

THE
LAND LAW OF THE FUTURE,

BY
CAPRICORNUS.

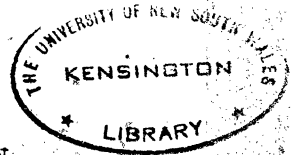
PAPERS PUBLISHED IN THE *Sydney Morning Herald*,
AUGUST AND SEPTEMBER, 1877.



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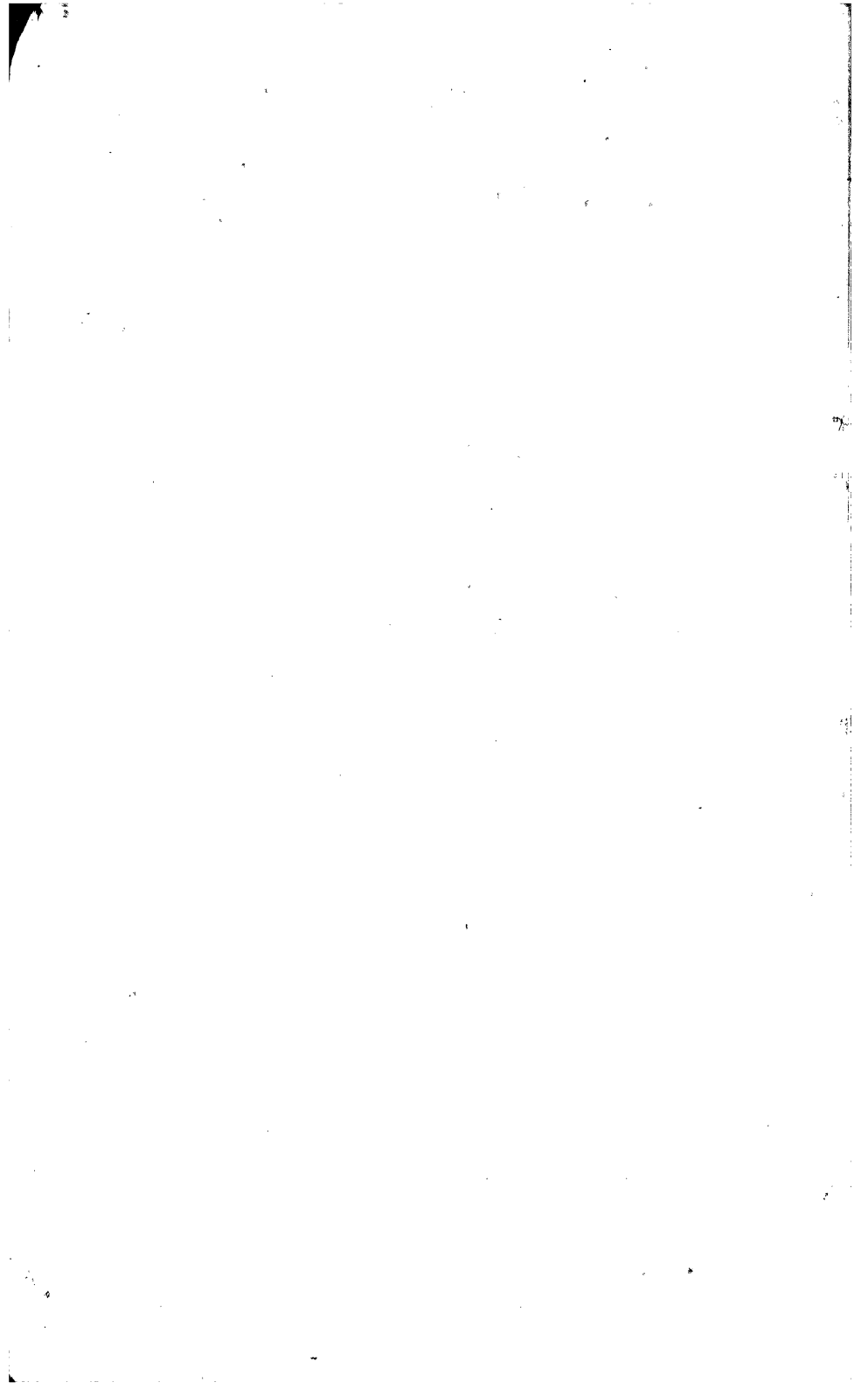
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THE

LAND LAW OF THE FUTURE.

CHAPTER I.

WITH your permission I would wish to place before the readers of the *Herald* a scheme for the reconstruction of our land system.

Existing arrangements, it is generally admitted, are bad throughout, and can hardly be changed for the worse.

If we can, by another method, give to every squatter a better bargain than he has now ; if we can make every selector the undisputed owner of his grazing right as well as of his purchased land ; and if we can over and above arrange that many thousands of new estates, farms, and homesteads shall be thrown open without delay or difficulty to all able to turn them to honest use, we claim that the suggestion needs neither preface nor apology.

In submitting such a scheme in detail, our object is mainly to put forward that which is desirable, and in the abstract, practicable. The feasibility or popularity of the plan, as the colony is now placed, it is not necessary to discuss.

Still, it is not unlikely that changes of "time and tide" may drift us some day into unknown waters, 'mid unforeseen perils, where the rough chart or log of the vagrant pioneer may perchance be found of use.

With such a possibility in view, the project is laid before those interested mainly to answer the purpose of a basis for discussion.

Some of the positions taken by the writer may be objected to as unsound, but they have not been adopted without careful consideration. Meanwhile, such criticism as the scheme may be favoured with by those competent shall be esteemed an honour, and shall receive due attention.

The key to our plan is to substitute a freehold grant for all existing tenures, leaving only that one form of transferable title. A suggestion to this same effect was published in the *Herald* of 9th October last;* and it is proposed now to pursue the subject in continuation of the ideas then set forth.

The operation of the existing law, with its various complications, would need of course to cease, and the steps thereafter to be taken would be,—

1. To buy up the squatting-tenure, paying for the same in freehold land.

2. To consolidate all station-purchases with the land granted in payment, resuming all scattered lots, and granting in lieu of the same an equivalent area suitably situated.

3. To allow every selector who can prove actual present residence, to acquire, on the law coming into operation, as much country under a real pre-emptive or other permanent tenure (not a pre-lease, as at present) as would be equal to his grazing right under the Acts of 1861 or 1875.

4. The unalienated lands remaining on the resumed runs would be handed over, in trust, to a local authority for the public behoof, and meantime they would be open to the permissive grazing of the lessee's stock under a half-yearly non-transferable license, subject to certain provisions, until surveyed and proclaimed open to settlement.

5. Lastly. The most important feature in the scheme strikes a blow at centralization, evoking the elements of self-government and propounding the possibility of people managing their own business at their own doors—the common rule in our old mother country, but a thing as yet almost unheard of in Australia.

Our course of proceeding would then be as follows:—

1. To suspend the further operation of the Occupation and Alienation Acts, with all rules, regulations, and enactments pertaining to the same.

2. For the purposes of this Act, the country conterminous with the boundary of the settled districts to be divided into ten territories, each to be in area about ten thousand square miles, the boundaries to

* Published in pamphlet form, "Colonisation in 1876," by Turner and Henderson, Hunter-street.

be, if possible, coincident with those of existing districts, and, whenever practicable, to follow the natural features of the country.

3. The administration of the lands of each territory, under the authority of this Act, and subject to its provisions, to be vested solely in a land board, consisting of five members, one of these to be an official commissioner, and four to be resident civilians, all to be nominated by the Crown.

4. The Land Boards to meet at such times as they may appoint, and at such places within their respective territories as they may determine that Land Courts shall be held.

5. The Courts so constituted to have full power to deal with all matters coming under the land law ; to exercise summary jurisdiction on complaint of trespass, or in case of abuses of the drove roads ; further, to carry into effect every other function of government connected with the administration of land and live stock ; and lastly, to possess the same penal jurisdiction as Courts of Petty Sessions in enforcing their decisions.

Appeals against the decision of the Land Courts to lie only at the first meeting thereafter of the District Assize Court.

6. The Land Board to have power to appoint a surveyor, with the needful staff for the territory, to act under their orders ; and also, to appoint Land agents, with suitable offices, at the various places where Land Courts are appointed to be held ; and all rents and payments due to the land revenue shall be paid to these land agents, the funds so received to be applied as directed further on.

7. All surveys, reports, and correspondence relating to the lands of each territory to be handed over to the Land Board by the Department in Sydney ; duplicates to be retained.

8. All proceedings of each Land Board shall take place in open court, and a copy of all proceedings, of whatsoever nature, shall be entered in full by the land agent or his clerk in a land office book, to be placed upon the public table of the land office, and to be open to inspection every week day during office hours. All maps, surveys, and other documents connected with the business of the Board shall in like manner be open to inspection.

9. Each Land Board, upon being fully constituted and provided with a staff suitably equipped, shall procure a feature survey of the territory, showing all pastoral properties, farms, and homesteads, in consolidated form, as they are held, known, and worked, specifying

the various lots of purchased or leasehold land comprised in each, and distinguishing each property by the name under which it is commonly known. In carrying out this survey, the descriptions of the runs forming each consolidated station must be referred to and verified ; but after the completion of the survey, the names of the stations as they are popularly known shall be used only in public documents for the furtherance of simplicity and accuracy.

10. The Board shall then call upon the surveyor for a report as to boundaries within the territory, and when such boundaries conflict, overlap, or are defective, full power is given them, after inquiry, to make new boundaries, and they shall so determine according to the evidence before them ; and they shall direct the surveyor to mark the same on the ground and on the plan of survey.

11. A return of reserves within the territory shall then be called for, and the Board shall deal with the same on their merits, and according to the following rules :—Reserves from purchase shall be cancelled ; gold-fields and mineral reserves shall be maintained ; droving reserves shall be confirmed, and such drove roads as may cross the territory shall be created permanent reserves of the full width of existing drove roads ; water reserves and others maintained for special objects shall be dealt with according to the discretion of the board, keeping in view public requirements, and using their judgment.

In all such dealings with reserves the Board shall give their reasons fully, and the land agent shall write the same in the Land Office book, and the surveyor shall be directed to mark clearly on the ground and on the plan, as early as possible, all reserves created or maintained.

12. The Land Board shall then procure, through competent assessors, appointed by them, a return specifying the sales of station properties within the territory during the five preceding years, stating description and number of stock, value of improvements, full particulars of areas of country freehold and leasehold, and price ; and likewise a separate return of the average price of mixed sheep and cattle during the month of October (meaning after shearing) in each of the five preceding years.

13. The documents so procured, the survey plan, and the assessors' returns, shall be made in triplicate, or in as many copies as the Board may require, and they shall be exhibited in the land

offices of the territory, and for the term of one month any person who may consider himself interested in the proposed commutation shall be at liberty to write in the Land Office book such suggestions as he may think fit, signing his name to the same, and such remarks or suggestions shall be placed on record by the land agent, and shall be submitted to the Board in due course.

14. At the first sitting of the Land Court, after the expiry of the month defined in section 13, the land agent shall read aloud a report, comprising all the information that has been procured from the survey and assessors' report, and all matters standing on record in the books having reference to the general commutation about to take place, but communications as to specific stations or other properties shall be postponed until each case comes forward separately for adjudication.

15. The Board shall then proceed, from day to day, and at such land offices as they may appoint, to deal separately with the commutation of each station, according to such order as they may determine.

16. As each case is called on the land agent shall read aloud from the records of the office, the name of the station, its position and area, the quantity of purchased land belonging to the same, number and description of stock, purchased land or conditional selections held by other owners, and a sketch showing the position, area, and other features of the run taken from the general survey shall be laid before the Court.

17. The commissioner, as chairman of the Board, shall then call upon the assessors, to state the value, as struck from the five years' average, of a station in the territory, at so much per head of sheep or cattle, under schedules A, B, or C, as the case may be (fully stocked, half stocked, or lightly stocked). On receiving the assessors' valuation the Board shall verify the same from the assessors' general report, or they may return the same for amendment, retaining in their own hands full authority finally to determine the matter, apart from the assessors' valuation. When the Board use their discretion in this manner, they shall give their reasons fully in open Court, and the same shall be written fully out by the land agent in the Land Office book. On the price being so determined, the same shall be read aloud by the land agent, and shall be entered as an award of the Court.

18. The assessors shall then be called upon to state the average price of stock—say, sheep and cattle—for the five years comprised in their general report, and on their valuation being given in, the same shall be verified as before by the Board. If they exercise their discretion in altering the amount they shall detail their reasons fully, as in section 17. The price of the live stock so determined shall then be announced, and written down by the land agent as an award of Court.

19. The land agent shall then read aloud, for example:—
South-western territory—Commutation of lease, Candowan Station, original area 240,000 acres.

In possession of lessee	...	...	...	...	227,000 acres
Conditional purchasers-residence proved	...	...	...	...	13,000 „
Net Area: 227,000 acres.					
Leasehold	...	...	...	...	210,000 acres
Freehold	...	...	...	...	17,000 „

Stock: 43,000 sheep over six months, less 3,220 sheep *pro rata* for freehold land. Station No. 1, schedule B (or half-stocked), number of stock to be valued per head, 39,780.

Station, value per head awarded, 28s.; sheep, value per head, 8s. Surplus, being value of leasehold per head, 20s.

20. The Board shall then announce that their award in compensation for the cancellation of Candowan leasehold (19), is the value of 39,780 sheep, at 20s. per head, being £39,780.

21. The various portions of land purchased by the lessee, situated in various parts of the run, 23 in number, shall then be dealt with: the total area being 17,000 acres. The Board shall direct that those portions as detailed shall be resumed and the titles cancelled, and compensation shall be awarded for the same at the price of 20s. per acre. 23 portions of purchased land, 17,000 acres at 20s., £17,000; the total value in compensation under sections 20 and 21 being £56,780.

22. The Land Board shall then give their award, that the Candowan leasehold, together with the station and purchased lands on the same, is annulled and resumed, and that compensation be made to the lessee, by a grant of land of the value of £56,780 at 20s. per acre, in such position and with such boundaries as may be determined.

