

(No. 65.)



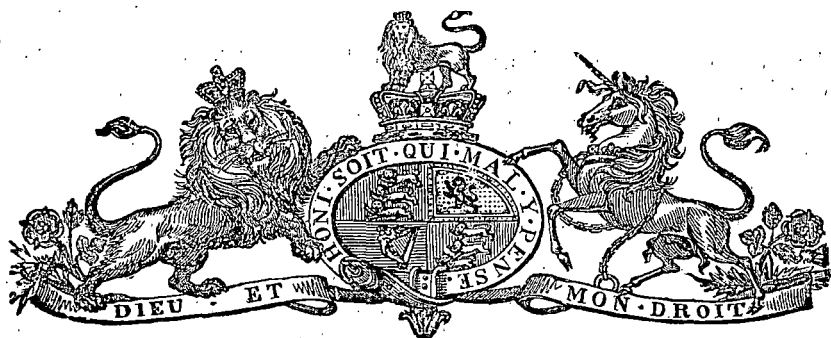
1867.

T A S M A N I A.

WASTE LANDS ACT AMENDMENT BILL.

REPORT FROM THE SELECT COMMITTEE.

Ordered by the House of Assembly to be printed, 25th September, 1867.



SELECT COMMITTEE appointed on the 6th September, 1867, to consider a Bill to further amend "The Waste Lands Act, 1863."

MEMBERS OF THE COMMITTEE.

MR. CHAPMAN (<i>Chairman</i>).	MR. DAVIES.
MR. GLEADOW.	MR. J. R. SCOTT.
MR. J. MEREDITH.	MR. SWAN.
MR. BALFE.	MR. BUTLER.

MR. DODERY.

DAYS OF MEETING.

September 10th, 11th, 12th, 13th, 16th, 17th, 18th, 19th, 20th, 23rd, and 24th.

WITNESS EXAMINED.

MR. JOHN THOMAS.

EXPENSES OF WITNESS.

£1 1s.

REPORT of the SELECT COMMITTEE appointed to consider the Bill to further amend "The Waste Lands Act, 1863."

R E P O R T.

Your Committee have the honor to report that they have duly considered the Bill to further amend the Waste Lands Act, so far as the information procurable enabled them to do; but soon arrived at the conclusion that Sections 7, 8, 9, 10, 11, 12, and 13, having reference to Pastoral Land, should be struck out for the following reasons:—

That the Committee, although decidedly of opinion that the Revenue might be increased, and the prosperity of the Colony otherwise greatly promoted, by the leasing for Pastoral purposes, for terms not exceeding fourteen years, of such of the Crown Lands as are not adapted for Agriculture or required for sale, consider the subject of such vast importance that it would be undesirable to legislate thereon until the measures proposed have been before the public a sufficient length of time to enable all parties whose interests may be affected thereby to petition Parliament or communicate with their respective Representatives.

That the Committee are informed that some of the lands at present rented from the Crown are well adapted for agricultural purposes, and ought not to be re-let as Pastoral Lands; also, that in some instances blocks of land have been so taken by Lessees as to secure the exclusive use of water or other natural advantages, and thereby render for a time comparatively worthless to any other person large tracts of land intersecting, adjoining, or surrounding the same,—all which matters require investigation.

That the Committee are not agreed as to the mode in which the Commissioner should be appointed,—or whether the Pastoral Lands should be classified and minimum rents fixed according to quality, as proposed by the Bill,—or whether it would not be better to fix a uniform minimum rent for all Pastoral Lands, and thereby avoid the difficulties that would be connected with classification.

That the Committee generally are of opinion that the present Tenants of the Crown, many of whom have occupied their lands for a considerable time and effected improvements upon them, ought not to be put out of possession so long as they are willing to pay a fair rent, and agree to their boundaries being so defined as not to depreciate the value of adjoining land,—whilst others do not approve of any advantage being given them. There is also a difference of opinion as to whether the leases should be disposed of by tender or by auction.

That the limited quantity of land at the disposal of the Government, the amount of debt and interest to be provided for by its sale and rental, and the serious consequences that might result from the adoption of unwise measures, entail a large amount of responsibility on the Government and the Legislature, and render it absolutely necessary that the fullest and most careful investigation should precede further legislation on the subject.

That the necessary enquiries could not be made, nor the information required be procured, in time to enable the Committee to deal with the numerous and complicated circumstances connected with the subject during the present Session of Parliament.

The Committee beg to recommend that the Government should forthwith have such an investigation of the Crown Lands within the settled districts, and that portion of the unsettled lands known as the Gordon Valley, commenced as will enable them to present to Parliament, at its next Session, charts so coloured as to show, approximately, all the lands let, distinguishing the portions adapted for agriculture and those fit for grazing purposes, and the qualities thereof; also, the unoccupied lands, distinguishing the portions adapted for agriculture and those fit for grazing, and the qualities thereof; and all roads passing through the said lands: and that such investigation should be conducted under the supervision of a practical and experienced person, in whose integrity, judgment, and physical capability the Government can place the utmost reliance.

