HOME SECRETARY: The latter suggestion was much better than what was provided in the clause in the Bill as it stood. The hon. member's remarks were directed to circumstances existing in that part of his own electorate with which he was most familiar; but his remarks would not apply to 99 per cent. of the pear-infested country—that was country which was in close proximity to railways; and he believed that the position the hon. member assumed was that that land was sufficiently valuable and fertile when cleared to warrant men taking it up in small areas. With regard to much of the pear-infested country which he (Mr. Foxton) was familiar with, the area of 320 acres would not be a sufficient inducement for men to take it up, because that land was much inferior to land in the neighbourhood of Jondaryan——

Mr. BELL: And Chinchilla and Warra.

The HOME SECRETARY: And land which was perhaps a distance of 100 or 200 miles from a railway. He suggested that the period in which this pear must be exterminated should be extended, because three years was quite little enough, and there should be a probationary period for the acquisition of a better title.

Mr. MOORE asked the permission of the Committee to withdraw his amendment.

Amendment withdrawn accordingly.

The HOME SECRETARY moved the omission of the word "eight," on line 35, with a view of inserting the word "ten."

Amendment agreed to.

Mr. MOORE moved the omission of the word "five," on line 42, with a view of inserting the word "seven."

Amendment agreed to.

Mr. MOORE moved the omission of the words "one-fifth," on line 43, with a view of inserting the words "one-seventh."

Amendment agreed to.

A consequential amendment was made on line 44.

The SECRETARY FOR RAILWAYS (Hon. J. Leahy, *Bulloo*): He had not had a great deal of time to study this clause, but as far as he could see it was likely to land them in an awkward position. The clause as amended was that one-seventh of the land had to be cleared, not one-seventh of the pear. That portion of the land might not contain a one-hundredth part of the prickly pear, and yet if the selectors cleared that portion they would be able to get the bonus under this clause, although they had not cleared the proper proportion of the pear. He did not think that was the intention of the measure. The intention of the Bill was that one-seventh of the pear should be cleared. And the commissioner would have to inspect the land and be satisfied that that was done before the bonus was paid. If a man took up 320 acres he might clear 45 acres, and after he had done that, even although he had not cleared one-seventh of the pear on his land, he would be entitled to the bonus.

Mr. BELL: The Bill proposed that each successive year one-seventh should be cleared. The suggestion was that in each year the selector must clear one-seventh of the land, but not one-seventh of the pear. That might occur the second year, but before the whole period was complete he would have to tackle an area of one-seventh of the whole, which would make up for any deficiency in the quantity of pear that he had eradicated in previous years.

The SECRETARY FOR RAILWAYS: If he does not forfeit.

Mr. BELL: Well, if he did forfeit—for which there was provision in the Bill—the State was so much the better off by the amount of land that had already been cleared.

The SECRETARY FOR RAILWAYS: But it might not be worth the bonus he had got.

Mr. BELL thought they could trust the officials of the Lands Department to see to that.

The HOME SECRETARY thought the point raised by the Secretary for Railways was a serious one, because a man would be entitled to one-seventh of the bonus each year. Supposing a selection contained 210 acres, when he cleared one-seventh of the area—that was 30 acres—he would get one-seventh of the bonus. He would suppose that the bonus was £2 per acre. It might not cost him £1 per acre to clear those 30 acres. It might not cost him £1 per acre the second year; it might not cost him £1 per acre the third year—leaving the whole of the pear-infested land, which would really cost perhaps £5 per acre to clear, to be dealt with afterwards. He had the use of the land during that time, and the Government would be paying him £1 per acre for the portion cleared over and above what it cost him to clear it; and it would then be to his interest to throw it up, as he would be considerably in pocket. The principle adopted in sections 155 and 156 of the Land Act of 1897 ought to be inserted here to guard against anything of that sort. Section 155 divided scrub lands into four classes, and the 3rd subsection of section 156 was to this effect—

> During the period of the lease during which the lessee pays a peppercorn rent, he shall in every year clear a portion of the scrub upon his selection bearing the same proportion to the whole of the scrub as one year bears to the whole number of years in that period, until the whole has been cleared, and shall keep clear of scrub every part of the selection upon which the scrub has been previously cleared.

He knew a fair number of scrub selections which had been taken up, and very often one-third or one-fourth was not scrub at all, but very good open forest land which did not want clearing, but could be improved by ringbarking. If the same provision were in force with regard to scrub selections that were proposed in the Bill with regard to prickly pear lands, if a man held such forest land, he would simply say to the ranger when he came round, "Oh, yes, there is more than one-seventh of this land cleared of scrub. I have fulfilled my conditions." But that was not sufficient, because the area which had to be cleared had reference to the scrub and not to the selection, which included both scrub and forest, or perhaps plain.

Mr. CALLAN: That is very rare. It is generally all scrub.

The HOME SECRETARY: Oh, no. The inducement to take up a scrub selection was often a bit of forest land which a man might utilise by clearing the rest of the scrub. That was the experience of the Lands Department. It must be a very exceptional case where scrub land was taken up unless there was some land where a man could have his homestead, and run a few head of cattle in the meantime. The only way of overcoming the difficulty that he saw was to recommit the clause, and make it read "shall eradicate from the land one-seventh of all prickly pear growing thereon."

Mr. BELL: Unless the Committee forced him, he frankly confessed that he was not disposed to adopt the suggestion of the Home

Secretary. Without wishing to parade it, he believed that he had probably as much knowledge of prickly pear country as any member of the Committee. He knew as much about it as the Home Secretary. The hon. gentleman had got a good deal of prickly pear country in his electorate——

The HOME SECRETARY: I have cleared a good deal, if you ask me, and I know the cost of it.

Mr. BELL hoped the hon. gentleman would not think that he was setting himself up in antagonism to him; but he knew from personal observation—not like the Home Secretary from any manual experience—the class of country to which a provision of that kind was particularly applicable, and he said that they would not find much country—if they found any—that would allow the danger that the Secretary for Railways foresaw to come into existence. They had this safeguard—that the Secretary for Lands would be particularly careful as to the amount of bonus that he offered. He could not conceive that they were going to have so inefficient Secretary for Lands—certainly at that moment they had not got so inefficient a Secretary for Lands—that he would offer a bonus that would make it worth any man's while to clear off prickly pear simply for the bonus. The inducement would be that at the end of his labour he would get the freehold of the land. That being so, if there was an area of country—although it would not be easy to find it—of which one part was thickly infested with prickly pear and another part was scarcely infested at all, they would find that that area would be attuned to the quantity of the pear, and—still more important—the amount of bonus would also be in conformity. That being so, he would point out to the Committee that, although he saw the force of what the Secretary for Railways said, he did not think the danger was, after all, such a great one,

The ATTORNEY-GENERAL could not see the object of the hon. member in opposing the desire of hon. members to make the provision such that it could not be evaded. The arrangement with regard to throwing open those selections should be such that a man would be under compulsion to clear one-seventh of the pear. Everyone knew that, for every block of 320 acres the whole of which was infested with pear, there would probably be twenty selections thrown open of which only about four-fifths might be so infested. There might be 20 or 30 acres with so little pear that a boy could dig it up without trouble in the course of a few days.

Mr. BOLES: What bonus would be given on land like that?

The ATTORNEY-GENERAL: The bonus would be on the land per acre, taking it all round. It should not be open to a man to do what the Secretary for Railways had pointed out it was possible for him to do. The amendment suggested did not make it more onerous for the selector. If the hon. member was well advised he would accept the amendment. If he did not he might endanger his chance of getting the Bill through.

Mr. BELL: He was perfectly well aware of the importance of any suggestion coming from the Treasury bench; and of course, if the Attorney-General held out any threat of that sort, he must succumb at once. Anything that would prolong the discussion of the Bill endangered his chance of getting it passed. If the hon. gentleman told him that he preferred the measure in that form, he could only accept the suggestion.

The HOME SECRETARY: The only alteration required was not to omit or insert anything, but to transpose two words—to put the words "one-fifth of" after the word "land." It would then read—

> The lessee shall eradicate from the land one-fifth of all prickly pear growing thereon, etc.

Mr. McMASTER (*Fortitude Valley*) thought it would be better if the amount of bonus were regulated by the amount of land being cleared. If a man took up 320 acres of land, and there were 10 acres on it not so thickly infested with prickly pear as the rest, he would clear that portion and cultivate it.

The HOME SECRETARY: That would make it a shifting quantity.

Mr. McMASTER: That was so; but no man taking up a block of land would clear the whole of it first. A great many farmers had failed because they endeavoured to cultivate too much at once. It would be very much better if they cultivated 5 or 10 acres to begin with, and while that was being cultivated they would be able to clear another 10 acres. A man had to live while he was there, and capitalists were not likely to take up these blocks of land. An opportunity ought to be given to the selector to cultivate the easiest portion before he began with the worst.

HON. G. THORN (*Fassifern*): No doubt the amendment suggested by the Home Secretary in the clause was preferable to the clause as it stood, but who was to be the judge of the one-seventh? Some portions of the land might be very much more thickly infested than the rest, and might cost twice as much to clear. Then, as the commissioners and rangers were changed from time to time, who would be able to judge when the one-seventh of the prickly pear had been cleared? The commissioner was not supposed to go into the country and inspect the land.

The HOME SECRETARY: Yes, he is.

HON. G. THORN: If the inspection had to be done by the commissioners and rangers, an increased number of them would be required to carry out this work. One commissioner in a district would not be able to do it.

The HOME SECRETARY: The hon. member was quite wrong about the commissioners not going round and inspecting. They did inspect. Take, for instance, the commissioner of the district which was now officially recognised as Goondiwindi, and was formerly St. George. That commissioner travelled every month, and he visited St. George, and also Inglewood, probably travelling each month not less than 500 miles, and inspecting the selections in his district from time to time. As to changing the commissioners and rangers, it was not likely that the commissioner and the ranger would be changed from one district in the same year, and it would be certainly very inadvisable that they should be.

Mr. CALLAN (*Fitzroy*): There was a good deal in the suggestion of the hon. member for Fassifern. It was not possible for the commissioner or anybody connected with the Lands Office to know all about the prickly pear country as he would know about scrub country. There were many places where the prickly pear was so thick that a person could not travel through it on horseback. How could the commissioner possibly tell that prickly pear had been [4·30 p.m.] eradicated from one-seventh part of the land during the preceding year? He would never set foot upon it. There were acres and acres of prickly pear land at the present moment that no man could get into.

The HOME SECRETARY: He can see what change has taken place there during the preceding twelve months.

Mr. CALLAN: How was it possible to see what had been done on 20,000 acres?

The HOME SECRETARY: But he only has to deal with the one-seventh part of 320 acres.

Mr. BELL: Coming back to the question of the amendment, he noticed that Standing Order 274 provided that—

Verbal amendments, but no other, may be made to a Bill on the third reading.

It might, perhaps, be convenient to adopt that course.

The ATTORNEY-GENERAL: You can get it recommitted for the purpose.

The SECRETARY FOR PUBLIC LANDS: As to finding out what had been done, he would remind hon. members that those blocks must be surveyed before the Act could be applied to them, and during the survey the surveyor would note the portions of the land more or less infested with prickly pear. That would be a record for the commissioner. The commissioner might possibly make investigations in a few cases, but the bulk of the work would be done by his Crown lands ranger. When the selector came for his annual certificate the Crown lands ranger would be able to support or disagree with the progress shown. It might cause a little extra work for that officer, if the Act was a success, but he did not see that it was at all impracticable.

Amendment agreed to; and clause, with a further consequential amendment, put and passed.

Clause 5—"When bonus payable"—passed with a consequential amendment.

Clause 6 put and passed.

On clause 7, as follows:—

The Governor in Council may from time to time, by regulations in that behalf, declare that the presence of any birds or class of birds in any locality conduces to the spread of prickly pear, and fix a bonus to be paid for the destruction of such birds or class of birds, and generally prescribe all matters necessary to give due effect to the payment of such bonus.

HON. G. THORN said he would like to know from the hon. member in charge of the Bill what were the birds that conduced to the spread of prickly pear. He knew what they were himself. According to the law those birds were protected all the year round, and yet according to that clause they were to be shot at any time, under regulations made by the Governor in Council.

Mr. BELL: What particular birds are they?

HON. G. THORN wanted the hon. member to tell them that. He was referring to one particular bird that spread the seeds of prickly pear; it was sometimes called the "sacred ibis," and was protected all the year round.

The HOME SECRETARY: Where did you get that from about the ibis?

Mr. BELL: He had never before heard that accusation brought against the ibis. The bird supposed to be the chief agent in spreading the pest was the bird known as the scrub magpie. It might have other names elsewhere, but that was the name the bird went by in his district, where a number of selectors had asked that some steps should be taken to bring about its destruction.

The HOME SECRETARY did not like the clause, because it provided that any bird might be proscribed by regulation. He did not think it right that that should be done. Not only that, but it was proposed to give a bonus for the destruction of birds which at present were preserved. He thought that the hon. member for Fassifern was entirely mistaken about the ibis. He did not think that bird was protected all the year round.

Mr. BELL: The Governor in Council would of course make full inquiry before proscribing any bird, but he would remind the Home Secretary that after all the object of the clause was not so much the destruction of birds as the preservation of Crown lands from the inroads of prickly pear. On parts of the Darling Downs the scrub magpie was not only a very active agent in deteriorating Crown lands, but was making the burdens of selectors who were already on the land much harder than they otherwise would be by spreading the pear in all directions. The selectors said that if there was any inducement given to promote the destruction of birds which spread the pear they would undertake their destruction, and so far as he knew the scrub magpie was a bird which had not in any way justified its existence.

Mr. LESINA: That is a cool way of dismissing one of God Almighty's handiworks.

Mr. BELL: Well, that was not the only instance in which they had been unable to understand the usefulness of the handiwork of Providence. He should be sorry if it was thought that he was thinking of any member present when he said that, but if they wanted to find examples of the mysterious way of Providence it was not necessary to confine their attention to bird life.

