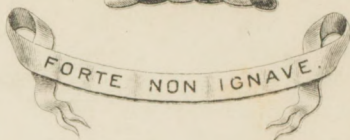


STATE LIBRARY OF N.S.W. /
MITCHELL LIBRARY

DSM/
333.30994/
2

216

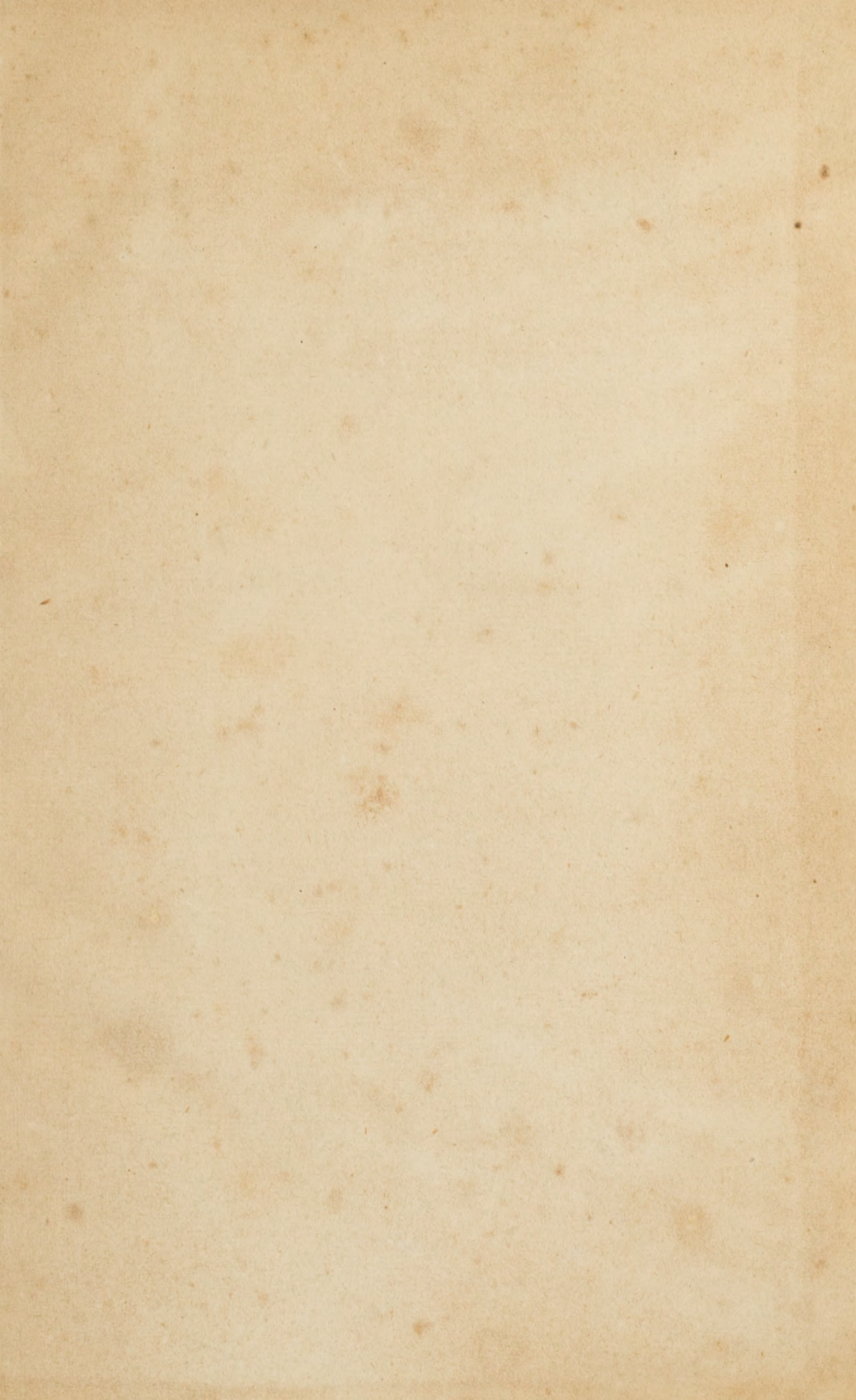
PK



Alfred Leef.

CASE _____ SHELF _____

N^o _____



SQUATTING ORDERS.

SQUATTING ORDERS.

Orders in Council.

LOCKING UP THE LANDS OF THE COLONY
IN THE HANDS OF A SMALL MINORITY.

GIVING THEM, WITHOUT ANY REAL REASON, THE RIGHT TO BUY
THE WHOLE OR ANY PART OF THE SIXTY MILLION ACRES
OF THIS FINE COLONY, AT THEIR OWN PRICE, AND
WITHOUT THE COMPETITION TO WHICH ALL
OTHER CLASSES ARE SUBJECTED,

VIZ. :—BY AUCTION.

POINTING OUT SOME OF ITS EVILS, AND LAYING BARE THE SYSTEM
OF FRAUDFUL MISSTATEMENTS MADE BY THE
LEGISLATIVE COUNCIL OF SYDNEY,
UPON WHICH THESE ORDERS IN COUNCIL OF MARCH, 1847, WERE BASED;
TOGETHER WITH THE COMPILER'S REMARKS UPON THE
INJURIOUS EFFECTS OF SQUATTISM UPON,
THE COLONISTS IN GENERAL.

Melbourne :

PRINTED AT THE "ARGUS" OFFICE, COLLINS STREET, EAST.

1854.



P R E F A C E .

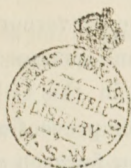
MY GENTLE PUBLIC,—I am informed that I must give you a preface. Custom is very powerful, and I bow thereto. This work, my first attempt at book-making, is put forth at an important time, viz. : now that the golden key has been subtracted from the emphatically so called “waste lands” of Victoria by the class whom the Government and the Squatters dread, hate, and would willingly crush by any and every means in their power. The gold-diggers of Victoria, from out of the “waste lands”—the very poorest and most useless of these lands—have raised an immense export; one that has astonished the world and has doubly increased the energies of the Anglo-Saxons throughout Britain and her dependencies. The Squatters long claimed to be the only producers of exportable articles, and demanded and received vast concessions. The gold-diggers have produced an export of many times over the wool-staplers, yet they are not to have any benefit; no, not even to be allowed to buy these so-called “waste lands,” let at less than one farthing per acre, except in plots of one rood each, with a few exceptions, and then at ruinous prices. Beechworth, to wit, in October, 1853, town lots of one rood sold: one rood cost

£100, another £110, another £130, another £126, down to as low as £5 a rood. Suburbans of five acres each brought from £10 per acre (Prior), to £14 (Williams), to £24 (G. D. Smythe). These were Squatter lands, let at less than one farthing per acre. To expose this system, to point out to the Home Government the fraud practised upon them by the Squatters of New South Wales, whereby the Orders in Council were issued, and to point out the necessity of repealing these unjust and cruelly-impolitic Orders, this work has been compiled; to bring the whole matter more fully before those who feel the injury but do not see the means whereby it got such head and strength, nor how it is to be remedied.

I have therefore commenced with the first Act issued by Governor Bourke's Nominee Council, appointing Crown Land Commissioners, amongst other things, to survey these lands. But both him and his successors have omitted to put in men capable of these duties. I have taken only such parts of these as I thought were required to shew the want of method therein. The next amended Act of Sir George Gipps, I have given in full, to shew the nature of those Acts. The next amended Act I have only given the three first clauses and the forms thereto appended, to clearly demonstrate the want of system pursued throughout the whole of the Government meddling with the Crown Lands. And finally, the whole of the Orders in Council; thus demonstrating the senseless impolicy of the powers that controlled the fate of these lands. Herein it may be seen at once, as in a looking-glass. And further: thus, viz, the-price of lands

to the buyer has been raised from three shillings and four-pence per acre—six fold, that is—up to twenty shillings an acre; and the buyer must also wait for a land sale frequently six months, and must, after all, bid and buy against the very powerful competition which the limited, or chandler-shop-like policy of the Government pursued by putting up about one-fourth, or sometimes one-tenth of the quantity required, and they having an unlimited supply, in order to reserve these lands to those who paid less than one farthing per acre. I have published also the official return of lands held by the Squatters in 1849, and also two returns of aboriginal stations which have been taken by Squatters, under the usual squatting condition; and where the fact is made apparent that the so-called “waste lands” of the colony are only made so by the Act of our rulers. These runs let, as I have shown, for upwards of nine-pence per acre per year. The whole lands of the colony unsold will readily let for sixpence per acre per year, bringing in £1,500,000 a year; and this rent will not be much, if any, diminished by selling the lands of the colony in lots of 80 acres and upwards; because the grazing lands will become of more value year by year; and more wool, more tallow, more meat, and more happy and rising families will be reared, by due care of these no longer *waste lands* of Victoria.

J. P. FAWKNER.



SQUATTING ORDERS,

ETC.

4 WILLIAM IV., No. 10. *An Act for protecting the Crown Lands of this Colony from encroachment, intrusion, and trespass.* [28th August, 1833.]

Preamble. Governor to appoint Commissioners of Crown Lands, to have same power as bailiffs.. (See *post* 5 Wil. IV., No. 12.)

WHEREAS it is expedient and necessary to protect the Crown Lands of this Colony from encroachment, intrusion, and trespass thereon, and to prevent the unauthorised occupation thereof from being considered as giving any legal title thereto: Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That from and after the passing of this Act, it shall and may be lawful for the Governor of this Colony, by warrant under his hand and seal, to appoint so many fit and proper persons as he shall think fit, to be, and the said persons shall thereupon be, and be called *Commissioners of Crown Lands in the Colony of New South Wales*, and the said persons, and each of them, shall continue in office as such, during the

pleasure of the said Governor ; and the said Commissioners, or any two or more of them, shall and may during their continuance in office as aforesaid, do and perform by and under direction of the Governor for and on behalf of His Majesty, His Heirs, and Successors, in, upon, or in respect of, any Crown Lands in this Colony, all such lawful acts, matters, and things, for preventing intrusion, encroachment, and trespass thereon, or for such other purpose, as any bailiff or bailiffs, lawfully appointed, may by law do or perform in, upon, or in respect of, any lands, tenements, or hereditaments, of his or their employer or employers.

Commissioners authorised to make perambulations and surveys of Crown Lands, and to require the assistance of Justices of the Peace, &c.
(See *post* 5 Wil. IV., No. 12.)

II. And be it enacted That it shall and may be lawful for the said Commissioners, or for any two or more of them, at any time, and from time to time, as the same shall appear to be necessary, under direction of the Governor, to make perambulations and surveys of the Crown Lands, or any part thereof, in any district of this Colony ; and upon such perambulations and surveys to require, by writing under their hands, the assistance of any Justice of the Peace or constable in making the same ; and also to take in their aid so many persons as shall and may be necessary for the purposes of this Act.

Commissioners to erect beacons and landmarks upon Crown Lands ; penalty for wilfully injuring, &c. any beacon or landmark.

This Act appointed Commissioners, and directed that they should survey, but did not carry out this Act by appointing Surveyors as Commissioners ; on the contrary, they were mostly men of petty mental attainments.

The 7 Wil. IV., No. 4, repealed by No. 2 Vic. 19, of 29th July, 1836.

2 VICTORIA, No. 19. *An Act to continue and amend an Act, intituled, an Act to restrain the unauthorised occupation of Crown Lands.* [2nd October, 1838.]

(Repealed by 2 Vic., No. 27, see *post.*) Preamble. Penalties for unauthorised occupation of Crown Lands. Proviso as to subsequent offences.

WHEREAS the unauthorised occupation of the unalienated lands of New South Wales is derogatory to the rights of the Crown, and conducive to many illegal and dishonest practices; and whereas an Act was passed by the Governor and Council of New South Wales, in the seventh year of the reign of His late Majesty King William the Fourth, intituled, *An Act to restrain the unauthorised occupation of Crown Lands*; which Act will expire on the thirty-first day of December, one thousand eight hundred and thirty-eight; and whereas the said recited Act has been found beneficial in its operation, and it is expedient to continue and amend the same, in manner hereinafter provided: Be it therefore enacted by his Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That from and after the first day of January, one thousand eight hundred and thirty-nine, any person who shall be found occupying any Crown Lands lying waste in New South Wales, within the limits which have been or shall hereafter be allotted for location to settlers, by any proclamation or order of the Governor, published in that behalf, either by residing or by erecting any hut or building thereon, or by clearing, enclosing, or cultivating any part thereof, and shall not hold a valid lease from the Government of New South Wales for the occupation of such lands, shall, on conviction thereof, forfeit and pay the following penalties, that is to say:—for the first offence, any sum not exceeding ten pounds, at the discretion of the Justice or Justices before whom the complaint shall be heard; for the second offence, twenty pounds; and for the third, and any subsequent

offence, fifty pounds, to be recovered in a summary way before any one or more Justice or Justices of the Peace, upon the information and complaint on oath of any Justice of the Peace, any Commissioner of Crown Lands, any proprietor or lessee of lands, or the chief constable of any district: Provided always, that no information shall lie for any second or subsequent offence, until fourteen clear days after a conviction for the former offence.

Penalty for occupying Crown Lands, beyond the limits of location, without a license.

II. And be it declared and enacted, That from and after the said first day of January next ensuing, it shall not be lawful for any person to occupy any Crown Lands in New South Wales beyond the limits allotted as aforesaid, without having first obtained a lease or license for such purpose in conformity with the Government regulations in such case made and provided; and that any person who shall be found occupying as aforesaid, any Crown Land in New South Wales beyond the limits allotted as aforesaid, and shall not hold a valid license from the Government of New South Wales for depasturing cattle and other animals beyond the limits as aforesaid, every such person, on conviction thereof, shall forfeit and pay the penalties hereinbefore imposed, in the case of persons unlawfully occupying waste lands of the Crown within the said limits of location, to be recovered in a summary way before any one or more Justice or Justices of the Peace, upon the information and complaint on oath of any Justice of the Peace, or of any person holding any such license for the occupation of Crown Lands, or the overseer or manager of any station belonging to any such licensed person, or any constable duly appointed for any district beyond the limits as aforesaid.

As to cutting timber on Crown Lands.

III. And be it declared and enacted, That it shall not be

lawful for any person to cut, saw, split, or remove, any timber, the produce of any Crown Land, whether within or beyond the limits allotted as aforesaid, upon or from the same, without having first obtained a license for such purpose, in conformity with the Government regulations, in such case made and provided; and that any person who shall cut, saw, split, or remove, any timber, the produce of any Crown Land, upon or from the same, every person on conviction thereof, shall forfeit and pay the penalties hereinbefore imposed in the case of persons unlawfully occupying waste lands of the Crown, within the said limits of location: Provided that nothing herein contained shall be construed to prevent any licensed occupier of land, or his or her overseer, or manager, from cutting such timber as is ordinarily used, and as may be necessary for the domestic uses of such station, for fire-bote, fencing, stock-yards, or other conveniences, for the enjoyment of the same, and which shall be actually used thereon.

Penalty for forging any lease or license to occupy Crown Lands.

IV. And be it enacted, That if any person shall forge, counterfeit, or alter, or shall utter or make use of, knowing the same to be forged, counterfeited, or altered, any lease, license, or other document, purporting to be an authority from the Government of New South Wales, to occupy any Crown Lands within the same, with intent to evade any of the provisions of this Act, such person shall, if free, be guilty of a misdemeanor, and being convicted thereof, shall be liable to be transported for any term not exceeding seven years, or to be imprisoned for any term not exceeding four years, at the discretion of the Court; and if such offender shall be a convict under sentence of transportation, he shall be liable to be transported for any term not exceeding seven years, or to be worked on the roads or public works for any term not exceeding four years.