23. The lessee shall then be called upon to elect from which part of the leasehold, subject to certain conditions, he will take this grant. These conditions would be—

1. That he relinquishes to the Crown, as represented by the Land Board, on his own behalf and his heirs and assigns, all right and interest in the leasehold of Candowan, with purchased lands, dams, wells, and improvements.
2. That he binds himself to enter into no dealings in reference to these resumed lands (saving and excepting such arrangements with the Land Board as are authorised by law), under penalty of confiscation of his grant; and
3. That the grant he takes must form one compact block, in agreement with the published survey regulations.

24. The lessee having made his election in terms of the Act, and to the satisfaction of the Board, the boundary shall provisionally, subject to survey, be marked on the plan of Candowan run, and the commissioner shall then give the final award of the Court. Thus—

The Court awards that the commutation of Candowan station, as read, is valid and final according to law, and decides that the consolidated grant in compensation, to be called Candowan estate, shall be surveyed as follows:—"To commence at that point on the Candowan Range, abutting on the Narghil River, forming the south-western corner of the original Candowan station, as shown in the territorial map; to follow the river up easterly for ten miles, and thence to proceed by a line to be run northerly, and now provisionally marked on the plan hereto attached, to a point on the Candowan Range; thence following that range to the point of commencement, to comprise within these boundaries the awarded area of 56,780 acres.

The lands resumed within the original limits of Candowan Station are now vested in this Land Board under the Act, to be dealt with in terms of the same."

24A. The commutation of the lease being thus effected, the plan showing the arrangement, with a brief summary of the conditions written on the face of it, shall be signed by the late lessee, the commissioner, and the surveyor.

25. The next step will necessarily be dealing with selectors who have proved their residence. To enable them to acquire their pre-emptives according to law, and also to avert crowding and confusion, a permissive clause to the following effect would be wanted:—

“It shall be in the power of the Land Board, on due reason being shown in Court, to resume any area of conditionally purchased land, granting the owner in lieu an equal area elsewhere, together with compensation for cost of removal and other contingent losses caused by the resumption, the amount to be determined by assessment; but such compensation to be granted only when lands are resumed by the Board on public grounds, and not when the exchange is made at the wish of the applicant in order to obtain advantages such as greater area of land, or a better position. Notwithstanding, when a conditional purchaser or selector seeks to make such exchange, and obtains the consent of the Board to move to an allotment surveyed under this Act, he shall be at liberty to remove all buildings, improvements, fencing, and other fixtures from his original purchase.”

26. Another clause to prevent trouble from erroneous descriptions or blunders in survey, would be wanted, to this effect—“That all lands granted shall be taken by the surveyor’s marks as being more or less the published areas, and that in no case shall boundaries be liable to be moved on the plea of short or over-measurement, but in such case of error the amount due as purchase money may be rectified in such manner as the Board may direct when the actual area is ascertained. In other cases of error, such as a boundary being run across a road, the Board shall have full power to deal with the adjustment of the matter in the public interest; to compel the removal of a fence by the party in fault, and the re-erection of the same on the proper line, in terms of the fencing regulations.”

27. With these clauses, the Board would be prepared to deal with the selectors’ applications for their pre-emptives. These, of course, would be put in at once by all the selectors within the bounds of the station.

The Board’s decision would be as follows:—“The applications of (19) conditional purchasers (named) for corresponding pre-emptive areas under section 27 are provisionally accepted, subject to sections 25 and 26 and the settlement clauses (fencing, residence,

&c.). They shall be further dealt with on receipt of the surveyor's report."

28. The last application would be that handed in by the late lessee for permission to graze his stock on the resumed country, and a half-yearly license would be given him bearing a fee at the rate of 10s. per annum per square mile, non-transferable, liable to revocation on three months' notice being given; granted subject to the licensee maintaining in good order all fences, dams, and other improvements (for which he has been paid in commutation), but giving him an exclusive, though strictly permissive, right to graze. On the abuse or neglect of the improvements, the Board would be empowered to cancel the license to the holder, and offer the same at auction, and further to levy on the stock for cost of repairs.

This would conclude the commutation of the lease of Candowan, and the country would be left apportioned as follows:—

Area of run, Grant to lessee in compensation ...	56,780 acres.
240,000 acres. Selections	13,000 acres.
Pre-emptives	39,000 ,,
	—————
	52,000 ,,
Remaining in trust in the hands of the Land Board for survey and settlement, temporarily licensed for grazing, a tract of	131,220 ,,

CHAPTER II.

WE have seen the leasehold of Candowan commuted, with the claims of the lessee and of the selectors satisfied, and an extent of 130,000 acres, or more than half the run, remaining vested in the Land Board for survey and settlement.

In the meantime the Land Board has granted the late lessee a license to graze his stock on the resumed country so vested, the license being non-transferable and revocable at three months' notice.

The questions may now be raised—"Why buy out the lessee?" "and, after buying his run, why allow his stock to remain on the grass?"

The answers to these questions involve an enquiry as to what the squatting right really is which we have bought up. Some authorities have described it as a merely permissive use of the grass. A scrutiny into the law and custom on which it is founded will, however, show that the tenure rests on a very different basis. Originally founded by the noted Orders in Council in 1846, a species of property was created, that within the tenor of these Orders, was as much property as any freehold estate in Sydney, which has since passed from hand to hand for large sums of money, by virtue of a right of transfer legally created, and has thus without break come into the hands of the present owners.

It has been asserted that the Act of 1861 abrogated this leasehold right. If it did so, it must have extinguished the rights of the lessees in some intelligible manner; it must have ceased to make the squattages transferable, and it must have ceased to demand rent for the runs. The legislation of 1861 did none of these things. It merely created a new class of tenants, and gave them power to enter upon these lands, somewhat like the right of entry for game and minerals reserved in farm leases. Such conditions do not abrogate farm leases, and no more does the right of selection cancel the squatting title. Being a legal title and lawfully acquired by purchase, a squattage as such is valid property now.

All legislation since 1861 fully recognises this. The squattages are regularly transferred like real estates. The complaint is constantly made that the rents are inadequate to the value of the pasture, and moreover, if the administration of the law with one hand aids the encroachments of selection, with the other it provides means for the squatter's defence. This all shows that by law and custom, even since 1861, the squattages have been dealt with as real properties, not as merely permissive grazing rights.

History and daily experience alike show this. The squatting lease was always and is still a valid transferable title, and this *must* be admitted, even though the policy and operation of the tenure may be condemned as vicious, which it unquestionably is. The title was at first incautiously created by the Imperial Government, and through that unfortunate blunder the capital and property of the country have been arrayed in antagonism to settlement. In like manner, purely through the transferable quality of the lease, squatting has at length worked into the shape of a corporate interest with

all the banks at its back, defying colonization, wasting the country, provoking and aggravating the cut-throat strife of selection; and, finally, holding large tracts of the best of the colony an untenanted wilderness for the behoof of a purely stock-jobbing and money-lending interest.

But, at the same time, this system, insufficient and objectionable as it has proved, has carried on its back the industry and earnings of two generations; and if the higher law—the “salus populi”—requires that the right should be extinguished, it can only be done through some scheme of equitable compensation. Now, if we look at real cases, which show the actual rights and wrongs of the question, we find that in most instances the price we give for the cancellation of the lease turns out to be simply the repayment of a premium disbursed by the squatter when entering upon his station, under a purchase sanctioned in every possible way by our own laws and customs. This answers the first question.

The second question is, “Why, after buying the run, should we let the squatter’s stock remain on the grass?” In reply, we may ask, “What else would you do with the grass, or with the stock?” If the grass is not eaten, it will burn or rot on the ground, and if the stock is taken off, where could it be moved to? We must remember that what we have bought up is not a mere grazing right, but a lien on the soil that had become hostile and dangerous to national interests. If this lien is extinguished the temporary use of the pasture may be allowed with safety and benefit. Such a proceeding as turning the squatter’s stock off the grass, or forcing them to be sacrificed, would not be reform, but wanton, idiotic waste of nature’s gifts, and havoc to our national industry. One thing we must not lose sight of, apart from the dispute between the squatter and the public, which is that there is another view of this question that comes home in an immediate and direct fashion to every man, woman, and child in New South Wales. Whether retaining the form of squatting or in another future form, grazing is, and will remain, the standard industry of Australia. It is rooted in nature and habit, and from grazing mainly are yielded the wages and rents of Sydney; and the hundred streams of wealth that, distributed among us, place meals on our tables, and support our many valuable institutions.

This industrial structure, incomplete as it is, is worth preserv-

ing, and it is no plan of ours to burn the house down because it wants repair. We wish first to get the concern out of Chancery, then to lay its foundations deeper—to add some new wings to it—and to make it on the whole more cheerful and habitable. So that, the squatter's stock being on the grass, they cannot do better than remain there, and go on in the old routine, till the country is, by a regular process of survey and settlement, allotted in farms, villages, and homesteads.

This ought to answer the second question : but we have a mis-giving that our scheme at this stage will be—by some readers—“seen through at once” as a transparent juggle in the interest of the squatter, on the same principle as “heads I win—tails you lose;” for we have bought the run from the lessee, and have left him the grazing of it still.

For the present we are content to point out that we have been, so far, quite consistent. Almost the first line written on the project said that we proposed “giving the squatter a better bargain than he has now;” at the same time our other professions have not yet been falsified. Now we will go to the root of the matter.

The squatter, after commutation has *no* run in the same sense as before, that is, he can neither sell the country nor borrow upon the security. The run belongs to the Land Board; the squatter holds from them, subject to three month's notice, the exclusive grazing: but if the improvements are allowed to go to decay, or if any acts are done in contravention of the law, the Board has the power to put the licensed grazing to auction and to levy on the stock for the repair of improvements. This power, of course, should be used sparingly—only as a last alternative, but it must exist and be maintained to show without a shade of doubt whose the run is.

The question as to the course the Land Board would take with a licensed run in the event of the sale of stock running on the same, the death of the owner, or other needful change, is likely to rise. The duty of the Board in such case would simply be to issue the license to the actual owner of the stock, unless they saw good reason against it on public grounds. It is much better that the Board should possess and exercise a wide discretion in a matter of this kind, than that a new squatting tenure should be juggled a second time into existence, through authorising a right of transfer by law. The stock would probably never be disturbed till in due time the

land came under settlement; but still, in the public interest, the trust should be maintained unimpaired. Such a tenancy as this, unless the Commissioners and Land Boards prove utterly incompetent and corrupt, can hardly be nursed into the obstructive position of the tenure extinguished.

Having thus done away with the hostile element in the squatter's position, we can afford to give him fair treatment. He is no longer the monopolist of the pastures with his hand against every man. The cause of the feud is withdrawn, and peace should follow.

Summing up, then, the general results shown already by the scheme, the owner of Candowan has fallen into possession of a compact, handsome, freehold estate, upon which he will be able to work out to the uttermost the problems of improving land and stock, and of the unalienated portion of his old run he has safer and better use than he has had for years.

As to the nineteen resident selectors, they can now acquire on easy terms four times as much land as they could ever have expected before, and they have peace and security for carrying on their work. Preliminary survey and the Land Board have displaced the dilatory and imperfect survey and the legal quibbles which harassed them and kept their pockets empty.

For the public, a tract of 130,000 acres—larger than half the run, which was previously spoiled for settlement by Volunteer land orders and improvement purchases—has been released and placed under the guardianship of the Land Board—a local body specially pledged to keep up survey and provide in advance for the settlement of population.

Now the second phase of the question opens, and we have to determine how the resumed lands are to be allotted for settlement. To carry out alienation systematically and impartially would be the main duty of the Board, and this end would be best attained by keeping a fixed proportion of each station within the territory always surveyed. In a tract of country of ten thousand square miles there would be about sixty stations of various sizes, and the Board, by means of licensed surveyors acting under the chief officer of the territory, very shortly after the commutation of the stations was settled, could have an area on each resumed run marked out and subdivided. By thus surveying simultaneously, or as nearly so as possible, a certain portion on each station, population would be evenly

distributed, and the operation of the Act would be fairly divided. In this way, there would be no loss or confusion from moving stock in a hurry, but by steady, well-considered action, the new tenure would be established in a few years without disaster to any one; but, on the other hand, its progress would be attended with the profit which grows from the increased value of freehold land under the influence of settlement.

A fair proportion to survey at one time in such a territory would be one-tenth of the whole, which as distributed would be one-tenth of each original station. The total area so surveyed in a territory of 10,000 square miles would be 640,000 acres.

In dealing with the survey of a whole territory, especially if defined by natural boundaries, a question arises which will be anticipated by all aware of the immense variety in value and character of the lands in this continent. Downs or plains of limestone or volcanic formation, and beautiful park-like open forest, often abut on mountain masses, impervious, and for grazing or cultivation, worthless. Elsewhere the ground dividing stations from each other, or forming the back country, consists of country better than the first, and not by any means useless, but still not such as could be valued by the acre, the barren soil so far exceeding in extent that which is available. No settler would choose land in those tracts, even if he got it for nothing, and consequently it is not what should be granted to a lessee on commutation. Such country is found of various types and different character according to its position. In the intermediate districts we find stretches of sandy pine range; towards the coast we have tracts of fissured sandstone, the ravines full of water and blady grass; and to the north and west there are the huge thickets of brigalow and other acacias running for ten and twelve miles over the watershed between one valley and another. To survey from the dividing range in such country would be absurd. The Board should have the power to draw the line of survey on the edge of the available country; and, to do this with justice, will require local knowledge and careful supervision. It would, nevertheless, be a mistake to suppose that all mountain and all scrub is worthless as freehold property. A proportion of both would be far from objectionable on a grazing farm. The rocky ranges usually contain the two essentials of timber and water, and it is well known that the acacia scrubs are full of tonic and stimulating herbage. Moreover, it has been seen

that the very poorest of the granite and silurian soils are the most improvable. Lightly grassed ridges of these formations that naturally will hardly keep stock alive, have been held to be much more easily developed in grass-growing power than the richest plains. Clearing and seeding, a little time and a little labour, under a freehold title, will clothe such lands in rye-grass and clover.

The rule we would recommend in dealing with inferior country would be something like this : Let broken country or scrub, so long as it does not cover over one-sixth of the surface, be measured in as available ; but when the proportion is greater, leave the land outside the survey line, to be dealt with otherwise. Lightly-soiled ridges, so long as they can be fed over, might be rated as all available, but on subdivision, lands of such character should, whenever practicable, be included in the same holdings with other soils of a better kind.