HON. G. THORN had been in different scrubs on the Darling Downs and other places and had never yet heard of the scrub magpie. The only bird that he knew which was anything like the magpie was the butcher bird, but it was a flesh-eater. He had certainly seen the ibis eat prickly pear, and that bird was protected all the year round. Under that Bill, however, the ibis could be shot. He would like to hear the Home Secretary explain whether the regulations under the Bill would override the Native Birds Protection Act.

The HOME SECRETARY: The ibis was in exactly the same category as the wild duck, plain turkey, wild goose, bronze-wing and wild pigeons, quail, scrub turkey, plover, crane, emu, native companion, black swan, kingfisher, doves, magpie, etc. There was no exception made of the ibis, which was protected with other birds. What he wanted to point out was that the scrub magpie was not a protected bird at all. The only magpie mentioned in the Native Birds Protection Act was the magpie or organ bird, which was the ordinary magpie, and the magpie lark. As far as his experience went it was the emu which was the chief offender in carrying about prickly pear. It was particularly fond of the pear, and ate large quantities of it. He wished to point out that small plants of prickly pear were easily got rid of. It was when the plant had grown to such a size that it was difficult to get at the roots that it became such a scourge.

HON. G. THORN: He was convinced that there was some Act which protected the ibis all the year round. In any case, it was provided for by regulation, if not by Act. The Home Secretary spoke of the emu distributing the prickly pear; but in the settled and semi-settled districts the emu was pretty well extinct, so that it was not likely to carry the seeds about very much. It was only in the extreme West where the emu was found.

The ATTORNEY-GENERAL: Like the hon. member for Fassifern, he thought he had a hazy recollection that there was some special provision made for protecting the great kingfisher, commonly known as the "laughing jackass," but he found that no Act had been passed since 1884, and that the schedule of the principal Act had not been altered. Among the birds included in that schedule were quail, plover of any species, cranes, emus, native companions, black swans, great kingfisher, commonly known as "laughing jackass," doves, magpie (organ bird), magpie lark, rifle bird, regent bird, curlews, pheasants, and ibis. With

regard to the season during which these birds were to be protected, the Act of 1877 provided that—

> The period of the year during which this Act shall be in operation as regards native birds shall be from and after the first day of October to first day of March in each year, or such other period as the Governor in Council may by proclamation in the *Gazette* from time to time direct.

The next Act was also passed in 1877; it provided that the principal Act should not apply to farmers and aboriginals under certain circumstances. The Act of 1884 simply gave the Governor in Council power to proclaim reserves and to appoint rangers, etc. There was nothing in the later Acts with regard to the birds which were to be protected. The schedule was not altered in any way, but he thought the power given to the Governor in Council to alter the period during which the birds mentioned might be protected was wide enough to enable them to say that twelve months should be the period.

HON. G. THORN thought there was a later Act which prevented the shooting certain birds all the year round, as, for instance, the curlew, which the blackfellow said was a "brother belonging to plain turkey." (Laughter.)

The ACTING CHAIRMAN: I would remind the hon. member that he is tediously repeating himself. The question before the Committee is that clause 7 stand part of the Bill.

HON. A. S. COWLEY wished to know if the clause was necessary. He thought ample provision on the subject was made in the Acts already quoted. The Governor in Council had power to declare that certain birds should not be shot, and he should like to know if they had the power under any existing Act to give rewards for the destruction of any birds which were a nuisance? With regard to the contention of the hon. member for Fassifern, it was evident from what had been stated by the legal members of the House that the birds the hon. member mentioned were protected by regulation, and not by a specific provision in the Act. At one time the country was overrun with locusts in certain places, and the ibis, which was destructive to locusts, was protected all the year round by regulation. But what he desired to know was whether the clause was necessary.

Mr. BELL: There was no power given to the Governor in Council by any existing Act to take the action which this clause would empower them to take in regard to giving a bonus for the destruction of certain birds. As a matter of fact the birds to which the provision would apply were not very numerous, and the clause was principally aimed at the scrub magpie. All that was sought was some small incentive to encourage its destruction, as it appeared to be a great distributor of prickly pear seed. Of course the Government would not put the clause in operation unless they thought it advisable to do so, but he thought the clause was necessary.

The ATTORNEY-GENERAL: The magpies which were protected were the magpie (organ bird) and the magpie lark.

An HONOURABLE MEMBER: The scrub magpie is neither of those.

The ATTORNEY-GENERAL: Then it would be well if the hon. member for Dalby would specify the scrub magpie in the clause.

The HOME SECRETARY: Although there was no legislative provision authorising the giving of a bonus for the destruction of any particular bird, nevertheless that had been done. It had been done with very great effect with regard to the shag in districts where trout were being raised. The shag was a great enemy of the trout, and bonuses had been given for its destruction with very marked success through the medium of the Southern Queensland Acclimatisation Society. That could very well be done in regard to the scrub magpie without any legislative
[5 p.m.] provision, but it could not be done unless money was provided. The money could be provided at any time on the Estimates, and a bonus given, always provided that the bird intended to be exterminated was not a bird specially protected by the Native Birds Protection Act. He suggested that the clause should be negatived.

Mr. BELL saw a good deal of force in what the hon. gentleman said, but preferred to adopt the suggestion of the Attorney-General and specify the scrub magpie. He therefore moved the omission of the words "any birds or class of birds."

Amendment agreed to.

Mr. BELL moved the insertion of the words "the scrub magpie" in lieu of the words omitted.

HON. G. THORN said he had been a long time in the country, and he had never heard of a bird called the scrub magpie. There might be a scrub bird that carried the seed of the prickly pear, but it ought to be called by a name by which it would be recognised. He did not think any hon. member could stand up and say he knew of such a bird as the scrub magpie.

Amendment agreed to.

Mr. BELL moved the omission of the words "birds or class of birds" after the word "such."

Amendment agreed to.

Mr. BELL moved the insertion of the word "bird" in lieu of the words omitted.

The HOME SECRETARY: It seemed rather ridiculous to provide that the Governor in Council should declare by regulation that the presence of the scrub magpie conduced to the spread of prickly pear. Why not say it here straight away without any regulation? It was all right in principle; but when they provided that one poor unfortunate little dicky-bird might by regulation be declared to conduce to the spread of prickly pear, he almost dreaded what would be said of them in another place.

Mr. BELL: The proceedings on this clause reminded him of the fable of the old man and his ass. He had adopted the suggestion of the Attorney-General, and that was now criticised by the Home Secretary. It did seem something like taking a Nasmyth steam hammer to crack a nut to have a provision of this kind in regard to a poor little dicky-bird, but the size of the bird was no indication of its destructive capacity. If the hon. gentleman would allow the clause to go, he would arrange that when the Bill got to another place the scientific name of the bird should be ascertained, and he did not think it would look so disproportionate then.

The ATTORNEY-GENERAL said that would be introducing an inconsistency, because there was not a single scientific name to be found in the schedule of the Native Birds Protection Act. He did not think the hon. member would improve matters by getting gentlemen in another place to insert a high-sounding name for this bird as a substitute for a simple and comprehensive designation which every farmer would recognise. It would only obscure the provision. He did not like the clause, and he hoped the hon. member would omit it.

Mr. McMASTER: He did not know what the hon. member for Dalby meant by this clause——

Mr. LESINA: I see you are obeying instructions.

Hon. A. S. COWLEY: I want to get inserted the amount that is required to be appropriated in connection with this measure.

Mr. McMASTER: Like the hon. member for Fassifern, he had heard of the magpie, but he had never heard of the scrub magpie. He thought the hon. member for Dalby should be very careful before asking this legislation to be passed, for they all knew that some birds were very useful to farmers, as they destroyed grubs. He was not prepared to say that the scrub magpie did that, for he did not know the bird.

Mr. BELL: The farmers want this bird to be exterminated.

Mr. McMASTER: He knew what some birds could do in the way of destroying grubs, and he had known, where the native birds had been almost exterminated, that fowls had been allowed to go into the fields in order to destroy grubs. He agreed with the Home Secretary that if a farmer rooted up a little prickly pear plant he could easily carry it away in a bucket and burn it. In that way there would be no trouble in keeping a place clean. If a farmer allowed weeds to grow to 6 inches or over before he touched them, he would experience great labour and trouble in eradicating these weeds; but if he rooted them out when they were only 1 or 2 inches high he would have no trouble in eradicating them.

Mr. BELL: Leave it to the Governor in Council.

Mr. McMASTER: He questioned whether the Governor in Council knew much about these grubs. He did not know whether any of the members of the Ministry had done much farming. The Home Secretary said he had cleared a great deal of prickly pear——

The HOME SECRETARY: I did not say a great deal.

Mr. McMASTER: Well, the hon. gentleman knew something about the eradication of prickly pear, and he (Mr. McMaster) had done some farming in his time, and he knew that when a plant was 2 or 3 inches high the grubs got at the roots. A plant might be fresh in the morning and when you came to look at it in the middle of the day, it had fallen. As soon as the sun got up the grubs got at the roots.

The ACTING CHAIRMAN: I would remind the hon. member that this discussion is concerning a certain bird.

Mr. McMASTER said that was what he was discussing. They might be passing legislation which would lead to the destruction of a bird that was useful to the farmers in destroying grubs. "The early bird catches the worm." He would like to know whether the scrub magpie destroyed snakes. (Laughter.) They knew that people were not allowed to destroy jackasses. (Laughter.) For they killed snakes, and thereby prevented children and other people from being bitten by them. Now, they were asked to pass an Act for the destruction of scrub turkeys. (Laughter.) Scrub magpies, he meant. The hon. member for Fassifern had had a great deal of experience in this colony, and yet he had never heard of the scrub magpie. He relied on the knowledge of that hon. member. Joking apart, he thought they should be very careful in passing this Bill.

Mr. BELL thought the Committee had arrived at a conclusion on the matter, and he could assure them that it would be wise to insert the name of that bird in the clause.

Amendment—Inserting "bird" (*Mr. Bell*)—agreed to.

Question—That clause 7, as amended, stand part of the Bill—put; and the Committee divided:—

AYES, 24.

Mr. Airey	Mr. Givens
,, Bell	,, J. Hamilton
,, Boles	,, Hanran
,, Bowman	,, Hardacre
,, Bridges	,, Kent
,, Browne	,, Kerr
,, Burrows	,, Lesina
,, Cameron	,, Maxwell
,, J. C. Cribb	,, McMaster
,, T. B. Cribb	,, Rutledge
,, Curtis	,, Stephenson
,, Dunsford	,, Turley

Tellers: Mr. Airey and Mr. Dunsford.

NOES, 6.

Mr. Callan	Mr. Leahy
,, Cowley	,, O'Connell
,, Foxton	,, G. Thorn

Tellers: Mr. G. Thorn and Mr. Cowley.

Resolved in the affirmative.

Mr. BELL moved that the Chairman leave the chair, and report the Bill to the House with amendments.

HON. A. S. COWLEY: If the hon. member for Dalby intended to recommit the Bill, he would suggest that he should make provision for a certain sum of money to be appropriated to carry out the provisions of the Bill. The hon. member had got his message of appropriation; but he had made no provision whatever in the Bill with regard to that appropriation, and he was, therefore, simply at the mercy of the Government. He (Mr. Cowley) wanted to give effect to the Bill. The Estimates were already brought down, and there was no appropriation contained in them for that specific purpose; so that, if the hon. member did not insert a clause appropriating a certain sum, the Government would have no power to grant a single farthing, unless a special message was brought down and a special resolution was passed. The hon. member had had the foresight to get a message authorising the appropriation, but, unfortunately, he had specified no amount. He asked the hon. member, therefore, to insert a clause when the Bill was recommitted appropriating a certain sum of money for that specific purpose. He thought it was a very desirable thing to do.

Mr. BELL fully recognised the benevolent intentions of the hon. member. The Bill, of course, could not have been brought in without a message from the Lieutenant-Governor.

Hon. A. S. COWLEY: Yes it could.

Mr. BELL: With every deference to the hon. member, he said it could not have been introduced without a message from the Lieutenant-Governor, because the giving effect to it involved the expenditure of money. Having got the necessary appropriation from the Lieutenant-Governor, there were two courses open to him. He could either specify the amount in the Bill itself, as the hon. member for Herbert recommended, or he could leave it to the Government to put a sum of money, either on the Estimates, or, if the Bill was to be given effect to this year, on the Supplementary Estimates. If he was not a private member, and if the termination of those proceedings did not occur at 6 o'clock, it was quite likely that—relying on the good will of the Committee—he would specify the amount in the Bill, and trust to the Committee to pull him through. But, although he had had no consultation with the Government on the subject, he believed that if he ventured to mention any particular sum, it would not receive the assent of the Government. He preferred to take the other course, and endeavour to induce the Government to put a sum of money on the Supplementary Estimates—and not a large sum,

either—but it would be under the control of the Government, and under their auspices. Under all the circumstances connected with the Bill, he preferred adopting that course to doing what the hon. member for Herbert recommended.

Question put and passed.

The House resumed; and the ACTING CHAIRMAN reported the Bill with amendments.

RECOMMITTAL.

The HOME SECRETARY moved the omission of the words "one-seventh of" on the 43rd line, with a view to inserting the same words on the same line after the word "land."

[5·30 p.m.]

Mr. McMASTER: He did not quite understand this. The clause had been amended by the insertion of the word "one-seventh," but he did not understand whether that referred to the land or to the prickly pear upon the land.

The SECRETARY FOR RAILWAYS: It is one-seventh of the prickly pear.

Mr. McMASTER: Then he hoped the Committee would not adopt it. If the hon. member who had introduced the Bill wanted to encourage people to take up this prickly pear land he should not allow a provision to that effect to go in. When he spoke at an earlier stage the Attorney-General made an interjection that it would be all right if it were *bonâ fide* selection. Surely the Government were not going to allow this land to be taken up for dummying purposes. If they did, this Bill should not be passed at all. A man who took up a 320-acre selection might have 10 or 15 acres of it less heavily infested by prickly pear than the rest of the land, and he should be allowed to cultivate that land in order to make a living upon it. He would give a case in point, although perhaps the Chairman might rule him out of order.