The Committee are of opinion that, in carrying out that portion of the Bill relating to Agricultural Areas, it would be desirable that the power given to the Governor in Council should, for the present, only be exercised in the two localities—Gould's New Country, and Castra near Ulverstone, County Devon; that the lots in Gould's New Country be restricted to lots not exceeding One hundred acres, and those at Castra to lots not exceeding Three hundred and twenty acres; that the District of Castra should be restricted to the settlement of Europeans from India for a period of not more than three years.

Your Committee have deemed it desirable that a separate Bill should be prepared for the settlement of the lands in the District called Castra.

The two Draft Bills which accompany this Report contain the result of the Committee's deliberations, so far as they deemed legislation desirable for the present.

Whilst considering the matter referred to them, the attention of the Committee was directed to the necessity for legislation to prevent the construction of dams across rivers in connection with mills or manufactories, which might intercept the free passage of the fish in such rivers, whereby the benefits sought to be secured to the Colony by the large expenditure for the introduction of Salmon and Trout might be seriously affected.

The cases of certain parties who had become the purchasers of small lots of agricultural lands were brought under the notice of the Committee by the Memoranda hereunto annexed; but the Committee, after due deliberation, were of opinion that it would be undesirable to legislate in reference thereto.

The Committee, having had their attention directed to the second Section of The Waste Lands Act, 1863, are of opinion that the lands appropriated to Municipalities should not be confined to the objects and purposes mentioned in that Section.

The Committee have not sufficient information before them to enable them to advise the course that should be adopted for the relief of purchasers of Crown lands, to and from which there are no roads communicating with cross roads or a place of shipment, but recommend that the subject should be taken into consideration by the Government.

THOS. D. CHAPMAN, *Chairman.*

Committee Room, 25 September, 1867.

MEMORANDUM.

SPEAKING for the selectors under the 19th Section of "The Waste Lands Act," residing in the Districts of Kingborough and Franklin, I can safely aver that all those who were dependent on the produce of the lands so selected are in a state of the greatest embarrassment. This unsatisfactory condition is, in the estimation of every one practically experienced in the circumstances attending the working of the system of late years in the Huon District, owing to the following causes:—

1. The large proportion of the selector's capital exacted from him by the conditions imposed by "The Waste Lands Act" during the first two or three years of occupation. A mistake in a leading principle of our Waste Land Policy, which we acknowledge and endeavour to avoid in the Bill before the Committee at present. *Vide* "Conditions of Settlement on Agricultural Areas."

2. The impossibility of employing any other than human labour during the first years of settlement in a District so densely timbered and scrubbed as the Huon; and where no natural food for working or domestic animals of any kind is to be found in those portions of it best suited for the growth of agricultural produce.

3. The sudden collapse of the timber-trade, which destroyed the value of the heavy forests, and which have become grievous impediments to the selector's progress instead of being, as they were in former years, ever available sources of profit.

4. The want of roads for the conveyance of produce to markets; and which, until lately, absorbed a vast and ruinous proportion of the selector's receipts.

5. The absolute impossibility of cultivating, for many years after settlement, with any other implement but the hoe—a disadvantage for which no superiority in the soil or climate can compensate in these times, when the competition of the other Colonies is all but overwhelming.

6. The unprecedentedly short crop of potatoes in 1866, and the ruinously low prices of all kinds of produce in the present year.

The effects of these and other causes, which it is needless to enumerate, are such as might be expected. Selectors, when suddenly overtaken by the pressure of short crops, low prices, bad seasons, high prices for cartage, &c.—possessed of no tangible title to their selections—are unable to relieve themselves even from temporary embarrassments except upon terms which ultimately bring about their ruin certain and complete. Loans are contracted with lenders who part with their money on conditions based on calculations of great risk. Twelve and twenty per cent. are terms not very unusual,—with the additional consideration of obtaining all the produce of the soil, while the debt remains unpaid, upon their own terms. The selector has no title to any portion of his land—no matter how much he may have expended on it or improved it—so that, should any calamity occasioned by vicissitudes of season, prices, &c. befall him, he can only obtain temporary relief by borrowing on conditions which must eventually entail his complete ruin.

Presuming that the great object of the Legislature is to settle a people in the Country by utilising its Waste Lands, it cannot be supposed that it will be unwilling to remedy defects in its Waste Lands Policy, so obvious and generally acknowledged, as are herein pointed out; and which, if permitted to continue in operation, must force from the Colony a large proportion of its most useful inhabitants, and prevent others from making experiments in our heavily timbered Districts.

It has been always my opinion that the heavily timbered lands of this Colony ought to be given in small sections to *bonâ fide* settlers upon the conditions of occupying them, and constructing and making the necessary roads. This opinion I still hold,—for my experience confirms it. That portion of the Land Fund which is made up by payments of selectors in the heavily timbered Districts would find its way into the General Revenue of the Colony in a far more profitable and beneficial manner to the contributors and to the public than the mode in which it is now directly extracted from that which is legitimately the price of their labour, and, in hundreds of instances, the whole amount of their annual earnings. But this question I shall not in this place further allude to.