This policy would be found to act in leaving a residue of rough country, often containing water and coarse grasses, almost always well timbered, and these remnants would generally be found running in lines skirting back runs, and holding for some distance a uniform direction.

If we think what this points to it will become evident that we need not look on these inferior lands as waste. Some would come in for drove roads and droving reserves, all would be valuable as State forests, and experience tells us that these are the very localities in which mineral deposits are found.

The survey for settlement should be guided by fixed rules. To leave to the members of a Land Board the discretionary power of deciding whether any survey for alienation was wanted, or, if wanted, where it was to be, would in many cases be too heavy a strain on self-interest. When some years ago a talk arose of surveying agricultural areas, some very excellent members of the Council asked—"Where was there any land suitable for agriculture?" They knew of none.

So will it be always—in our time at least. Too severe a strain must not be applied to the members of the Land Board, or any other board. We must be satisfied, at least in commencing local government, with a moderate exercise of patriotism and public spirit. The law, then, should be imperative, that on the commutation of each lease being completed the survey of the resumed lands shall commence—the first portion so dealt with on each run to be

one-tenth of the area of the original station on the upper frontage to the main river or creek, and other surveys following when required, to be on the same frontage lower down; each survey to be in one solid block with depth corresponding to frontage, and leaving out neither the best land nor the worst.

The first survey on Candowan—following these rules—would be a block of 24,000 acres, or one-tenth of the original station, about six miles by six on the upper frontage Narghil river, right bank.

CHAPTER III.

THE subdivision of the surveyed areas is the next step to be taken. Experience has taught us that, if we wish to found and encourage the growth of permanent settlement, uniformity of area is no more to be desired than uniformity of occupation. The true policy in allotting land is to meet every legitimate want, and to attract every phase of life, both industrial and social on to the soil. These will appear in many shapes.

There will be first the youth belonging to a family in the settled districts. His father will start him with £2,000. This sum, if invested in squatting, would, excepting under very favourable circumstances, be speedily lost. It would merely act as a shoeing-horn to an advance, which, except a rise of prices intervened, would crush the borrower like a constrictor. £2000 would, nevertheless, tell to great advantage on a grazing farm, if access to the land were made easy and the tenure secure. Holdings up to six thousand acres should be laid out for this class.

Then there are others with smaller means—perhaps enough to get a flock of sheep or a small draft of cattle, with something to live on for a year or two besides. For those there should be a graduated scale of survey, so that every man might be able to get what he could pay for and fence in.

Such small properties would, moreover, attract many beyond

the sphere of bush life. City people would start a son or two to work into such possessions, and there are many in the mother country, with small capitals or fixed incomes, who would, if the conditions were made safe for them, come to such a land and such a climate at once. There are, for example, many retired officers, men with families larger than their means, and some of the great numbers who throng the continent to spin out their incomes, might come here with benefit to us and to themselves if we made it pleasant for them. Under our present system there is not much chance for beginners of this educated stamp. A few, of course, may succeed at times, as others do, in snatching a prize out of the fire, by having the luck to buy before a rise. Still the instances of such success are, in the aggregate, few and far between. Any one who remembers the first ten years of Queensland after separation can vouch for the fate which attended the efforts of hundreds. They were the pioneers of the north; they were fit, as men, to go anywhere and do anything; but an immense proportion of them, entangled in unwieldy and unmanageable squattages, sank under debt and disappeared. But we might, if we chose, offer openings that would attract and provide for settlers of this kind in numbers. In Tasmania, freehold homesteads being much more easily procured than on the main continent, a number of Indian officers have made their homes there, contributing to the colony a valuable class of settlers, and an element in society getting very scarce here. They do not aim at squatting or mining speculations. To live comfortably, and to improve their little properties, are their main objects. We might, with our much more varied and numerous advantages of soil and climate, offer fully as great inducements as Tasmania.

But we have many other wants to meet beyond those of the youthful colonial of comfortable origin, the scion of successful commerce, and the retired army man. We have to make room for farmers of all degrees—to find homes for the standard labouring population of the bush, and for the future immigrants, to provide access to the soil for all future industries, and to encourage the growth in our inland wastes of urban and village life, in the interests of social happiness, education, and culture. In short, we have to lay out the country with an eye to the growth of a nation, and to make our arrangements so that every man, whether native or imported, may find a ready and suitable, and, if possible, a congenial opening.

Trying, then, to adapt these views to subdivision, the first survey-area in the south-western territory of 640,000 acres comes to be dealt with. It might be parcelled out as follows :—

	Villages.	Holdings.	Acres.	
Grazing farms of 6000 acres	—	30	180,000	
Ditto ditto 3000 ditto	—	60	180,000	
Ditto ditto 1000 to 3000 ditto	—	60	120,000	
Common ditto 160 to 1000 acres	—	120	72,000	
Homesteads up to 160 ditto	—	120	12,000	
Villages of 100 2-acre lots each	}	10	—	27,600
Commonage, 2560 acres				
<hr/>				
Opened for settlement in one territory by				
the survey of one-tenth of each run	10	390	591,600	
Remaining for reserves, roads, &c.			48,400	
			<hr/>	
			640,000	

Under this distribution three-fourths of the surface, in 150 holdings would be directly applied to the development of grazing under new conditions, with a security and grasp of the soil infinitely greater than could be acquired under any squatting tenure, and with the benefit of an experience that the original freehold grazier of sixty years ago did not command. Judicious clearing, minute paddocking, the spread of water supply, grass tillage, and the storage of fodder in reserve against bad seasons, would all be operations not only possible but easy of accomplishment to the resident owner, without making himself a slave either to "capital" or "hired labour." It is only common sense to assume that under such conditions we would have from the same land more stock, and better stock, with more staple exports than we ever had. The method would meet every want of our producing industry in a way that never offered before, and in a manner more beneficent, socially, than squatting could ever pretend to.

The remainder of the survey, 110,000 acres, being sub-divided into 1240 holdings of all sizes, from two acres up to 1000, would meet every other industrial and social want. The man who aimed at mixed farming; the labourer who wanted a cottage, a garden, and grass for a few cows; the small capitalist or annuitant who wanted

a country homestead ; and the endless demands for experiment would all be amply suited without trouble or difficulty in a way never provided before in Australia.

There is one main principle in the subdivision of survey areas that should never be lost sight of, which is that natural advantages and defects should be distributed as evenly as possible. Water, timber, good soil, flooded land, scrub, and barren ridges, ought all to be dealt with so that no allotment should unduly take the good soil and throw the bad into that adjoining, or include water and leave the other lots without. Of course a hard-and-fast rule, or absolute uniformity, is impossible to put in practice ; but where certain elements are wanting they might be counterbalanced by others. To equalise these peculiarities as much as possible, and to apply each locality to the purpose for which it is best suited, would find exercise for the judgment of the Board in subdividing. They would soon, if interested in their work, and comprehending its drift, arrive at a rule to guide them. For example, a high bank with water-frontage at a dray-crossing would be the proper site for a village, with, say, a half-mile of frontage, and the commonage behind. A dry back plain would naturally make one or two six-thousand-acre grazing farms ; broken volcanic ridges would properly cut up into small farms and homesteads, where every kind of small tillage, tree-culture, and vine-growing might be carried on, and in time it would be seen that each spot of country could be appropriately allotted.

Classification, with various areas, and a scale of prices, has been advocated as ensuring a wise economy in distributing country, but in Queensland the method has been found very awkward and insufficient. At first, under the Act of 1868, hardly two valuers classed in the same way, and it has only been by classification in the gross that a standard has been attained. You can tell easily first, second, and third class country, but the host of intermediate shades, and the startling contrasts found every half mile when the ground is examined critically, prove classification to be most incomplete in providing a standard rule.

But a preliminary survey, allotting evenly the good and the bad, such as we advocate, is infinitely better than any classification. Moreover, it prevents waste in subdivision, and anticipates all attempts to pick the eyes out of the country.

The survey on Candowan of 24,000 acres might be laid out, following the foregoing views, in this way:—

	acres.
1 Grazing farm, 6000 acres, black soil plain, no water	6000
1 ditto, 3000 ,, ditto, little water	3000
1 ditto, 1500 ,, sandstone ridges, timber and water	1500
4 Common farms, 1000 ,, edge of plain, ridges, timber and water	4000
6 ditto, 500 acres, each half mile frontage, Narghil River ...	3000
8 Homesteads, 160 acres, small frontages, ditto... ..	1280
1 Village, with commonage, half mile frontage to Narghil River, at dry crossing	2760
Total... ..	<u>21,540</u>
Leaving for roads, flooded ground, &c.	<u>2460</u>

On a smaller run, say Mingour, with an area of 50,000 acres, the first survey would be 5000 acres, which could be divided in this way—

2 farms of 1500 acres	3000
3 ditto 500 ,,	1500
3 homesteads, 160 ,,	480
Total	<u>4980 acres.</u>

It would become evident as settlement went on that there was an advantage in including every description of allotment in each survey. A healthy mixture would produce a more bracing, social atmosphere—where there is more than one big man in a parish, a wholesome equilibrium is maintained.

This method of territories, survey, and sub-division, extending by degrees over all the unsettled country, beginning perhaps with ten territories nearest to population; could hardly fail to meet the wants of all actual settlers, provided the survey were kept up in fair proportion from year to year.

But it does not follow that the Board, however watchful and alert, could, or indeed should, try to meet every outcry that might arise from all quarters; and it should be their constant care to discriminate between the actual wants of settlement and the noisy blow and frothy fuss of the stags and jobbers who are sure to swarm “trans Rhenum,” with “any amount of money.”

The professional landshark will, no doubt, swarm in Australia as long as money is to be made by working the oracle and avoiding

honest industry, and, as a matter of course, he and his kindred will always want to get possession of those portions of land which are likely to benefit them by injuring their neighbours.

The operation of the Act would, however, give no scope for such attempts as succeed now, through selection, auction, or volunteer land orders. Surveys would be made only according to rule, or when the Board in their discretion had decided that settlement required it.

Moreover, the lots, when proclaimed, though open to any one, would only be open singly as surveyed, and under conditions to be defined further on.

CHAPTER IV.

WE have now to face the question, how these new properties, farms, and homesteads, are to be acquired; and this phase of the question naturally brings us in contact with our old acquaintances, "the capitalist" and "the poor man."

"Down with the squatter," cries the one; "money must have the land, and money will have the land," says the other.

To us, and we doubt not to many of our readers, both these cries appear to be quite beside the real question. To give way to either would make but a limping feeble State and a mongrel community. The plan of survey which has been detailed indicates what are our views as to settlement. The beacon to which we look shows the future of Australia as a country more fit to live in than it is at present—not a wilderness blighted and wasted by the bickerings of two hostile factions.

We cherish the hope of seeing the land covered with substantial country houses, smiling homesteads, and cheerful villages, and inhabited by an educated and united people. We believe in such a state of things as, without the aid of immigration votes, would by its own merits attract the landless and homeless of the mother country, and that, by offering substantial and easily attained advantages would tempt families of a good type, but of modest means, to come and live among us.

Neither squatting nor selection, whether separate or together, can bring about such results. As they are now, the two forces work like the upper and nether millstone, grinding to powder all the unwary who come within their action; and at no time does either method offer that easy access to settlement and the comfortable assurance of well-doing that would inspire confidence in immigrants of a good stamp, and would lead them to induce their friends to follow.

The only true colonization, such as would make the country what we want it to be, is that which plants population on the soil in harmony with natural conditions, and without stripping the settlers of their means.

Such a method does not exist now, and has not been attempted in New South Wales for forty years; but it succeeded before that time, as every man may read in the aspect our settled districts present at this day, and it can be tried again.

Since then, with the origin of the Wakefield system, and the beginning of squatting, the same question now before us has been the nightmare and perplexity of all Australia.

In Victoria, as here, the popular voice has maintained a high price to keep rich men from buying up the country. If there is any relation between cause and effect, it is plain that among our southern neighbours 20s. per acre and a system of small agricultural holdings have tended to force things into a growth of which the topmost bough and ornament is the class predominating in certain quarters, known as the "wealthy lower orders;" the men who jingle their money-bags in derision at all humanity, learning, and culture, who buy up thousands and thousands of acres everywhere, till they can close country roads and hem in townships.

If access to the land is made difficult, and the operations of the settlers are cramped and confined, things must necessarily work into the hands of "capitalists," or rather, to speak more accurately, into the hands of those who have the gift of money-making. The man whose nature it is to concentrate every faculty on the process of accumulation is bound in a short time to be the "capitalist" of the district he lives in; and the more obstructively the land law works to average men, the more chances are thrown in the way of the born financier, with his eyes fixed intently on the one thing needful, and his thoughts unhampered by any other considerations.

Our whole system works directly in the interest of this type, and this fact we believe is actually the key to what is taking place in Victoria, as well as in certain forms among ourselves.

The Melbourne banks have backed such men heavily to buy up selectors. A vicious trade is created by the market thus established. The selector moves to the next station, or perhaps across the boundary, to repeat the operation. He will clear £1 per acre profit every time he moves; and if he has a well-grown family, and the qualities that make success, it will not be long before he turns over some thousands of pounds and obtains the respect of the nearest banker.

Then he will get a good stock of sheep, with which he will travel about, clearing the grass off over all his neighbourhood, till he has managed to select right and left and jump and buy odd bits of country.

In a few years he will in this way shoulder himself into wealth and respectability; he will be made a J.P., and then, as a full-blown squatter, he will kick down the ladder he has climbed up by, and will do his best to make it hot for land-sharks and grass-stealers.

Now, mark the twofold result of this system.

It not only depopulates the country, and engrosses the land in huge estates, bought with bank money—too often in such hands as our Melbourne friends gird at; but it also brings into existence a new body of proprietors who promise to become influential and wealthy, but of the stamp necessarily produced from the successful vagabondism and piracy which the law has created.

This is a noteworthy fact, and it throws a strange light on the social fruits of our institutions.

Whatever may remain to be said in favour of our compound policy of squatting and selection, all must allow that the prizes are distributed in an eccentric fashion.