The ACTING CHAIRMAN: The hon. member has been out of the Chamber for some little time, and I must remind him that the question before the Committee is the omission of the words "one-seventh of," in line 43 of the clause. According to Standing Order No. 258—

> When a clause or amendment is under discussion, a member speaking shall confine himself to the matter of that clause or amendment.

I trust the hon. member will confine his remarks to the amendment before the Committee.

Mr. McMASTER: All he was asking for was information. He wanted to know whether it was one-seventh of the prickly pear or one-seventh of the land that was meant. The statement of the Chairman had not enlightened him on that point. He might be dull, but it struck him forcibly that they were going to inflict a great injury on men who took up prickly pear selections. He had known many successful farmers who commenced their first cultivation on not more than half-an-acre of their land. They put in vegetables, and while those were growing they cleared another half-an-acre, and so on, until they got the bulk of their land under cultivation. Any man who attempted to eradicate one-seventh of the prickly pear on a prickly pear selection in twelve months would come to grief unless he had a large amount of capital.

Mr. LESINA: This Bill will come to grief in ten minutes if you go on talking.

Mr. McMASTER: He did not think it would, unless the hon. member for Clermont followed him and talked till 6 o'clock. Those hon. members opposite who boast about looking after the poor working man——

Mr. MAXWELL: They are looking after the Minister for Railways just now.

Mr. McMASTER: The Minister for Railways can look after himself.

Mr. LESINA: He threatened what he would do if you did not get up.

Mr. McMASTER: He knew more about parliamentary procedure than all hon. members put together. They were like a lot of the scrub magpies that had been referred to; they made a lot of noise about things they knew nothing of. He (Mr. McMaster) knew what he was talking about.

The ACTING CHAIRMAN: Order! I trust the hon. member will not be led away by interjections, but will confine his remarks to the question before the Committee.

Mr. McMASTER: The question had not yet been made clear to him as to whether the one-seventh meant one-seventh of the land or one-seventh of the prickly pear. If they were going to compel a selector to clear one-seventh of 320 acres every year, the hon. member for Dalby might as well have left his Bill alone, for he would get no person to take up the selections. There might be 10 or 15 acres on a selection from which it would not be difficult to eradicate the pest. A man should be allowed to clear that and cultivate it, and get a bonus for it. Perhaps the best thing would be to negative the clause and allow the Government to make the best bargain they could.

The HOME SECRETARY: He would explain to the hon. member that any country which was entirely infested with prickly pear would certainly not be taken up under this Bill, which would therefore only apply to country in which there was already a certain portion of land which was not infested with prickly year. In such cases one-seventh part of the prickly pear would not represent anything like one-seventh part of the land. Without the amendment proposed it would be quite competent for a man to get, under the Bill, a selection only one-half of which was really badly infested with prickly pear. That half he could clean for a few shillings per acre, hold it three years, and receive his bonus for those three years. Besides, there was nothing to prevent him from throwing it up, when he would be £50 or £60 in pocket for work he had not done.

Amendment—Transposition of "one-seventh of" (*The Home Secretary*)—agreed to.

The HOME SECRETARY moved that the words "one-seventh of" be inserted after the word "land" in the same line. The clause would then read—

> During each year of the first seven years of the lease the lessee shall eradicate from the land one-seventh of all the prickly pear growing thereon.

HON. A. S. COWLEY said it was easy enough to arrive at a calculation of one-seventh of the land, but how they could calculate one-seventh of the prickly pear he could not understand. There might be more prickly pear on one-tenth of a selection than on all the other nine-tenths. A Crown lands ranger would be wanted for every selection.

The ATTORNEY-GENERAL hoped hon. members would allow the Bill to go through. He sympathised with a member in charge of a private Bill. Twenty-three years ago he brought a Bill into the House—it was his first legislative attempt—and he remembered the grief he felt on one of the very few days he had to deal with it when there was a danger of its not being passed. Fortunately he was able to get it through, and he hoped the hon member for Dalby would be equally successful.

Mr. GIVENS: You say that within ten minutes of 6 o'clock, and Ministers have been stonewalling it all the afternoon.

Mr. BROWNE (*Croydon*) said he was not going to stonewall the Bill, because every member on his side was anxious to see it passed; but he had

risen to protest against the way in which time had been wasted that afternoon. He believed it had been wasted for the express purpose of preventing the resumption of the debate on the motion of the hon member for Cairns.

Hon. A. S. COWLEY: I was prepared to speak on the motion.

Mr. GIVENS: Members were prompted by the hon. member for Herbert to waste time.

Hon. A. S. COWLEY: That is not a fact.

Mr. BROWNE: On the last occasion on which the motion of the hon. member for Cairns was before the House, an amendment was moved by the Secretary for Lands, and the Premier spoke upon it all the afternoon. He (Mr. Browne) was deliberately blocked; and he said again that he believed the same course had been adopted that afternoon by Ministerial supporters, in order that nothing might be said in opposition to what had fallen from the Premier. He would say nothing more, except to express the hope that the hon. member for Dalby would get his Bill through, because he did not believe the hon. member had been a party to what had taken place.

Mr. BELL said he was very much obliged to the leader of the Opposition. He could assure him that he had been no party to any conspiracy to prevent the discussion of the motion of the hon. member for Cairns. The whole afternoon he had been on tenterhooks lest his Bill should not get through, because he knew what a delicate thing it was to get a private Bill through the House. He could only hope that now the Bill had got to the gates of Paradise it would be allowed to enter in.

HON. A. S. COWLEY: It had been said that he had deliberately attempted to block the motion of the hon. member for Cairns. The fact was that when the Bill of the hon. member for Dalby was called on he said to Mr. Hamitton, the Government whip, that he was going downstairs to prepare a speech on the motion of the hon. member for Cairns, and when the Committee reached clause 7 he was to send down for him and he would take the Premier's place. He had nothing whatever to do with blocking the motion.

Mr. BROWNE: It has been a deliberate attempt on the part of the kanaka push to burke discussion.

Clause 4, as amended, put and passed.

Mr. BELL moved the following new clause, to follow clause 7, which he had prepared after consultation with the Attorney-General, who was leading the House, and other Ministers—

The Governor may, by warrant under his hand addressed to the Treasurer, direct him to pay out of the consolidated revenue such sums as may from time to time be necessary to give effect to the provisions of this Act.

Mr. LESINA (*Clermont*): Members on his side could not be accused of having attempted to block the passage of the Bill. When it was first introduced he gave way to the hon. member for Dalby to enable him to get his first reading through, and members of the Opposition had said very little that afternoon, because they desired to assist the hon. member in the passage of the Bill. A discussion had, however, taken place of an infamously puerile and infantile character. It had been absolutely absurd, and had been led by the hon. member for Fortitude Valley, Mr. McMaster, who had been deliberately instructed by the Secretary for Railways to get up and waste time.

Mr. MCMASTER: Nothing of the kind.

Mr. LESINA: He was not anxious at that stage to block the passage of the Bill, and he trusted that it would be carried, but he would like to say, in response to the hon. member for Herbert, that if the Premier had deputed him to occupy the time that afternoon on the black labour question, it was just as well that the fact should be known.

Hon. A. S. COWLEY: The Premier did not depute me.

Mr. LESINA: The hon. member said that the Premier had deputed him.

Hon. A. S. COWLEY: I did not.

Mr. LESINA: How could the hon. member come in and take the Premier's place?

Hon. A. S. COWLEY: I never consulted the Premier at all.

Mr. LESINA: Why should not the leader of the Opposition follow the Premier?

Hon. A. S. COWLEY: If he could, he should.

Mr. LESINA: Hon. members opposite were frightened to allow the motion of the hon. member for Cairns to be discussed.

Clause put and passed.

The House resumed; the ACTING CHAIRMAN reported the Bill with further amendments, and the third reading was made an Order of the Day for Tuesday next.

STATE SUGAR REFINERY.

On the Order of the Day being read for the resumption of the debate upon Mr. Givens's motion—

That in view of the very large sums of money expended by the State in encouraging and establishing the sugar industry, and the great importance of that industry to the general prosperity of the State, this House is of opinion that it is urgently necessary to place the industry on a thoroughly sound and remunerative basis by establishing a State Central Sugar Refinery, to supplement the present Central Sugar Mill system, so as to secure to the sugar farmers every available fraction of profit from the production of sugar in a refined state—

On which Mr. O'Connell had moved—

That the question be amended by the omission of all the words after the word "by," on line 5, with a view to the insertion in their place of the words "the continuance of the provisions of the present Pacific Island Labourers Act for a further period of ten years"—

which stood further adjourned at 7 o'clock p.m. on Thursday, the 3rd October—

Mr. BROWNE: I beg to move the adjournment of the debate.

Question put and passed.

The resumption of the debate was made an Order of the Day for Friday, 22nd November.

At 7 o'clock the House, in accordance with Sessional Order, proceeded with Government business.

PASTORAL HOLDINGS NEW LEASES BILL.

RESUMPTION OF COMMITTEE.

On clause 4 (*vide* page 1475)—which Mr. Cameron proposed to amend by omitting subsection 2 with a view to the insertion in its place of the words—

Upon the receipt of such notice by the Minister, he shall refer the notice to the court, who shall, within three years from the date of reference to the court, classify the holding in respect to which such notice has been given in one or other of the classes hereinafter mentioned—

Mr. W. HAMILTON (*Gregory*) said: Just before the discussion closed on this matter the previous evening, the Secretary for Railways interjected that he (Mr. W. Hamilton) had stated on the Address in Reply, or the second reading of this Bill, that he was in favour of the immediate classification of these runs. He never said that. Somebody else might have said it, but he did not.

Mr. HARDACRE: I said I was.

Mr. W. HAMILTON: What he said was that he believed in the classification of the public lands. On the second reading of the Bill he said he approved of the classification, not only of pastoral leases, but also of the resumed portions of holdings and of the inferior country which was left on the hands of the Government. But he never said or implied that he was in favour of the classification of runs fourteen or fifteen years before the leases of those runs would expire. The leases for a great many of the runs in the best sheep country in Western Queensland had from twelve to twenty years to run yet. The hon. member for North Brisbane was right in saying that so many leases would expire in 1908, but, as the hon. member for Leichhardt pointed out, the majority of those runs were not in sheep country, where selection had taken place in the past. A good many of the leases in the Hughenden district expired in 1908, but the runs were in coarse, basalt country, which was not fit for sheep. There were only a few runs there which were fit for sheep, as, for instance, Hughenden Station, Afton Downs, Telemon, and, he thought, Redcliffe. He found from a table he had compiled from a return which was laid on the table of the House last year, that these runs had a further period of twenty years to run, so that if the classification was made as suggested in the amendment by the hon. member for North Brisbane, they would be classifying those runs fully twelve or thirteen years before the leases expired. The lease of Tarbrax expired in 1918; Cassilis, 1918; Bunda Bunda, 1920; Richmond Downs, 1917; Maxwelton, 1916; Cambridge Downs, 1917; Toorak, 1917; Eddington, 1918; Julia Creek, 1920; Eulolo, 1919. Those runs comprised pretty well all the sheep country from Richmond Downs right down the Flinders and out to near Mackinley Ranges. There were no runs in that district, the leases of which had not over twelve years to run. The hon. member for North Brisbane said the runs in the Mitchell district were expiring. It was quite true, as the hon. member had stated, that there were a lot of runs in the vicinity of Aramac, the leases for which expired in 1908, and he (Mr. Hamilton) had no objection to the classification taking place as early as possible in the case of runs where the leases expired in 1907 or 1908. But he had an objection to the runs he had mentioned being classified within three years, because there might be a great demand for land in another ten years. If the runs were classified within three years, they might be put in Class III. or IV.; whereas in ten years' time the demand for settlement might be such as to show that they should be classed in Class I. It was setting the department a big job to classify all the country in three years.

The SECRETARY FOR RAILWAYS: The demand for land won't alter the classification.

Mr. W. HAMILTON: No; but land that would be put into the 3rd or 4th class now might be put into the 1st class by and by when there was likely to be a demand for land for settlement. Taking the runs within about 100 miles of Longreach, there were only two or three that had less than from twelve to twenty years to run. Westlands lease did not expire till 1920; Maneroo in 1915; Evesham and Maneroo had about the shortest time to run.

The SECRETARY FOR RAILWAYS: What has that to do with the classification?

Mr. W. HAMILTON: If those runs were classified within the next three years there might be an injustice done to the district. They might be put into Class IV. with twenty-eight years on top of this—with forty-eight years to run; or they might be put into Class III. with twenty-one years on top of this, making the lease forty-one years from now. That was where the danger came in. Lovat Downs did not expire till 1920; Bimerah, 1920. Bimerah was a run where the lessees' had made a freehold of the resumption, and blocked whatever settlement would have been possible there. They got their extension, surrendering a portion for close settlement, and then they made a freehold of the eyes of the resumption. Evesham did not expire till 1915; Corona, 1920; Silsoe, 1920; Wellshot, 1915; Strathdarr, 1915. Those were within a radius of 40 or 50 miles of Longreach, and if they passed the amendment they would be doing an injustice to the district perhaps. He did not say the officers of the department would wilfully do an injustice, but they might be led away by there not being a great demand at present for land on the resumptions of those runs; and if the classification was deferred till within four or five or six or seven years of the expiration of the lease, they would be able to form a better judgment as to whether the land would be required in the immediate future for close settlement. He would now refer to some of the big runs in the Isisford district. Warbreccan did not expire till 1921; Ruthven, 1921; Emmett Downs, 1921; Isis Downs, 1913; Albilbah, 1921; Portland Downs, 1913; so that the contention of the hon. member for Leichhardt—that the association of which the hon. member for North Brisbane was president had been misleading the public as to when the leases would fall in—was correct. They had been making it appear that nearly the whole of the runs within the schedule of the 1884 Act expired within seven or eight years. There were a lot of runs that would expire in 1908, but there were not many of them on the country fit for sheep—good sheep country. Most of the sheep country in the Mitchell district was included in the schedule of the 1892 Act, and the lessees there took advantage of that Act and got an extension of lease. It was said they got it to keep out the rabbits; but it was to keep out the two-legged rabbits—the selectors—that they got the extension. The Committee would be doing a wrong in accepting the amendment. The Bill allowed any pastoral lessee to have his run classified at any time not longer than seven years before or later than twelve months.