A Justice may declare a lease or license void.

V. And be it enacted, That it shall be lawful for any Justice or Justices, before whom any person holding a lease, or license, for any of the purposes aforesaid, shall be convicted on the oath of any one or more credible witness or witnesses, of any offence which in the opinion of such Justice or Justices, shall render such person unfit to continue to hold such lease or license, to declare the same to be null and void, and such lease or license shall thereupon become null and void accordingly, and shall not be pleaded in justification of any offence committed against any of the provisions of this Act.

Commissioner to dispossess such disqualified person from occupancy of Crown Lands, and may drive off and impound cattle found on land occupied by such person.

VI. And be it enacted, That in case any such person or persons, after being served with notice of cancellation of his or her lease or license, and shall refuse or neglect to deliver up, and quit the possession of such lands, for the space of ten days after service of such notice upon him, her, or them, or upon his, her, or their agent or agents, overseer or overseers, it shall and may be lawful for any Justice of the Peace, or any Commissioner of Crown Lands, for the district in which such lands shall be situated, to enter upon such lands, with such assistance as may be necessary, and to take possession of the same, for, and on behalf of the Crown, together with any houses, or other improvements that may have been made thereon, and the same to deal with as he or they shall deem most expedient for the purpose of expelling such person or persons therefrom, and also to drive off and impound any cattle that may be found thereon.

Proceeding not to affect titles to land.

VII. And be it enacted, That no proceeding had, or conviction obtained under this Act, shall be held to determine the title to any lands or tenements.

For protecting persons acting in the execution of this Act.

VIII. And for the protection of persons acting in the execution of this Act, Be it enacted, That all actions and prosecutions against any such person or persons under this Act, shall be commenced within three calendar months after the fact was committed, and not otherwise, and notice in writing of such action, and the cause thereof, shall be given to the defendant one calendar month at the least before the commencement of the action; and in such action the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought; or if a sufficient sum of money shall have been paid into Court, after such action brought, by or on behalf of the defendant, together with costs incurred up to that time; and if a verdict shall pass for the defendant, or the plaintiff become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs, as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such defendant shall not have costs against the defendant, unless the Judge before whom the trial shall be, shall certify his approbation of the action and of the verdict obtained thereupon.

Limitation of proceedings.

IX. And be it enacted, That no proceeding shall be had or conviction take place against any person for any offence committed against any of the provisions of this Act, after the expiration of three months from the date on which the offence shall be alleged to have been committed.

Appropriation of fines.

X. And be it enacted, That all fines recovered under this Act, shall be levied in the manner provided by an Act of the said Governor and Council, passed in the fifth year of the reign of His said late Majesty, intituled, *An Act to regulate summary proceedings before Justices of the Peace*, and shall be paid to the use of Her Majesty, Her Heirs and Successors, for the public uses of the said Colony, and in support of the Government thereof.

Commencement and duration of Act.

XI. And be it further enacted, That this law or ordinance shall commence and take effect from the first day of January, one thousand eight hundred and thirty-nine next ensuing, and shall be and continue in force until the thirty-first day of December, in the year one thousand eight hundred and forty-one.

GEORGE GIPPS, GOVERNOR.

In Clause the 3rd of this Act, the purchaser of lands might cut fire and other wood for his use, but only under the restrictions of being present himself, or by his overseer or manager. But the man who did not buy ANY land, but merely through the impolicy and want of system of the Colonial Government took possession of hundreds of thousands of acres, by simply paying £10 a year, could cut ANY quantity of timber he or his men might please to destroy or waste, without any restriction. Contrast the buyer of 780 acres at £2 10s per acre, paid down for lot 750 Jika Jika, £1950, interest was then at the lowest, ten per cent. This is the case then—the man that paid £195 a year for only 780 acres, under these regulations had far less landed privileges than the payer of £10 a year, who, in addition to cutting what timber he pleased, could also fence, and cultivate corn, &c., and sell whatever quantity he could grow, choosing the best land in his immense thousands of acres, paying only £10 a year.

2 VICTORIA, No. 27. *An Act further to restrain the unauthorised occupation of Crown Lands, and to provide the means of defraying the expense of a Border Police.*
[22nd March, 1839.]

(Amended by 5 Vic., No. 1, see *post*.) Preamble. Penalties for unauthorised occupation of Crown Lands. Proviso as to subsequent offences.

WHEREAS the unauthorised occupation of the unalienated lands of New South Wales, is derogatory to the rights of the Crown, and conducive to many illegal and dishonest practices; and whereas an Act was passed by the Governor and Council of New South Wales, in the seventh year of the reign of His late Majesty King William the Fourth, intituled *An Act to restrain the unauthorised occupation of Crown Lands* which has been found beneficial in its operation; and whereas another Act was passed in the second year of Her present Majesty, intituled *An Act to continue and amend an Act, intituled an Act to restrain the unauthorised occupation of Crown Lands*, and it is expedient to repeal the same, and to substitute other provisions in lieu thereof, and to provide the means of defraying the expense of a border police: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, that from and after the first day of July, one thousand eight hundred and thirty-nine, any person who shall be found occupying any Crown Lands lying waste in New South Wales, within the limits which have been, or shall hereafter be, allotted for location to settlers, by any proclamation or order of the Governor published in that behalf, either by residing or by erecting any hut or building thereon, or by clearing, enclosing, or cultivating any part thereof, and shall not hold a valid lease from the Government of New South Wales for the occupation of such lands, shall, on conviction thereof, forfeit and pay the following penalties; that is to say, for the first offence,

any sum not exceeding ten pounds, at the discretion of the Justice or Justices before whom the complaint shall be heard; for the second offence, twenty pounds; and for the third and any subsequent offence, fifty pounds; to be recovered in a summary way before any one or more Justice or Justices of the Peace, upon the information and complaint on oath of any Justice of the Peace, any Commissioner of Crown Lands, any proprietor or lessee of lands, or the chief constable of any district: Provided always, that no information shall lie for any second or subsequent offence, until fourteen clear days after a conviction for the former offence.

Penalty for occupying Crown Lands beyond the limits allotted for location without a lease or license.

II. And be it declared and enacted, That from and after the said first day of July, next ensuing, it shall not be lawful for any person to occupy any Crown Lands in New South Wales, beyond the limits allotted for location as aforesaid, without having first obtained from the Government of New South Wales, a lease or license for such purpose; and that any person who shall be found occupying, as aforesaid, any Crown Land in New South Wales, beyond the limits allotted for location as aforesaid, and shall not hold a valid lease or license from the Government of New South Wales, for depasturing cattle and other animals beyond the limits allotted for location as aforesaid, every such person, on conviction thereof, shall forfeit and pay the penalties hereinbefore imposed in the case of persons unlawfully occupying waste lands of the Crown within the said limits of location, to be recovered in a summary way before any one or more Justice or Justices of the Peace, upon the information and complaint on oath of any Justice of the Peace, or of any person holding any such lease or license for the occupation of Crown Lands, or the overseer or manager of any station belonging to any such licensed person, or any constable duly

appointed for any district beyond the limits allotted for location as aforesaid.

As to cutting timber on Crown Lands.

III. And be it declared and enacted, That it shall not be lawful for any person to cut, saw, split, or remove any timber, the produce of any Crown Land, whether within or beyond the limits allotted for location as aforesaid, upon or from the same, without having first obtained from the Government of New South Wales a license for such purpose; and that any person who, without having a valid license from the Government of New South Wales, shall cut, saw, split, or remove any timber, the produce of such Crown Land, upon or from the same, on conviction thereof, shall forfeit and pay the penalties hereinbefore imposed in the case of persons unlawfully occupying waste lands of the Crown within the said limits of location: Provided that, unless public notice be given by the Government that the timber on any particular portion of the Crown Lands shall be reserved for the public use, nothing herein contained shall be construed to prevent any proprietor or lessee of land, or any licensed occupier of Crown Land, or his or her overseer or manager, from cutting such timber as is ordinarily used, and as may be necessary and used for his or her domestic uses, for fire-bote, fencing, stock-yards, or other conveniences for the enjoyment of the said land; and provided that no part of such timber shall be sold.

A.

Application to depasture Crown Lands *beyond the limits of location.*

I, A. B., grazier (or other trade or calling), residing at _____, apply to the Commissioner for the district of _____, for a license to depasture sheep, cattle, and other stock, upon the vacant Crown Lands situate within

the said district, and known as (*here describe the locality*) for one year from the 1st day of July next ensuing. And I the said _____ declare that I am free, that I intend to depasture my stock under my own charge (*or under that of a free overseer, or ticket of leave holder, to be specially authorised under section X. of the regulations of 25th May, 1835, stating the name of such overseer*), and that I am lawfully possessed, amongst other property, of the following real or personal estate (*here the applicant is to particularise so much of his property as will be sufficient to shew that he has visible lawful means of support*). My agent, Mr.

_____ of _____, has been duly instructed to pay the stipulated fee to (*the Colonial Treasurer in Sydney, or Sub-Collector at Melbourne, as the case may be*), and receive the same when ready.

Signature of the applicant.

To the Commissioner of Crown Lands }
for the district of }

I, _____ being a Commissioner of Crown Lands for the district of _____ do certify, that I have reason to believe this applicant to be of sober, honest, and industrious habits, and a person to whom a license to depasture stock beyond the limits of location may with safety and propriety be given.

(Signature of Commissioner.)

B.

License to depasture Crown Lands *beyond the limits of location*.—No.

Whereas _____ of _____ has made application, duly certified by the Commissioner of Crown Lands for the district of _____, for a license to depasture stock upon the vacant Crown Lands situate within the said district, and known as _____, and the said

has this day paid into my hands the sum of
 pounds; I do hereby license
 the said to depasture cattle and other stock
 upon the said Crown Lands, under the regulations contained
 in the Government notice dated 21st May, 1839. This
 license to be in force from the date hereof, until the 30th
 day of June next, unless previously cancelled under the
 provisions of the Act of Council 2 Vic. No. 27.

Given under my hand at the
 day of

(Colonial Treasurer.)

It will be seen by these forms that the applicant was not compelled to show forth how many sheep or other stock he intended, or could put upon these *vacant* Crown Lands—nor to state how many acres he required—nor even how many square or unsquare miles he wished or intended to take; and the Commissioner's license boldly disregards the public interests, and thus no bounds but the cupidity of the licensee were set to his holding—and as is fully exemplified by the Council paper herewith appended, signed George Barney, and dated May 22, 1849, and purporting to be the Government Official Return of Number of Stations, and of licenses, and of the quantities of land held under each license, and of the stock, &c. depastured thereon—and we there find 595 persons out of the 660, that do return the quantity of land they profess to hold, claiming to have only 17,042,425 acres. Then the same return shows that 65 persons, and paying only one hundred and thirty-one licenses of £10 each, or £1,310 a year, hold the vast quantity of 12,391,815 acres; and worse still, that one man, paying only one £10 a year, held 845,600 acres. Couple this with the pair of sawyers, or the pair of brickmakers, only using one-quarter to half an acre, yet the same Government made them pay £10 a year each pair; and the emigrant that came here to settle, but would

not go at once out shepherding, was—yes, and is, charged by this same Government with the yearly sum of £13. Thirteen pounds for room for a tent, and no firewood, much less paddocks to put cattle in, and also to cultivate “ad libitum,” as the £10 squatter has! 339 persons pay £3470 a year, have only 4,599,304 acres, and you there find 49 persons, paying only £830, hold (mind, by their own showing) 6,657,069 acres, upwards of one million acres in excess, and pay only one-fourth the above sum. This is the system, or want of system, the Government acted upon all through. Give everything to the stockholder and depress the landbuyer. He has always been considered by the Colonial Government as a condemned “Pariah.”

NEW SOUTH WALES.

CROWN LANDS OCCUPIED UNDER LICENSE BEYOND THE SETTLED DISTRICTS.

CHS. A. FITZ ROY,
Governor.

Message No. 3.

In reply to the Address of the Legislative Council No. 48-9 of the 16th May, 1848, the Governor lays before the Council “A Return shewing the number of persons who, in virtue of one or more Licenses, hold tracts of land beyond the Settled Districts (including Port Phillip), in quantities in the whole exceeding 25,000 acres and less than 50,000 acres;—50,000 acres and less than 100,000 acres;—100,000 acres and less than 150,000 acres;—150,000 acres and less than 200,000 acres;—200,000 acres and less than 250,000 acres;—250,000 acres and less than 300,000 acres;—300,000 acres and less than 350,000 acres;—350,000 acres and less than 400,000 acres;—400,000 acres and less than 450,000 acres;—450,000 acres and less than 500,000

“ acres;—500,000 acres and so on by addition of 50,000
 “ acres to the greatest quantity held by any person or per-
 “ sons under one or more licenses.”

Government House, Sydney,
 22nd May, 1849.

RETURN OF THE NUMBER OF PERSONS HOLDING LICENSES, CLAS-
 SIFIED ACCORDING TO THE COLLECTIVE QUANTITIES OF LAND
 HELD BY EACH INDIVIDUAL.

No.		PORT PHILLIP.		
		Number of Persons holding Licenses.	Actual Number of Licenses.	Acres of Land.
1	Where the Total Areas do not exceed 25,000 acres to each individual person, there are	339	347	4,599,204
2	Exceeding 25,000 and less than..... 50,000	153	150	5,302,014
3	50,000 acres and less than..... 100,000	103	162	7,141,107
4	100,000 " " " 150,000	33	52	3,996,109
5	150,000 " " " 200,000	16	31	2,660,960
6	200,000 " " " 250,000	5	16	1,094,638
7	250,000 " " " 300,000	4	11	1,064,805
8	300,000 " " " —	—	—	—
9	350,000 " " " 400,000	3	10	1,079,120
10	400,000 " " " 450,000	1	5	408,5:3
11	450,000 " " " —	—	—	—
12	500,000 " " " —	—	—	—
13	550,000 " " " —	—	—	—
14	600,000 " " " 650,000	2	5	1,272,000
15	650,000 " " " —	—	—	—
16	700,000 " " " —	—	—	—
17	750,000 " " " —	—	—	—
18	800,000 " " " 850,000	1	1	845,600
19	850,000 " " " —	—	—	—
20	900,000 " " " —	—	—	—
21	950,000 " " " —	—	—	—
22	1,000,000 and upwards	—	—	—
23	Where the quantities are not given, and therefore not known, there are.....	6	7	—
		666	827	29,464,240

GEORGE BARNEY,
 Chief Commissioner of Crown Lands.

The whole Colony is occupied by the squatters. There are 62,060,000 acres, of which about 2,000,000 are in the settled districts, and the squatters really hold 60,000,000; but they call it only some 30,000,000.—Another *fraud*—evidently and wilfully a fraud.