As contrasting with these facts, we are putting forward no untried theory or visionary chimera, when we state that if Victoria had been allotted in the way that the settled districts of New South Wales were distributed fifty years ago, or in the way the settled districts of Queensland are being occupied now, the settlers would have found it very much more for their interest to keep their lands than to sell them at a profit of £1 per acre, and the trade of land-sharking would not have grown to be a vested interest as it is.

It is plain then that the high price of 20s. acts mainly in

thwarting settlement, and combined with the misdirected policy of founding settlement on agricultural conditions, it tends most powerfully to the monopoly of the soil and the corruption of the people.

In our old settled districts, the grants were given free of cost, but subject to certain conditions. In Queensland the price is low, the payments being extended over ten years, coupled with conditions of occupation and fencing; and in both cases the growth of population and local improvement have been in marked contrast to the decay and depletion reported in the country districts of Victoria.

The method of allotment suggested in our paper of last October partook in many respects of both these plans, including preliminary survey, a low price, and extended payment. We have already gone through the question of survey. The principal novelty in our suggestion was the commutation of the price into a perpetual annual payment like the feu tenure in use in Scotland, and the rate of 6d. per acre per annum was proposed. If this price should be thought low, it must be remembered that the price of £1 per acre is almost invariably paid for securing positions which command, or rather spoil, large tracts, and that as a rule every acre so bought represents three acres at least made worthless. A glance at any run on which auction purchases have been made will show this, and the same rule accounts for the large premium on volunteer land orders. The same fact is invariably brought out in the choice of selections. In fact, all buyers have only one motive in buying—to pick out the eyes.

But under the preliminary survey which we have just detailed, every inch of country within the survey bounds would be included, rocky range, scrub, flooded land, and all, and as each allotment would include a proportion of good and bad soil, the rate of 6d. per acre per annum, representing at seven per cent. a price of about 7s. per acre all over, would, on sale, produce a much greater aggregate return to the Treasury than accrues now through the joint processes of squatting and selection.

To show what the Scottish feu tenure is, we extract the following note by Sir Walter Scott:—“In Scotland a village is erected upon a species of land-right, very different from the copyhold so frequent in England. Every alienation or sale of landed property

* “St. Ronan’s Well,” chapter 1, note.

must be made in the shape of a feudal conveyance, and the person who acquires it holds thereby an absolute and perfect right of property in the fief while he discharges the stipulations of the vassal and, above all, pays the feu duties. The vassal or tenant of the site of the smallest cottage holds his possession as absolutely as the proprietor, of whose large estate it is perhaps scarce a perceptible portion. By dint of excellent laws, the sasines, or deeds of delivery of such fiefs, are placed on record in such order that every burden affecting the property can be seen on payment of a very moderate fee, so that a person proposing to lend money upon it knows exactly the nature and extent of his security."

Under this law, an absolute title to land as perfect as a Crown grant, is acquired by fulfilling certain covenants and paying a small yearly sum. Almost all suburban and village buildings are erected on such tenures, and the advantage of the system is seen in the substantial and durable stonework put up on such holdings, in contrast to the make-shift brick and stucco erections to be seen on English and colonial building leases.

The feuar builds for perpetuity. If he maintains the covenants of his contract, land and house belong to him and his "while water runs." On the other hand the lessee of a building lease parts with all interest in land and building at the end of a fixed term. As this period approaches, it is said that such properties begin to get a forlorn look; everything seems to be on the way to Chancery, symptoms of decay begin to show, tenants will not repair, and rents are bad to collect; population turns to other and fresher-looking localities; and, as the end comes, we have heard that both in England and America, when such long leases have been tried, a general muddle at last sets in, in the interest of John Doe, Richard Roe, and their legal advisers. In Scotland, in contrast to this, you often see substantial old stone houses which must be more than a century old, built on small feus, costing a few pounds a year. The thick walls, the deep windows, the narrow stone staircases, with the steps worn and grooved by the feet of generations long passed, all give evidence of the durability of the work and the soundness of the tenure.

The owners of large suburban estates in this colony might possibly pick up a hint from this, but it is likely that their grandsons will be better able to understand the subject than they are. There are lands on the south side of Port Jackson,

and also at the mouth of the Hunter, that might perhaps some day illustrate the building lease method. We will give the owners a wrinkle. Feu each alternate allotment at a fair rental; you will thereby get a much higher rent than your present ground-rent; and you will have a population living in houses of free-stone, granite, and marble, in no time. This will add so to the value of the intervening lots, that whether you hold, sell, or feu, each will be worth at least three times its present value, and your successors will enjoy the fruits of your sagacity in a tangible form; instead of inheriting a mouldy suburb, honeycombed by law expenses, with the town stretching away in other directions.

To return to our subject. The application of the feu principle to our scheme of settlement would have these advantages—it would put settlers on the land with a secure title without emptying their pockets to pay the price, while at the same time it would produce a large, lasting, and increasing revenue.

There is an earlier form of those feudal covenants in which we find something analogous to our present necessities.

The feudal lord held his estate on condition of providing military force for the public defence; consequently, he parcelled out his domains in farms and feus, and each land or tenement was rated at so many men on horse or foot, “boden in effer of weir,” as ancient statutes tell.

We need population just as much, though not for military purposes, living at present at peace among ourselves, with the azure sea around us. Still, without conditions of personal residence being maintained, all attempts at settlement in Australia are futile, and we would suggest that, as in the feudal tenure, this personal element be made as prominent and the obligation as stringent as possible. At the very least we should make residence and fencing the essential conditions for acquiring land. Let the money payment be simply a concomitant, but not potent of itself to get a rag of title, and allow no transfer except after all conditions have been met. Give the arrangement under which a settler enters upon his allotment as much the character of a personal covenant as possible. Let it appear all through that human stock, human industry, residence, and citizenship are the results wanted by the State. Let it be plainly seen that *money per se* cannot get the land, but that *men* can have it in liberal measure, and on terms easy to meet by all who mean honest work.

We will next turn to another quarter for a hint. When in former days a family with a small flock of sheep got on to a piece of country that cost nothing, they almost always did well. This used to go on for long till the tendering system came in, and then speculators blocked all the country round by tendering "from the map." In Queensland, this abuse was for a time checked by a provision in the Occupation Act, which required country to be actually stocked according to a certain scale before it could be applied for. Of late, this stocking condition has become almost a dead letter, owing to an incautiously worded clause about "dry country." As nearly all the country is applied for now as "dry," the run-dealers have it their own way again. There are sundry points brought out by these doings to which we would draw attention.

First—there appears clearly the advantage of giving settlers an easy start. Before the tendering system began, these small primitive squatters had the whole unstocked country to pick from without cost.

The disadvantage they laboured under was that they were chancing getting a title. They had no certainty of possession, so that the improvements of fencing, saving water, and other experiments of to-day were not to be attempted. As contrasted with this, under our proposed Act the settler would not have the same scope—he would need to be contented with a defined portion of land, but we could give him the immense advantages of immediate possession, certainty of ownership, conditions easy to an honest man, and at a price which from the mode of payment would fall lightly on him.

Weighing then the greater scope of the first settlers against the advantages to be gained under the proposed measure, we come to the conclusion that with the increased knowledge of this day, the start offered to the small stockowner would be but little less favourable than when the whole trackless and often waterless bush was open to the first comer. In any case it is the best that can possibly be opened for any one under our present competition.

The history of the tendering system again makes plain how objectionable and obstructive a title may become if all that is wanted to secure it is to fill up a form and make a payment to the Treasury, Unless other stipulations are made binding, and conditions enforced by regular supervision, declarations become mere matters of form. Conditions are slummed over or read backwards, and at last, so long

as the rental is paid, the Act is left to work itself, and that practically becomes a scramble for the benefit of the strong, the unscrupulous, and the greedy.

From these various considerations then, we come to the following conclusions, confirmed by every view in which we have looked at the question. *The land should be open at as small a cost as possible, and the title should be worked out under constant supervision.*

But though it is desirable to leave the settler the command of his money on entering upon a holding, it would only be a proper precaution to get from him some payment as a pledge or earnest of his intention to carry out his covenant.

If no payment were enforced on the application being made, many, without due consideration, would come into the Land Office and sign the papers without ever doing anything more. But if such a sum were demanded as, without crippling the applicant, would impress upon him the position he was taking, involving forfeiture for non-fulfilment, then there would be some guarantee for the validity of his purpose. A deposit, according to a fixed scale, to meet cost of survey and departmental expenses, would answer the purpose—say a minimum of £10 for all holdings under 500 acres, with an additional £10 for every 500 acres or portion of 500 acres. This would hurt nobody. It would provide some security that the Act would not be fooled with, and a good nest-egg would thus be lodged in the Treasury.

When improvements, such as dams or fencing, were taken with a holding, they would be paid for according to assessed value. The payment for these might either be in cash, or it might be added to the yearly rental in commuted form. If the amount were heavy, the latter would be the best method, both for the settler and the Treasury. A permanent income of £25 or £30 a year would be infinitely better for the State, according to present experience, than having £500 in a lump to help to swell a surplus and provide a fund for political jobbery.

It may be objected, in reference to the deposit of £10, that it is a heavy sum to charge a labourer or artizan going on to a two-acre village allotment. To this it may be answered that he gets a homestead ready surveyed, well placed for water, and a right of commonage of four square miles. It is very doubtful whether one of those village lots is not as good a bargain, and better for a man

of small means, than a homestead of 100 or 160 acres. The one is bound to fence only two acres, and he has his right of grazing on the common; the other is bound to fence the larger area, and has no right beyond his fence.

Still, if it is thought that the charge is out of proportion, it might be a good plan to return one half or £5 each, when the village community had by joint arrangement completed the fencing of their common to the satisfaction of the Board. This would be highly advantageous for all. Fencing would double the grazing value of the common, and it might, by encouraging combination, lead to the forming of a small municipality.

As a necessary adjunct to a fencing law, there would be no right of impounding on unfenced land; trespass would, nevertheless, be dealt with by the Board; but as the remedy would be taken out of the hands of the owner of the land, there would be a wholesome pressure brought to bear which would be favourable to fencing being completed without delay.

A holding would be got in this way. The intending settler would go to the Land Office, and point out the surveyed lot, which he had decided upon, on the territorial map. He would then tender payment of his deposit at the rate of £10 for every 500 acres, or portion of the same. He would then be called upon to read aloud the conditions on which he made application. These would be "That he entered upon the land on his own behalf, and not as agent for any other person; that the land should be the residence of himself and family for the next four years; that he undertook to fence in the same to the satisfaction of the Board within the next two years, and that he bound himself to pay a perpetual rental yearly at such time and place as might be required; also, to pay for improvements on the ground at assessed value; that the Land Board on their part hold power by law to eject him from the holding should he fail to keep these conditions, but that, on his completing his covenant, he shall receive a complete assignable title to the land, reserving only to the Crown the perpetual annual rental."

He shall then sign the above conditions in the book, and any document or receipt given him must be a counterpart of the same. The paper, too, must be such as he can make nothing by handing

over, or pledging. Moreover, it would be better to give it a spice of the feudal tenancy, to make it appear not as a conditional title so much as a "covenant to enter upon and improve lands."

Then let the applicant go on the ground at once. He will have no doubts or difficulties about the position of his holding, about unsurveyed boundaries or shadowy reserves, which may be a mile this way or a mile that way for anything anybody knows. None of these traps for the unwary which fill the bags of our surveyors and solicitors, can be set for him, but he may begin to put up his house or his outside fence the day after he signs the book.

Let the inspection be carried on constantly and registered quarterly. If the eye of the Board represented by proper agents is everywhere, the black sheep will soon be picked out; and when once spotted they can get a double amount of official attention.

To form an inspecting staff, every junior clerk or cadet of the territorial lands and survey offices should have in rotation three months a year in the saddle, doing this duty and writing in his note book all details, to be posted up. When necessary the Commissioner or a member of the Board could visit the spot and come to a decisive opinion on any doubtful matter. Let no locality be twice inspected by the same officer in succession, so that every case will show reports by various hands. By such means a summary of evidence would appear under each heading which could leave no doubt as to whether the conditions of fencing and residence were fulfilled, or were not.

Finally, to give this effect, we must leave in the hands of the Land Board full discretionary power to administer the Act; and to get rid of defaulters of all kinds—dummies, trespassers, grass-stealers, perjurers, land sharks, *et hoc genus omne*, who now crowd our land-offices.

It may be objected that we are making the Land Board a little too paternal altogether—that no man will have a chance with them. We sincerely hope that they may be able to curb the license of fraud and intimidation which disgraces our present system; and if they are still thought to be too despotically endowed, it must be remembered that their powers will be within the limits of the Act, and that they ought to be carefully defined.

Moreover, we yearly grant as great or greater power under the Commission of the Peace. The magistrates are called upon by law to exercise their discretion conscientiously in the issue of public-house

licenses, and the use they make of this discretionary power is to establish dens of drunkenness and infamy, wherever a few pounds are being spent.

They will say, no doubt, that they are bound to act in this way to support the vested interests of the country, and we understand that most of the respectable colonists think the justification sound.

All we can say is, that whatever a Land Board may do, the exercise of their powers will be beneficence and virtue compared with the work of the licensing magistrates.

CHAPTER V.

THE constitution and functions of our Land Board are matters that will require close consideration.

Perhaps the most successful instance that we can bring forward of a delegated trust being successfully carried out in the colony by a Board of laymen or civilians has been the Council of Education. That experiment has shown that we have private citizens possessing the needful integrity and capacity to administer public business, and who are willing to undertake responsible duty without emolument.

Now, the composition of the Council is changed. It is much more official than formerly, and it has almost become a branch of the Civil Service. It is said that the next stage of its existence will be extinction—to be followed by the establishment of a regular Department in its place.

Our statesmen long to concentrate in the grasp of Government the whole public life of the colony, and moreover they *must* try to appease the leech-like craving of their supporters for enlarged patronage and expenditure.

It is not to be expected that every territory in New South Wales should be able to furnish men of a stamp equal to those who composed the Council some years ago, but there are in most parts of the country individuals quite competent to act in public matters when their course of action is well defined, and their discretion limited within the four corners of an Act. Moreover, the action of a Land

Board would be fenced in by many important checks. They would be jealously guarded by the publicity attending every step of their adjudication ; with their records open to inspection by the public, and publication by the Press, and lastly by the members themselves living in the field of their operations, among the people directly interested in the due performance of their duties.