Mr. STORY: Can you tell us how much will be left to the lessees?

Mr. W. HAMILTON: He would tell the Committee the area left to the lessee and the area available to the public for the next twenty-five or thirty years. He had spent a few weeks getting these figures together. In his own district during the next twenty-five or thirty years there would be only three or four 20,000-acre selections falling in per annum, and that was not too much to reserve for the public. What the Bill allowed was quite ample in regard to extension. He repeated that he did not object to leases expiring in 1907 or 1908 getting their classification as early as possible in order that they might know their position, but he objected to the classification of runs for a longer term than was allowed by the Bill. The provisions of the Bill were a bit too liberal for him in that respect, but he had to swallow them. The Bill went far enough, but if the amendment proposed by the hon. member for North Brisbane was carried it would go too far, not only for himself, but for most people who had any interest in those districts, and who had any wish to encourage settlement in Queensland. It was all very well for the pastoralists to say they knew they must make way for the selector, but they fought all they possibly could to prevent the land being selected and settled on. He was going to vote for the clause as it

stood, and he hoped every member who had the interests of the country at heart would do the same.

Mr. FORSYTH (*Carpentaria*) thought the amendment was somewhat drastic, and would vote against it. He approved of a good many of the remarks that had fallen from the hon. member for Gregory. If they accepted this amendment, it would include runs which would fall in in 1915, and it would be giving an extension of about twelve years. They all knew that in a progressive country like this a great many things might happen in that time, and land that at present might be classified as second or third class land in ten or twelve years might be classified as first-class. They knew that during the last few years a very large amount of land had been taken up for dairying purposes, and it was quite possible that a great deal of land would be taken up for that purpose during the period he had mentioned. If a man took up land, and he had 25 per cent. agricultural and the rest pastoral—cattle country—it was quite possible that in taking up a block of land of that description he would make as much money out of it as out of first-class sheep country. Under the circumstances, people would be only too glad to take it up, and the Land Court might classify it as first-class country if the demand for dairying land was very strong at that particular time. He noticed that another amendment, proposed by the hon. member for North Brisbane, had been handed round, which made the matter much more liberal as far as the Crown was concerned. He suggested that the hon. member for Brisbane North should change the word three to five in each case. However, that would come later on. But there was one matter which amused him very much. Strong protestations had been made by hon. members with regard to this amendment, and he did not believe in it any more than those who made those protestations.

Mr. HARDACRE: As to classification?

Mr. FORSYTH: Yes; but it was a most remarkable thing that the people who objected to this particular classification were the very people who wanted classification immediately, and none more so than the hon. member for Leichhardt. On page 806 of *Hansard* that hon. member said—

> I think it ought to be classified immediately, or as early as possible, so that there should be some definite position attained by the lessee with regard to his finances.

Now, when they compared that with the statements of the hon. member for Gregory, they would find a great disparity. The hon. member for Leichhardt, on the second reading, wanted the classification to be made at once.

Mr. HARDACRE: Under a different scheme.

Mr. FORSYTH: Then why did not the hon. member tell the Committee his scheme?

Mr. HARDACRE: I did on the second reading.

Mr. FORSYTH: So, according to the statement made by the hon. member for Leichhardt, which was recorded on page 806 of *Hansard*, he wanted ten times more than the hon. member for North Brisbane wanted. The hon. member for North Brisbane said the time for classification should be three years, but the hon. member for Leichhardt wanted the classification done at once.

Mr. HARDACRE: Under a different scheme.

Mr. FORSYTH: That only made his argument the stronger. Then, with regard to the remarks of the hon. member for Gregory on the second reading of this Bill, the hon. member said—*Hansard*, page 813—

> There is no certainty that this land will come under Class IV. It is one of the defects of this Bill that nobody knows what class his land will be brought into.

If he understood English, the hon. member for Gregory was then fighting the battle of the hon. member for North Brisbane.

Mr. W. HAMILTON: I was doing no such thing.

Mr. FORSYTH: The hon. member for North Brisbane was more conservative, for he wanted to make the time three years; and the complaint of the hon. members for Leichhardt and Gregory was that the principal defect in this Bill was with regard to classification—that the lessee did not know where he was—and that lands should be classified immediately. On page 815, Mr. W. Hamilton said—

> The hon. member for Carpentaria shakes his head. He is not the Land Court, and he does not know what class the runs will be put in.
>
> Mr. FORSYTH: Do you think that first-class sheep country will be put in Class IV.?
>
> Mr. W. HAMILTON: I would not trust any of them. If political influence is brought to bear it is hard to say what they would do. One of my objections to the Bill is its indefiniteness.

It seemed to him that a most remarkable change had come "over the spirit of the dream" of those hon. members. There was no getting away from that. The hon. member for Leichhardt even wanted commissioners appointed to assist the Land Court in classification, and it was very strange what had caused those hon. members to change their views since the second reading of the Bill. Their opinions now were entirely and diametrically opposed to the opinions they held before. The principal reason why he was going to oppose the amendment was because it was looking too far ahead; but if the hon. member would amend his amendment so that the classification would be done within two or three years before the expiration of the lease, he would support him.

[7·30 p.m.]

The SECRETARY FOR PUBLIC LANDS (Hon. W. B. H. O'Connell, *Musgrave*) wanted particularly to get some business done. There could be no doubt that all the runs in Part I. of the Bill would get Class I. at least—that was, they would get half their holdings for ten years—so that the amendment could only affect runs which were not likely to get a longer period and a larger area than was allowed in Class I. It did not affect Class I. at all. The first-class runs must come under Class I. The only thing the amendment would do in its present form would be that it would necessitate classifying all the runs within three years from the time of the passing of the Act. He was prepared to meet the hon. member to the extent of providing that the classification should take place not later than two years before the expiration of the lease, instead of not later than twelve months before. That would leave the machinery of the Bill intact. The clause was drawn in such a way that the Minister must take the initiative before classification could take place. He held that the Minister was the proper judge of the time when in the interests of the public a run should be classified. He considered that it was imperative already, but he was prepared to meet the hon. member for Brisbane North by inserting after the words "in that behalf" the words "which reference he shall be bound to make." That would place it beyond all doubt that it was imperative for the Minister to refer it, and, as he had said, he was also willing to alter the period before the expiration of the lease within which the reference must be made. That would limit the period to between seven years and two years, instead of between seven years and twelve months. He held in his hand the draft of a Bill which had been submitted to him some years back by the hon. member for Brisbane North and others, in which all they asked was to know three months before the expiration of their leases.

Mr. HARDACRE: They are getting better terms than they ever dreamt of.

Mr. W. HAMILTON: They know they have a good thing on, too.

The SECRETARY FOR PUBLIC LANDS: The hon. member for Brisbane North ought to be satisfied with the compromise he offered. Two years was ample time for the lessees to know what class they would get.

Mr. STORY (*Balonne*): It was most unfortunate that the question could not be lifted out of the narrow groove into which hon. members on the other side had forced it.

Mr. BOWMAN: It is nothing but a party move.

Mr. KERR: You have shifted your position in the Chamber to get near the Minister.

Mr. STORY: He had shifted his place to be near the hon. member who had moved the amendment. With him it was no question of one portion of the community getting a certain amount of land and keeping it from another portion of the community.

Mr. HARDACRE: That is just what it is.

Mr. STORY: It was nothing of the kind. He was not interested in any particular man. The greatest industry they had in Queensland had received such a staggering knock that they must give it a chance to recover, and if they were going to work on this line they would never do it. He was not in a position to say, like the leader of the Opposition said with regard to the sugar industry, "If it cannot live on our terms, let it die." They were not there to consider the interests of syndicates or financial companies, but to put the greatest industry in the colony on a paying footing for somebody. Hon. members opposite seemed to have missed the gist of the question altogether. He objected entirely to the clause, and if he had his way it would be negatived. In that clause the Government said that six months after the passing of the Act, the lessees could come under it, and they would tell them seven years afterwards what class they were to come under. It was not a question of whether they knew six months or seven years after the passing of the Act what class they were going to be put under, but it was absolutely necessary for them to know what area they were to retain. The hon. members on the other side probably lived in districts in some respects larger than his, and they had in their minds large stations that under any circumstances—if one quarter was taken away this year and one-half at the termination of the lease—would still leave them stations that they could work. The stations that he was talking about were very much smaller, and if one-half was taken away this year, and they were put in Class I., they would not have full-sized selections left. In some cases there would be such a small residue that it would pay them better to select 20,000 acres elsewhere. They were not so much concerned in knowing the date at which they would know what extension they were going to get as the area they would be allowed to retain. Class I. gave them one-half, Class II. gave them two-thirds, and Class III. gave them three-fourths. Under the Act of 1884 a man came under it, knowing that he was going to lose a certain portion of his land, and get a lease for fifteen or twenty-one years, or whatever it was, for the balance. When a man came under this Bill, he knew nothing of what he was going to get. If he came under Class I., he might find that there was only left to him an area not more than that held by some selectors.

Mr. HARDACRE: He has a lease of the whole lot for fourteen years.

Mr. STORY: He had lease for fourteen years, but the hon. gentleman must disassociate from that fact the proposal to give him an extension of lease under this Bill. The extension of lease given under this Bill was to enable the pastoral lessee to recover from the ruin which had come upon him. Supposing he had ten or eighteen years to run for three-fourths of the area, at the end of that time, or some time during that time, he would know whether he was to get one-half, two-thirds, or three-quarters. He would not know how much he was to get before he came under the Bill, and he would have to come under it before he could find out. If he were put in Class I., he had no option—he had to tak his land for ten years, and he might be left with an area less than that held by some grazing farm selectors in his own district. There were a number of small stations which, if they were brought under Class I., would not be left with a sufficient area to enable them to keep anything like one-quarter or one-fifth of the stock that they required to enable them to recover from the drought. In saying that he was not speaking for any particular body of men, but he was speaking in the interests of one of the biggest industries of the country. When the Selectors Bill came before Parliament, and they knew what the Minister was prepared to do in the way of relief, he would be prepared to go further if the Minister would let him, and as far as this Bill was concerned he was prepared to go a step further than it proposed to do. It was our great industry that was at stake, an industry which was trembling in the balance. He knew that this industry had received such a staggering blow during the last few years, that it was a question whether, under any circumstances, the men out in the West and up in the North would be able to recover at all. They had met as a Parliament, not to give any consideration to one particular class of men, or one particular financial body, but to deal with our big industry and put it on a sound footing. He would read the report of one station to show hon. gentlemen what the stock of that particular station had to carry in the way of debt. This would serve also as an illustration of the losses in one particular part of the country, and of what was necessary in order to reinstate an industry which had suffered so greatly all over the colony. After working these properties the shareholders had only half the area of country and 66,000 sheep left to carry the enormous burden of £572,642. Each of these sheep had to carry a burden of £8 13s. 3d. That experience had been repeated in hundreds of instances. Therefore, if they were going to do anything to help this industry they must give the lessees an area large enough to run the sheep upon which they would breed. The lessees wanted to know what area would be left to them before they came under the Bill, so that they might know whether it would be worth their while to continue breeding sheep, and whether they would have time to recover from their losses. If they found that at the end of their leases they would not have a sufficient area, then it would be better for them to have nothing to do with this Bill. What he complained of was that the Bill forced them to come under it within six months after it was passed, and did not tell them how they would be treated for seven years afterwards. The main thing squatters wanted to know was whether they would get enough country to carry the stock which they would have to breed up.

Mr. LESINA: Human sheep in this colony carry a debt of £70 per head.

Mr. STORY: That had nothing whatever to do with the question. Over and over again they had heard the story of the small number of sheep

which had to carry an immense load of debt, and the question for them now to determine was, whether they were prepared to do a just thing by those who were settled on the land by granting them a sufficient area in order to carry the sheep which they hoped to have in the future. The main point he wished to insist upon was that the squatters had to come under the Bill in six months' time, and they would not know for seven years if they would have sufficient land on which to carry their stock. Under such circumstances the smaller stations had better not touch the Bill at all. Under Class I. they could not get enough land to do anything with; under Class II. they could barely get enough, and under Class III. perhaps they could get enough. That the amount of land open for selection had to be kept up he would admit, and from what the Secretary for Lands had told them the supply would be fully equal to the demand. But while providing sufficient land for selection there was no reason why a sufficient acreage should not also be left on which to run the stock which the squatters held. Large stations such as Warbreccan or Thurrulgoona, when half their country was gone, would at all events still have a station left, but stations such as Claverton, and many others in the Warrego district and towards St. George, when they had lost a quarter of their area this year, and a half of it in ten years' time, would have practically nothing left, and what they wanted to know, and know as quickly as possible, was the class under which they were going to work.