And so the land-purchasers are to this day considered by the Governor and his Executive as a proscribed class, only useful to find cash to pay for the passage of shepherds and hutkeepers for the squatters. In Clause III. of 2 Vic. No. 27, the landholder was allowed to cut wood on any vacant Crown Lands: subsequently, under the Squatter Council of New South Wales, this permission was taken from the land-buyer; he must only cut timber on the land which he paid for. Not only the upset price of five shillings per acre, then twelve shillings (and chiefly in Victoria or Port Phillip, twenty shillings per acre, of upset price), but also the further sum the land was raised to by auction; and this, before the gold fields were discovered, had reached £6,000 per acre for town lands, and cultivateable lands, many miles from town, had gone for more than £5 per acre. Yet, in defiance of this, the squatter, who only paid a nominal rent, and kept his capital to invest it in stock, could cut timber on *ANY vacant Crown Land*—he was not restricted even to the vast mass he held as a run.

The lands sold belonging to the Port Phillip district—although some 80,000 acres—were put up in Sydney at from five shillings to twelve shillings per acre; and that, too, 600 miles away from the true buyers, the Port Phillip residents. Yet, from June 1, 1837, to June 30, 1851, there were sold of the lands of this Colony, 391,094 acres 1 rood 34 perches, for the sum of £776,841 7s. 2d., or nearly two pounds per acre. Lands let to the squatter under one farthing per acre.

In order to obtain a monopoly of the vacant Crown Lands, the squatters of the Legislative Council got up a Select

Committee; and they found one witness (No. 1)—a doubly, if not a trebly convicted felon!—to give evidence before that body, that the lands of the Colony of New South Wales, of which Victoria then formed a part, were valueless. These are Sir George Gipps' words, as quoted by Earl Grey in a despatch of date 11th August, 1848, addressed to Sir C. Fitz Roy:—“ Sir George Gipps long ago observed, that ‘ if we were to be guided by asking a price at which lands could sell for pastoral purposes (2), the smallest coin in the Colony would soon be too large a price for an acre of land ;’ and this opinion *seems* (3) to be confirmed ; for whilst some of the witnesses speak of two shillings and sixpence an acre, and others of one shilling an acre, as the most that could be afforded, another *gentleman* of practical knowledge, supported by an *auctioneer* (4) of experience at Sydney, thinks that the *lands* can only be valued at NOTHING AT ALL.” These were the representations upon which the Orders in Council were based. The Committee of the Sydney Legislature based their demands for leases upon these premises ; and the Orders in Council were thus fraudulently obtained, by the Boyds, the Wentworths, the E. Deas Thomsons, &c., &c., &c.

Sir George Gipps, writing home in 1844, shows distinctly how he was hampered by his *squatting* and *squatter-supporting* OFFICERS, in these memorable words:—“ The officers of the government, as members of the public, and partaking of the feelings of the public (5), are in favor of a low price for land. I esteem it fortunate, that the Parliament of Great Britain is about to take out of my hands a discretionary power, which I cannot exercise in a manner to *satisfy* my own conscience, or in the way which I verily believe most advantageous to the public ; * * * and being obliged CONSTANTLY to OVERRULE the OPINIONS of those OFFICERS (5), upon whose ASSISTANCE and CORDIAL CO-OPERATION I

must MAINLY rely, in carrying on the business of GOVERNMENT. I have no doubt that the increase in the minimum price (of land) will ultimately be found beneficial." This refers to the rise from twelve shillings to twenty shillings in the upset price of Crown lands; and events have, at the land sales throughout Victoria, fully borne this out. Here, in Port Phillip, Mr. La Trobe did not make surveyors Commissioners of Crown lands, only in one or two instances; and but few of these Commissioners were men fit or capable of the duties. He, Mr. La Trobe, it was said by a high legal functionary—one that he thrust out of office very soon after—(and I and many persons cordially believe it) that Mr. La Trobe was a SQUATTER. It is a well known fact, that his Executive Council and his friends were all, or nearly so, thorough-paced SQUATTERS. His treatment of the diggers, and the persons living under tents, fully prove this. The digger, for a few feet square, say 8 feet each way, was forced to pay £18 a year. The squatter held 845,600 acres, with a right to cut wood, fence in, build, and cultivate at his pleasure any part of his run of 845,600 acres, by paying ten pounds a year. But, stop; Mr. La Trobe and his squatter Executive, Messrs. Lonsdale, Stawell, Cassell, and Fenwick—all squatters, but the late Mr. Cassell, who I believe dissented—this glorious squatter lot, attempted—what? Why to make each digger pay £3 a month, or £36 a year; and these same men let the SQUATTERS strike off £16,000, viz., the assessment, when they openly said *they would not TAX THEMSELVES.* They said £20,000 a year from the 800 or 900 squatters, was enough for the sole use of sixty million acres of land—60,000,000 acres!—but £3 a month was not too much from the gold digger, for the use of land room for a tent or hut, and about 8 by 8 feet square to dig for gold in; and they said it was right to fine the digger £50, and brand him as a rogue and vagabond, if he

sold any article or goods on the Crown Lands without a hawker's license ; yet the squatters sell goods daily, without a hawker's license. Is this justice—eh ?

I repeat that the Government knew the value of the lands of the Colony. Yes ; well they knew the value, when lands were to be sold, or to be let to the useful or laboring classes, and this in the early days of the colony, for £10 a year was very early fixed as the price of a sawyer's license, or of a pair of brickmakers. These men did not use more than a quarter to half or (at most in any case) one acre of land in one year : they were also obliged to pay for the feeding of any bullocks the sawyers required to draw their timber to the pit or thence to town—and this, too, to the man paying only £10 a year for thousands of acres—and the brickmakers had to pay for his wood to burn his bricks ; these men paying the same sum as the depasturing license, yet would not be allowed to fence in and cultivate land, and sell the produce. Oh, no ! the really useful and truly working men, were always ill-used and kept straitened, and made to pay ! pay !! pay !!! in every possible way. And since the Orders in Council have been granted—and, mind, they were obtained by fraudulent representations—and even Wentworth says, Fraud vitiates every compact, (see his Speech upon a Bill brought in to annul a certain marriage in Sydney, in the middle of 1853).

The Home Government provided for the amendment or repeal of the Orders in Council, seeing some little of the danger ; and they also provided for an assessment on stock, to equalize the low rent ; and further, they provided for the extension of the settled districts. And this part of the provisions of these Orders will enable the Government to redeem the mistake they made, through the fraud practised upon them by the Committee of the Sydney or New South Wales Legislature.

At the Court at Osborne House, Isle of Wight, the 9th day
of March, 1847.

Present :

The Queen's Most Excellent Majesty.

His Royal Highness Prince Albert.

Lord President,
Lord Privy Seal,
Lord Chamberlain,
Earl of Auckland.

Viscount Palmerston,
Bishop of London,
Lord Campbell.

WHEREAS by an Act passed in the present year of Her Majesty, intituled *An Act to amend an Act for regulating the sale of Waste Land belonging to the Crown in the Australian Colonies, and to make further provision for the management thereof*, after reciting that it might be expedient that various rules and regulations should be made, respecting the more effectually making demises or licenses for any term of years not exceeding fourteen, of any such waste lands as therein mentioned, and respecting the reservation on such demises or licenses, of any such rents or other pecuniary services, and respecting the insertion therein of such conditions and clauses of forfeiture as are therein mentioned, and respecting the division of the said Colonies into districts within which alone such demises or licenses might be made to take effect, and respecting the renewal of any such demises or licenses, and respecting the conflicting claims of different persons to obtain any such demise or license, and respecting any right of pre-emption which it might be proper to give to the holders of any such demise or license, and respecting the forfeiture of any such demises or licenses, on the conviction of any holders thereof, of certain offences in any such Colony, and respecting any other matters and things which might be requisite, either for carrying into more complete effect the occupation in manner therein mentioned, of such waste lands as aforesaid, or for preventing the abuses incident thereto; it was enacted that it should be lawful for Her Majesty, by

any Order in Council, to make and establish all such rules and regulations as to Her Majesty should seem meet for the purposes aforesaid, or for any of them, and any such rules and regulations again to repeal, renew, alter, and amend; and that all such Orders in Council should have the force and effect of law in the Colonies aforesaid: And whereas it is expedient that the rules and regulations hereinafter contained, should noy be made and established, for regulating the occupation of the waste lands of the Crown in the Colony of New South Wales, it is hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of the Privy Council, that within the said Colony of New South Wales, the rules and regulations comprised in the following chapters, shall henceforth be observed, and have the force and effect of law.

CHAPTER I.

AS TO THE DIVISION OF THE LANDS IN NEW SOUTH WALKS.

(Classification of Lands.)

SECT. 1.—The lands in the Colony of New South Wales shall, for the purposes of the present Order, be considered as divided into three classes and be dealt with accordingly, as they may be situated in Districts to be denominated respectively as the Settled, the Intermediate, and the Unsettled Districts.

(Settled Districts.)

SECT. 2.—The settled districts of the Colony shall comprehend :—

First—the nineteen contiguous counties, the boundaries of which were settled and proclaimed before the 1st January, 1838.

Second—The counties or reputed counties of Macquarie and Stanley.

Third—The lands which may be within a distance of

twenty-five miles, to be measured or reckoned from any point of the corporate limits of the town of Melbourne in the county of Bourke.

Fourth—The lands which may be within the distance of fifteen miles from any point of the outward limits of the town of Geelong, in the county of Grant.

Fifth—The lands which may lie within the distance of ten miles from any point of the outward limits of each of the following towns or townships, viz. :—

Portland, in the county of Normanby. Alberton, in the district of Gipps Land. Eden, in the county of Auckland. Bathurst, in the county of Roxburgh. Wellington, in the county of the same name.

The town which has been established at the head of the navigation of the River Clarence.

The town of Macquarie, in the county of Macquarie.

The town of Ipswich, in the county of Stanley.

Sixth—the lands which may lie within the distance of three miles from any part of the sea, throughout the extent of the Colony, measured in a straight line.

Seventh—The lands which may lie within the distance of two miles from either of the two opposite banks of any of the following rivers, viz. :—

The Glenelg, from a point to be fixed by the Governor, not lower than where the Glenelg receives the waters of the Crawford, nor higher than where it receives the waters of the Waannon.

The Clarence, from a point to be fixed by the Governor, at a distance not less than ten miles above the Government township, at the head of the navigation, and not less than fifty miles from the sea (measured in a straight line).

The river now known by the name of the Richmond, from a point to be fixed by the Governor, at a distance not less than twenty miles from the sea, measured along the course of the river.

(Intermediate Districts.)

SECT. 3.—As to the Intermediate Districts.

The intermediate districts shall comprehend the lands lying within the counties or reputed counties of Bourke, Grant, and Normanby, in the district of Port Phillip, which are not hereinbefore directed to be included in the settled lands; also all the lands in the county or reputed county of Auckland, which are not included in the settled lands as hereinbefore mentioned; also the entire district of Gipps Land, except the parts included in the settled lands as hereinbefore mentioned; also the counties, either already formed or intended to be formed, between the county of Auckland and the county of St. Vincent; also, any county or counties of which the boundaries may be fixed and proclaimed on or before the 31st December, 1848.

SECT. 4.—As to the Unsettled Districts:—

The unsettled districts shall comprehend all the lands of New South Wales, excepting such lands as are now, or hereafter lawfully may be, comprehended within the limits of the settled and intermediate lands within the said Colony.

CHAPTER II.

RULES TO BE ENFORCED WITHIN THE UNSETTLED DISTRICTS.

(Leases for Fourteen Years.)

SECT. 1.—It shall be lawful for the Governor for the time being of the said Colony, or the officer for the time being administering the Government of the Colony, and he is hereby empowered to grant leases of runs of land within the unsettled districts, to such person or persons as he shall think fit, for any term or terms of years, not exceeding fourteen years in duration, for pastoral purposes, with permission, nevertheless, for the lessee to cultivate so much of the lands respectively comprised in the said runs as may be necessary to provide such grain, hay, vegetables, or fruit for the use

and supply of the family and establishment of such lessee, but not for the purposes of sale or barter; and so, nevertheless, that such leases shall in no case prejudice, interrupt, or interfere with the right of the Governor or other officer for the time being administering the Government of the said Colony to enter upon any of the lands comprised in the said leases for any purpose of public defence, safety, improvement, convenience, utility, or enjoyment, agreeably to the provisions for those purposes contained in the 9th section of the second chapter of this Order in Council, or otherwise.

(Amount of Rent : how to be regulated.)

SECT. 2.—The rent to be paid for each several run of land shall be apportioned to the number of sheep or equivalent number of cattle which the run shall be estimated as capable of carrying, according to a scale to be established for the purpose, by authority of the Governor. Each run shall be capable of carrying, at least, four thousand sheep or equivalent number of cattle, according to the scale aforesaid, and not in any case be let at a lower rent than ten pounds per annum, to which two pounds ten shillings per annum shall be added for every additional thousand sheep, or equivalent number of cattle which the run shall be estimated as capable of carrying.

(Mode of Estimating Number of Sheep which a Run will Carry.)

SECT. 3.—In order to estimate the number of sheep or cattle which each run will carry, before the granting of the said lease as hereinbefore mentioned, the intended lessee or occupier shall name a valuer, and the Commissioner of Crown Land shall either act as valuer, or name one to act for him; and these two valuers shall have power to choose, if necessary, an umpire; but if they cannot agree in the

choice of an umpire, he shall be appointed by the Governor, or the officer for the time being administering the Government of the said Colony.

(The Rent of Runs not to interfere with the Assessment on Sheep and Cattle.)

SECT. 4.—The rents to be paid according to the scale above mentioned, are to be reserved, exclusively of any existing assessments of taxes or rates on sheep and cattle, and are to be paid without abatement on account of the existing or any future assessments of taxes or rates on sheep and cattle, and in no way to interfere with the right of the Colonial Legislature to impose from time to time such assessments as may be deemed advisable.

(Rent, when and where to be Paid, and Penalty for Non-Payment.)

SECT. 5.—The rent for each run shall be payable yearly in advance, at such time and place as shall be respectively specified in the lease of the said run of land. In the event of default being made in the payment of the rent, the lease shall be forfeited, but the lessee shall be permitted to defeat the forfeiture, and prevent its becoming absolute and indefeasible, by payment, within sixty days from the date of the original rent-day, of the full annual rent, with the addition of a sum equal to one equal fourth part of the yearly rent so due from him, by way of penalty; but unless the whole of the said yearly rent, with such penalty as aforesaid, shall be duly paid within the term of sixty days, counting from the original rent day inclusive, the lease shall be absolutely and indefeasibly forfeited. And it shall be competent to any individual to demand of the Governor or of the officer for the time being administering the Government of the Colony, or of any officer or officers acting by his authority for the present purpose, that a fresh lease of the

run so forfeited be offered for sale, under the general rule hereinafter provided for that purpose in section 12 of this chapter.

(During the Lease, the Land Salcable only to Occupant..)

SECT. 6.—During the continuance of any lease of lands occupied as a run, the same shall not be open to purchase by any other person or persons except the lessee thereof. But it shall be lawful for the Governor, or the officer for the time being administering the Government of the said Colony, to sell to such lessee any of the lands comprised in the lease granted to such lessee, provided that the quantity of the lands sold to such lessee shall not be less than one hundred and sixty acres, and that the price to be paid for the same shall not be below the general minimum price of one pound per acre: Provided also, that if the portion or lot of any such run sold to such lessee be less in extent than three hundred and twenty acres, the expense of the survey of the portion so sold shall be paid by the purchaser.

(Form and Water Frontage of any Lots Sold within Runs.)

SECT. 7.—Every lot to be sold under the provisions before mentioned, shall be subject to the following conditions:—

First—Each lot must be rectangular, unless the features of the country, or the course of any river or stream, render a deviation from the rectangular form necessary; and in every case, two sides at least of the lot must be directed to the cardinal points of the compass.