Distance, muddle, and the intricacies of red tape are the best friends that centralization has, and the best securities for the success of local government are to be found in the propinquity and notoriety that bring all public doings daily under the microscopic view of the whole community.

But admitting that men qualified for the duty are to be had, how are we to get them? Every form of local government in the mother country is based upon election by landholders and contributors to rates, and without doubt, at some future time, the same principle should be applied in New South Wales. But in looking at our present position, we find reason to doubt the expedience of applying the representative principle to local land administration. The community cannot be called, politically, in a healthy state. The land-feud has split our population into sections. Few who enter the witness-box, or ascend the local bench to hear a case of "selector versus squatter" bear an unprejudiced judgment. So far from that, nine out of ten scout the idea of losing a chance to be "down" on their "natural enemies," for this is what legislation has made the people of New South Wales. Lads from the same parishes, and sometimes of kindred blood, are now, as grown men, daring and cursing each other from the rival ranks. Under such a blight of discord it is clear that to appoint the members of a Land Board by election would merely be to stir up the depths of faction. If so, all rational administration would be hopeless, and every section of the Act that aimed at fairness or reasonable compromise would become a dead letter. The majority in such case would simply work the Act so as to do as much damage as possible to the rival party.

The only alternative remaining is, that the members should be appointed by the Crown. If we reflect on what some late Governments would do under such circumstances, we must admit that we are impaled on the horns of a dilemma. All we can say is, that the Government which passes our Act will also be competent and ready to appoint suitable Land Boards.

An experienced observer who has read this length, has just remarked, "Your Board of five, however you get it together, will, in most cases, consist of two roughs who are men of property, and two roughs who have no property, with the Commissioner. The two sides will vote against each other on all questions. The Commissioner will most likely refuse to "go in" with either, and consequently he will be abused and insulted by each alternately. Most likely every Land Board will end in a dead-lock."

This view of the matter has a certain truth in it, though strongly coloured. But, if we are to suggest any amendments at all, we must put them forward on the supposition that there are higher elements both in the people and their representatives than have hitherto been conspicuous, and that these will appear when occasion arises to prompt their action.

It is also to be remembered that men often rise to the level of the duties which they are called on to perform. Narrow ideas, careless habits, and social imperfections do not hinder those possessing these defects from making excellent officials, shrewd and trustworthy bankers, or managers of public companies. We may have seen an unscrupulous politician at times become an excellent judge, and we can see almost every day that the ambition to be considered "a gentleman" *still* places a man under *some* wholesome restraint; so we cannot but think that some such motive would work favourably if the Land Board were placed by law in a responsible and dignified position.

This part of our scheme is still not sufficiently clear, but we cannot make more of it. To the future must be relegated the problem of finding material for Land Boards. The prospect may be misty, but it is not by any means hopeless. With every view of the matter, a voice seems to repeat and reiterate the same rallying cry and the same warning, and re-echoed it may rouse to action, those who have too long hung in the back-ground. The key-note is always the same—"Get your best men—your honest and intelligent men—in the front. Let no man live at ease in days when Government has become a mockery and the State has become rank with abuses and corruption."

Meantime, all we can say further about the selection of the members is this:—They should be chosen mainly from good character and lengthened experience. It is desirable that the

appointments should be conferred on men not interested in the lands being dealt with, but in many territories it would be impossible to avoid nominating squatters and selectors. In such cases, extreme opinion or a bias to faction ought to be considered valid objections to an appointment being made, and care should be exercised to elect those only noted for moderation and integrity. Men with these qualities are to be found in all classes here, but they are invariably absent in a scramble for office, and need to be sent for.

The commissioner, the chairman of the Board, will be a marked man. His duties will be heavy, and his responsibility great; but, in reality, there will be far less difficulty in finding a suitable official than in selecting the lay members. A dozen men could be easily picked out of the Lands and Survey staff well qualified for the office—in fact, far better qualified than most of the Legislative Assembly, with all their friends and adherents.

He, the commissioner, must be the head of the Board, both judicial and executive. He must interpret the Act, and the execution of all orders must be through him only.

The duties of the four other members would be like those of councilmen. They would advise, deliberate, and watch the operation of the law. To prevent the scandal of dissension, or the intrigues of faction, it would be desirable that no order should be made except from a unanimous vote. It might be a good plan to adopt the rule that when the members failed to agree, the case should be adjourned to the next sitting so as to give time to all to observe and inquire into the matter in discussion. At the next sitting, the award if given, should be signed by not less than three out of a Board of four, or four out of a Board of five. No order should be signed by fewer than three members, of whom the Commissioner should be one.

Some may remark that our scheme, so far as self-government goes, puts great power in the hands of the Commissioner, and leaves very little to the civilian members. This is not either the aim of the Act, or the result which we would expect from its working.

The civilian members can place a complete veto on all the commissioner's proceedings if they find it necessary to do so, but they cannot work the Act in their own way in spite of him.

The machinery will work freely, and will get through a deal of important business if the members act in harmony.

The official, qualified by his administrative experience, would control the operation of the Act, and keep the apparatus in good trim ; while the civilian members could bring their knowledge of the country and people to bear with most telling effect.

Both elements, each in its proper sphere, would operate to great advantage, in dealing with the settlement of the lands, and also in initiating local Government.

But, if faction divides the Board, and it is sought to abuse its functions, or drive a coach through the Act, the self-acting check comes into play, and the dead-lock that follows is pretty sure to lead to such complaints and criticisms by the public and the Press, as will, ere long, effectually purge the body of its obliquities, or change the personality of its members.

The Land Board should possess the widest discretion in its functions, especially in the means used to obtain information or evidence. The power of citing witnesses would be essential to its successful working. The Commissioner and other members should have the option of proceeding to any locality when any question arose, whether relating to conditions of settlement fulfilled, proposed surveys, subdivisions, or any other matters that might need personal investigation, and expenses so incurred should be paid from the Territorial Land Fund.

One constant duty of the Board would be keeping up the survey of land for settlement, as required on each resumed run. If a fixed rule is followed of keeping one-tenth of the original area always surveyed, and a yearly revisal is held for this purpose, there will hardly be room for dissension or abuse on that score. But besides there would be daily duty from the time the commutation was completed—in arranging cases that would constantly arise—encroachments, trespasses, abuse of drove roads, reserves, &c. Mainly through the resident civilian members, the Board would possess an intimate knowledge of all that went on in the territory, and the merits of every case would be got at without difficulty. Questions that under centralisation would bloom into “causes celebres” in King-street, or might lead to a new form of muddle, and a dozen new billets being created, would be nipped in the bud at once by the Board’s summary jurisdiction. The limiting the right of appeal to the first Assize Court would have a most important effect in checking litigation. At present a wealthy suitor has it in his power to

ruin an opponent by dragging him from Court to Court, and if a litigant were allowed to deal with the Board's decision in like manner their power against wealth would be vain.

This is our suggestion for the establishment of Land Boards, and there is nothing in the functions with which we have endowed them beyond the power of the people and Parliament to bestow.

"Vested interests" will of course condemn the idea as unsuited for the country, unconstitutional, and visionary.

The difficulty in carrying the suggestion into practical form is just what the public choose to make it. It is no greater than what we shall always meet with in every attempt to promote local government, and the arguments used against this proposal will always be urged against every demand for decentralisation.

If the public voice confirms the verdict of centralisation, it will not be from any impossibility of establishing local government, or because that would be useless or unworkable.

It will rather be from the aversion to reform of a people demoralized till they are unfit for the civic duties with which their forefathers were familiar, who have been broken in to beg and toady at head-quarters for what should be in their own hands, who have been reared devoid of public spirit, without trust in each other, sensitive to one influence only—that of the breeches pocket—and unconscious of the strongest of all ties that bind people together in the old world; here only known as an electioneering joke. but elsewhere called patriotism.

But we have still some faith in the sense and honour of the unknown many who meddle little in politics. The hope of our whole future as a nation, not merely the question of land reform, hinges on the part which they may take in future public matters.

CHAPTER VI.

THE revenue accruing from our new Land Law, its amount, collection, and appropriation, are the next subjects to claim our attention.

Taking the same territory of ten thousand square miles, or six millions four hundred thousand acres as our basis, we find that—

200,000 acres are under process of alienation to selectors, and

600,000 have been bought by the lessees of runs.

The last sales represent a contribution to the revenue of at least £600,000.

These figures have some significance in our present circumstances.

They illustrate the policy of late years adopted by the financiers concerned in squatting, namely that of buying up all the good country on their stations. The Territory feeds 1,500,000 sheep. The £600,000 is dead capital on the backs of these sheep at the rate of 8s per head. The operation, so far, may be sound, that is, with fair seasons and fair prices ; but will the sheep carry more? If they cannot, the purchase of land must come to an end on each station at a certain point. It may then be assumed that, as each station acquires a certain freehold, the owner will cease to buy. Still this will not be uniformly correct. A proportion of runholders will strain their credit to the utmost to secure more land. There is a mania at such times as these ; and, moreover, mortgagees are much safer than the owners of stations in facilitating these operations. Though their client may come to grief under the weight of his advances, the more land bought, the better the security is. There is nothing new so far. These phenomena merely point to a very common result following the working of stations under advance. But a perplexity, new in form if not in substance, shows, when we observe that the Banks, which have been for some time helping largely the purchase of land from Government, have also been daily receiving large deposits from the Treasury. Their returns show greater business, larger profits, increased deposits, and proportional discounts ; but, it is beginning to be asked, "Where do their receipts come from, and on what security are they advancing?"

Their credit is no doubt good for all demands by depositors, and they have besides in their safes deeds for land rated at a high value. But, formerly, when the pinch came, such lands were found to be inconvertible. There are disagreeable possibilities in all this. Suppose that the squatters cease to buy land, either from having secured enough, or from having "reached the length of their tether,"

then our revenue will melt away like summer snow, and all our present arrangements connected with public works, taxation, and other Government business will be thrown out of gear. Suppose that the Government in their necessity calls up the surplus deposited in the banks—their action might tell in many quarters; but no doubt our rulers have counted the cost and are prepared—for two Treasurers, besides numerous politicians, have declared emphatically that we are “all right.”

Meantime we have gone far enough into these depths.

It is time enough to sing “de profundis” when we can sing nothing else.

We have merely put forward these considerations to show that the land revenue in its present proportions can hardly be expected to keep up.

The revenue from the territory that can be depended on under the present Act will be principally—

Squatting and pre-lease rental—400 runs, of 16,000 acres, at £30.	£12,000
Selections, 200,000 acres, at 1s. annual rent	10,000
	<hr/>
In round numbers	£22,000

Under the proposed law the territory during the first year after commutation would be apportioned as follows:—

Total area, 6,400,000 acres.	
Lands previously sold on stations	600,000 acres
Granted under commutation	1,000,000 „
Selections, residence proved	200,000 „
Pre-emptives granted	600,000 „
First resumption survey	640,000 „
	<hr/>
Total area dealt with	3,040,000 acres
Leaving for future survey and settlement now under license	3,360,000 acres

1. The first item then in our new revenue would be the license fee on the resumed runs, in round numbers, 5,000 square miles, at 10s. £2,500
2. Next would be the selectors' rent, 200,000 acres, at 1s., as before 10,000
3. Then there would be the rent due by conditional purchasers on the new pre-emptives, which might be made at once on the same footing as other purchases, at 6d. per annum perpetual rent, 600,000 acres, at 6d.... .. . 15,000

4. The next items would be small the first year, but, ultimately, they would take great proportions. If 200,000 acres were taken up out of the first survey of 640,000, the receipts would be—

Deposits about	...	...	...	...	...	...	...	5,000
Rental	...	...	...	...	...	...	...	5,000

Total revenue first year after commutation £37,500

The progress of the Act will depend on the manner in which the surveys have been made. If this work has been done fairly and judiciously it will be generally published about that people in these colonies never had so favourable an opportunity to get land before, and it is reasonable to suppose that settlement will increase. For the second year probably the first survey would be enough, but if a demand set in, a second general survey should be commenced at once. In some territories it might be sufficient merely to make up the area open to settlement to the proportion of one-tenth, but of this each Board must judge. A Board that does not keep land in the market ahead of the demand will not have much peace.

It is to be kept in mind that there would still remain in this one territory after the first survey was taken off, over 3,000,000 of acres untouched.

It is impossible for us to trace the progress from year to year. Too many "unknown quantities" will enter into the solution of the problem; but there is nothing improbable in the supposition of a steady, and even rapid, growth. No such chance was ever offered before legally, either to the large man or the small.

Let us then hazard a guess at what the ultimate money result would be. It is allowing a large margin for roads, reserves, and unsold land to take off one million of acres; and there is nothing extravagant in expecting that during the next ten or fifteen years two millions might be alienated and settled. If so, by that time, the revenue would stand thus. The two first items of £2500 and £10,000 we may suppose to have lapsed. In place we would have—

1. Perpetual rental, commencing first year	...	...	...	...	...	...	...	£20,000
2. 2,000,000 acres at 6d.	...	...	...	...	...	...	...	50,000

Or, a permanent rental from the territory of £70,000 a year.

In this the deposits coming in annually in taking up land have not been counted. These would go a long way towards payment of survey and departmental expenses.

If £70,000 a year is got from a tract of country measuring 100 miles each way, after one-eighth of the best has been otherwise disposed of, and still retaining one million of acres of rough country in the form of reserves, most people in Australia will admit that it is a good public revenue, and that the lands have not been mismanaged, especially if the fact is kept in view that each separate contribution to this income represents so much actual family settlement.

But many old New South Wales politicians will say that the country is sacrificed, and, so far as that goes, we freely and gladly admit that, for *their* purposes, it is not only sacrificed, but utterly ruined.

The success of our method rises on the very ruins of their policy. No more shall our territory be the scene of a burning feud between two rival interests, both candidates for official countenance, and paying heavily for the same. No more shall its resources contribute to form a huge surplus to pamper centralization, and clog the Sydney banks with deposits. No more shall our stations be kicked about between the Lands Office, the Exchange, and King-street. No more shall an elaborate muddle give statesmen the opportunity to make new billets for their sons, friends, and creditors. If these results involve ruin to the country, then let us welcome ruin with hearts full of thankfulness!