Mr. BROWNE (*Croydon*): The hon. member for Balonne, for what reason he did not know, had dragged his name into the debate and repeated some words which he used last night at a public meeting—words which he was prepared to use again in that House as soon as the hon. gentleman's leader was prepared to allow him the opportunity. It was rather an unfortunate illustration for the hon. member to bring forward that he (Mr. Browne) had said he would sooner see a certain industry perish than that it should be carried on under existing conditions. If the hon. member for Balonne put the pastoral industry on exactly the same footing as the sugar industry he (Mr. Browne) would be prepared to say exactly the same thing, great and all as the industry was. Let the pastoral industry be worked under the same conditions as the sugar industry, and he would not care a hang whether it perished to-morrow. He thought the hon. gentleman did a great deal more harm than good to the pastoralists and those he was trying to help by indulging in such a tirade of abuse against the other side. They had heard a good deal from time to time about calamity howlers; but he did not think any colony of the group could produce a man who had maligned the lands of the colony to such an extent as the hon. member for Balonne. They could take quotation after quotation from the hon. member's speeches, and judging by them, he might be considered the bitterest enemy Queensland ever had. The hon. member would remember the old fable about the boy who was constantly crying wolf. All he could say was that he was quite prepared, and had always been prepared, to do all he could to help the industry in its trouble, but it could not be disputed that the representatives of that industry had day after day, month after month, and year after year, been crying out that the industry was perishing. For the last thirty years they had heard the same cry. Nearly fifty years ago the industry was going to perish, first on account of the want of convict labour, then on account of the rabbits, and then on account of the prickly year. Now, as the Secretary for Lands wanted to get through the Bill, and as there were two or three members on his side who understood the Bill perhaps better than the hon. member for Balonne, he should advise that they go on with its consideration. The hon. member for Brisbane North was also doing his best to get the Bill through, yet the hon. member for Balonne had inflicted upon them a jeremiad extending over nearly half-an-hour, chiefly composed of abuse of the other side; and under such circumstances they would never get through the Bill. The hon. member all through his speech had never elevated himself beyond his own electorate, although he had appealed to other hon. members not to take a narrow or party view of the question. He asked the hon. member, if he took any interest at all in the Bill, to assist the Secretary for Lands in getting it through.

Mr. STORY: I will say what I like, and when I like.

Mr. BROWNE: The hon. gentleman had a perfect right to say what he liked and when he liked, but he was not going to drag him, Mr. Browne, into his speech without getting as good as he gave. He was trying to get the Bill through, but the hon. member dragged in an altogether foreign subject when he referred to what he (Mr. Browne) had said elsewhere.

Mr. STORY: You are not ashamed of what you said, are you?

Mr. BROWNE: No, he was not ashamed of what he said; but if the hon. member thought he was going to have a free hand to abuse members on that side without being replied to, he was mistaken. Let the hon. member stick to the Balonne electorate and the men who drew Government rations and refused work at £1 10s. a week.

Mr. HARDACRE (*Leichhardt*) thought it was time they got back to the amendment. The hon. member for Balonne had said they were discussing the matter from the point of view of electorates in which there were very large holdings, and that they were forgetting altogether that there were districts where there were very small holdings. But the hon. member seemed to look at the question as if there were no districts in the colony except those in which there were very small holdings.

Mr. STORY: There are small stations all over the colony.

Mr. HARDACRE: Yes, and there were large stations all over the colony, but the amendment before them did not only deal with small holdings, but also with large holdings, and therefore it must be made applicable to large and small holdings alike. Now, if an exception were necessary in the case of small holdings, it was necessary to bring in a special amendment, and the hon. member for Brisbane North had done so. He had an amendment printed providing that a station should not be resumed below 40,000 acres. When that amendment was discussed was the time to speak as the hon. member for Balonne had been speaking for the last half hour. What they were discussing now was the time when the classification should be made. He contended on the second reading that the classification should be made immediately, but he was then discussing a different scheme altogether from that which was in the Bill, where the leases started at once, and the lessees would not get the extension pro-
[8 p.m.] posed in this Bill added to the long term they already possessed. He proposed that the lessees should have a new lease altogether, and besides that he was dealing with runs the leases of which would fall in within seven years, and not with holdings the leases of which had from fourteen to twenty-one years to run. He wished the hon. member for Carpentaria would not persist in

misrepresenting him on this matter. What he said on the second reading of the Bill was as follows:—

I think it ought to be classified immediately, or as early as possible, so that there should be some definite position attained by the lessee with regard to his finances

The hon. member stopped there in the quotation he made, but he (Mr. Hardacre) went on to say—

What earthly use is this Bill, or an extension of lease to a lessee who has only six or seven years of his lease to run? The Land Court cannot classify earlier than seven years hence. In any case I do not think that where a holding is adjacent to a township it should be made certain to the lessee that he will have half his holding reserved to him. Indeed, in my opinion there should not be a square acre of that holding given. The Minister himself pointed out, mentioning the case of Degilbo run, that with regard to expired leases such as that, where the land would be required for close settlement, he would not even refer such a case to the Land Court. If that is so in the case of Degilbo, should it not equally be the case with such places as Mount Abundance, Wellshot, and the lands surrounding Barcaldine, which for a certainty will be required for settlement? In such cases I certainly do not think that it should be provided in advance that half of such holdings should be locked up against all settlement.

He did not believe in giving the pastoralists half their holdings in such cases, but the Bill, which he did not like at all, and which dealt with the matter in a clumsy manner, gave them a certainty to that extent. If the lessees did not come under this Bill they would get nothing at all, as their leases would lapse. But under the Bill they would get at least half their holdings. At the end of the existing leases the lessees would have a certain portion of their runs remaining, and they would get an extension of lease for at least one-half of that remainder. But it would be utterly unfair to classify runs now where the leases had a long period to run. The Minister had met the hon. member for North Brisbane very fairly when he stated that he would make it imperative that the reference should take place in such a way as would assure the lessees that they would get at least half of their holdings, and also that the classification should be made at least two years before the expiration of the leases, which would give the lessees time to make financial arrangements. Surely that should be enough for the hon. member if he wished to be fair to the country. He thoroughly agreed with the hon. member for Croydon that the attitude of some hon. members opposite would do more injury to the cause they desired to advance than anything else. They were too greedy, and in trying to get too much they would probably lose all. He had done his best to assist in passing the Bill, but if those hon. members succeeded in getting amendments of this kind inserted he should give no further assistance in passing the measure.

Mr. KERR (*Barcoo*): It was very true, as the hon. member for Balonne had said, that they all looked at this matter from their own standpoint, and in the light of what had come under their own notice. Looking at it from his standpoint he thought the amendment was unreasonable, and that stations like Bimerah, Warbreccan, Portland Downs, Ruthven, and Albilbah should not be classified within three years from the present time. The fear of the people of the colony was that if all the runs were classified within three years the Land Court would come to the conclusion that the land was not required for settlement. As the hon. member for Gregory had suggested, a run might be placed under Class II. or III. or IV., instead of in Class I., and the tenure that would be given in that case would be such as would block settlement in that particular part of the colony for a very long time. The Secretary for Lands knew that a very large amount a grazing farm settlement had taken place on Warbreccan, which was 140 or 150 miles from the railway. If the land on Bimerah had been available when the land on Warbreccan was taken up, he had no doubt that the people would have preferred to have settled on Bimerah, because then they would have been brought into closer contact with the railway, and would not have been put to so great an expense as they were now in sending their produce to market. What the hon. member for Gregory and others wished to know was, if the hon. member for North Brisbane intended that his amendment should apply to stations the leases of which had thirteen years or ten years to run. The leases for Barcaldine Downs and Home Creek would expire in 1914, and the hon. member for North Brisbane knew that country very well. The hon. member for Balonne had referred to small stations in connection with this matter, and it was a pity that the hon. member did not give the Committee some idea as to what stations he meant. In the Mitchell district there were few stations that would have only a small area after one-fourth were taken away. The hon. member for Stanley thought it a great deal that one-fourth was to be taken as well as the half, but the hon. member must recognise that this Bill was not taking the one-fourth away.

Mr. LORD: I know that.

Mr. KERR: That was an agreement entered into before by the lessees with the Lands Department. They gave up one-fourth, and they got an extension of lease to twenty-one years after the end of fifteen years. And even after the half was taken there would be a good area of country left to them. If this amendment were carried there would be no opportunity for closer settlement in the Mitchell district for a great number of years.

Mr. CAMERON (*Brisbane North*) thought it would probably save time if he withdrew the amendment with the view of proposing something else. Judging by the discussion which had taken place, it appeared to him that in some respects the amendment he moved last night went too far for hon. members, especially in regard to certain leases which had a long time to run.

Mr. W. HAMILTON: You acknowledge it now.

Mr. CAMERON said he had acknowledged it all along. He had never lost sight of the fact. He thought it right to assume that members on both sides were anxious to do the best they could in the interests of the country. (Hear, hear!) Possibly they looked at the matter from different standpoints, but they were, no doubt, doing their best according to their lights. He recognised that in bringing down this measure the Minister for Lands desired to do his best for the country, but where he (Mr. Cameron) thought the Bill was not what it ought to be he intended to do his best to improve it. He now asked leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. CAMERON moved the omission of subsection 2 and the insertion of the following:—

(2.) Upon the receipt of such notice by the Minister he shall refer the same to the court. In the case of holdings having at the date of reference not more than eight years to run, the court shall within three years from the date of such reference and, if practicable, not later than twelve months before the date of the expiration of the lease, classify the holding of which such notice has been given, in one or other of the classes hereinafter mentioned.

In the case of holdings having at the date of reference longer than eight years to run, the court shall, at any time, not earlier than seven years nor later than five years before the date of expiration of the lease, classify such holding in one or other of the classes hereinafter mentioned.

In this amendment he had endeavoured to meet the objections raised by hon. members, and he hoped it would be accepted.

The SECRETARY FOR PUBLIC LANDS regretted that he could not accept the amendment. It took out of the hands of the Minister a power which he ought to possess—namely, determining the period at which the reference should be made to the court. This amendment made it imperative that directly on the receipt of the notice the Minister should refer the same to the court. Then it left it in the hands of the court to do certain things. The proposal of the Bill was the opposite. It left it in the hands of the Minister to tell the court that in his opinion, in the public interest, the time had come at which the court should classify the land. He believed that that was the proper course. Another thing, the amendment appeared to be rather involved, and he would like the hon. member to explain exactly what it meant. He could not really see what the hon. member was fighting for. Under the Bill, runs which would fall due in 1908—seven years from now—might be classified almost directly after this Bill passed. They would have to be classified. But if the amendment was accepted, they would have to be classified two years before the expiration of the leases; that was, if the proposal in the Bill was altered from twelve months to two years. Under the Bill they would only have to wait twelve months before the Minister thought proper to refer to the court for classification, and if the alteration was made the reference must be during five years from the passing of the Bill. He thought the clause in the Bill was a very fair one. He had not been able to follow the hon. members for North Brisbane and Balonne in what they said—that this amendment was going to benefit the eight-year men very much. It might have some benefit, but he could not see that now.

Mr. CAMERON: There were some of the leases which had seventeen years to run, and there were some on the other hand which had eight years to run, and some which had only one or two years to run; and his intention was to include the whole of them in the same category. He thought hon. members would see his reason for so doing.

Mr. HARDACRE: Whatever the intentions of the hon. member for Brisbane North were, he had certainly worked them out very badly.

Mr. CAMERON: Thank you!

Mr. HARDACRE: This amendment would only deal with holdings which had long periods to run.

An HONOURABLE MEMBER: No.

Mr. HARDACRE: If any certainty was required it should be with regard to holdings the leases of which were going to expire immediately, or within seven years. These lands should get classification rather than in the cases of holdings which had twelve, thirteen, fourteen, or fifteen years to run. This amendment did not provide when the reference should be made at all; it allowed the Minister to make the reference at any time. If the hon. member wanted to carry out his purpose he would have to make it imperative that the Minister should make the reference at once, otherwise the holdings would be in the same position as they were in at present.

Mr. FORSYTH: Why not put in the word "immediately"? That would meet the whole case—that is what you want.

An HONOURABLE MEMBER: They must give notice in six months.

Mr. HARDACRE: The amendment was contradictory. It read—

> Upon the receipt of such notice by the Minister he shall refer the same to the court. In the case of holdings having at the date of reference not more than eight years to run, the court shall within three years from the date of such reference, and, if practicable, not later than twelve months before the date of the expiration of the lease, classify the holding of which such notice has been given, in one or other of the classes hereinafter mentioned.

That meant that the classification must be made in four years before the expiration of the lease. It gave no chance to do it during the last twelve months before the expiration of the lease. He thought the best thing would be to accept the clause as it stood in the Bill. If it was wanted to make the classification immediately prior to the expiration of the lease, let it be done twelve months or two years or three or four or five years before that time. He, however, did not believe in the five years' term, and if the period was made twelve months there would be no necessity to discriminate between the two different holdings. If the period was altered to two years, it could be done in the next five years; if altered to three years, in the next four years; and if altered to five, in the next two years. The same provision would be applicable to all holdings. The classification would have to be made during the last five, or four, or three years previous to the expiration of the lease. That was the way to get at what the hon. member wanted.

Mr. W. HAMILTON: What the hon. member for Leichhardt said was perfectly correct. If this amendment was carried they would be just in the same position as they were now. He thought the proposed amendment of the Minister was a fair and reasonable one. It was fair enough for anyone. He proposed to make it "not later than two years." That would allow a certain time—five years—in which to make the classification. He did not think the department should be tied down in the matter of time with regard to making the classifications. They did not want officers to sit down in their offices in Brisbane and make the classifications. They should inspect the country and see it for themselves, and take evidence in the several districts, before they made the classifications. Then this work of classification would take a long time, for there was a lot of country to be dealt with. He would not tie the department down to do this work in two years, for the present staff was pretty well occupied with routine work, and he thought the present staff would have to be doubled to do this work. Moreover they wanted experts, and not ordinary clerks, to do the work, and if necessary the Minister should go outside the department and outside the colony for these experts. He thought the Minister's proposal was a fair and reasonable one, and it should meet the objections of the hon. member for North Brisbane. In the cases where leases expired in 1907 or 1908, the classification would be made as early as possible. The staff should not be forced to do this work in a short time in a slipshod manner. Let them do this work thoroughly. He took exception to some remarks which had been made about hon. members on his side, for they wished to get amendments into the Bill, so as to make it a good measure. They did not want to prevent the passing of the Bill. What hon. members on that side wanted was to make it as fair a Bill as possible. He did not see why they should always be twitted
[8·30 p.m.] with wishing to destroy the pastoral industry. The pastoral lessees were now offered better terms than they had ever been offered before—and what more did they want? Even under the Bill as it was introduced, it was possible for many stations to get an extension of over forty years. Was that not treating the lessees liberally? If the Government refused to give them any legislation at all, it would not be an act of repudiation. It was just a matter of business—whether it was politic

for them to give any further extensions. They had come to the conclusion that it was, and it was now for the Committee to consider what was a fair thing in the interests of the industry. Hon. members on the other side were always accusing the Labour party of trying to destroy the industries of the colony, but they wanted to protect every industry. When they spoke of the pastoral industry they were not like the hon. member for Brisbane North, who was the president of the Pastoralists' Association—the big lessees. The pastoral industry included the grazing farmer as well as the pastoral lessee; but anyone would think, to hear the other side, that the big pastoral lessees were the only ones who ought to receive any consideration. On his side they were going to consider all classes of pastoralists—the man with 2,500 acres as well as the man with 2,000 square miles of country. He was going to support the compromise offered by the Secretary for Lands, as it was a fair one.