Second—The two opposite sides of any stream or water course which, according to the practice of the department of the Surveyor General, ought to form a boundary between different sections or lots, shall in no case be included in the same lot.

Third—No single lot shall have more than four hundred and forty yards of water frontage, for one hundred and sixty

acres, or more than a like proportion of water frontage for any quantity greater than one hundred and sixty acres, but the water frontage shall be reckoned according to the distance from one extreme point thereof to the other in a right line, and not according to the bendings of the watercourse or river; and the Governor or officer for the time being administering the Government of the said Colony, shall have the right of refusing to sell any lot or lots, in every case where it may appear to him that the sale of such lot or lots respectively, might give an undue command over water required for the beneficial occupation and cultivation of the lands adjoining either side of any stream or watercourse.

(Reserves from Sale and Special Prices.)

SECT. 8.—It shall be lawful for the Governor or officer for the time being administering the Government of the said Colony, to except out of any such sale or sales as aforesaid, all such lands as may appear to him expedient to reserve for any of the public uses for which it is enacted by the third clause of the Act passed in the fifth and sixth years of Her Majesty, chapter 36, intituled *An Act for regulating the sale of Waste Lands belonging to the Crown in the Australian Colonies*, that lands required for public uses may be excepted from sales authorised by that Act, and if there be reason to suppose that any of the lands applied for under the regulations hereby expressed possess peculiar advantages, whether of water frontage or otherwise, which render it fit that a higher price should be paid for such lands, the Governor or the officer for the time being administering the Government of the said Colony, or any officer authorised by him for the purpose, may require the said lands to be assessed by valuers appointed in manner provided in section 3 of the second chapter of this Order in Council, in order that the value, if estimated by them or their umpire at more than one pound

per acre, the higher amount may be paid for such lands accordingly.

(Grants for Public Purposes.)

SECT. 9.—That nothing in these Regulations, or in any lease to be granted under the powers hereby vested in the Governor, shall prevent the said Governor or officer for the time being administering the Government of the said Colony, from making grants or sales of any lands within the limits of the run or lands comprised in such lease, for public purposes, or disposing of in such other manner as for the public interest may seem best, such lands as may be required for the sites of churches, schools, or parsonages, or for the construction of high roads or railways and railway stations, or other internal communications, whether by land or water, or for the use or benefit of the aboriginal inhabitants of the country, or for public buildings, or as places for the interment of the dead, or places for the recreation and amusement of the inhabitants of any town or village, or as the sites of public quays, or landing places on the sea coast or shores of navigable streams, or for the purpose of sinking shafts and digging for coals, iron, copper, lead, or other minerals, and effectually working coal, or iron, or copper, lead or other minerals, or for any other purpose of public defence, safety, utility, convenience or enjoyment, or for otherwise facilitating the improvement and settlement of the Colony; but so that the quantity of land which may be granted or sold to any railway company shall not exceed in all the rate of one hundred acres for every mile thereof in length.

SECT. 10.—That if at any future period a railroad be made through or near to the districts comprising unsettled lands, all lands within the distance of two miles from that railroad shall, notwithstanding any lease of the run within which such lands shall be situated, be liable to be sold at the end of each successive year from the date of the said lease; pro-

vided that at least sixty days' previous notice shall have been given to the lessee, and so that such lessee shall be entitled to all the same conditions, reserving to the previous lessee the right of pre-emption and the value of improvements as are hereinafter mentioned, with reference to the case of a sale at the expiration of the full term of such lease.

(Mode of acquiring Leases of Existing Runs.)

SECT. 11.—All occupants of Crown Lands who shall have been in licensed occupation of the same for at least one year at the time when this Order in Council shall come into effect, are to be entitled to demand leases of their respective runs under the present regulations, within six months from the date of the publication of this Order in Council by the Governor or other officer administering the Government of the said Colony, but not afterwards; and all occupants who have been in licensed occupation of their lands for a shorter period than the term of one year, shall be entitled upon the expiration of the same term of one year, without having forfeited their respective licenses, to demand leases of their respective runs, under the regulations herein contained; provided such lease shall be lawfully demanded within six months after the expiration of the said term of one year, but not afterwards.

This Order in Council came into force on 7th October, 1847.—See Proclamation of that date.

(Mode of acquiring Leases of Forfeited or Vacant Runs.)

SECT. 12.—When any run of lands, after being occupied, shall be forfeited, or become vacant without the previous occupant's having exercised his right of renewal hereinafter reserved, it shall be competent for any person desirous of acquiring a lease of such run of lands, to give notice to the Governor or officer for the time being administering the Government of the said Colony, of his, her, or their desire

to purchase anew the lease of such run of lands, and immediately after such notice the Governor or Officer administering the Government of the said Colony shall direct sealed tenders to be sent in at such time and place, and in such form as he shall think fit, by the person giving such notice as aforesaid; and also by such other person (if any) as may be disposed to enter into competition for the said lease; and every tender so to be made shall state the term of years for which it is proposed to take the said run, and whether in addition to the minimum rents required agreeably to the provisions contained in sections 2 and 3 of the second chapter of this Order in Council, it is proposed to offer any, and if any, what amount of premium for the lease; and the said tender or tenders shall be opened in the presence of two or more persons authorised by the Governor or Officer for the time being, administering the Government of the said Colony for that purpose, and if there shall be more than one tender, the tenders shall be opened at the same time, and if there shall be only one tender, the lease of the run shall be given to the person making such tender, provided the rent offered shall be admissable under the provisions contained in sections two and three of this chapter of the Order in Council; but if there shall be more competitors than one, the lease of the run shall be given to such person or persons as shall tender the highest amount of premium for the same; but if two or more tenders shall be made for the same run and no one of them be higher than all the rest, a future day shall be announced by the persons who opened the tenders, on which day it shall be competent to all persons to offer fresh tenders in the same manner as hereinbefore provided in regard to the first tenders.

(Mode of acquiring leases of new runs.)

SECT. 13.—If any individual be desirous to acquire a new run of land which has never been occupied before, he shall

be at liberty to send in a sealed tender, at such time and place, and in such form, as may be appointed by the Governor or officer administering the Government of the said Colony, for receiving tenders for new runs, and shall set forth in his tender a clear description of the run for which he applies and of the boundaries of the same, and shall state whether, beyond the amount of rent to be ascertained as hereinbefore provided, he is willing to offer any, and if any, what amount of premium for the lease, and such tenders shall be in all respects dealt with as hereinbefore provided in section twelve of this Order in Council for tenders for runs, which have been forfeited or fallen vacant, save and except that if it shall occur that two or more persons have thus applied for different runs, of which part of one run would include part or the whole of another run, the Governor or officer for the time being administering the Government of the said Colony, or the person or persons authorised by him to act in this behalf, shall declare what shall be the several runs for which it shall be competent to parties to tender, and another day shall then be named, at which the previous applicants, and all other persons shall be at liberty to offer fresh tenders for the runs so delivered

(Mode by which a Lease may be Forfeited.)

SECT. 14.—A lease shall be liable to forfeiture in three modes :—

First—It shall be forfeited for non-payment of rent as provided in section five of the second chapter of this Order in Council.

Second—It shall be forfeited absolutely, immediately upon any conviction for felony against the lessee ; and

Third—In the event of his conviction by a Justice of the District for any offence against the law, the case may be enquired into within three months after the conviction by two

or more Justices, who, if they think fit, may adjudge the lease to be forfeited with or without compensation for the value of the improvements, according to the nature of the offence: Provided always, that no such adjudication of forfeiture pronounced by the Justices, shall take effect until confirmed by the Governor or officer administering the Government of the said Colony.

(Conditions of Sale after the Expiration of a Lease.)

SECT. 15.—Upon the expiration of a lease, it shall be competent for the Governor or officer administering the Government of the said Colony, to put up all or any part of the lands included in a run for sale, subject to the following conditions:—

First—The previous lessee shall have the option of purchasing the land for its fair value in an unimproved state, which shall never be estimated at less than £1 per acre.

Second—If declined by the previous lessee, the value of any improvements on the land offered for sale, shall be ascertained by valuers appointed under the provisions contained in section three of the second chapters of this Order in Council: Provided nevertheless, that the sum so be estimated and allowed for is in no case to exceed the amount of the actual outlay made by the lessee.

Third—The upset price shall then consist of the joint value of the land and the improvements, and if the land be sold, the amount of the improvements shall be paid over to the previous lessee, and only the balance be retained by the Government.

(Conditions of Renewal.)

SECT. 16.—If no part of the run be sold, the previous lessee shall be entitled to a renewal of the lease of the whole, or if any part of the run, not amounting in all to one equal fourth thereof, be sold, such lessee shall be entitled to a re-

newal of the lease for the remaining parts of the lands comprised in his run, subject to the reservation of an increased rent described in the next hereinafter following section of these rules and regulations; and provided, nevertheless, that the boundaries of the different classes of land in the Colony shall not in the mean while have been so far extended as to bring the said run within the class of settled lands; and provided also, that if brought within the class of intermediate lands the lessee shall only obtain a renewed lease of the said run under the rules hereinafter laid down as applicable to that class of lands.

(Amount of Rent on all after the first Lease of Run.)

SECT. 18.—The rent of every lease of a run of land, after the expiration of the first lease granted under this Order in Council, is to be paid by any new lessee on the number of sheep and cattle which the run shall be estimated to carry in its improved, instead of its unimproved state, in the same manner as provided for in section three of the second chapter of this Order in Council; but as an encouragement to improve, the lessee whose lease shall be renewed is to be exempt from paying any increase beyond fifty per cent. upon the amount of rent reserved under the expired lease.

CHAPTER III.

RULES APPLICABLE TO INTERMEDIATE LANDS.

(Leases for Eight Years, but with a liability to Sales under Certain Restrictions at the end of every year.)

SECT. 1.—Within lands coming under the description of intermediate lands the interest in runs shall be acquired, held, and determined upon the same terms and conditions as above laid down for unsettled lands, excepting that the leases shall

not be made for more than eight years in duration, and that at the end of each successive year from the date of the lease, it shall be competent for the Governor or officer for the time being administering the Government of the said Colony, provided he shall have given sixty days previous notice, to offer for sale all or any part of the lands within any such run, subject to the same conditions in favour of the lessee as are above laid down in case of a sale at the expiration of the full term of a lease of unsettled lands.

CHAPTER IV.

RULES APPLICABLE TO SETTLED LANDS.

SECT. 1.—Within the boundaries of the settled lands, it shall be competent for the Governor or officer for the time being administering the Government of the said Colony, to grant leases of lands exclusively for pastoral purposes, for terms not exceeding one year; and it shall further be competent for the Governor or officer for the time being administering the Government of the said Colony, if he deem it expedient, to make general rules, under which the holders of purchased lands within such districts of settled lands may be permitted to depasture free of charge, any adjacent Crown Lands: Provided that the depasturage of such unsettled lands free of charge shall in no way interfere with the right of the Government at any time to dispose of the same, either by sale or by lease for one year as above mentioned.

And the Right Honourable Earl Grey, one of Her Majesty's Principal Secretaries of State, shall give the necessary directions herein accordingly.

WM. L. BATHURST.

*Colonial Secretary's Office,
Sydney, 7th September, 1847.*

LEASES OF CROWN LANDS BEYOND THE SETTLED
DISTRICTS.

1.—His Excellency the Governor, in reference to His Proclamation of this date, publishing Her Majesty's Order in Council, regulating the occupation of Waste Lands of the Crown within this Colony, deems it proper to caution the Licensed Occupants of Waste Lands of the Crown beyond the settled districts, that the rights conferred on them by the 11th section of cap. II. of the Regulations, must be exercised within the periods in that section prescribed, by relation to the date of the Proclamation above referred to, publishing the said Order in Council.

2.—The applications must be lodged in the office of the Colonial Secretary, in Sydney, if the Lands for which the Lease is applied for be situated within the Sydney or Middle District; or of His Honor the Superintendent at Melbourne, if within the Southern or Port Phillip District; and in order to preserve uniformity, the applicants will be required to use the printed forms—copies of which may be obtained from the Commissioners of Crown Lands beyond the settled districts, as well as at the Office of the Superintendent at Melbourne, and at this Office.

3.—All such applications must set forth the names and clear descriptions of the runs applied for, and of the boundaries of the same, as prescribed with respect to new runs, by the 13th section of chap. II. of the Order in Council. In such descriptions it will be necessary to refer to leading geographical features, and marked or determined boundary lines, as well as to the names of the occupants of adjacent lands, and to give the length and general direction of the several boundary lines with reasonable certainty; and also to state

the supposed extent of the runs, and the number of sheep, or equivalent number of cattle, which each run may be estimated as capable of carrying.

4.—An abstract of all applications received will, from time to time be published in the *New South Wales Government Gazette*, or *Port Phillip Government Gazette*, for the information of all parties concerned.

5.—Persons who object to the claims of others, either wholly or in part, as comprising lands to the lease of which they may conceive themselves entitled, are recommended to lodge in the office of the Colonial Secretary, or Superintendent of Port Phillip, caveats referring to such claims, and specifying the lands to which their objections extend, and the grounds on which they prefer their claims to the same.

6.—It will be impossible that the issue of leases should take place immediately on demands being made for them. In many cases the Government may not be able until the end of the year 1848, to determine whether the particular runs applied for, will be included in the *intermediate* or *unsettled* districts, and in all cases it will be necessary to consider and decide on the claims of applicants—to verify the descriptions of the runs—and to estimate the number of sheep or cattle which each run will carry—and the rent accordingly to be paid. His Excellency, however, desires at the same time to intimate, that all practicable despatch will be used, for the purpose of putting the occupants of Crown Lands in possession of the leases, to which they may be entitled under Her Majesty's regulations.

By His Excellency's Command,

E. DEAS THOMPSON.

Colonial Secretary's Office,
Sydney, 1st January, 1848.

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

(TENDERS FOR RUNS.)

His Excellency the Governor, in pursuance of Her Majesty's Order in Council, bearing date the 9th day of March, 1847, has been pleased, with the advice of the Executive Council, to establish the following Regulations for the receipt and disposal of Tenders, as well for *forfeited* or *vacated* runs as for *new* runs.

I.—FORFEITED OR VACATED RUNS.

1. On the receipt of a notice from any person of his desire to purchase the lease of a run, which, after having been occupied may have fallen vacant, either by forfeiture or surrender, and to the leasing anew of which no objection shall arise, a notice will be issued in the *Government Gazette*, describing the boundaries and grazing capability of the run applied for, stating the maximum number of years for which a lease thereof will be granted, and fixing a time and place, at which sealed Tenders, in a prescribed form, will be received from the applicant, and from any other persons desirous to enter into competition with him, for the purchase of the lease of the described run.

2. Every such Tender must state the term of years within the limit mentioned in the notice, for which it is proposed to take the run, and whether, in addition to the rent required by the Order in Council, it is intended to offer any, and if any, what amount of premium for the lease.

3. The Tenders will be opened in the presence of a Board of Officers appointed by the Governor, and will be disposed of in the manner directed in the 12th section of Chapter II.

of Her Majesty's Order in Council, a copy of which is annexed to this notice for more easy reference.*

4. The lease will be made out as soon after the acceptance of the Tender as may be practicable; and the intending lessee will be required to take up the lease by payment of the first year's rent, and the premium (if any) within sixty days from the date of the notification of the acceptance of his Tender; in default of which, the run will be again declared open to public competition.