The gross revenue for the territory would actually be considerably in excess of this sum of £70,000. There would be in addition, first the deposit for survey and departmental expenses, as detailed in paper 4, and moreover there would be the payment for improvements in commuted form, added to the rental.

These, on many of the grazing farms, would be expensive. A 6000-acre farm with £500 worth of fencing or wells, would cost, on application—deposit, £120; rent per annum, £150; and £30 a year commuted payment for improvements.

On the allotment of the smallest size there should be a minimum rent of, say £1. At the rate of 6d. per annum, with £10 deposit, a 40-acre homestead will thus cost exactly the same as a 2-acre village lot with commonage. We have already shown that there is no great difference in real value between the two classes of holdings. Each is suitable for a certain purpose.

It would appear then to be a fair thing to make the minimum rental that of 40-acres, namely, £1—each lot, of course, being liable

to pay £10 on application, and in the case of villages one-half to be returned on the common being fenced in. Something further may be said about the inequality of the deposit. If so, it is to be remembered that these small allotments cost nearly as much in survey and even more in official supervision than the larger ones. In fact, the work of allotting and looking after these small holdings will be pro rata, infinitely greater than the larger. Moreover the need for a pledge or guarantee for good faith in occupying the land cannot be overlooked, and for this object a sum under £10 would be of little use.

From these sources, then, we may safely add to the revenue £5000 to £10,000 a year for deposits, terminating of course when alienation ceases—and £5000 to £6000 a year as payments for improvements, which latter would be permanent rental.

Six per cent. on all the improvements on sixty stations would of course come to a much larger sum than £5000 to £6000, but we have assumed that the lessee will in all cases elect his grant to include his head station, with all the most valuable works and positions around, and the ground is on that supposition valued as picked land, improved, and highly productive, at 20s. per acre.

In one view, it might be more logical to value the land for the lessee's grant at the same price as the land open to purchase, namely 6d. per annum or 7s. per acre; but if so—to make it even—it would be necessary to charge lessee for the improvements contained within the grant, and to curtail his right of choice.

This last might be done by making it one of the conditions of the grant, that it should be conterminous on *two* sides with the outer surveyed boundary of the station; or, the Board might determine the position of the grant entirely according to their own discretion.

On the whole, we think the original proposal, though lumping things somewhat roughly, meets the merits of the case on all sides much better than the latter method.

For purposes of revenue, the difference between the two plans would not be very great.

And now we go on to consider the mode of collection. The rent should be payable yearly at a fixed date—say, the 30th September—at the Local Land Office. Promptitude and regularity would be greatly stimulated by the inspection constantly going on. The doings and position of every settler or applicant would be known to the Board at all times, and it would come within the scope of their

discretion whether a neglect or evasion should be dealt with by caution, reminder, warning, or notice to quit.

When, after paying deposit and signing the book, nothing further is done—no improvement or residence appears on the land—cancelment after three months should be imperative, and the money forfeited.

The synthetic concord which would thus bring every official wire within the Land Office would have a telling effect in aiding administration. The picture and history of every settler would be in the Commissioner's desk. The honest, *bona fide* man would find himself soon in high esteem, while the pointer, the grass-stealer, and the dummy would find their paths full of thorns, and every man would find it for his interest to pay up to the rent day.

The matter coming next in order is the appropriation of the territorial revenue. The expense attending survey, assessment, and supervision while the commutation is going on will necessarily be heavy, and this will fall within the first year.

Probably the initiatory cost of feature survey and subdivision in one Territory of 10,000 square miles, or sixty stations would be £12,000, and the departmental expenses attending the administration, assessment, and commutation would be £8,000 more.

This is a full estimate, but a cheese-paring economy is often the worst of waste. There is no use in half done work, and that will always be done by a badly manned and under-paid staff. What is wanted is to get value for the money in work that will endure and erect its own monument

Red tape stands aghast—spend £20,000 in the bush!

Centralization appeals to Australia and to the world against such reckless extravagance. Our answer is that the most utterly dissolute extravagance in the power of a Land Board will be a mere bagatelle if contrasted with the £100,000 lately swamped in railway iron, and seemingly hushed up for some good reason—or with the public resources sacrificed to conciliate the banks in 1876 and 1877.

The practical difficulties in carrying out survey and commutation will be small. The Survey Department will be only too glad to meet half-way legislation which favours the adoption of natural features and fixed lines as data. Our surveys have suffered for years from the perplexing action of free selection, under which the licensed surveyor's time is wasted in fixing the position of detached allot-

ments, a kind of work most unprofitable to him, and, moreover, raising endless difficulties in the way of reliable connection and compilation. The advantages of the new survey would be manifest, as the boundaries and subdivisions would all be marked first on the ground, and the areas and descriptions would be worked out from these marks.

The geodetic survey now in progress could not conflict with this survey in any way, and errors would be impossible except those merely clerical, because its validity would depend neither on accuracy in lineal measurement nor in compass bearings, but on watersheds that could be traced, on streams with defined banks that could be followed, on posts sunk in the ground, and other durable marks accurately plotted and registered.

We will then assume that we have got value for the disbursement during the first year of £20,000.

For the following year one half of this sum would meet amply all departmental and survey wants, keeping plenty of land in the market, and we think that much less would be sufficient.

If our readers have followed the foregoing figures, they will see that from the first there would be a large and growing surplus. The year of commutation, with all our outside estimate of expenditure, there would be left after paying expenses, at least £12,000 for one Territory, and as time went on, it would be found that the deposits and improvement payments were fully sufficient for all expenses, and the permanent rental would remain after alienation ceased, almost clear profit.

In treating of the application of this annual revenue, the produce of Local Government (for no centralisation could ever produce it), we shall be brief.

Remit one-half the surplus yearly to the Central Government for those purposes which require capital outlay—not for current expenses; for instance, to pay our debts—to make through railways—to nourish immigration—to provide for the Courts of Law, and Legislative expenses, the public defence, and the lighting and survey of the coast; and retain the other half to be applied to such local purposes as our American kinsmen apply their waste territory—the construction of roads and branch railways—the erection of educational endowments, and, among others, the maintenance of a Territorial

Agricultural Department, with a Museum and College of Agriculture, Forestry, and Mines.

If each new attempt at Local Government does not bring out the power to work—if new centres do not produce new men and new ideas—then our experience is at fault; and, if the best we can do here under representative Government is to work in order to enrich a capital, manipulated by half a dozen political quacks, then better far to retrace our steps to Crown Government under such men as Sir John Young or Sir Richard Bourke.

CHAPTER VII.

WE have hitherto considered the proposed measure only in its application to that part of the squatting country nearest to population, the same being divided into ten Territories.

The country so dealt with would form a tract of about 500 miles long by 200 wide—a good slice out of the heart of New South Wales; but there would remain two considerable areas, namely, the old Settled Districts, of smaller extent and generally of inferior character, but much more densely peopled than the first; and the Western Districts of the colony—a much richer but dryer country, reaching to the borders of South Australia and Queensland, very sparsely inhabited.

As to the Settled Districts, in many quarters all the lands that up to this time have been considered worth buying are freehold already, but it is possible that at the annual rental of 6d. per acre a great many inferior tracts may be taken up—for various purposes not necessarily wholly industrial, but as the mountain country on the railway lines is at present being occupied. It is also not at all unlikely that new industries may follow the adoption of a system that would place people readily and cheaply in possession of these lands. The huge stretches of wilderness almost untouched between the Hawkesbury and the Hunter might possibly prove productive in some manner if so dealt with, and there is an immense acreage all along the main range that under this treatment might be utilised.

These tracts have all wood and water in abundance, with rough grass clothing the deep soils of the gullies; there is no want of mineral deposits, building stone, and many other materials and products that would be highly prized if they were in the rich though naked western plains.

But there are other regions in the Settled Districts of better character where a survey is much wanted, if for no better purpose than to define the ownership of land. It is by no means uncommon for some of our proprietors to fence in adjoining land and chance the title, and the work of Local Land Boards would certainly unearth a good many of such cases.

Looking at the matter in these various lights we are almost convinced that the application of the Act to the Settled Districts would be equally advantageous as elsewhere, and that a fair revenue might reasonably be expected; nothing certainly equal to that to be got from the resumed squattages, but still enough to pay the expense of a thorough survey and registration—and no revenue could be better laid out than for that purpose.

The work of the Land Boards in the Settled Districts would be light compared to those in the squatting country, for there would be no commutation necessary. Their duties would be, to complete survey and registration, to settle cases of trespass or abuses of the drove roads, and to keep under strict supervision the forest and other reserves; all highly important functions, and such as could be only satisfactorily carried out by local authority, but there would be comparatively little new settlement, and no pressure of work such as is sure to appear elsewhere.

The outside districts have next to be dealt with,—the dry, waste, “never-never” country. How often have we not heard that everywhere beyond a certain point, the country was unfit to live in—nothing but drought, desert, scorching heat.

The first settlers had hardly reached Gunning and Carcoar before the “desert” began to be talked of. It could not be far off because somebody had ridden a day and a night without water.

A party from Bathurst went south-west about forty years ago. They left the Lachlan near where Cowra stands now, and made for the Murrumbidgee through grassy waterless forest. One of the number went mad from thirst and died somewhere, not far from Wantabadgery, within a few miles of the river. Twenty years later

the Lambing Flat, nearly on their line of route, was notorious as a hopelessly dry country. Now a thriving community lives there on well filled creeks ; and the miners at Young, the very spot, often cannot sink for water. Read Mr. Landsborough's account of his ride over Peak Downs without water, and study all he says on the changes following occupation. You have from him the pioneering experience of one-third of a century. Go to Rockhampton and look at Grace-mere Lake. There were races run on the bottom twenty-one years ago. There is now a never-varying depth of 8 feet water. Read Sir Thomas Mitchell's account of the Darling at Fort Bourke in 1838—the bed of sand and gravel, the saline pools, the reaches of water in places hardly joined by a slender thread, and often detached—the boat to go down the river, built, and waiting for a fresh to start. Now the steamer has been to Brewarrina and Walgett. What do all these converging lines of evidence point to ? If we are to look at the matter in the light of common sense, it makes plain as the sun that there is nothing new in the outside districts of to-day—that what has been shall be again—that every new piece of country, when occupied, will be condemned for the old reasons as unfit for population ; that each new tract will in due time conform to the same laws and meet the same requirements,—perhaps not in equal measure, for climate must always be an element in the question of settlement, but if population is growing and flourishing in the valleys of the Mary and the Fitzroy, the same people will not be daunted by the Darling and the Paroo.

The practical difficulty in applying the Act to the outside districts would be the impossibility of forming local Land Boards. A territory of 100 miles each way in these regions would often contain not more than two hundred people. The benefit of the Act would be found in establishing the tenure on a right basis, in defining runs, in protecting legitimate squatting interests, and in providing suitable opening for settlement against the approach of population which might be tardy, but would be certain. It is better to look ahead and open a safe and easy channel for the coming tide than to have a renewal of the land feud at the end of every ten years. Cooper's Creek is practically no further away than the Darling was twenty years ago. There is no good policy in being wilfully blind. The forces that have been at work in the past will still be at work in the future.

Moreover, the welfare of the community is in no slight degree concerned in guarding against the future growth of a spurious property in Crown lands. A respite to the outside districts would be quite sufficient to build up a run-jobbing interest with dozens of financiers backing it up, and all the old evils crowding into it. The general public are not the only or the chief losers by the present state of things. Many a purchase of country has been made of late years "under the best advice" for prices that will never be got back again—stocked runs at prices equal to three times the value of the stock, and bare blocks which, by their extent and position, must land the buyer, unless a veritable millionaire, ere long in the money market.

Many owners would throw up their bargains now if they could save anything out of the fire. If our new system can give better chances to such purchasers it will not be the smallest of the good things it will do.

It may be said that in stopping the trade in country we stop pioneering. The whole tendency of our scheme shows that this is an error. The general policy of the Act would place within the pioneers' reach a substantial freehold, and the ground fed on by his stock would be under a tenure good against any other stock owner; but, of course, liable to alienation under regular survey. Things would go on as before. The holding title would be more secure than ever, but the vicious gambling and borrowing principle would be expunged. The squatter could sell his stock *on the grass*; but he could not sell the country, excepting his freehold, on receiving his title. Something like this works well in America. The settlers use the unsold land for grazing, but a preliminary survey is always kept ahead of population; and as the human tide approaches, those who want more room have to go further back. Under the proposed method—the surveyed land open at one time being only one-tenth of the size of the station—there would be in most cases a good breathing time before the run was disposed of piece-meal, and at length the owner would be left in possession of a handsome freehold in the middle of a settled country.

The commutation of these outside stations would be best carried out by an Itinerant Commission, with a proper staff. A good deal of this country has been surveyed of late, but it would have been a tedious and difficult process at one time to define boundaries in these regions. Sometimes the frontage blocks only were secured, and

those behind, though claimed, were chanced. Other blocks were held for a year or two and vacated afterwards, and a good deal was under a very hazy title till a chance to sell turned up. These matters are, no doubt, less indefinite now, but still there would not be the less need that the stations should be defined and consolidated, in anticipation of the progress of settlement.

The commutation, when completed, would leave things outwardly in the old shape, plus a good survey of the country; but the maps that would remain hanging in the courthouses at Bulcannia and Murchison would show each station divided into three portions—the block on the upper part of the frontage being labelled, “Grant to lessee under commutation;” the block on the lower frontage being labelled, “Resumption survey, open for settlement;” and the large block in the centre being labelled, “Licensed run, subject to resumption and survey.”

The knowing hands would grin at the charts, and declare it was all a farce—and that as things had always been so they would always be, for to them the past and the future are alike unknown; but in due time and season natural law would not fail to set in motion the forces released by the common sense of the nation and embodied in the Act.

CHAPTER VIII.

OUR scheme is now before the readers of the *Herald*. Let them judge as to whether it will accomplish the purposes for which it has been framed.

The squatter was at war with the community. He had to hold his possessions with the strong hand. The selectors harassed him on front and flank, while debt undermined him, and the Government granted him respite only by exacting black mail.