Mr. BELL (*Dalby*) said the Bill did not deal with the men with 2,500 acres at all. They had nothing at all to do with the Bill. The hon. member for Leichhardt based the whole of his argument upon the first line and a-half of the clause:—"Upon receipt of such notice by the Minister he shall refer to the court." He understood the hon. member to contend that upon receipt of the notice by the Minister, he might delay to any period he chose the reference to the court. He (Mr. Bell) put another construction upon that sentence. He contended that it was absolutely imperative for the Minister to refer the matter at once to the court.

Mr. HARDACRE: Then the clause is contradictory.

Mr. BELL: He did not think it was contradictory at all. The hon. member put a different interpretation upon it to that which he (Mr. Bell) put upon it, and which was the only one that could be reasonably put upon it.

Mr. HARDACRE could not see how any other interpretation could be put upon that sentence than that which he put upon it. It merely said that the Minister should refer the matter to the court "upon the receipt of such notice," but it did not say when he should refer it. It did not say that he should refer it immediately upon the receipt of the notice. It was like some provisions in their Land Acts, which provided that, upon the determination of a lease, certain things should happen, but they did not happen immediately thereupon.

Mr. BELL: If the clause said "After the receipt of such notice," your contention would be right, but it says "Upon the receipt of such notice."

Mr. HARDACRE: Granting that the hon. member was right, then the clause was contradictory, because it further said, "In the case of holdings having at the date of reference not more than eight years to run, the court shall within three years from the date of such reference." . . . In that case it was provided that it should be done within three years after the reference. Supposing a lease had seven years to run; the lessee gave notice; the Minister made the reference at once; then the court would have to classify within three years. That would be four years before the expiration of the lease, and yet the clause provided that the classification should be made "if practicable, not later than twelve months before the date of the expiration of the lease."

Mr. BELL: Apply your argument to the case of leases that have only four years to run.

The SECRETARY FOR PUBLIC LANDS: Some leases terminate this year.

Mr. HARDACRE: Well, he gave it up. The clause was contradictory, and he hoped the hon. member for North Brisbane would give it up too.

Mr. CAMERON said that the clause was as clear as daylight, and he had tried to explain it. It was intended to meet the case of leases which had only seven years to run.

Mr. JACKSON (*Kennedy*) quite agreed with the hon. member for Leichhardt that it was very difficult to understand the drafting of the clause. It appeared to him to be contradictory in terms. He quite understood that some leases were falling due immediately. The hon. member for Brisbane North was not going the right way to deal with these cases, and he would advise the hon. member to withdraw his clause. If the clause was drafted in a different way it would certainly be an improvement on the one the hon. member had placed before the Committee earlier in the evening, although he did not think it was necessary, seeing the promise which had been offered by the Minister to make the reference compulsory, and to extend the time from twelve months to two years. Personally he would not object to making it even three years, because he recognised that the pastoralists whose leases were falling due should have a reasonable time to make their arrangements, financial or otherwise, and he did not see how the country could suffer by giving them three years within which to make those arrangements. He recognised that the pastoral lessee must come within the scope of the Act within six months of its passing. The hon. member for Balonne made a point of that by pointing out that the pastoral lessees only had six months after the passing of this Bill to enter into an agreement which they did not understand. That was so as regards details, but they had some sort of idea of the terms they would get. They knew the principles laid down in the Bill; they knew that, at least, they would get one-half of their runs.

Mr. STORY: If the lessee knew that he would get three-fourths, then he might be able to go on.

Mr. JACKSON: Of course the Bill was on quite different lines to those which the hon. member contended for. When the 1884 Act was passed pastoral lessees knew exactly what they were to get. Under this Bill they did not know what they were to get, except within certain limitations. But it appeared to him that they were not prejudiced or injured in that way, because they had no inherent right under their leases to get anything at all. It would certainly be better if they knew exactly how much they were going to get, but still that was not within the scope of the Bill, which was drafted on different lines, and did not recognise that. He did not think the hon. member for Brisbane North was going to get his amendment carried, and he recommended him to accept the compromise offered by the Minister.

Mr. FORSYTH: He entirely agreed with the hon. member for North Brisbane, in that he did not think there was anything in this clause which could not be understood. He understood that the hon. member for North Brisbane was willing to amend the clause, so as to provide that the lessees whose leases had not more than eight years to run should know three years instead of five years, as was proposed in the clause, before their leases expired exactly what class they would come under. He understood the hon. member was willing to bring the other part of the clause into conformity with that, and that really the only difference between the Minister's proposal and that of the hon. member for North Brisbane was one year.

The SECRETARY FOR PUBLIC LANDS: Two years.

Mr. FORSYTH said the only difference between the Minister's proposal and that of the hon. member for North Brisbane was one year, and the question was whether the Minister was

willing to accept the three years, or whether he wanted to keep to the two years. One thing he thought every hon. member would agree in, and that was that anyone who had a large number of sheep or cattle wanted some little time to make his arrangements. In any case, unless the hon. member was prepared to amend his clause in the way he had indicated, or unless he was prepared to accept the amendment of the Minister, he would vote against his proposal.

The SECRETARY FOR PUBLIC LANDS: The term two years which he proposed was only the minimum. The probabilities were that it might be four years before the expiration of the lease, or it might be six years before the classification was made. He thought the hon. member for North Brisbane ought to be satisfied with the compromise he had offered.

Mr. FORSYTH: There was one objection to the three years. The hon. member argued that if it were reduced to three years it only gave the court four years in which to do the work. If there were a large number of leases falling in, the question was whether the court would be able to do the work. If the Minister thought that the court could not possibly do all the work in four years, that was a strong argument against the proposal of the hon. member for North Brisbane, and he would vote for the amendment of the Minister.

Mr. LESINA (*Clermont*): He was inclined to support the clause as it stood, and would vote against the amendment of the hon. member for North Brisbane. He had read that amendment through, and the more he had read it, the more difficult did he find it to understand. This Bill provided that within six months of the passage of the Bill a pastoral lessee might give notice that he wanted to come under its provisions, and immediately he did that he could apply for classification. Upon the receipt of the notice which he sent out, the matter had to be referred by the Minister to the court. The court sat to hear evidence and examine the case. Within three years of having received the reference the run should have been classified, but the clause said "if practicable, not later than twelve months before." He believed that the amendment might be made very much clearer to indicate what the hon. member for North Brisbane was striving for. Nearly every lease in the Clermont district had from seven to eight years to run, and some up to ten or twelve years, and as the great majority of the leases in that district would be affected, that was why he felt a particular interest in that provision, and desired that it should be framed in the clearest possible English. Take the case of Blackadder Run, the lease of which expired in 1906. Within six months of the passing of the Act, the company who owned that run would have to apply to bring it under the operation of the Act, and as soon as notification was sent to the Minister he would send it on to the court. By 1902 the whole matter ought to be completed, and between that and 1905 the run must be classified. The clause stated "in the case of holdings having more than eight years to run the court shall within three years of the date of such reference classify the holding," and, "if practicable, not later than twelve months before the expiration of the lease." That would give five years for the classification. Certainly the clause was very contradictory. At first he had been inclined to support it as it originally appeared in the Bill, but he did not feel disposed to vote for it now, until it was put in perfectly clear English, so that a person even of his humble intellect could clearly understand it. At present no hon. member seemed to understand it clearly. It was not a case of "thou shalt not do something," and the something was stated so definitely that any man could understand when he offended, but it was drafted with all the cunning that the average lawyer was able to put into it. He foresaw crowds of fat briefs as the result of the passage of a clause like that. Both the hon. member for Leichhardt and the hon. member for Carpentaria had striven to explain its meaning. He had also done the same, although he was afraid he had not shed a great deal of light upon it. Certainly he thought the clause should be re-drafted.

Mr. FORSYTH: Your explanation is as clear as mud.

Mr. LESINA: He had no doubt it was as clear as that of the hon. member, who had a reputation for being able to clarify anything. However, he was not satisfied that on the present occasion the hon. member had succeeded very well in explaining the clause, and he hoped some member who thoroughly understood it would get up and explain it.

Mr. FOX (*Normanby*) thought they should extend some consideration to the pastoralists as well as to the Government. If the country was not sufficient to carry the quantity of stock which the pastoralist had he should be granted sufficient time in which to make necessary arrangements. The question was one of compromise, and he thought three years would be a reasonable time in which to make arrangements.

Mr. HARDACRE: According to the amendment, the words "if practicable" applied indiscriminately to all holdings having from one to eight years to run, but if the holdings were to be classified within three years, the provision could not apply to all. He would suggest the insertion, before the words "if practicable," of the following:—

In the case of holdings having at the date of reference not more than four years to run.

After all, he thought it would be much simpler and better to accept the Minister's proposal as embodied in the Bill. It got at the same thing within about a year, and the Bill would not be mutilated. He did not think they should quarrel over the matter of a year.

Mr. JACKSON thought that if the sentence was transposed it would be clearer.

[9 p.m.] He would suggest that it should be transposed so as to read—

In the case of holdings having at the date of reference not more than eight years to run the court shall, if practicable, not later than twelve months before the date of the expiration of the lease, and within three years from the date of such reference, classify the holding of which such notice has been given, in one or other of the classes hereinafter mentioned.

Mr. W. HAMILTON thought the best way out of the difficulty was to accept the Minister's proposal, which everybody with common sense could understand. There did not appear to be anyone in the House who understood the amendment of the hon. member for North Brisbane.

Mr. FOX: Would the Minister make the time three years or two years?

Mr. W. HAMILTON: The Minister says he will make it two years.

The ACTING CHAIRMAN: Order! The hon. member for Normanby is making an appeal to the Minister, and I think hon. members should allow the Minister to answer him.

Mr. FOX: He had some knowledge of the time it required for a man to make arrangements to move his stock, and he thought the time should be three years.

The SECRETARY FOR PUBLIC LANDS was quite satisfied that in many cases the reference would be made six years before the expiration of the lease. The department could not rush all this work into a certain period, but would have to do it by degrees. Under his proposal the latest period at which the classification

must be made was two years before the expiration of the lease. His intention was to move the omission of the words "not later than twelve months," with the view of inserting "and, if practicable, not later than two years." The words "if practicable" were put in to meet those cases where the leases would fall in at the end of this year, or the end of June or December next year, and where the classification could not possibly be made any length of time before the leases expired. He thought that a minimum of two years was a very fair thing, and that the hon. member for North Brisbane should be prepared to accept that.

Mr. CAMERON was prepared to withdraw his amendment if the Minister would make the time three years, and thought he was doing a reasonable thing in making that proposition. If, as the Minister said, the reference would be made in many cases five or six years before the termination of the lease, why should he not make the minimum period three years?

Mr. LESINA: It appeared to him that the hon. member for North Brisbane, who represented the pastoralists in the Chamber, resembled the little boy with the nuts, and that in attempting to grasp too much he might lose all. The concession offered by the Minister was a very reasonable one. The pastoralists in New South Wales were not receiving anything like the same fair play as was being shown to the pastoralists in Queensland. A large number of runs belonged to financial institutions of one kind and another. As has been pointed out—

> On no account will the New South Wales Royal Commission on the Pastoral Industry concede that leases mortgaged to financial institutions shall receive extensions unless such agree to write down their mortgage to a fair and equitable amount. In the case of leases owned entirely by financial institutions, no extension is recommended unless a satisfactory guarantee is given that the country will be put to the best possible use.

No such restriction was imposed in Queensland. He was of opinion that the best thing the Committee could do was to support the Minister, and pass the clause as it stood.

Mr. CAMERON did not wish the amendment to go to a division, and, with the permission of the Committee, would withdraw it.

Amendment, by leave, withdrawn.

The SECRETARY FOR PUBLIC LANDS moved that the words "not later than twelve months," on line 1 of subsection 2, be omitted, with a view of inserting "and, if practicable, not later than two years."

Amendment agreed to.

The SECRETARY FOR PUBLIC LANDS moved the insertion, after the word "behalf," on line 34, of the words "which reference he shall be bound to make."

Amendment agreed to.

Mr. HARDACRE moved the omission of subsection 3. All the arguments he used last night in connection with this matter applied with equal force now. He did not want to repeat them at length, but it was absolutely necessary in order to provide for future requirements, that these resumed areas—in many cases at least—should be made available for settlement. One great objection he had to the subsection was that by doubling the area which might be classified it was really doubling the amount of lease which they might get. If that provision were allowed to go in the pastoralists would be getting a very much larger area given to them in the new lease than was requested by the deputation that waited on the Premier. All they asked for was that they should be allowed to have three-fourths of the then existing leases—that one-fourth should be taken away, then another one-fourth in seven years, another one-fourth in another seven years, and so on. The Bill proposed, instead of giving them three-fourths of their runs, to give them one-half in the case of Class I., two-thirds in the case of Class II., three-fourths in the case of Class III., and the whole in the case of Class IV. This proposed to give them one-half, not merely of the holding, but also one-half of the resumed area, so that it would give them the whole of the present holding.

Mr. LORD: What is to become of it if it is not selected?