5. Until the lease has been actually taken out, the intending lessee will acquire no title whatsoever to the occupation of the land tendered for.

II.—TENDERS FOR NEW RUNS.

1. Sealed Tenders for new runs will be received on the first Monday in every month—commencing on Monday, the 7th day of February next.

2. The Tenders in the prescribed form are to be addressed to this office, if the land be situated in the Middle District, or to the office of His Honor the Superintendent at Melbourne, if situated in the Port Phillip District.

3. The Tenders will be opened in the presence of a Board of Officers appointed by the Governor, and a record will be made in each case of the name of the highest tenderer, so as to secure to him the lease, in the event of the land applied for proving to be available.

4. The description of each run tendered for, will then be forwarded to the Commissioner of the District in which it is situated, with instructions to report whether it comprises any land leased or under promise of lease, or applied for in any other Tender, and if it does comprise any such land, that he shall state what should be the run for which it shall be declared competent to parties to tender.

* See sec. 12, page 15.

5. If the run applied for be available, the acceptance of the Tender will be duly notified to the applicant; and the premium (if any) and first year's rent computed in the manner hereinafter described, will be required to be paid, within sixty days from the date of such notification; in default whereof, the run will be declared by advertisement in the *Government Gazette* to be open for selection, and a day for the receipt of fresh Tenders for it will at the same time be announced.

6. Until the first year's rent and premium (if any) shall have been actually paid, the intending lessee will acquire no right whatever to the occupation of the land tendered for.

7. It is also to be distinctly understood, that the Government reserves to itself the right of excluding from any such run, any lands which it may be deemed proper to reserve for any of the purposes referred to in the 9th section of chapter II. of the Order in Council.

8. In any case in which the boundaries of the run tendered for may require to be adjusted, so as to exclude from it any land leased or under promise of lease, or applied for by another party, the amended description of the run, and the day on which fresh tenders will be received for it, will be publicly notified, in conformity with the provisions in that behalf contained in the 13th section of chapter II. of the Order in Council, a copy of which is annexed to this notice for more easy reference. The interval between such notification, and the day on which the Tenders will be received, will not be less than one calendar month.*

9. As a considerable interval must be expected to occur in every case, between the acceptance of a Tender for a new run, and the survey of its boundaries, and the valuation of its grazing capabilities, which will be requisite for the purposes of a formal lease and the final adjustment of the rent,

* See sect. 13, page 16.

the following general rules have been laid down, under which the occupancy of the run during such interval, may be granted to the successful tenderer, and the receipt of rent secured to the public.

(1.) Tenders for new Runs must contain not only "a clear description of the Run applied for, and the boundaries of the same," but also an estimate of its grazing capabilities; and the Tenderer should state that in addition to any premium which he may offer, he will be prepared to pay a yearly rent of ten pounds, with two pounds ten shillings added for every thousand sheep, or their equivalent in cattle, above four thousand sheep or their equivalent, which the run shall be estimated as capable of carrying.

(2.) Until the number of sheep or cattle which the run can carry shall have been determined by valuation in the manner prescribed in Her Majesty's Order in Council, the intending lessee will be required to pay according to his own estimate, as given in his Tender; and in the event of the rent so paid according to his own estimate, proving to have been less than that determined by valuation, he will be required to make up the difference previously to the execution of the lease.

10. Printed forms of Tender for forfeited or vacated runs, and for new runs respectively, may be obtained from the several Commissioners of Crown Lands beyond the Settled Districts, as well as at the Office of the Superintendent of Port Phillip, and at this office.

By His Excellency's Command.

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 1st January, 1848.*

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

(TRANSFER OF RUNS.)

His Excellency the Governor, with the advice of the Executive Council, has been pleased to establish the following rules respecting the transfer of runs beyond the settled districts, *previously to the issue of leases*, under Her Majesty's Order in Council, dated 9th March, 1847 :—

1. Demands for leases of runs under the 11th section of chapter II, of the Order in Council, will (with the exceptions mentioned in the 2nd paragraph of this notice,) be received from those persons only who were the Licensed Occupants of the runs at the date of the publication of the Order in Council by the Governor. But in consideration of the delay that must necessarily take place in the issue of the leases, any Licensed Occupant, who after having demanded his lease, may desire to part with his interest in the same, will be allowed to have the lease made out in favour of any person recommended by the Commissioner of the District, on making written application to that effect to the Colonial Secretary, in Sydney, or to the Superintendent of Port Phillip, at Melbourne (as the case may be), such application to bear the applicant's own signature, attested by a Magistrate or a Commissioner of the Supreme Court. In this case the original applicant will be debarred from all further claim to the lease, the right of which will be thenceforth held to be vested in the person in whose favour he requested that it should issue.

2. If, however, a person who had a right to demand a lease of a run in his occupation, under the terms of the 11th section of chapter II of the Order in Council, shall have died or become insolvent, without having exercised such right,

the demand for the lease will be received by the Government from his representative, or from any one coming forward on his representative's behalf. The issue of the lease however, will, in such case, be suspended, until the claimant thereof shall have satisfactorily proved himself to be the legal representative of the deceased or insolvent person; and, in the meantime, the rent must be regularly paid, in default whereof the run will be held to have become vacant, and the lease of it will be exposed to sale.

3. The transfer of *portions* of existing runs will, in no way, be allowed by the Government. For each run, now recognised as such, but one lease will issue; and any portion of such run which may not be demised to the lessee of the remainder, will be held to have become vacant, and to be at the disposal of the Government.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 1st January, 1848.*

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

(Proportion of Cattle to Sheep.)

Her Majesty, by Order in Council, dated the 9th March, 1847, having determined that the rent to be paid for each several run of Crown Land beyond the settled districts of New South Wales, shall be proportioned to the number of sheep, or equivalent number of cattle, which the run shall be estimated as capable of carrying, according to a scale to be established for the purpose by authority of the Governor, His Excellency directs it to be notified that he has, with the advice of the Executive Council, established the following scale for such purpose, that is to say:—

Six hundred and forty head of cattle shall be considered equal to four thousand sheep; and in cases in which the stock upon a run may consist of sheep and cattle, the amount of mixed stock (horses being reckoned as cattle) shall be calculated in the proportion of six hundred and forty head of cattle to four thousand sheep.

By His Excellency's Command,

E. DEAS THOMSON.

Colonial Secretary's Office.

Sydney, 4th February, 1848.

CROWN LANDS BEYOND THE BOUNDARIES.

Renewal of Licenses for Current Year.

His Excellency the Governor, with the advice of the Executive Council, has directed it to be notified, that several applications having been made to the Government by parties who have, from various causes, failed or omitted within the time prescribed, to take out their Licenses for the current year, for the occupation of runs beyond the settled districts, but are now desirous to do so; His Excellency has been pleased to lay down the following rules under which they will still be permitted to obtain Licenses, on payment of a fine for their default, namely:—

1. All persons who held licenses for their runs for the year ended on the 30th of June last, but who have failed to renew them for the present year, may now be allowed to do so, on payment of a fine, in addition to the price of the license, at the rate of one pound for every month, or part of a month, which will have elapsed between the 30th of September last and the taking out of the license.

2. It is to be clearly understood, that if on or before the 6th of April next, being the day on which the period of six

months will expire within which certain licensed occupants of runs are entitled to demand leases, any person occupying Crown Lands beyond the settled districts who shall not have taken out a license for the current year, such person must be held not to have been in licensed occupation within the meaning of the 11th section of chapter II. of the Order in Council, and his demand for a lease cannot, therefore, be entertained. His run will, accordingly, be declared to be forfeited, and the lease of it open for sale in the manner prescribed by the 12th section of chapter II. of the Order in Council.

3. It is further to be understood, that this notice does not apply to parties, if any, who notwithstanding they have failed to take out their licenses for the past as well as the current year, have continued in occupation of Crown Lands; and who, according to the declaration contained in the notice of 30th June, 1846, have thus been holding against the will of the Crown. Their runs are therefore now considered to have become forfeited, and liable to be dealt with accordingly.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 21st February, 1848.*

TENDERS FOR RUNS.

Referring to the notice dated 1st January last, relative to Tenders for runs of Crown Lands, His Excellency the Governor directs it to be notified that in the receipt of future Tenders the following rules must be strictly attended to, viz:—

1. The Tenders will be open at noon of the day appointed for their receipt,—namely, the first Monday in each month.

Any Tender received after that hour will remain over until the time appointed for opening tenders in the succeeding month, and will be subject to any competition which may arise, by reason of any tenders received up to that time.

2. No tender will be entertained in future unless made in the prescribed printed form, containing all the necessary particulars.

3. The Tenders must be endorsed "Tender for New Run," or "Tender for Vacated Run," as the case may require.

4. As it is intended to act strictly on these rules, any person failing to comply with them, will, after this intimation, have no reason to complain, if he shall thereby lose any benefit which a compliance with them would have secured to him.

By His Excellency's Command,

E. DEAS THOMSON.

*Colonial Secretary's Office,
Sydney, 31st March, 1848.*

OCCUPATION OF CROWN LANDS.

TENDERS FOR NEW RUNS.

In reference to the regulations of the 1st January, 1848, respecting Tenders for New Runs, His Excellency the Governor, finding that some misapprehension exists on the subject, has been pleased with the advice of the Executive Council, to direct that the following explanatory observations and additional rules should be published for general information.

1. The rule laid down in the Notice of the 10th July, 1845, that no new run shall in ordinary cases consist of more than twenty-five square miles, is still to be observed. Persons therefore, tendering for new runs, must not apply

for any larger quantity than twenty-five square miles under a single lease, unless that quantity shall be insufficient in ordinary seasons, for the pasturage of four thousand sheep, or their equivalent in cattle; in which case, the run may be enlarged to the area necessary for that purpose. But if, on an estimate of its grazing capability, any run so enlarged shall be found to be greatly in excess of the quantity requisite for the pasturage of four thousand sheep or their equivalent in cattle, it will be liable to be curtailed to the regulated standard, and any further expense incurred in surveys or otherwise, will have to be defrayed by the party tendering.

2. Any person desiring to obtain a larger tract of country than twenty-five square miles, will not be precluded from doing so by the rule referred to in the foregoing paragraph: but he must tender for it, not in one block, but in separate portions not exceeding twenty-five square miles each, in extent.

3. In accepting tenders for new runs, the Government will reserve to itself the right in every case of modifying the boundaries proposed, so far as may be necessary to render them conformable to the undermentioned general rules; and the persons employed in the survey and measurement thereof will be instructed to adjust and describe the boundaries accordingly, viz:—

1. Subject to such deviations as the general features of the country and the adoption of natural boundaries may require, every run must be in a compact block of rectangular form in which the external lines shall run east and west, and north and south.
2. No person will be allowed so to shape his run, as to secure to himself the exclusive use of water necessary to render any adjoining lands available.
4. No tenders already sent in will be rejected because of the quantity applied for as one run being in excess of the regulated area; but on the acceptance of any such tender,

the applicant will be required to propose a subdivision of the land into separate holdings, so as to bring the area held under each lease within the prescribed limit, and to make it conformable in other respects to the general rules above laid down.

5. The Regulations set forth in the above-mentioned notice of the 1st January, 1848, in respect to tenders for new runs, are manifestly inapplicable to parts of the colony which are situated beyond the reach of the protection and control of the Commissioners of Crown Lands. The said regulations do not extend to such parts of the colony, and tenders for runs so situated cannot therefore be entertained.

By His Excellency's Command.

E. DEAS THOMPSON.

CAP. CIV.

Anno Nono et Decimo Victoriae Reginae.

The British Parliament passed an Act on the 28th August, 1846, intituled "An Act to amend an Act for Regulating the Sale of the Waste Land belonging to the Crown in the Australian Colonies, and to make further Provision for the management thereof."

In Clause VI. are the following provisions:—

"That it shall be lawful for Her Majesty, by any Order or Orders in Council, to make and establish all such rules and regulations, as to Her Majesty shall seem meet for the purposes aforesaid, or for any of them, and any such rules and regulations again to repeal, renew, alter and amend, and that all such Orders in Council shall have the force and effect of law in the Colonies aforesaid: Provided always, that nothing herein contained shall be construed to authorise the Sale of any Waste Lands in the said Colonies otherwise

than in conformity with the provisions of the said Act, except to persons who shall be in actual occupation thereof under such Demise or License as aforesaid, or to authorise the Sale of any such Lands for a lower price than a minimum price at that time established therein by the authority of the said recited Act," viz., "5 and 6 Vic: Cap. 36," fixing one pound sterling per acre as the minimum.

Well may this Act designate these lands as the "WASTE LANDS," when by means of this very Act, and the Orders in Council emanating therefrom, 60,000,000 of acres were delivered over to 666 persons for less than £20,000 a-year, and also the improper favor added thereto, that of buying all the best lands at the minimum price, at the expense of all other persons, who, to become purchasers of lands from the Crown must buy these lands at public auction. I say, well may these fine fertile agricultural lands be called WASTE under these wasteful Orders. No agriculturist, however diligent or scientific—no, not even the man or men who have cultivated hundreds or thousands of acres, and for which lands they may have paid to the Colonial Treasury hundreds, or thousands of pounds—receive any right to take other lands at their own valuation. No, only those who have paid in the trifling yearly sum of £10 are, by this law, entitled to these "WASTE LANDS" at their own valuation, which, up to this writing, has never exceeded the upset price of 20s. per acre—even though close alongside of lands that sold by public auction for £10 an acre, as witness: Mr. Murray's land at and adjoining Colac, and the Messrs. Learmonth, at and adjoining to Buninyong, valued by these gentlemen and their friends, and by Mr. Commissioner Gray on behalf of the Government, in these words, "I cannot value them at more than 20s. per acre." Now the most that any of these squatters could have paid, is eighteen years' license, say, from 1836 to 1853 inclusive, and one year I am told the

Crown Land Commissioners forgot to demand this £10 license—therefore these men are put in a far better position for their £100 to £180, than the buyers of land that may (as many have done) have deposited thousands of pounds sterling in the Treasury, most part of which has been expended by our squatting Government, in importing servants for the squatters, out of the land fund; thus, almost giving them the land rent free, and making the farmers find them (the squatters) with cheap labor. And the Squatting Council at Sydney passed a Squatters Exemption from all Auction Duties Act, and the Governor approved it. And that other memorable Act, viz., the Squatters Impounding Act, by which these men, who do not pay $\frac{1}{4}$ d. per acre, are allowed to charge as much money to any trespasser upon these lands, as the man that pays in interest for his land at 10 per cent. on the cheapest land 2s. per acre, and frequently up to £5 purchase, or 10s. per annum rent (before the gold-fields were found). But above all these greedy Squatters put a clause in the Act, allowing them to charge for driving stock to pound—but no such allowance is made to the buyer of land, and the words are in keeping with the men—they are to charge any sum their servants say will cover all the expenses incurred, frequently up to 7s. 6d. per head for driving. But this I got amended by an Act that restricted the charge to 2s. 6d. per head, and no charge under twenty miles driving.

Chapter the first of these Orders in Council, in Four Sections, notifies how these lands are to be nominally divided into Settled, Intermediate, and Unsettled Districts.

Chapter II. Sect. 1, authorises the Governor to grant leases for any term *not exceeding fourteen years*, and allows them “to cultivate so much of the lands respectively comprised in the said runs as may be necessary to provide such grain, hay, vegetables, or fruit, for the use and supply of the family

and establishment of such lessee, but not for the purposes of sale or barter."