We have brought him peace, and we have paid him with a good freehold grant for his leasehold—the source of so much enmity—now happily cancelled. His stock at the same time are safer on the grass than they have been for years, and they can only be moved by the legal notice of the Land Board.

Three-fourths of his troubles have been dispelled, and no other conceivable legislation can do for him more than this measure.

The selector, when an honest man, earned his bread by the sweat of his brow. His freehold had to be snatched, as it were, through the fire, and his leasehold was a constant cause of contest and little else. Now he may sit under his vine and fig tree, with none to make him afraid, and with four times as much land as he could formerly call his own, all under easy terms of payment.

For new settlers we have holdings ready of all sizes, from the villager's lot of two acres to the grazing freehold of 6000, procurable on condition of residence, fencing, the payment of a survey fee on entrance, and a moderate feu-rent thereafter; and we have at least half of each run in reserve still unsurveyed for settlement.

We have substituted administration on the spot for Sydney officialism. We have Land Boards that know every creek, every paddock, and every settler within their territories, and active, open inspection is substituted for the back-stairs and jacketing work of former times.

The warrant of the Commissioner will shift grass-stealers, interdict trespassers, or fit them with handcuffs, and dummies and land sharks are beginning to find that honest work pays best. The drove roads are kept as permanent reserves, and with the State forests and water reservations are under the management of the Land Boards.

We are moreover in receipt of a permanent land revenue in no way depending on the caprice of land speculation, or the good will of banks, so lightly does it press on individuals. The half belonging to the general revenue promises to be of an amount that, according to past experience, could hardly be trusted safely to our Parliament, but no doubt the legislators who pass the Act will maintain a higher standard of duty and intelligence than their predecessors. The other portions remaining in each Territory may form germs from which in time may grow in our inland wastes the fruits of national life, civic independence, and public duty; perchance in time to ring the knell of "log rolling" and the great "Cheater" policy. Local revenue may no doubt be applied by a local body on the "agin our gate" principle, but it would be done in the teeth of a watchful and suspicious press and people.

The gross revenue from the ten Central Territories alone with

alienation completed, under the feu-rent could not be rated lower than £700,000. What it might be when the same method was extended over all our western country, and over the unsold lands on the coast, we cannot guess, but we know this much—the policy of the Act would tend to work out all problems of climate and soil through that best of all solvents, the charm of the freeholder's title. Through the same charm—an undeniable hold on the land—new industries would be tapped. Security has given us leisure and means to begin work in our paddocks and orchards.

The department in Sydney receives duplicates of all surveys and reports from the various Land Boards, and the head-quarters staff are engaged in compiling most compendious and valuable statistical summaries from these records. Moreover, on inquiry at the office in Bridge-street, information on all matters, both general and local, can be got at once now the muddle of Centralization is dissipated, but all applications as to specific business are courteously passed on to the proper Land Boards.

No such permanent or sterling results could arise under Centralization. The most enduring fruits of the abrogated law promise to be huge grazing estates in certain quarters, these being chiefly in the position of assets held by one bank to change only to some other. The proprietor who clears out with profit on the periodical rise of prices, leaves his successor in the irons, and it takes a long term of depression to await the next turn of the wheel and cook up another fortune for an unknown man who is to rise on the wasted resources of three predecessors.

Meantime, the men who start under the new law, whatever prices may rule, can live well and increase the intrinsic value of their properties. They have got their legs under them firmly without having incurred the responsibilities of station buyers.

Centres of culture and intelligence begin to spot the pastoral wastes. Hundreds of families are feeling their way to the plains and forests where ready openings have been prepared for them—where hardy enterprise and healthy family life will alike find scope.

As the periodical literature of the Colonies, of America, and Europe, spreads among these new landholders, rural knowledge goes abroad, and experiments are tried. The grasses of Asia and America, the hillside and meadow irrigation of Lombardy, the tree-culture of France and Germany, the cottage tillage of the Channel

Islands and Belgium, all become known, and open new branches of labour—some bringing immediate profit, some giving cheap food and cheap luxuries, some tending to the good of future generations, and all contributing homely comfort, rural beauty, and daily pleasure to those who adopt them.

These are some of the results that are possible from the working of the proposed Act.

But there is no royal road to success in legislation. The best law that was ever framed depends for its success, not on the letter of its text, but on the good faith of those by whom it is administered. A corrupt people will certainly produce corrupt representatives, whether they are members of a Legislature or members of a Land Board.

They, whose chosen leaders have thriven in mining rigs, and successful insolvencies—in usury and grog-selling—can hardly but act after their kind. But they do not yet form the heart of the nation. That, if still sound, will sooner or later echo the note of common sense and humanity.

Meantime, as things are, the social aspect of our colonization is more depressing than any other. Misspent wealth, wasted resources, and industries obstructed, are bad enough, but human nature driven into false channels, with the baser elements dominating over all that tends to worth or kindness, is much worse. Such has been the leading feature of our system for long.

From every side appear symptoms that—whether we look to the financial side of squatting, or the aggressive aspect of selection—show a lower scale of life and motive always rising to the surface. For long the squatter has been hustled out, a prey to sham tenure and sham finance, to make way for the money-lender and stock-jobber; while selection gives evidence everywhere of concentrating within its action the discontent, the sloth, and hereditary hatred of every discordant faction. What a weapon for the Socialist or Fenian is the selection law! It prompts him to glut his hatred. He may not want the land, it is true; but he can make it hot for those whom his perverted instincts paint as enemies, and he can make money out of them.

Is this a power that Government should place in the hands of any man? Wherever selection is at work, whether as the weapon of the professional land shark, the dummy, or the small crawling

cockatoo settler, with his half-acre fenced in, and his starved cows eating everybody's grass, there is a diseased element of social hatred and inherited discredit apparent.

Worth, liberality, kindness, and good nature make their possessors the natural prey of the predaceous races bred by the law. The natural opponent fit to cope with the encroaching selector is the iron-fisted stationmonger, the man with enormous domains who never hesitates to trample out his fellow-creatures like reptiles.

But, is this humanity or civilization? What a tone of human feeling is thus engendered!

The hard, the unscrupulous, the fierce and greedy alone can hold their ground,—while those who believe in justice and mercy are as lambs among social wolves.

On one of our table lands, in a poor wintry country, there lives a lady, the widow of one of our early settlers. No great proprietress is she, but merely owner of one of the grants of the days of Sir Thomas Brisbane, with a few pre-emptive sections round her paddock fences, on which she fed a few flocks of sheep. Many deeds of kindness did she and her family, till her beneficence brought round her by degrees the helpless, the poor, and the worthless, all clinging together with true vagrant instinct. Selection came on—they had picked up a few cows—they were waxing fat, and of course—kicked. They hemmed her in under the law—they studied the clauses read aloud to them by the scholar of the community, and they made up their minds that they *had* her. They do as they please—they pull down her fences when they want more grass; and yet when in trouble they fawn and beg to her the same as ever. If a woman or child is sick, they knock her up at night, and she goes through rain and darkness to take them medicine and advice. Yet their encroachments and depredations do not abate. There is withal a covert threat always in the back ground.

When the breaking of the fences is complained of a hint of the firestick comes out, neither unintelligible nor vain. One sometimes hears of a shed or a mile of fencing in the neighbourhood being burnt *accidentally* after some assertion of right that has been disapproved of.

Can anyone follow the crazy, perverted reasoning of such minds? The mendicant's whine, and the curse against the "swell" and the "squatter" come equally volubly from the same lips. The "land-

lord" seems to such people to be, in some form or other, a necessary institution. They need somebody to fawn to and to rob—to beg from when sick or suffering; and to burn out, or, perhaps, shoot at, under the promptings of their hereditary genius.

Many who read this will laugh at the helplessness which does not deal with this piracy, while law and money are at command. Too well is it known what would be the verdict of a jury of selectors if a case could be got up.

Our thoughts are that shame and humiliation should rest on our heads who support institutions that leave a Christian woman at the mercy of such human vermin.

But it is too true that this is only one side of the feud. Pages might be written on the heartless arrogance and unprincipled greed displayed on the other side.

One turns away in shame at times from a system which brings out only the filth of human nature.

The chasm between interests is too great, or rather there should be no chasm. Let it be bridged over for the sake of all that is honest.

Our social system lacks sadly some healing element, something containing more of the spirit of humanity and less of the beast of prey. We want that which will live in honest industry and delight in good neighbourhood, cherishing the one great ambition to rear the young in integrity, good-will, and mental culture; but there is no place among us for people of this stamp till we change our ways.

The aspect of our Inland Districts presents only too faithful a counterpart of our condition as a people. The *over-stocked* blighted pastures, the wretched filthy roadside pothouses, the squalor and solitude everywhere prevalent—for the wealth of the country never stays or bears fruit where it is produced. Comfort there is none. Family life there is little. All tells of the land feud—of a people encamped, not settled—of a country, the riches of which build banks, and swell advertisements, but, as it is, not fit to live in.

CHAPTER IX.

ALL sorts of nuisances, from foul drains to bushranging, seem to give birth to vested interests in some shape or other.

An attempt to abate the stench of a reeking fetid gutter, not long ago, raised the wrath of a thriving manufacturer to boiling pitch. From his point of view the proposed purification involved ruin to all industrial enterprise.

In like manner, some years ago, the inhabitants of a southern township became touchingly pathetic over their vanished profits, when their local crop of highway-men was at last gleaned up by cord and bullet, and a strong body of police, that had been engaged in the work, with a corresponding expenditure, was withdrawn from the neighbourhood.

For similar reasons the support to things as they are, and the opposition to such a scheme of land reform as that suggested, may be expected to be widespread, powerful, and loudly expressed. By some the direct fruits of anarchy and misgovernment are highly prized, while with others, the *vis inertiae*—the inside fat that gathers from ease and plenty—impedes respiration, forbids movement, and suspends thought.

Many diverse strands of influence thus favor the *status quo*.

Few people have the leisure, or will be troubled, to look into the pros and cons of disputed questions, and whatever brings in ready money and fills the channels of daily traffic is naturally to the majority "the right thing."

In this way there come together the materials for forming a "Conservative" party—not altogether unlike that which turned out the last Whig Government at home and welcomed back the Tories.

All "established respectabilities" in the mother country joined in opposition to the "reckless reform" which threatened them with purgation.

The right to adulterate butter and whisky, the sacredness of rents derived from disorderly houses and diseased back-slums, combined those interested in enthusiastic union with the devotees of the Athanasian Creed and the upholders of sectarian ignorance, and liberalism in England was sent to roost.

In New South Wales, the most powerful, and probably the least respectable section of *our* Tory party, is formed of the "professional politicians."

Their views possess the one advantage of being easily understood. These are quite free from all mistiness, theory, or sentiment; and indeed, are not to be distinguished from the principles put forward on a noted occasion by the silversmiths of Ephesus— for by politics they make their living.

For years they have thriven on a centralized system, of which the very life-blood has been drained from the country that local government will release from such operation,—and through the influence of their votes, the administration of every department has been directed for the behoof of their handicraft and mystery—the trade of politics.

Every question has been kept on the balance, so that the dip of the beam to the one side or the other may hinge on the favour of the “ House,” and thus keep up the value of votes ; and many enactments have for the same reason been constructed and worded, so that they might, when necessary, be read more ways than one.

Thus, to the great advantage of the profession, squatter has been played against selector—ecclesiastic against secularist—the North against the South—every town and every district against those adjoining ; and all has tended to confusion worse confounded—to enormous increase of revenue and corresponding waste—to a great crowding of population to the capital to shout for more Government money—already freely spent among the friends of the members, but still far short of the demand.

Such is the state of things our politicians rejoice in.

They have good reason to fear the inauguration of local government and the solution of the land problem, and they will oppose both tooth and nail.

This “ Conservative ” section must be classed as irreconcilable ; but being as they are—quite unprincipled, habitually inconsistent, and eminently economical of truth—they are not worth reconciling. and argument on them would be simply wasted.

Our scheme, if brought forward, would be accused by them of trying to destroy both pastoral and agricultural industry, and the want of grass as well as the falling off of the land revenue, would, without hesitation, be laid at the doors of its supporters.

If those strove to explain the operation of pastoral freeholds or of village commonages, they would immediately be accused of trying to stop the cultivation of wheat, and the nonsensical howl would be

re-echoed till such as knew no better would begin to think that there was something in it.

The commutation of the squatting lease would, on the other hand, be roared down as a fraud on both the squatter and the "poor man," and long columns of figures would be read aloud in confirmation, perhaps taken from Government offices, but intelligible neither to the compiler, to the Premier, nor to anyone else.

But we know, from the recollection of what has taken place in political tours during the recess, that all this kind of thing goes down and is cheered to the rafters, so long as road and bridge grants, billets, and pickings are dangled before the audience.

Every blatant falsity, though answered and refuted, would turn up again and again, and would be paraded as a fresh discovery—a newly found mare's nest. So much for our politicians. Reform has only one chance against them, and its value is not yet tested. It must be sought for in the common sense and honesty of the people.

The Volunteer land orders again do their part in strengthening our "Conservative" phalanx.

A more humiliating record of corrupt administration than the history of these same orders it would be difficult to find.

Our Volunteer force, when first embodied, asked for no recompense, and there is no evidence that the idea was ever mooted till the Administration of the day included the clause in the Act of 1867 which granted fifty acres of land to each volunteer after five years' service. Still, under the Act as originally passed, it seems to have been intended merely that the land-orders should only be available under the conditions of the existing land law, and that they should be received simply as payment for fifty acres at the current price. But as votes became valuable, concession seems to have followed concession. The orders were finally made unconditional and transferable, and thus a separate land law in their favour came in a certain sense to supersede and over-ride existing enactments, and consequently they become very valuable as weapons to resist selection.

Any one unaccustomed to our political habits would think that there was a recklessness and inconsistency in thus stultifying the land policy of the country, but those who know the ways of our representatives, who have studied the great "Cheater" policy, and have observed the gyrations of the ins and outs, can in this case, as in the celebrated 31st clause, and elsewhere, recognize at once the

statesmanship which the people of New South Wales have delighted to honour.