Mr. HARDACRE: If it was not selected it would be occupied as it was to-day, and occupied every bit as much as if a lease was given. Where the country was of equal value it had been occupied, as far as the Crown was concerned, as much as if the lease was given.

Mr. LORD: Suppose it is not of equal value?

Mr. HARDACRE: It was assessed at the same rent almost invariably. Anyone looking at the list of rents would see that the rent was practically the same on the leased portions and on the resumed areas. There was Withersfield, for instance, which paid £1 2s. 6d. a mile for the leased portion and the same amount for the resumed area.

Mr. KENT: I know one case in my own district where it is different from what you say.

Mr. HARDACRE: The rent of the resumed area and of the lease was the same in nearly every case, and as far as the Crown was concerned they were getting as much revenue from the resumed areas as from the other portion. He thought the clause would simply tend to lock up land which possibly might be required for settlement. Instead of half of each portion, they were proposing to give the whole. If there were 100 square miles of leasehold and 100 square miles of resumed area, they would be really giving what was equal to 200 square miles. It was wrong to say that they were only giving half the holding, for in many cases the court would say: "Here is the resumed area and the holding classified together, and it is now divided," and they would get all the leasehold back again. That was what it meant. If this was permitted then people would get a far better bargain than they asked for.

Mr. FORSYTH: It only means if any resumed land is not selected.

Mr. HARDACRE: All that it meant was that if land had been selected it could not be given as a lease to the lessee.

Mr. FORSYTH: It is part of the original resumed area; that is what I am arguing.

Mr. HARDACRE: If it had been selected it could not be given as a lease to the lessee.

Mr. FORSYTH: It is in the area of the lease.

Mr. HARDACRE said he was taking the resumed area——

Mr. FORSYTH: Left.

Mr. HARDACRE: Of course. There were innumerable cases where the whole of the resumed areas still remained there.

Mr. FORSYTH: Not altogether.

Mr. HARDACRE: Yes, a very large number of cases indeed.

Mr. STORY: Only in bad country which is no good for anyone else.

Mr. HARDACRE: If the resumed area happened to be near a township, a large part of it would probably be selected, and nothing but the inferior country would remain; and if it was not close to a township, although it might be good country, still it might not be selected, and in a good many cases not even thrown open; but now, as population increased and railways spread, that land might be required for settlement, and it was altogether wrong to give it back into the lease without reserving the resumed

area. What would be done with that portion? Would the pastoralists do any more with it than they were doing now?

Mr. KENT: Prickly pear is growing on such lands.

Mr. HARDACRE: He did not think the pear was growing on the leaseholds of the colony now—at any rate, not on many. The hon. member knew that pastoralists stocked the best portions of their runs. If it was bad country, whether leasehold or resumed area, they simply let it lie there. And what improvements were they making on such land? They put up fences, but they did not improve the country; no, not one in a hundred. He thought there was a feeling that there should be some new form of settlement, something like that which existed in New South Wales, where there were improvement leases; where they gave large areas on conditions of improvements. He suggested that, and the hon. member for Gregory had mentioned it the other night, and the Minister seemed to be in favour of something like it. If that system were adopted, and he hoped it would, they would be able to utilise large portions of resumed areas for that new form of settlement. He maintained that they should reserve portions of this land for the purposes of settlement.

Mr. FOX said he took a somewhat opposite view of the matter to the hon. member for Leichhardt, for he knew one run in his own district where the rent for the resumed portion was 12s. 6d. per mile, and £1 7s. 6d. for the leased portion.

Mr. HARDACRE: What district?

Mr. FOX: Leichhardt—in the unsettled district—Lotus Creek. The object of the Minister, he took it, was to throw these lands in, and instead of paying 12s. 6d., they would be compelled to pay the same at Lotus Creek for the resumed portion as they now paid for the leasehold. That was where the sting of the Bill came in. With regard to the resumptions spoken of by the hon. member for Leichhardt, the hon. member would agree that they could not frame a Bill to meet every case, and it had to be remembered that wherever country was resumed by the Government, the best portions of the runs were taken up as grazing farms, and the worst portions were left. In that case it would be very hard for the pastoralists to be caused to take the worst portions and pay the same rent for them as for the leased portions. The thing cut both ways. He was speaking in general terms, and he thought that what he had said would be the general effect of the Bill.

Mr. HARDACRE: According to the rent list, the rent for the leased portion [9·30 p.m.] of Lotus Creek was £1 7s. 6d. per square mile, and the rent for the grazing right was also £1 7s. 6d.

Mr. STORY: Does it say £1 7s. 6d. for the grazing right?

Mr. HARDACRE: It said, "grazing right, ditto."

Mr. STORY: Everything you have quoted is as incorrect as it can be.

Mr. BOWMAN: Another exaggeration.

Mr. CAMERON thought that the hon. member for Leichhardt was somewhat mixed in the figures he had quoted, even for his own district. He was certainly wrong about Withersfield. The rent for the leased area was £100 2s. 6d.—that was £1 2s. 6d. per square mile for 118 square miles; and the rent for the resumed area—that was the grazing right—was £63 14s. 7d. for 112 square miles. That certainly was not £1 2s. 6d. a square mile.

Mr. STORY: There is no "ditto" there at all.

Mr. CAMERON: All the other figures the hon. member quoted were the same.

Mr. W. HAMILTON: The question was practically the same as that which they had discussed at great length the previous night, the only difference being that this clause dealt with unexpired leases, while the previous clause referred to expired leases. The same arguments were applicable, except that in the present case they were accentuated by the fact that there were a lot of resumptions which had never been thrown open for selection, and which, under the clause now under discussion, would be thrown back into the leaseholds without the public ever having an opportunity of saying whether they were ready to select them or not. The argument the preceding night was that the court would be in a position to make local inquiries. But no one could tell from purely local inquiries what the demand for land was likely to be, because the majority of those who had taken up land in the West had come from the other colonies. As far as the grazing rights were concerned, the court had power to assess them at the same rental as the leased areas, if the country was of equal grazing value. There was no reason why the Crown should only get half the rental for the resumed areas that they were getting for the leaseholds.

Mr. FOX: But they have a tenure for the leased portions.

Mr. W. HAMILTON: That was right enough, but they might have the use of the resumed portions for eight or ten years—as many of them had had. Then, if the resumed area was inferior in quality to the leased portion, the court had power to reduce the rental. He did not like the throwing back of the resumptions into the leaseholds. If the resumptions had been made available for selection for a certain period, and none of them had been selected, there might be something in the argument. He had proposed an amendment the other night leaving them open for selection for two years, but he had been defeated; but he still contended that an opportunity should be given for people to select them if they chose.

Mr. KENT (*Burnett*): As far as he could see, there was no possible hope of a pastoralists' amendment getting into the Bill, so that the best thing they could do was to support the amendment, because, as it stood, the pastoralists would be compelled to take the refuse of the country that the selector did not want; and it would be far better for them to let the Crown keep it.

Mr. BELL said that, so far as he could understand from the junior member for North Brisbane, the pastoral lessees did not welcome subsection 3 with any particular enthusiasm. They did not seem disposed to include the resumptions in their leases, at all events, without some investigation. He observed that the junior member for North Brisbane had an amendment providing for the insertion of some words which would give the lessee some choice in the matter. He would remind the hon. member for Gregory of the assurance given by the Secretary for Lands the other night that he was going to provide that all the deliberations of the court should be made public, and that evidence should be called, so that before the court gave a certificate they would have to hear evidence.

Mr. HARDACRE: According to the explanation of the hon. member for Brisbane North, he was incorrect in taking the dotted marks in the rent list to mean that the same rent was paid for the resumed areas as for the leaseholds. At the same time there was practically no difference between the rents where the character of the country was the same. In his own district he mentioned the other night where——

Mr. BELL: You have said that several times, but you have given no proof of it.

Mr. HARDACRE: He was speaking now from his own recollection of the determination of rents in his district, because he took particular notice at the time of the rent for the resumed areas and the rent for the leased portions, and he would give a case in point. The total rent of Longacre was £13 12s. The area was 16 square miles, and there was no unavailable country. The resumed area was 16 square miles and the rental was £12. In another case the rent for the resumed area was £16 15s. for an area of 100 square miles. The rent for the leasehold was within a few shillings of the same amount for an area of 80 square miles, so that actually there was a higher rent paid for the resumed portion than the leasehold. From this it would appear that while the character of the country was the same, the difference in rent was very little. So far as it being against the interest of the pastoralist to take the resumed area, he for one was quite content to stand the racket, so far as that was concerned, because he believed it was much better to have the country at our command, and available for settlement when required, than it was to lock it up, even if we got a little higher rental for it. It was not fair to make pastoralists take land which, in some cases, they did not want. Under the 1884 Act there was a bargain made, so that they always had a certain amount of settlement going on. If the pastoralist did not want this land, he did not see why they should be compelled to take it.

The SECRETARY FOR PUBLIC LANDS: He could not understand the hon. member for Leichhardt's objection to this clause, because it was distinctly in the interest of the Crown. As he (Secretary for Public Lands) said when the hon. member was moving a similar amendment on clause 3, this clause was built on the 1900 Act, the principle being that it was desirable that land which was not under the control of anybody should be placed under the control of someone. If anybody was entitled to object to the clause it was the pastoral lessee, who might be forced to take up land—probably some of it of an indifferent nature—which was not wanted by the ordinary selector or by himself. This was a matter no doubt which the court would be very careful to inquire into, and if they were of opinion that the land was wanted for settlement they would not certify that the land should be put back into the lease. If it was second-class pastoral country, it might be worth the while of the pastoral lessee to take it, though it might not tempt the selector in the ordinary way. It was with the view of getting that land occupied that he had this clause drafted, and he certainly thought it was distinctly in the interest of the Crown that it should be in the Bill. At the same time he could quite understand the pastoral lessee might be afraid that he might be used unfairly. He did not think the court was likely to certify where a piece of land was of such a nature, and was so cut off from the leasehold of the pastoral holder as to make it worthless to him, but if it was inferior and that was put back into the leasehold, the whole of the leasehold would be assessed as one holding, and the pastoralist would get a lower rental. If the leasehold would be of a better quality, if it had the resumed area with it, then, of course, the lessee would have to pay a higher rent. The advantage that the Crown would gain was that this land would be occupied, and they would get an equitable rent for it. Whether it was a higher or a lower rent, it would be for the court to decide. If it was inferior land to the leasehold, that would reduce the average rental of the run. That was for the protection of the pastoralists. The advantage to the Crown was that they had the land occupied, and they received some rental for it.

Mr. BELL asked the Minister if, in the case of a lease coming under Class I., and getting a lease for ten years of half of the land, the resumed area was included in that?

The SECRETARY FOR PUBLIC LANDS: The resumed area would be included, and then the classification would be made.

Mr. BELL: It does not mean half the original lease?

The SECRETARY FOR PUBLIC LANDS: It would be the original lease, with the portion of resumed area which the court certified should go back.

Mr. STORY: He hardly knew why the hon. member for Leichhardt should seek to press this to a division, because it was eminently against the interests of the pastoralists, and that ought to satisfy him. To compel the pastoralist to take in portion of the resumed area of his run—which might have been lying idle and unselected for years, and was probably infested with prickly pear—was not assisting the industry to recover.

Amendment put and negatived.

Mr. W. HAMILTON: He had an amendment to move on line 45, that after the word "holding" there should be inserted—

> Provided that no certificate shall be given with respect to any such land resumed in pursuance of any Act, unless it has been proclaimed open to selection, and remained open for a period of two years without having been selected.

He had altered his printed amendment to make it read "for a period of two years," as that was the period which seemed to find favour on the previous night. It was only fair that if the public wished to take up any of the resumed area they should have an opportunity of doing so. It was only reasonable that it should be open for two years before it was thrown back into the leasehold. It was no use going over the same ground again, and he therefore simply moved the amendment. Possibly the Land Court would certify that it was not required for close settlement, and a row might be kicked up in the district by people who would say that if it had been made available it would have been taken up. He thought if it was made available for two years no objection of that sort could be taken.

Mr. CAMERON said he had a prior amendment to that which the hon. member had moved.

Mr. W. HAMILTON: He would withdraw his amendment until the hon. member for Brisbane North had moved the one of which he had given notice.

Mr. CAMERON: The amendment which he wished to move was on line 42, after the word "land." He wished to insert "or part or parts thereof." This amendment was proposed with the object of allowing the court to eliminate from the consolidated holding any part of a resumed area that might not be suitably situated for adding to the original holding.

The SECRETARY FOR PUBLIC LANDS: If the hon. member would look at the early part of the subsection he would see that the court could certify that the whole or any specified part of any land was not likely to be required for the purpose of settlement, so that the amendment was really not wanted. The court could eliminate any portion of a resumed area.

Mr. CAMERON: In spite of what the Minister said, that the object of the amendment was provided for already, he would like to see the words inserted if he would accept them.

The SECRETARY FOR PUBLIC LANDS: For what reason?

Mr. CAMERON: Because he thought they would be an improvement on the clause.

Amendment agreed to.

Mr. CAMERON moved the insertion after the word "shall," on line 42, of the words "if the lessee agrees." He thought the lessee should have some say about the part of the resumed area that would be included in the new holding, otherwise a lot of worthless land might be forced upon him, and it might be land which would entail a large expenditure for improvements before it could be used. It was a well-known fact in connection with the Western lands, that in the case of resumed areas which had been open for a considerable time, the eyes of it had been selected, and the country that was left was not only the worst part of the resumption, but possibly it was in detached areas, which it would not be profitable to work. The lessee should, therefore, have some say as to whether these areas should be included in the lease. If it suited him and he could make those areas pay, well and good, but he should not be compelled to take them up and incorporate land in his lease which had been open for a considerable time, and which had not been selected.