This clause the Governor has not only neglected to see enforced respecting growing crops for sale, but has actually violated this order, by buying of those persons (who did grow more than they required) great quantities of hay and corn. The Governor cannot put in force the clause allowing him to sell any part of these lands, at least he so stated when I with others waited upon him, asking for lands in the unsettled and intermediate districts to be sold. But he can break through a positive order to put money into the Squatters' pockets: and this is the man whom sycophants amongst the people present with a Gold Cup.

Section 2. This clause fixes how the rent is to be regulated.

Section 3. Points out how this rent is to be fixed. This section, passed in 1847, has not yet (now 1853) been complied with.

Section 4. The rent to be paid independent of the rate of assessment; "and in no way to interfere with the right of the Colonial Legislature to impose from time to time such assessments as may be deemed advisable." Yet this Governor, who at almost all times can command an overwhelming majority, did suffer the assessment upon stock to be thrown out, the highest law officer of the Colony urging its extinction. And he, a Squatter, saving money thereby, and Mr. Splatt, the then great Squatter, in moving for the rejection of the Bill for Assessment, said distinctly, "Do you think we will tax ourselves;" and they struck off £16,000 at one vote amongst about 800 persons.

Section 6. Renders the land saleable only to occupant, and gives power to the Governor, "during the lease, to sell a certain quantity to the leaseholder." But this the Governor has also broke through; these men who hold these lands would not pay for the surveys that were necessary before



these leases could issue, yet have the authorities managed to let them have lands at the minimum price, although they have none of them yet received their leases.

Section 7, 8. Are directions how such lands shall be surveyed, and what reserves may be made, and goes through the farce of empowering the Governor to name a valuer of certain lands.

Section 9. Under the head of "Grants for Public Purposes," empowers the Governor to sell any lands, amongst a long recitation, "for any other purpose of public defence, safety, *utility*, convenience, or enjoyment; or for *facilitating the improvement and settlement of the Colony.*"

By this clause the Governor could have sold lands enough to settle the gold-fields population around those fields, and if sold in 1851 or 1852, crops might have been raised there, to the saving of the health, adding to the comfort, inciting the land buyers to fixed and industrious habits, and have added many thousands of pounds to the treasury, and also to the hard working diggers; whose money, many thousands of pounds of it, would have been invested in land, to their own and their families' advancement; the which money has been, to a great extent, swallowed up in drunkenness, and has produced horrors innumerable, and many, many deaths! And most of these are the result of the Governor's refusal to carry out the Orders in Council where they might benefit the masses. I now pass over the intermediate sections, from No. 10 to 15 inclusive, leaving each person to examine them for themselves.

Section 16. Is headed "Conditions of Renewal," and therein is laid down the doctrine that "the Orders in Council" contemplated the extension of the "*settled districts*," in these words: "And provided, nevertheless, that the boundaries of the different classes of land in the Colony *shall not in the meanwhile have been so far extended as to bring the said run within the class of settled lands.*"

This is *the* one clause that leaves^m this matter open to be settled and adjusted by Her Majesty and Privy Council, *by* simply declaring the whole lands of this fertile Colony within the settled districts.

By doing this a revenue can be obtained, and with great ease, of at least £1,500,000 a-year, and this will from time to time be likely to increase as the terms fall in upon which these lands may be leased. And the leasing as the selling must be by public auction, to the highest bidder.

First. Because the Squatters have declared in the Legislature, that although they have had the whole country to themselves for eighteen years, they have not on hand more than one sheep for each ten acres of land.

Second. Because they also state that they cannot, with this 60,000,000 of acres, produce meat sufficient for the present population of some 240,000 persons, and this statement Mr. Goodman made, and adduced much argument to prove it.

Third. The same Squatter states, that one-fourth of the sheep brought to market are scabby, and unfit for human food; although he and other Squatters, amongst whom are the Speaker, declare that the scab can be cured, if the sheep owners will take the trouble and incur the expense. The way to cure this, is, to let the lands by auction, in sections of not more than twenty square miles, and impose a heavy assessment upon all scabby sheep.

There are 60,000,000 of acres of land out of the now so-called settled districts, and altogether 62,000,000 acres. This land would, with care, keep one sheep an acre, with a little help from the landholder. England keeps more than one sheep an acre, although a great part of her fields are corn-fields—and this certainly, without any other food than the native grasses, would sustain at least 50,000,000 of sheep. Whereas, the returns show somewhere about 6,050,000 for last year, and the Squatters say, that, between the loss by scab and consumption for food, they have rather decreased

than increased. Thus it is clearly apparent, that these "dogs in the manger," one day crying out how poor they are, then another day Mr. Goodman, one of their own body, gets up and states that they will raise for this year £4,000,000 worth of wool, tallow, meat, horns, hides, &c., &c., &c., and this upon land that would raise at least eight times the number of sheep if the lands were properly divided. Yet they state they cannot pay more than the £20,000 out of £4,000,000, and for the use of 60,000,000 of acres. Yet have these men objected to these lands being sold, although many pounds an acre has been realised for some few lots sold by authority. And more, these Squatters proposed to the Government, and assisted them to rise the digger's license-fee from the proposed yearly sum of £5 to £8 for only a few feet of earth—they paying only £10 for a common sized station, say, 50,000 acres; and these Squatters voted with the Government, in November last, that each storekeeper at the diggings should pay yearly £50, and not keep more than three servants—they, the Squatters, paying only £10 license-fee, and having an unlimited number of servants. Such is the Squatter justice administered by our body-and-soul Squatter Executive. Lands that would, if properly divided, keep 40,000,000 to 50,000,000 of sheep, have been kept, in a great measure, useless, because delivered up without any care to greedy men, and let to them at a nominal rent, to the exclusion of all others. Only think, 100,000 acres with only 5000 sheep on it, and oftentimes even less. And why was this, you ask? Simply because the lands were never apportioned, measured, or in any way arranged, in proportion to the stock put on them; and that the Government made the man who could only get five or six thousand acres, pay as much money as the man whom they allowed to take any quantity up to, as official returns shew, 845,600. This was Government policy with a vengeance. This is La Trobe's justice to all.

Earl Grey, in his despatches with the Orders in Council, considered the runs were, as much as possible, and where natural boundaries would admit of, from 20 to 25 square miles. Not so our Colonial Government; and it was not until the 31st March, 1848 (see "Tenders for New Runs" of that date), that the Colonial Government laid down this rule, and our Governor, late Superintendent, was totally above attending to such minutiae, although he well knew that a great part of the lands of this Colony would bear a sheep to each acre, this is publicly allowed by the people in the westward; and on two points of very poor land I have also ascertained this fact. Mr. Grass, at the Little River, on those poor plains, told me that he only had about 6000 acres, as per his chart of his run, and he had nearly the same number of sheep, besides a herd of cattle, and many horses; and Mr. P. Reid, on land on which the stringy-bark tree abounds—poor hills—reared and kept in good order one sheep to the acre; but mind, these sheep were looked after, and not left to paid overseers or superintendents.

Let us recapitulate: Lands, to be purchased in New South Wales, were fixed in price by the Home Government, and very early the price was fixed at 3s. 4d. per acre, let at a quit-rent of twopence per year per acre. This was before 1830. An advance took place, and the minimum was raised to 5s., then to 12s., and finally to £1 per acre, its present price.

Now let us see the per contra: The squatting price never once raised. This price was fixed by the body of Squatters; they named £10 a-year, irrespective of quantity, and the Government bowed to their decision. The smallest run, if only of 1000 acres, must pay £10. They also contrived as the Council paper of 29th May, 1849, shows, to let £10 a-year cover 845,600 acres to one man. Here, reckoning two acres to a sheep, was ground enough to feed and rear 422,800 sheep, which, at the sum fixed by the Orders in Council to

be paid per thousand, viz., £2 10s., this man should have paid £1057 10s. each year. No, the *squatter-made* LAWS called for only £10 yearly. Now, no change has taken place as regards the £10 a-year rent. The buyer of land has had his minimum price raised sixfold; the Squatter has not had his rent raised once. The landbuyer must also contend at auction, and buy often under much competition, for the Government here has always sold much less land than the people required. For instance, in 1839, 1st of August, they sold only ten farms, when fifty to one hundred would have been very cheerfully bought,—proof, upset price 12s. per acre, land sold up to £2 10s. per acre. Thus, for each four acres the buyer paid as much as the Squattocrat per year for hundreds of thousands of acres. The landbuyer was compelled to pay down 10 per cent. of his purchase-money, and the remainder in full within one month. This rule our Local Government took great care constantly to enforce. The Orders in Council of 1847 distinctly instructed the Government to assess the lands held by the Squatters at the quantity of sheep each run would carry, and pointed out how this should be done. It has not been done up to this hour. It is said that the Crown Land Commissioners have made some kind of a return of what quantity of stock these 60,000,000 of acres can keep in good order; but no such return has been made public. An attempt at such return was made in 1852-3; but in very many cases, the quantity of land held, or claimed to be held, was omitted. Here is another proof of the undue favour of this ruler of Victoria to the Squatters. All persons were called upon to make a return of the lands they claimed to hold under license, the extent, and how bounded; and any one failing so to do was rendered liable to forfeit his or her run. There are many instances on record of these depasturing license-holders refusing to make this return; one case, in the General Squatting Statistics, May 29, 1849, where six persons,

holders of seven licenses, made no such return. But there is no record of any ONE or more forfeitures. But the Government frequently enforced the forfeiture of the 10 per cent. upon the landbuyer,—very frequently indeed. The landbuyer was at first allowed to cut wood for his buildings and fencing, &c., on Crown Lands. But the Squatters were jealous of this; they required *all* the benefit of *all* that could be got on the unsold Crown Lands. They continued to have the right to cut timber, &c., &c., &c., on all unsold lands of the Crown, when living not less than five miles from the town. Again, the landbuyer, even after the price was raised to 20s. an acre, could not drive his stock off his purchased lands on the adjoining Crown Lands. You ask why? Simply because the Government took good care to let these lands to some favoured friend or other, at some nominal rent,—aye, even up to the Yarra Yarra's banks on the south side of Melbourne. Yes, even in the township of Melbourne! But how with the Squatter. He paying only £10 a-year was not confined to pastoral pursuits. No; he could, within his extensive run, select the best spots, and after using them until exhausted select fresh spots: on these he could cultivate whatever quantity he pleased, and sell the produce when and where it pleased him. This was a gross injustice; but our Government gave it their tacit favour,—in fact, they allowed it. I believe I was the means of, in some measure, checking this, by my letters on the subject; and the Orders in Council very stringently forbid all cultivation in the settled districts, and only allowed on the other districts cultivation *strictly* for their own use; and a proclamation was also issued allowing persons buying 640 acres, or more, three times as much land for grazing purposes, they paying a small annual rent; but then this was soon made an evil. One man bought 33,000 acres, and he seized upon 99,000 acres adjoining, and this only a short distance, some 15 to 16 miles from town; and another evil was, the Government

made no provision of grass lands for those holding less than 640 acres. No; the humbly industrious were never thought of by the powers that be, either in Sydney or in Victoria; and the inland towns and villages have not yet got any commonage or feeding-ground for their stock, their milch cows or working cattle, and were years ago paying at Kilmore, and no doubt many other places, five shillings yearly per acre, for land not fit to cultivate, whilst the Squatters held the lands all around them at less than ONE FARTHING per acre, and they could not find stock enough to consume above one-fourth or one-fifth of the grass upon the lands they called their runs. "This is monopoly." And it is thus the bush fires are so frequent and so injurious; so much unconsumed grass burnt, because the Squatter cannot find means to place sufficient stock on their runs to consume Nature's bountifulness.

The land-buyer in no way gets any part of the money paid by the Squatter for his licenses; but, on the contrary, the Squatters not only hold 60,000,000 of acres for £20,000 a-year, but our paternal rulers send home a large proportion of the money raised by the sale of land to import shepherds and hutkeepers for the squatters; and, worse still, some of this body, with a Captain Stanley Carr at their head, have taken upon themselves to direct the Emigration Commissioners (and they have acted thereupon) *where, in the Squatting districts, these men, IMPORTED WITH THE LAND-BUYERS' MONEY, should be landed.* Thus the Squatting districts have often obtained labour, when the men that bought the lands on the understanding that labourers should be provided for them, found themselves prevented of a supply by the Squatters, who paid nothing towards the importation of labourers, and thus were partially robbed of their rights, viz., the labourers their own money imported. The Squatters had shut out the landholders from the use of any of the products of these Waste Lands; then cast about to see how they

might further benefit their own class, and in 1850 they passed one law releasing their stock and their runs from all liabilities to auction duties, leaving the landbuyer to pay duty on all lands purchased. The Government let them have the lands for nothing—then why should they pay any duties for the sale of their stock or their estates? I say for nothing, because it is clear that the room on which to build a house was, and is, worth more than the £10 a-year they pay. Take, for instance, the newly-arrived immigrant that applies for leave, for room to put up a tent; he is charged £13 a-year, without leave to fence in land, to make paddocks, and to take in stock at a weekly charge, or to cultivate for his use; therefore the Squatter, I contend, does not pay any money for his run, only for room for a house. Then the Impounding Act did not allow the Squatters to pound stock on their runs;—how could it, upon lands not worth the smallest British coin? Not so thought the Squatters, when they saw the Orders in Council; for in September, 1850, Mr. W. C. Wentworth, on the 26th, brought in a Bill to enable licensed Squatters to impound all stock found upon their runs, and on lands they said were not worth one farthing an acre, to charge the same trespass as that charged upon land that was acknowledged to be of the value of one pound per acre and upwards. And this Bill passed through its THREE READINGS in *three days*, and was assented to by E. D. Thomson's AUTOMATON, on the following 2nd of October. And one clause in this Bill allowed these Squatters to charge whatever sum they chose for driving stock to pound, and well some of them worked it. But I succeeded, in 1852, in fixing that no charge should be made for driving a less distance than 20 miles, and then not to exceed 2s. 6d. per head; before this, 7s. 6d. per head was a common charge, even for one mile. The landbuyer, I repeat, has no driving fees,—no, not one penny. The Orders in Council legalised leases for from 8 to 14 years. The Government offered to survey

these lands, and make out the leases, if the Squatters would pay for the surveying. Indeed! ask the Squatters to pay for what they require! 'twas monstrous, they said; and they reasoned thus—We have the lands for nothing, we can cultivate, or fence in for paddocks, as much as we please—we can take in to graze other persons' cattle at 5s. per head per week—we get labourers free to us of cost of importation—we get our letters sent hundreds of miles to accommodate two or three families—we get police protection, and we get made magistrates,—the duty we do is quite another thing—we have got every one of us put upon the electoral roll—we have got Mr. La Trobe to apportion us several districts entirely squatting ground, where no man except a Squatter would get one vote—we can, and do return, one way or another, one-third of the members of the Legislative Council—and we took high ground last session (1852). Knowing the squatting predilections of the Governor and the members of the Executive Council, and of the nominees, we felt safe. We resolved to strike off the assessment upon stock, some paltry £16,000 a-year, and so one mighty Squatter, a Mr. Splatt, got up, and proposed to throw out the Bill for renewing the assessment upon stock, and used these very memorable words: “Do you think we will tax ourselves?” This is a specimen of the Squatter law-giver. How much money he saved by his vote that day the returns do not enable me to say, but I should think not less than £100 a year; since that period he has sold stock, and station or stations, for £68,000, as I am credibly informed. And these are the men which Mr. Latrobe has, by his squatting predilections, forced upon the people, by the way he formed the electoral districts. And, say they, we Squatters, having achieved all this, aye, and more, why should we PAY for *surveying* our ground and our runs? Although we know it must be surveyed, in order to render our leases (when we get them) valid, why should we pay this

money? No; let it be paid out of the Land Funds, as is done with respect to our supply of labourers, or by any way except out of our own pockets. They have said they were too poor to pay for these surveys. Yet Mr. Goodman, a leading Squatter, distinctly said openly in the Legislature, that their incomes for this year would be at least £4,000,000, amongst about 800 persons—say 1000; here is £4000 a-year each, and they pay £20,000. They say the diggers only raise £8,000,000 amongst 60,000, or about £85 a-head; yet they, the Squatters, actually raised the Government taxes, and taxed these diggers at a contribution of £500,000 for the coming year.