The late Act purports to restrain the further issue of these land orders, but practically, as will yet be seen, there can be no limit except that which will involve the extinction of our Defence force. The volunteers are already diminished to one-half of their original number, and recruiting cannot be successfully carried on under a law which will place the young members in a less advantageous position than their predecessors.

Some two hundred thousand acres of the public lands have by the operation of the same law been alienated, in a way of all others the most damaging to the public estate, and the most obstructive to a fair solution of the land question.

We might safely challenge Bedlam and Newgate combined to devise a more effectual method of doing national mischief—and it was not done by one side of the “House,” but by both—the Ins bidding against the Outs—and their opponents, in their turn, going another step beyond to bid for votes, seats, pay, and plunder.

Looking at these transactions, as faithfully detailed in the records of the colony, one is led to ask—Are these things told really of educated human beings? or, are they not rather malicious travesties of some of Æsop’s fables, in which the actors are apes and magpies?

Our “Conservative” party still would not be complete without the squatter, or whoever for the time may represent him. We cannot avoid remarking that he might be in better company.

The days are long past since an “interest” took the place of a marked typical class in occupying the waste lands of the Crown. With the development of the financial element, the personality of the order has of late years become more fluid and at times shadowy.

Year after year the fabric of the “pastoral interest” becomes more artificial and unintelligible.

With all that can be said of the intelligence and enterprise displayed, the squatting system as a whole is marked throughout with failure. It is based on false principles of economy. It operates generally as prejudicially to the ostensible owners as to the public welfare. It is hollow and pretentious—a trap for small capitalists and new comers. Squatting, some people say, is the base of our national well-being. It would be more correct to say that it occu-

pies the ground which might otherwise be differently used under a sound grazing tenure, as it systematically destroys the national pastures under the plea of protecting the "pastoral interest."

The usual climax arrives periodically, when the money power habitually uses the deposits of the banks—the national savings—to eat up two-thirds of the squatters, and equally, as at present, to trample out every attempt at settlement. This happens nearly every ten years.

But with all this admitted, squatters will still, as a body, be prepared to resist any attempt at reform. They have ever been noted for their blindness and inability to read the lessons of experience. Under the squatting lease each individual tenant seems inevitably to adopt the idea that *his* run is his own—not merely the *grass* but also the *land*, and that whatever may happen to other squatters, such can hardly fall to his lot; till, in his turn, bitter experience drifts him, as it has drifted many—between the Scylla and Charybdis of mortgage and selection—to his ruin; to blight his hopes, and prove past remedy that his house also was built upon the sand.

Nevertheless, whether acceptable or not to the squatting body, the commutation suggested, or some kindred scheme, must be adopted unless we would perpetuate the strife and chaos of past years. To those outside the interest the benefits of the change cannot be for a moment doubtful.

The "Land Law of the Future" would compound all squatting rights and wrongs for that which is sound in itself, safe for all other interests, intelligible to every one, and secure from invasion or intrigue.

It would at the same time release the public territory from the incubus of a tenure which at one time seems to melt away into a shadowy tenancy-at-will, and under other influences hardens into an iron monopoly.

Moreover, it would practically realise results which have been hitherto pronounced incongruous and impracticable. It would provide the most absolute security for carrying on grazing, and would at the same time found and maintain substantial settlement.

But there are more *irreconcilables* yet. However, one other will be quite enough.

The "poor man's friend" will, in spite of all that has come and gone, insist upon a "poor man's paradise of small farms," or

more properly speaking, he will object to there being any large proprietors. All that can be said on this score is, that the plan proposed has been kept within the bounds of possibility, as proved by the previous history of the colony. We can deal only with the resources of the country as they are, and in conformity with the instincts of the people.

If anyone wants to see an example of land legislation stringently framed in the interest of the "poor man," let him look at Victoria, the native home of selection, dummying, and land-sharking—now the scene of all other colonies, of huge, uninhabited pastoral estates.

Let it be understood, that what we require in the national interest, is not to extirpate the large proprietor, but to found a system which will encourage the growth of landholders of all sorts, and to endeavour by beneficent and honest legislation to attract good people of all grades.

If the compensation granted to the squatter on cancellation of his lease is objected to for the reason that Parliament has power to cancel the lease at any time, we may answer, that Parliament has power to repudiate any other obligation.

Squatting property has been called into life by enactment, and under this enactment every sale and purchase made has received the national guarantee.

There is in this respect no difference between squatting and freehold property. If resumed by enactment, compensation, in every equitable sense, must be given.

There is yet a stronger reason in favour of commutation. The Volunteer Land Orders and Improvement Purchases which now close the best of every run against the public, have by their use, vindicated in an undeniable fashion, the squatter's possession of his country. These purchases are the necessary and justifiable counterpart of the destructive law of selection, and are equally legal.

It is only by such a measure as will disentangle the public territory from those complications that justice can be done to all sides, and the future welfare of the colony can be made possible.

If we can make it understood, as we claim to have proved, that there is enough land for all, and for ten times the number if rationally dealt with—if the seed can be sown which may yet take root and bloom in peace, goodwill, industry, and contentment, all other things

that we value may be expected to follow, and we shall find that all have gained much and lost nothing, when we have swept into the dust-bin of the past, the frauds and follies—the sham legislation and real rascality of 1877.

CHAPTER X.

BUT all suggestions as to land reform simply amount to “flogging the dead horse,” till the due time and season arrives.

If we may judge by certain forecastings, the shadow is already on the dial, and the signs of the coming cataclysm are in the air. Whether the final strain comes from “drought,” “finance,” or “politics,” as the immediate cause, all who know our habits and history can recognise the fact that we have just completed the erection of one of those wondrous structures of paper credit and commercial gas which we have been in the habit of calling “prosperity.”

We did the same ten years ago, and we have done it worse this time. The structure then set up fell with a crash. Ours is already top-heavy.

The letter in the *Herald* of the 4th instant, written by the most experienced financier in Australia—especially in its concluding paragraphs, ought to serve as a beacon to our busy politicians and rulers. “But wisdom crieth in the street and no man regardeth.” As well pour water on a duck’s back.

Still the facts indicated by Mr. Walker will be found to have a practical meaning, and it may be as well to endeavour to estimate their consequences.

The first symptom then will be, the decrease and falling off of the land revenue. This is already in progress.

The second will be necessarily the calling up of the surplus by the Government from the banks.

The third—the inevitable link in the chain—will be the calling in of bank advances.

To summarise consequences that are too harrowing to follow in detail; the colony would be forced to face taxation with all her main

industries paralysed—with her best lands unpeopled, desolate, and held as forfeited pawn pledges by the banks ;—and with a population that has been spoiled for wholesome self-helping exertion by being pampered for years by a profuse and corrupting outlay of the public money.

When these things come to pass, then the public will have plenty of leisure to study the land question, and with this end in view, I close my remarks for the present by following a suggestion received from a gentleman the other day—in condensing into a few lines the drift and intent of “The Land Law of the Future.”

Taking as formerly Candowan station, 240,000 acres, for illustration :—Under the present law, it is occupied by the lessee and nineteen selectors ; the lessee holds 210,000 acres leasehold, and 17,000 freehold ; in all 227,000 acres ; the selectors hold 13,000 acres conditional purchase.

The 17,000 acres freehold belonging to the lessee consist chiefly of improvement and Volunteer land order purchases. The selector's grazing rights have been effectually cut off by some twenty-five Volunteer land orders.

The improvement purchases have in like manner secured all the best positions and frontages, and now there is hardly space over the whole run on which a selector could find a spot to sit down.

At the same time this operation has cost the lessee dear. These 17,000 acres freehold represent a burden on the station of about £30,000, a cost entailed entirely by the encroachments of selectors.

Two years ago two selectors took up, under the Act of 1875 (as soon as it passed), 640 acres each in the lessee's lambing paddock, and they drove in among the ewes lambing there 2500 other ewes. They managed to spoil the lambing, and were bought out for heavy sums.

Now, look at the result of all this.

1. None of the selectors have managed to secure their pre-emptives or grazing rights, without which, selections are comparatively worthless.

2. The lessee has been caused great expense and loss ; he has for the time escaped the selectors—but it is only to incur the equal danger of a heavy mortgage.

3. The whole area of the run is spoiled for the occupation of future settlers.

Now, "the Land Law of the Future" proposes to do as follows:—

1. To hand over the administration of the lands to local bodies called Land Boards.

2. These Land Boards to hold in trust the public territory, and apportion it fairly for the benefit of three interests—the squatter or lessee, the selector, and the future settler.

3. Each squatter would receive in lieu of his squatting lease a grant of a certain area, according to valuation; and all improvement, Volunteer land order, and other scattered purchases would be cancelled.

4. Each selector would receive on application an area equal to four times that of his selection in lieu of his present holding, on condition of fencing in and paying a perpetual rent of 6d. per acre per annum.

5. For the wants of future settlers, an area equal to one tenth of each original run would be *always* ready surveyed in areas of all sizes up to 6000 acres.

6. These farms and homesteads would be acquired by paying a deposit at the rate of £10 for every area up to 500 acres, and £10 for every other 500 acres, or portion of 500 acres, also an annual perpetual rent of 6d. per acre per annum; fencing in with a substantial fence, and residence.

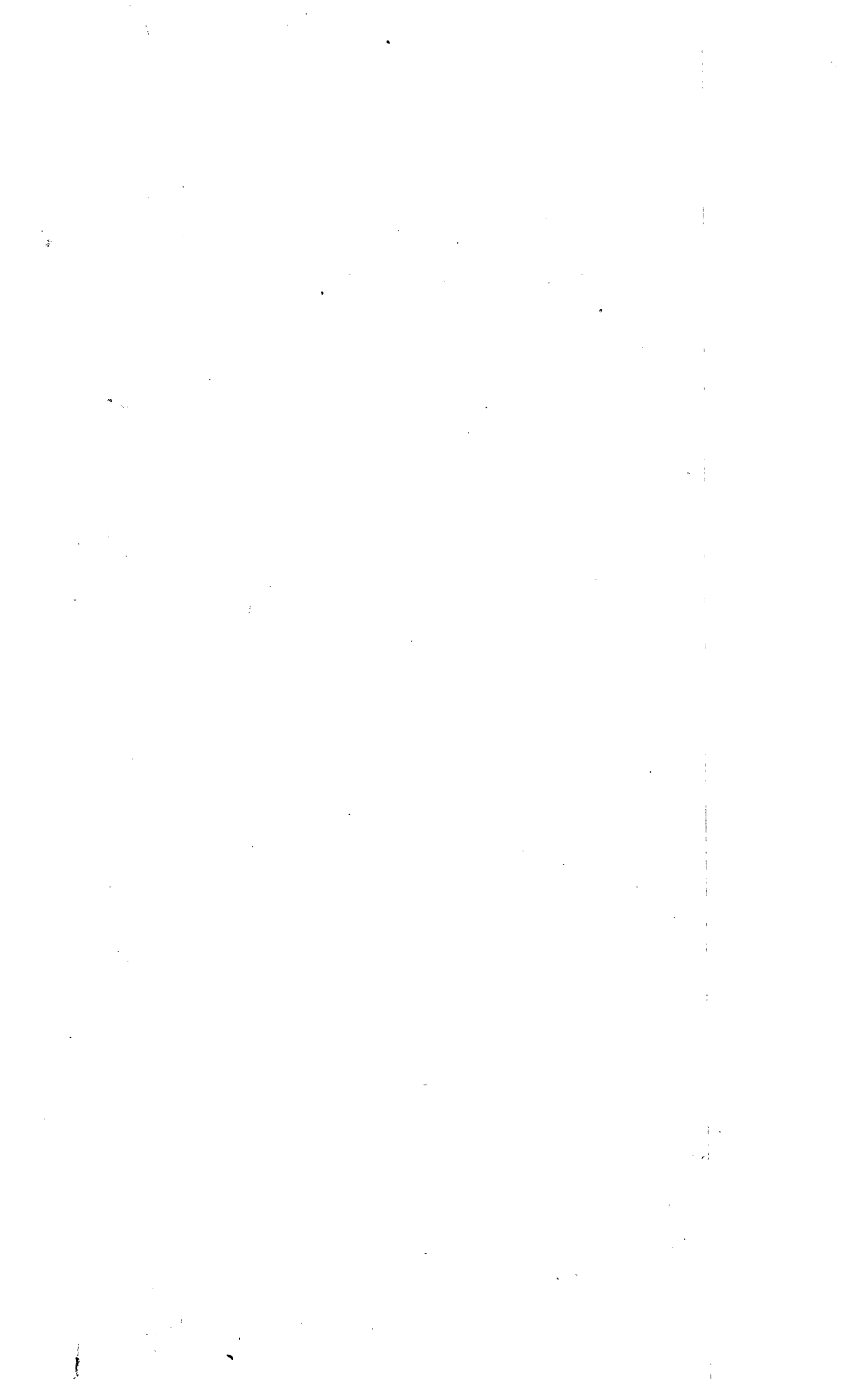
7. Open, honest, supervision by the Land Board would see that all conditions were fulfilled.

8. The unsold lands would remain in the hands of the Land Board, and the lessee's stock would remain on the grass subject to the discretion of the Board till the lands were wanted for survey and settlement.

Now what would be the effect of this on Candowan? Compare the following figures with those above—240,000 acres.

Grant to lessee on commutation	56,780 acres.
Grants to selectors	52,000 ,,
Remaining for survey and settlement, <i>formerly</i> spoiled by Volunteer land orders and im- provement purchases, now vested in the Land Board	131,220 ,,

Now which plan is best for the country, best for the selector, and best for the squatter?



PAMPHLETS BY THE SAME WRITER.

BUSH ESSAYS.

Adam and Charles Black, Edinburgh, 1872.

"A vigorous Monograph, by CAPRICORNUS, is well worth the attention of all interested in Emigration questions."—*Westminster Review*, January 7, 1873.

The Rev. Dr. Lang refers to these Essays in his History of New South Wales, page 133, vol. 2.

THE SQUATTING SYSTEM OF AUSTRALIA.

Bell and Bradfute, Edinburgh, 1875.

COLONISATION IN 1876.

Turner and Henderson, Sydney, 1876.

HOMESTEAD SETTLEMENT:—

GRAZING—PAST, PRESENT, AND FUTURE.

Turner and Henderson, Sydney, 1877.