The SECRETARY FOR PUBLIC LANDS: The amendment practically gave the lessee the right to take any portion of a resumption. The court was not at all likely to certify to any unreasonable inclusion of the resumed area. He would sooner not have the clause in at all than accept the amendment, because it would give the lessee the right to pick out such parts as he thought would be suitable to him, and leave the balance. That would not be fair at all. The Committee must remember that the court would in all probability refuse to certify to the inclusion of land in the leased portion of a holding if it was likely to be unworkable. The court would use its discretion. Suppose there was a long line of selections which divided the land completely from the leasehold, the court would certainly not certify that that should be included in the run. As to indifferent country being included in a holding, the lessee was protected in
[10 p.m.] that respect, as the court would have to assess the rental on the total area of the holding; and if indifferent land was included in his holding, the rent would be so reduced that he would practically get that land for nothing. That was exactly what happened last year; in one case the rental was reduced to 2s. 11d. per square mile, and similar reductions would undoubtedly take place under this clause if indifferent portions of land were forced on the lessee. But the Land Court would exercise common sense, and would not force on the lessee land which was so situated or so unsuitable that it could not be worked with the rest of his holding.

Mr. W. HAMILTON was very glad to hear the Minister intimate that he would not accept the amendment. It looked a very simple one, but if the hon. member for North Brisbane brought forward amendments like that he must expect opposition from that side of the House, and he would certainly get it. The proposal really was that if the land in a resumption was good the lessee should have it included in his lease, but that if it was not good he should not be compelled to take it. There were cases now in which the lessee had made a freehold of the very pick of the land in the centre of a resumption, and the rest was left in the hands of the Government, and was lying idle to-day. It was quite possible that, if this amendment were adopted, after the lessee had bought the best part of a resumption he would object to have the remainder included in his leasehold. The amendment was a ridiculous one, and he did not see how the hon. member for North Brisbane could expect the Committee to accept it.

Mr. BELL understood the Minister to say that the amendment meant that the pastoral lessee could choose which part of a resumption he would take.

The SECRETARY FOR PUBLIC LANDS: The previous amendment of the hon. member for North Brisbane, which has been passed, allows the lessee to take any "part or parts thereof."

Mr. BELL: He thought the words inserted at the instance of the hon. member for North Brisbane were merely confirmatory of the words in the previous part of the clause—namely, "the whole or any specified part," which meant, he presumed, the unselected portions of a resumption. It did not mean that the lessee could say, "I will take this part of the unselected resumption, and will not take the other part." The unselected portion of a resumption had to go in as a whole or not at all, and on that assumption the hon. member for North Brisbane proposed that the lessee should have the right of saying whether he would take the resumption into his lease or not. He would like to say to the hon. member for Gregory that the pastoralists—who the hon. member said were at the bottom of this Bill—were asking for the extension of their leases, but not for an extension of a right over the resumptions. The pastoral lessees confined their claim entirely, as he understood the matter, to the leases, and the Government proposed to give them an extension on certain terms. But in addition to that, as a kind of afterthought, it was proposed, whether they liked it or not, that the resumptions should be rammed down their throat. The Minister stated the other night that he would accept an amendment of his (Mr. Bell's) making it compulsory that the Land Court should hold an inquiry as to whether a resumption was required for settlement or not—and if it was required for settlement that it would not be allowed to be included in the lease. That meant that the pastoral lessee was only to have the leavings of these resumptions—only those parts not required for settlement; and yet, on top of that, the hon. gentleman actually asserted it was some device of the pastoral lessees; whereas, as a matter of fact, all that the junior member for North Brisbane asked was that the pastoral lessee should have the right of saying whether the leavings of a resumption should be included in his lease or not. It was an extraordinary thing that on this particular point of the resumptions the hon. member for Gregory was taking an exactly opposite stand to that which had been assumed by the hon. member for Leichhardt. They had never yet heard—although there had been some symptoms of it occasionally—of the hon. member for Leichhardt posing as a champion of the pastoralists; and yet he was particularly anxious that they should have the whole of their resumptions or none. The hon. member for Gregory was trying to make the Committee believe that the one object of the pastoral lessees was to get a right to the resumptions. Looking at the whole history of the resumptions, and the fact that there was to be a clause inserted later in the Bill, providing that the resumptions should not be thrown into the leases unless the Land Court certified, after inquiry, that it was not required for settlement—in other words, that it was not good enough for settlement—he contended that it was only fair that the lessee should have some say in the matter as to whether he was to take the resumption or not.

Mr. W. HAMILTON: The hon. member for Dalby had said that the pastoralists had never asked for the resumptions. What ground or

what right had the pastoralists to ask for the resumptions? They had got no right to them. The question was whether the Government would allow them to have the resumptions included in their leaseholds.

Mr. BELL: They do not ask for it.

Mr. W. HAMILTON: He should think they would not have front enough to ask for it. The hon. member for Dalby was willing to accept what the Minister said he would insert later on—that there should be a public inquiry by the Land Court. His (Mr. Hamilton's) objection to that was that he did not believe an inquiry held locally, or even in the colony, could ascertain what demand there would be for certain lands. When the hon. member for North Brisbane moved the previous innocent little amendment he wondered what was coming; and now it appeared that the first was necessary to make the second effective.

Mr. CAMERON protested against the aspersions cast upon him by the hon. member for Gregory and the hon. member for Leichhardt. In moving the amendment he had no underhand motive, as the hon. member for Gregory seemed to think; he moved it because he honestly thought it would be unfair to the lessee to compel him, on the certificate of the court that the land was not wanted for close settlement—which proved that the land was no good—to compel him to have that land incorporated in his lease whether he wanted it or not.

Mr. FOX: It would be most unfair for the Government, having had this land on their hands so long, and the eyes having been picked out, to force the remainder on the pastoralist. It might be unavailable country, or scrub country, or both; at any rate, it was useless country. If a man was to be forced to do a thing he should have some consideration. He should have the option of accepting or rejecting.

The SECRETARY FOR PUBLIC LANDS: There is no force used.

Mr. FOX: Under existing circumstances there was force used. Let him have the option and then there would be no forced used. It was a tyrannical provision.

Mr. W. HAMILTON: A Bill was passed last year dealing with country that the pastoralists were forced to take up. One acre of this was worth one mile of the country dealt with last year, yet they had to take up every acre held in the original lease under the Bill of last year—land that was useless. Not only were they forced to take that up and pay a rental to the Crown, but they were subject to other liabilities—rabbit taxes and other things. If that was fair last year, he did not see where the unfairness came in now.

Mr. STORY: The land dealt with last year was dry country—probably as good as the surrounding country, but waterless—and the men out there in the far West had to take all the original run when they were given a longer tenure. In that case the holding had not been offered for years and years, and the best parts taken out; but in this case the lessee was forced to take the land which was not fit for selection.

Mr. KERR: The hon. member said the lessee would have to take up land not fit for settlement, but that was not the case. What the court would have to certify was that the land was not required for settlement, which was a very different thing. If the eyes had been picked out of these resumptions, the lessees themselves had been the sinners in that respect. The Minister for Lands had pointed out that the court was not likely to compel the lessee to take any country that was at a distance from his holding; and it was well known that the court had the assessing of the rental to be paid for these portions of the resumption. It was well known also that the court had dealt fairly with the pastoralists in the past. He thought that it was only fair and reasonable that the lessees should take up those portions of the resumptions, after they had been assessed at a fair value. It was well known that the court would take evidence in open court, and that the pastoralists would be represented very strongly there, and they would see that they did not pay too much for this land. He was going to vote for the clause as it stood without the amendment.

Mr. HARDACRE did not see that there was very much in the matter after all. Supposing the court said to a lessee, "You have to take this land," and even suppose the land was bad, what would happen? He would not pay any more rental.

An HONOURABLE MEMBER: He might pay less.

Mr. HARDACRE: Yes. He would pay the rent which he was paying for it now.

Mr. BELL: Not necessarily. He might have forfeited his grazing rights and someone else have taken it up under occupation license.

Mr. HARDACRE thought that was a very exceptional case. Supposing the land was forced back on the lessee, he would pay no more rental for it, for the rental of the holding was determined by the general average of the country, and in that way men would only pay what was fair.

Mr. LORD: They have got to keep it clear of prickly pear.

Mr. HARDACRE: That was so. He was very sorry that he had not called "divide" when he made his former suggestion.

An HONOURABLE MEMBER: You knew too much for that.

Mr. HARDACRE: No. He thought it would have been better if his suggestion had been accepted. The objection he had to this amendment was that they were giving the lessees the option of saying, "We will not take that country." They could say to the court, "We will not take that land unless you give us some other country." That would be giving them too much power over the court. He did not think the clause would be doing the lessees any injury.

Mr. STORY: The hon. member did not evidently gather what he (Mr. Story) meant. Under the 1884 Act the Crown took certain country from the lessees and called it resumptions. They destroyed their title; they took their land away. Let hon. members take a case: If 100,000 acres were taken away as resumptions, and out of that only 40,000 acres had been selected for a number of years, the balance would not be much good. After taking this land from the lessees and keeping them out of it for a number of years, and after it was proved of no use to anyone, now, when they had this relief Bill before them, it seemed that part of the relief was to force this land back on them, which no one else would take. That was the position. What was to become of the 12,000,000 acres, or a portion of them, which were not suitable for selection? He thought some hon. members on the other side suggested that this land might be let in large areas, and selectors might take it up in that way; but he had never contemplated forcing this land back on the lessees, any more than on the selectors. The lessees had no title to this land now whatever. It was hardly the thing to force land which no one else would take back on to the original lessee.

Mr. HARDACRE: They have it now.

Question—that the words be inserted—put; and the Acting Chairman having declared the question resolved in the negative—

After a pause—

Mr. KENT called, "Divide."

HONOURABLE MEMBERS: Too late.

The ACTING CHAIRMAN: The hon. member should call out louder. With the consent of hon. members, I will put the question again. I would like hon. members to speak so that I can hear them. The question is that the words be inserted.

Mr. JENKINSON asked for some guidance on this point. He had called "Divide" on another matter, but no notice was taken of that, and he presumed he was too late. A similar circumstance had arisen to-night. Hon. members allowed some time to elapse before they called "Divide, and he asked if the hon. member was in order in pressing the question to a division?

The ACTING CHAIRMAN: In reply to the hon. member, I may say that I only heard him make the statement that he called "Divide" on the occasion which he refers to, just a few minutes ago, when he told me at the table. I would most certainly have allowed the division if I had heard him call "Divide."

Mr. W. HAMILTON: The hon. member did not call "Divide" very loud.

Question—That the words proposed to be inserted be so inserted—put and negatived.

Mr. W. HAMILTON again moved his amendment. There was no use going over all the arguments again, for the matter had been pretty well thrashed out. This amendment proposed that when a resumption took place the resumed land should be made available and remain open for selection for two years before being thrown back on the lessee. He would not say any more on the matter.

[10·30 p.m.] The SECRETARY FOR PUBLIC LANDS said he took up the same position with regard to the amendment that he took with regard to a similar amendment moved by the hon. member on the preceding clause. He was thoroughly satisfied that the Land Court would not give its certificate unless it was satisfied that the land was not required for settlement. The powers given to the court by the Bill were of such a nature that, if they erred at all they would err on the side of carefulness. For that reason he did not think it necessary to tie their hands by compelling the land to remain open for two years. If that was done, the land would lie unoccupied, and perhaps the Crown would receive no rent for it. Supposing that it had not been open to selection at all, or that it had been open for twelve months, then the court could not deal with the resumption at all, because the amendment would absolutely block it.

Mr. HARDACRE: A good job, too.

The SECRETARY FOR PUBLIC LANDS: That was a matter of opinion. The hon. member seemed to think that land that was required for settlement was likely to be locked up, while the lessees thought that they were going to be forced to take the rubbish that was left; so that, between the two, they might safely leave the matter in the hands of the court. He was certain that the court, which was a disinterested body, would not certify unfairly to the lessee, nor did he believe that it would give land to the lessees that they thought the public would require. They would take good care that the position hey took up when granting their certificate could be substantiated.

Mr. W. HAMILTON wished to impress upon the Minister that it was not a question of disinterestedness; but he was unwilling to leave it to the court, as he did not think that the court had power to get sufficient evidence. They would be confined to investigations within the colony, but they were not in a position to ascertain what the demand would be outside the colony, and that was his reason for desiring that the land should remain open for selection for two years.

Mr. KERR said that in the past it had frequently happened that land was not taken up for a couple of years after it was thrown open—in some cases longer. In some cases it was then taken up by men from the southern colonies. Only that afternoon he had been called out of the Chamber to see a gentleman from South Australia who was desirous of taking up land in Queensland. He wanted to find out if there was any land suitable. It might be known locally that land was open to selection, but it would not be known in the other colonies; and, as members of the Government declared that it was their wish to see settlers coming from the other colonies, he thought the amendment was a reasonable one.

Question—That the words proposed to be inserted be so inserted—put; and the Committee divided:—

AYES, 21.

Mr. Airey	Mr. W. Hamilton
,, Barber	,, Hardacre
,, Bell	,, Jackson
,, Bowman	,, Jenkinson
,, Browne	,, Kerr
,, Burrows	,, Lesina
,, Curtis	,, Maxwell
,, Dibley	,, Newell
,, Dunsford	,, Ryland
,, Fitzgerald	,, Turley
,, Givens	

Tellers: Mr. Jackson and Mr. Newell.

NOES, 24.

Mr. Barnes	Mr. Kent
,, Bartholomew	,, Leahy
,, Bridges	,, Lord
,, Callan	,, Macartney
,, Campbell	,, O'Connell
,, J. C. Cribb	,, Petrie
,, T. B. Cribb	,, Rutledge
,, Dalrymple	,, Stephenson
,, Forsyth	,, Stodart
,, Fox	,, Story
,, J. Hamilton	,, W. Thorn
,, Hanran	,, Tolmie

Tellers: Mr. Kent and Mr. Lord.

Resolved in the negative.

The House resumed; the ACTING CHAIRMAN reported progress, and the Committee obtained leave to sit on Tuesday.

The House adjourned at sixteen minutes to 11 o'clock.