If any proof were wanting of the class legislation these very Squatters profess to deprecate, here is one of clear, distinct, and of damning proof against them. They have reduced their own payments to next to nothing, drawing each, upon an average (exclusive of the increase yearly of stock) £4,000 a-year, and paying only £20 each. Yet they raised the fees upon the digger above the sum brought in by the Government, viz., from £5 to £8 a-year; and one of their body made a sad lament, that the rulers did not, in consequence of this extravaganza, exempt them from the assessment dues,—in fact, make the diggers pay all, to let them off scot-free. The Squatters also voted that the shopkeepers should pay a yearly license of £50, and limit them to three servants each, and these men hold very small plots of land for their £50 a-year. Can the Squatter, after this, murmur if each of their body are charged £100 a-year license, and limited to three servants, and that they should have either to buy the land they cultivate at public auction, or pay a yearly rent equivalent to the sum that the Local Government RETAIL out the land to the landbuyers; pay by way of interest, 10 per cent. on the price these lands sell for by auction. For instance, Gisborne, 38 miles from Melbourne, the cheapest at £40 an acre, and the prices ranged

up to £92 an acre; Squatters' land let at less than $\frac{1}{4}$ d. per acre, and in some of the inland country towns and villages even higher prices have been obtained for these so-called "waste lands." Waste they certainly were, when let at less than $\frac{1}{4}$ d. an acre, and yet sell for £66 an acre, on an average.

Now, let us see by official statistical returns what has been done. This Colony was commenced in 1835, by the writer; in November, of that year, the first sheep came from Van Diemen's Land to Melbourne.

	£	s.	d.
Since that day up to the 30th June, 1851, there has been paid as depasturing-license			
money	145,454	6	0
And under the Assessment Act	94,951	6	0
	<hr/>		
Total for sixty millions of acres for six- teen years	£240,405	12	0

And for what has this sum been received, and from how many persons—the last official statement of date, May, 1849, I have at hand, gives—666 persons paying. And they estimate the land they hold as less than 30,000,000 of acres. At several meetings I attended in 1848, the Squatter speakers declared that they actually held and occupied all the available lands, of this Colony. Now Mr. Westgarth says there are 97,000 square miles in this Colony—say 2,000,000 of acres in the settled districts, that leaves 60,000,000 of acres amongst 666 persons, or about 90,000 to each individual; therefore each individual should have averaged at least six licenses, if not seven, at £10 each, and 75,000 sheep, at £2 10s. per thousand, making an aggregate (and without the assessment) per year £247 10s. Thus allowing five sheep to six acres: this the Colony will do when the lands are let by public auction, and time is given to stock them. Thus the case would have been 666 persons holding 60,000,000 of acres; and reckoning five sheep to six acres, the yearly sum should have been, without assessment, somewhere about £250,000 a-year, instead of

£20,000. Is not this gross injustice ; and is it not encouraged by our rulers ? These men know well the value of land, as witness the recent order of £8 per annum for a wood cutter, £10 per annum per pair of sawyers, £13 per annum for leave to occupy the land sufficient to erect a tent, £8 per annum for each gold-digger, which they commenced at £18 a year, and would fain have doubled it to £36, and have only reduced it to £8 for want of power to extort a higher sum ? their fears lowered it, not their desire to do justice. How can this Government ask a shopkeeper to pay £50 for leave to sell goods at the diggings, and allow a £10 a year squatter hundreds of thousands of acres, and also to supply the diggers with meat, and any goods he may please to supply from his squatter store—in fact a retail dealer ?

I repeat, the Squatter-Legislators state in Council, that the scab can be easily and surely cured, and they also state that such is their neglect in this matter, that one-fourth of the mutton supplied to the public is scabby, or dressed sheep. They also say, that, although they have had all the lands of this colony for eighteen years in their possession, with the full use of their capital, not having had to pay down, as the landholder had, and that too subject to competition, a large sum before they could commence their sheep farming—and yet, with all these advantages, they have failed, miserably failed, to rear sufficient meat to supply 240,000 persons, young and old, having 60,000,000 of acres at their sole command. No, no ; they never will keep up a good supply of clean sheep under the present system. They are dog in the manger like ; they cannot stock their runs ; they will not let others have them, except at an expense of thousands of pounds each, for part of what they pay only £10 a year rent. And they are too negligent, or too fearful of expense, or else they go on the Spanish system—“ Oh, we have done very well so far ; why improve ?”

The Orders in Council must be repealed, or Victoria, if

not ruined, will sadly fall off. But perhaps this is what the Squatters want. Men will take their money elsewhere, and not lay it out for that which this Government holds out to them, viz., one or two roods of land, in some poverty-stricken site which they call a township, instead of, and for the same money, that should have paid for an 80 or an 100 acre farm. Look at this strange trick; the Squatters say the land is dear at one farthing a year—I refer to the lands in the unsettled, &c., districts, and yet these rulers of ours sell it at many pounds per rood—sometimes £60 to £92, and occasionally £300 an acre. One of these surely must shew the falsehood of the other. This sum should give the yeoman 200 acres instead of one acre. Can any fact show more clearly the fraudfulness of the Orders in Council, and the miserable policy, that sacrifices the welfare of this Colony to protection to some 800 or 1000 squatters?

PORT PHILLIP LANDS.

Let us see what account the Government give, in their published statistics, under this head.

What quantity of lands was sold before the gold-fields were discovered, where were those lands sold, at what price were they put up, and what sum did they produce, first to pay the expenses of surveying, and then to furnish labourers for the colony?

The first sale of Port Phillip lands took place on the 1st of June, 1837. There were 100 lots, of 76 perches each, put up to auction. The surveyor, Mr. Hoddle, was the auctioneer, and he made, that day, a little fortune; for his fee was £52 odds for about two hours' sale, and he bought town lots therewith, each now worth from thirty to fifty thousand pounds. Captain Lonsdale was supervisor, and took the cash. By means of a very numerously signed memorial, in which all the government *employés* joined, and

backed up by the Commander of the Port Phillip forces, Captain Lonsdale, Sir Richard Bourke broke through an order he issued here in March, 1837, that all the lands of Port Phillip should be sold in Sydney, that being the seat of his Government, and where his subjects resided; and also, as he said, to punish the people of Van Diemen's Land for daring to find out and settle upon—yes, even without asking his leave, and worse, without costing the Treasury one penny, in their impudence in founding a new colony; and directed Captain Lonsdale to sell five more blocks, making some reserves for Government purposes. Thus ten blocks, of each (lane included) 10 acres, were sold. The actual land disposed of was 87 acres 3 roods 20 perches, which land, when sold (not squatter leased) brought the sum of £7,116,—per acre £80 19s. 6d. Look at this as compared with the revenue or return from the Squattocracy, £10 a-year for 845,600 acres. Look at, and compare them, reader.

[The whole lands sold in 1837 are as above. In 1838 and 1839, there was sold, town lands 98 acres 1 rood 12 perches, for the wonderful sum of £17,722 9s. 4d. These were then called Crown Lands, not "*waste lands*."

There were not any suburban lands sold till 1839. But in 1839, there were 38,653 acres of country land sold, on an average 13s. an acre; all sold in Sydney, for £25,246 16s. 6d.

The Government, both Home and Local,—the home no doubt guided in part by the Local Government,—first fixed the value of the lands of New South Wales at 3s. 4d. per acre, obtainable at a quit rent of two-pence per annum per acre, or 20 years' rent.

And this Government, in the stolidity and inscrutableness of its wisdom, thought proper, in the course of a few years, to raise the price of land to the buyer sixfold; from 3s. 4d. up to 5s.,—then, by a jump of ONE HUNDRED AND FORTY PER CENT., up to 12s. per acre; and finally, in 1840, to one pound per acre, the minimum price; and to

this I for one do not object, because good land is now, and has ever been a paying article at 20s. per acre. Poor land no man need buy.

But what has our Government been about with the pastoral lands? the lands they wastefully assigned over to the few, to the injury of the coming emigrant, to the injury of the residents here, and to the VERY SERIOUS INJURY of the people of Great Britain, the manufacturers, the working-men, and the would-be colonists?

This imbecile, or otherwise corrupt Government, with a ruthlessness almost unaccountable, allowed to any one to whom they granted a license to depasture stock, to take whatever quantity their grasping dispositions, or their hungry cupidity, would stimulate them to seize. The list of Squatting lands clearly exemplifies this (see page 15). There we find one man with 845,600 acres for £10 a-year, —two men holding 1,272,000 acres, and paying only £50,—one man holding 408,583 acres, paying £50; also three men paying £100 a-year for 1,079,120 acres, and four men paying £110 a-year for 1,064,805 acres, and five men paying £160 for 1,094,638 acres; and as we go up this list we find wonderful changes. Next, 16 men pay £310 a-year for only 2,660,960 acres; contrast this with the first two lots. In the two lots are 2,117,600 held by three persons paying for six licenses, or £60 a-year, nearly half as much land as is held by the first numbers of this list, which stand thus:—

339 persons holding 347 Licenses, pay £347, and have acres 4,599,304.
3 " 6 " £60, " 2,117,600.

Upwards of 100 to one of persons paying about one-sixtieth of the same money, and have nearly half as much land.

This itself is monstrous. But what will be thought of that Government that has raised the price of land, and that too where the money must be paid down within one month,

four several times, and that to 600 per cent. upon the first price, or a clear 500 per cent. Yet to those who do not have to pay down their capital, but are allowed to keep it to trade upon, they, the Colonial Government, have not once raised the price of their lands. No! No!! No!!! They kept these lands down to the first and ruinously low rate, and allowed some 666 persons to monopolise the whole lands of this fertile Colony—this 97,000 square miles, this 62,060,000 acres, except about 2,060,000 of the settled districts, for £8,270 a-year, and the all but useless Government has, under the Orders in Council, raised this to about £20,000. The lands of this Colony, the Squatters say, will rear a sheep to each three acres; then at once we see the injury done. Here should be 20,000,000 of sheep and numerous owners; here we see the lands laying utterly waste that these sheep should be feeding upon, the millions of pounds of wool that should be grown and sent home; the increased quantity of tallow and of meat, and the millions of pounds sterling of imports and exports that would result, and the thousands of happy families that these really good, but now *waste lands*, would find homes for. These Squatter lands have never been raised in price, but have continued the same from the first. Is this justice? Is this right? Is it honest? And may I ask, how long will the people permit this system to continue?

I beg leave to draw the attention of the powers locally in authority to ponder upon this state of affairs; to recollect that the Squatters will not always have a large, a very large, majority of the members of the Legislature seated on those law-making benches. They will not much longer say in that house, ay, and carry out their enunciation, "Do you think we will tax ourselves?" and fulfil their announcement by striking off the whole of the assessment on stock, reducing their yearly pay for the use of the whole intermediate and unsettled districts, to about £20,000 a year;

and mind, bear this in mind, boasting that that their income will be £4,000,000 this year amongst less than 1000 persons, whilst they have made the tax upon the diggers nearly double what the Government proposed, viz.: they have made the £5 license into £8 a-year. Thus, by their own act and by their own showing, taxing the digger upon £8,000,000, the full sum of £500,000, or one-sixteenth; themselves paying only the two-hundredth part, and having the increase of their stock, and the profits of the land they cultivate, untaxed, and in addition to their £4,000,000 a year.

The whole of the lands sold in Port Phillip up to June 30, 1851, were as under:—

			TOWN LANDS.		£	s.	d.
A.	R.	P.	at an average of £182 an acre	193,164	5	10	
1,064	1	22					
			SUBURBAN LANDS.		£	s.	d.
			at an average of £4 an acre	231,579	16	5	
57,421	2	27					
			COUNTRY LANDS.		£	s.	d.
			at an average of £1 an acre	352,097	4	11	
332,608	1	25					
Total...	...	...	...	£776,841	7	2	

Return of land sold from July the 1st, 1851, to July 1st, 1852, showing the number of acres, the average price per acre, and the gross proceeds in town, suburban and country.

			TOWN LANDS.		£	s.	d.
			£159 17s. 7d. per acre	81,909	1	0	
512	1	10					
			SUBURBAN.		£	s.	d.
			£4 5s. 1d. per acre	59,452	13	6	
13,956	1	0					
			COUNTRY.		£	s.	d.
			£1 6s. 7d. per acre	170,994	3	1	
128,421	1	21					
			SPECIAL COUNTRY.		£	s.	d.
			£2 7s. 7d. per acre	15,209	4	4	
6,388	3	17					
Total up to June 30th, 1851	...	...	...	327,565	1	11	
			...	776,841	7	2	
Total up to July 1st, 1852	...	...	...	£1,104,406	9	1	

	A.	R.	P.
Total lands sold up to June 30, 1851 ...	391,094	1	34
“ from June 30, 1851, to July 1, 1852	149,278	3	8
Grand total	540,373	1	2

Thus in round numbers half a million of acres of these lands have been sold at more than two pounds per acre.

Thus, then, stands the case; the lands of the colony, even taking in the years before gold was found, have brought in two pounds an acre, when sold, but by the folly of our rulers, not to call their conduct by a broader and plainer name, these lands are let to shepherds and to herdsmen, at less than one-third of a farthing an acre, and in addition thereto, power to cultivate, &c., &c., &c.

SQUATTER PRIVILEGES.

First. To hold an unlimited quantity of land, oftentimes worth from one pound to one hundred per acre, for a year, and lately extended to fourteen or eight years more, for one ten pounds per annum.

Secondly. They are permitted to fence in as many acres and in as many parts of their runs as they please, as many paddocks, for cattle, &c., as they may think useful, needful, or profitable.

Thirdly. They are permitted (not by law) to let as many as they please of these paddocks, and many persons do so as dairy-farms, at a very high rent. I have heard near the diggings, the Squatters do let as high as one thousand a year paddocks only forming a portion of a ten years' license.

Fourthly. They fence in and cultivate as many pieces of the best land on their runs as they please, and sell the produce, contrary to the Orders in Council, but with the open concurrence of the Local Government.

Fifthly. They take in upon these lands, that they pay only the shade of one farthing per acre, other persons' stock,

as horses, bullocks, &c., &c., &c., and charge as high as five shillings per head per week.

Sixthly. They can take whatever timber, stone, loam, or other article the lands produce, not only from their own run, but anywhere on Crown Lands free.

Seventhly. They took off, in the year, 1850, the auction duties from their own lands and produce, but not from the holders of purchased lands.