The remedies I would respectfully suggest as proper to mitigate the hardships of the selector's condition are the following:—

1st. A grant of that portion of the selection upon which he resides, with the option—or perhaps upon the condition—of his renting the remainder upon the same terms as those about to be conceded to settlers in the agricultural areas.

2nd. Where selections are of the maximum area, to permit selector the same privilege as that conceded to holders of Pre-emptive Rights; viz., to reduce the area in accordance with rules to be laid down by Parliament or the Governor in Council.

The Treasury can be no loser by either of the above suggestions being adopted, while a very impoverished class of the community,—a class oppressed not through their own faults, through want of industry, endurance, or perseverance, but through the impossibility of contending successfully against difficulties which the rather stringent conditions of the original Waste Lands Act imposed upon selectors, which have been aggravated by the collapse of the timber trade and low markets, and which require years of desperate struggling, even under the most favourable circumstances, to overcome,—would be materially benefited.

J. D. BALFE.

To Chairman of Waste Lands Committee.

MR. JOHN THOMAS *called in and examined.*

By the Chairman.—I am Surveyor in the Fingal District. I recommend in my Report that three tracks should be cut; one running north 5 or 6 miles, and one south about a mile to Groom River. I know this is all good land. At 9th mile I recommend another track to be cut, north. 2 or 3 miles would carry one into the open country. And another track to be cut south to George's River, about 3 miles. Again at 16th mile another track I recommend to be cut on the north to the River, about 2 or 3 miles; and another to the south through the good land to Mount Victoria. I think if these tracks were cut they would give an opportunity of seeing the land. I am of opinion this is a good District for Agricultural Settlement. It is close to a shipping place; the land is good and well watered; easily cleared.

By Mr. Swan.—I have had considerable experience as a Surveyor in various Districts, and have been in the Huon. There is an under scrub in the Huon, and a vine I have not seen in Ringarooma. In addition to the Huon being more heavily timbered, I consider the soil there equal to the Huon,—to the best of it. The blocks are in larger areas in the New Country, and the good land more continuous.

By Mr. Gleadow.—The scrub is principally fern, a little dogwood timber, large gum trees, sassafras, and myrtle. The ferns are immense tree ferns, and the broad leaf water fern. I have not attempted gradients in my survey. I can't say to a certainty how much good land there is; I think about 7 or 8 miles in width, along about 17½ miles in the length of my track. That would be about 70,000 acres. There would not be any difficulty in making a road to convey the produce of this land to George's Bay. I am of opinion if a road were made from the Dorset all produce on lands east of the Dorset would go to George's Bay; there would be no difficulty in making a road. I consider George's Bay as a shipping port far superior to Bridport,—the *Robert Burns* being a regular trader to George's Bay, and the Eastern Coast Company's steamers *Mimosa*, *Duncan Hoyle*, and others having traded there at one time. Lieut. Brooker's Chart will show the capabilities of George's Bay as a shipping port.

By Mr. Davies.—The river I mention in my Report as a good one for frontage is a rivulet about 20 to 25 links wide, is a continuous stream, rapid. The new river is a fine one, a chain wide, in many parts very deep. It took two days to find a ford. The character of the land is first class on both sides, and extends about six miles. The land from 14th mile 27 chains is all good. There are no difficulties in making a road from where I commenced my survey to the shipping place. There is a good passable road now from Chappel's Selection to George's Bay, at Jason's Gates; and the Fingal Board of Works is making a road from where I commenced to Chappel's, the whole distance being about 12 miles to the Bay. The harbour at George's Bay is a very good one.

By Mr. Swan.—There is no other harbour north of Swansea but George's Bay.

By Mr. Davies.—There are twenty feet of water at the Gates in George's Bay. A vessel can lay there in perfect safety.

By Mr. John Meredith.—There is not a blade of grass on the track described in my Report. It is so covered with fern and occasional beds of dogwood. Stock could only be maintained by artificial food.

By Mr. James R. Scott.—Of the 72,000 acres of good land I have referred to, about three-fourths are on the eastern side and one-fourth on the western side of the dividing range. The height of the dividing range is about 700 feet. I would recommend a further examination of the country before a road is made; a lower range or saddle might be found. It would be less expensive to connect the land east of the Dorset with the Public Works road at Ringarooma than to construct a new road over the dividing range. I know numbers of persons anxious to settle on the eastern side of the range, near the place from which I started my track.

By Mr. Swan.—The distance from where my track crosses the New River to George's Bay is 27 miles, and to Bridport 31½ miles. I have not seen Bridport, and I have spoken of it as inferior to George's Bay from what I have heard of it.

By Mr. James R. Scott.—The natural outlet from crown land on the Dorset is George's Bay.

By Mr. Butler.—I am aware of the character of land at Kentishbury, having surveyed several blocks there. The land at Kentishbury is the cream of the Devon District. The land described in my Report is very similar to the land at Barrington,—the difference is that there is no under scrub in the New Country.

Mr. Thomas withdrew.