Eighthly. They passed a law giving themselves the right to impound cattle on these *waste lands*, and power to charge the same damage as trespass upon these lands, (they only pay one-third of a farthing per acre), that the buyer at five pounds per acre charges, and they also made a clause in their Act, allowing themselves to charge whatever they pleased for driving the stock to pound, and they went the extreme length of charging as much as 7s. 6d. a head for driving cattle, sometimes only a mile, to pound.

Ninthly. They contrived to bamboozle the Local Government into expending the bulk of the money raised by the sale of land, into paying for the importation of laborers for them, as shepherds, herdsmen, hutkeepers, &c.

Tenthly. They, by their emissaries and their non-resident members, to wit, a certain Captain Stanley Carr, and others, did influence the Emigration Board in London, to send out these very laborers, not to the districts where the farmers required them, not to where the money was raised, not to where the men had the best chance of employment. No! to the out-squatting districts, where this Captain Carr had stock and stations. People of Victoria, will you believe the Home authorities could be so very squattocratically inclined? affirm that the report of this came before the Legislative Council, and that the Lieutenant Governor stated, by his organ, that he had not been consulted on this point.

Eleventhly. The Squatters, perhaps because they only paid into the Treasury small sums, and that yearly, have been

allowed two pre-emptive clauses. One whereby they take any quantity of land they can persuade the Governor to award them, up to 640 acres, at one pound per acre, and this every Squatter has been allowed to have; and then some have been allowed to buy the land at or near the upset price, upon any place wherever they had made any buildings, sometimes valued by the Crown Land Commissioners, who have invariably kept the price down to the minimum of one pound, and any part, or all their runs, at a price to be fixed by arbitration, never exceeding £1 an acre.

Twelfthly. They brought the Government to supply them with postmasters and the carriage of their letters, into districts where the inhabitants, through their own greediness, were thirty to fifty miles apart, and where a post would have to go a distance of 200 to 300 miles to convey from two to six letters, namely, to Swan Hill, or Maiden's Punt. There are now more persons in these districts, but such was the case.

Thirteenthly. They contrived by their members in the Executive and Legislative Councils, to establish policemen, clerks of benches, stipendiary magistrates, some under the disguise of Commissioners of Crown Lands, all over this sixty millions of acres, for the benefit of some six or eight hundred proprietors of stock.

Fourteenthly. The Squatters managed so to work upon the Home Government, that every Squatter (mind) holding a depasturing license, (the poor honest, industrious brick-maker, sawyer, or woodcutter, was shut out, although they paid the same money per year, viz., £10,) a right to vote for the election of members of the Legislative Council.

Fifteenthly. The Lieutenant-Governor went to Sydney, and there concocted a division of this colony into so many and such electoral divisions as to ensure to the Squatters the power of at least one-third of the Legislature, by making certain districts electoral divisions, in which no man but a

Squatter could stand any chance of being returned, the whole or nearly the whole of the voters being Squatters. Only fancy this Squatter power—800 persons return about one-third of the members of the present Legislature. And well have they stamped the proceedings with their own Squatter marks : exempting themselves, and laying the taxes heavy ! very heavy !! upon the gold producers.

The anxiety of the Government to let the then body of pastoral settlers, Squatters, hold all that was possible of these lands in their own hands, and have no possible intrusion—for these lords of the *waste lands* fret and fume whenever they find a poor occupant with a holding upon the Crown Lands, they join together and persuade, or hound on the Government to drive off the useful laboring class—they only require one class on the lands with them, that is, Master Herdsmen and Master Shepherds—and serfs, £5 a-year serfs. They said lately, by the mouth of their bell-wether, Wentworth, “ That they want no shopkeepers, no merchants ; they can export their own wool, and import and resell all things required by their serfs.” In this spirit the appended order was issued.

CROWN LANDS BEYOND THE SETTLED DISTRICTS.

From Yesterday's Government Gazette.

Colonial Secretary's Office,

Sydney, 4th September, 1848.

It having been represented to the Government, that mechanics and others are locating themselves on Crown Lands beyond the settled districts, under the impression, in most instances, that they will be allowed to obtain licenses from the Crown ; His Excellency the Governor directs it to be notified for general information, that no new licenses for other than pastoral purposes will be issued ; and the respective Crown Commissioners have received instructions to prevent the location of all such persons until they are in possession of the fee simple of allotments, which it is in-

tended, as early as possible, to bring forward for sale in the different townships about to be laid out beyond the settled districts, and which will be notified for general information as soon as the state of the survey will allow.

*Now what should be done with these Fertile Fields of
Victoria ?*

The "Orders in Council" require to be repealed at once, and the whole Colony to be declared, what it really is, viz., "Settled Districts." Have we not Townships, and Village Reserves, with Clerks of the Bench, and Courts of Petty Session, Policemen, and Station-houses, Post Offices, and Mails travelling over the width and breadth of the land, and hosts of Stipendiary Magistrates, some called Police Magistrates, and others called Commissioners of Crown Lands? And do not these mails carry (only) the few letters which can be required where the stations are generally twenty to fifty miles apart, and cost thousands of pounds yearly, and where the police as well as the letter carriers for these 800 families have to travel over and supervise a country of 97,000 square miles; is it a wonder that each family costs the State for these two benefits only some one to three hundreds of pounds a-year?

This Colony must be declared as totally within the settled districts. The lands, where eligible and required by the buyers, must be surveyed and sold, chiefly in lots of eighty acres and upwards, and enough put up at once to prevent unfair competition. The Squatters in possession to have all the unsold lands, excepting sufficient grazing lands for the purchasers of Town, Suburban, and Country lands, until the end of the term of eight years' lease, dating from the issue of the "Orders in Council, to all runs then in use; but a revision, under proper commissioners, must be made of their runs—as to the quantity of stock each run can carry—and the arrears of this must be paid up, on these conditions, and

that all the lands of the Colony must, after that period, be disposed of (whether sold or leased) by auction, and then the revenue, from the lease of land alone, will soon be raised from £1,000,000 to £1,500,000, and will eventually reach £2,000,000 a-year.

As a proof of this assertion I here insert the terms and particulars of these two runs, let by tender, by the Colonial Government of Victoria. The first was—

MOUNT ROUSE ABORIGINAL STATION.

MR. FAWKNER'S MOTION.

8th November, 1853.

1. A return of the amounts of money received for the Mount Rouse Station since the time it was put up to lease by auction?

2. To whom it has been leased, or any part of it; the quantity so leased, and amount of rent, and name of lessee?

3. If it has been let, has any one or more persons been allowed to occupy it, or any part of it, and on what terms?

4. To what purpose were the acres put that formed the difference between the reserve originally formed at Mount Rouse, viz., 64,000 acres, or 100 square miles, and the reduced reserve, in October, 1850, of a square block, containing 40,960 acres, or sixty-four square miles?

5. If let, at what sum per year, to whom let, and how much rent has been paid yearly, and the sum total to the date of last payment?

6. How much land, and in what quantities, and at what prices have the lots been sold at Penshurst; and also in each, separately, of the parishes of Boram Boram and Yalinda, said to contain 20,300 acres, varying in size from nine to 640 acres, from the date of the first sale to the present time?

MINUTES.

MOUNT ROUSE.

As soon as the boundaries of the aboriginal reserve had been surveyed, it was divided into two portions. Kolor and Purdeet, and gazetted as open to tender as a vacated run.

Adolphus Sceales was the successful tenderer for each division—his tender being, for eight years' lease of Kolor, £5376 ; and Purdeet, £4224.

Mr. Sceales however failed to comply with the conditions under which his tender had been accepted, and the runs were again gazetted.

It was never leased, but divided into two runs, and let by tender.

Purdeet to David Hutton, at £101 annual premium per thousand on 4000 sheep, or £414 a-year.

Kolor, to John Twomay, at an annual premium of £60 per thousand on 7000 sheep, or £437 a-year.

The difference between the 100 square miles, and the 64 square miles—all that was practically at the disposal of the Government—was left in possession of those neighbour-Squatters, who had previously been allowed to occupy the land, in consequence of no boundary having been defined.

TOTAL RENT RECEIVED.

	£	s.	d.
Purdeet, from 1st July, 1852, to 31st December, 1853,	621	0	0
Kolor, ditto, ditto	655	10	0
	<hr/>		
	£1276	10	0
	<hr/>		

Return of Land Sold in the Township of Penshurst, and Parishes of Yalimba and Boram Boram, from 1837 to 1853.

Where Situated.	Description of Lands Sold.	Acreage.	Price realised per Acre.
Township of Penshurst	Half-acre township allotments..	A. R. P.	
		10 0 0	£26 per acre.
		2 0 0	12 3s. "
		10 0 0	25 4s. "
	Total acreage	22 0 0	
Parish of Yalimba	Suburban lands	20 0 0	£2 10s. per acre
		Country lands ...	952 0 0 1 "
		Selections	2655 2 30 1 "
		Total acreage	3627 2 30
Parish of Boram Boram	Country lands	156 0 0	£1 1s. per acre
		Ditto	1143 2 20 1 "
		Selections	3195 3 0 1 "
		Total acreage.....	4495 1 20
	Total acreage sold at Penshurst.	22 0 0	
	Ditto Yalimba...	3627 2 30	
	Ditto Boram Boram	4495 1 20	
		8145 0 10	

(Signed)

JOHN CHRISTIE.

Surveyor General's Office,
2nd November, 1853.

These two stations, the two of Mount Rouse, were advertised as under 10,000 acres each—call it 20,000 acres. Thus this land, some fifty miles or more from town, lets by tender for above ten-pence per acre per annum. This was let from July 1st, 1852. But this most Squatter-like Governor's conduct is marked in the following words, in answer to my motion as aforecited:—"The difference between the 100 square miles and the sixty-four square miles—all that was practically at the disposal of the Government, was left in possession of those neighbouring Squatters who had previously been allowed to occupy the lands, in consequence of no boundary having been defined." Lucidly expressed—

quite Latrobian. Here are two good instances: the Government reserve, or pretend to reserve, 100 square miles; they let the neighbouring Squatters take thirty-six of these square miles, or more than one-third, possibly paying NOTHING; but if they do pay at all, one man paying above ten-pence per acre per year, and the others alongside him giving (if any at all) less than one-third of a farthing, and this is Latrobian justice—this is the act of that man whom some of his sycophants have presented with a gold cup, and on which it is said, “It is presented by the *Colonists* as a token of *their respect*.”

No wonder the Speaker in presenting this said cup should consider himself justified, and if he did not do so, most people, who know Mr. La Trobe's tricks here, will think he (the Speaker) said truly, when he addressed him in these very memorable words—“Sir, I have been commissioned by my *fellow Colonists* to present you the vase which now LIES before me.” True! true!! true!!! Lies indeed. But Mr. Speaker, did the *Colonists* commission you? No! no!! 'Twas the sycophants, the Squatters, the Government paid officials; if you can deny this, publish the list of names—let us know who they are.

BARWON ABORIGINAL STATION.

QUESTIONS BY MR FAWKNER.

The amount paid for the Barwon Aboriginal Station yearly from the period it was let; and, if let by tender, the terms of the said tender, and the amount agreed to be paid?

The quantity of Land that was held by the person or persons who held the said station, for or on account of that station?

The distance from Melbourne and Geelong respectively?
and

What advantages (if any) were let with the lands, and the

term at which the lease or agreement for the said lands may terminate?

What quantity of land originally forming part of the said station (if any) was excepted from the lands offered by tender?

If any lands were so reserved, how much of such land has been sublet?

Whether the tenderers for Mount Rouse and the Barwon Mission Stations—all tendered for the same time or term of years?

And if the tenders differed—the specific differences of the said tenders?

MINUTES.

BARWON ABORIGINAL STATION.

The Mission Station is distant from Geelong about forty miles and from Melbourne about seventy.

The quantity of land held for the station was sixty-four square miles.

When relinquished as a Mission Station it was divided into three portions.

1st. Agricultural lands reserved from tender by lease, and for sale.

2nd and 3rd. Buntingdale—portions put up for lease by tender (see *Gazette* of 10th September, 1851, p. 432), and leased to G. Armytage and Sons.

	Acres.
Buntingdale A contains... ..	11,500
Ditto B ditto	14,080
	25,580

The amount agreed to be paid was—

	Per Annum.
	£
For one portion	650
For the other	400

- 2.—So soon as the number of sheep or cattle which the run can carry shall have been determined by valuation, in the manner prescribed in the Order in Council above referred to, the annual rent to be paid for the run will be fixed in accordance with such valuation. Until the grazing capabilities of the run have been thus determined, rent will continue to be paid according to the estimate of those capabilities given in the tender ; but in the event of the rent so paid proving to have been less than that determined by valuation

will be required to make up the difference
previously to the execution of the lease.

- 3.— will be entitled
to a lease of the run for years, com-
mencing from subject to all
the conditions prescribed in the said Order in Council.

- 4.—The boundaries of the run must be regarded as temporary only, and subject to any alteration or amendment found necessary on a proper measurement of the land.

I have the honor to be,

Sir,

Your most obedient Servant,

The Commissioner of Crown Lands.

Here we have capital data as to what the Crown Lands of Victoria are now worth ; there are several points here to which I beg to draw the attention, not only of my fellow Colonists, but of our rulers ; also of the people of the Sister-Colony of New South Wales, but more particularly of Her Majesty and Her Privy Council, and the members of both the Houses of Parliament of and in Great Britain.

1st. The agricultural lands of this sixty-four square miles

section were not let, but reserved; consequently this was not prime farming land.

2nd. The terms were those usual for the intermediate district, and the lease for only eight years.

3rd. "NO ADVANTAGES WHATSOEVER *were given beyond those ENJOYED by OTHER licensed occupants.*"

Thus we have one run, a common-place one, but at seventy miles from Melbourne, let, as all such runs were directed to be by the Orders in Council, for eight years. Nothing in this or the Mount Rouse run in any way out of the common; only they were let! let by public tender!! and the Mount Rouse brought above ten-pence per acre per year. These two runs of 25,580 acres jointly are let for £1,050 a-year, or somewhere about 9¼d. per acre per annum: and I beg to add that single lots of one mile square each, some fourteen to sixteen miles from Geelong, have been let for some £65 to £130 per year (640 acres). Can there be any doubt then that the lands of the Colony, not the "*Waste Lands,*" but the CROWN LANDS, will let, throughout the whole Colony, for sixpence per acre per annum. And our rulers, if they expect us to continue truly loyal, must put all classes upon equal footing—they must not throw away £1,500,000 a-year, to benefit some few hundred families, and to the serious injury of the body politic. The whole of the grazing lands of this Colony could be let within the next three years, by letting it off in sections of 2,500, 5,000, and 10,000 acres—would soon find homes for thousands of industrious men, would put the country out of any danger from not finding meat for the 240,000 people (as Mr. Goodman, a Squatter, distinctly averred and cited some statistics to prove). The scab would disappear, for the nearness of neighbours would soon drive out the incorrigibles, not as now, where the next neighbour is frequently twenty to twenty-five or fifty miles off, and where one man can hold ninety miles river frontage, as witness the first steamer's voyage up the Murray.

The Squatter has had all the aforementioned advantages. His price from the first has never been raised; the land minimum price has been so raised three times, and to six times the original price. The Squatter has had, in addition to all other favors, land given to him at the minimum price of £1 per acre, and that too as much as, (to certain favorites) 640 acres; and some of this land that was handed to them at £1 per acre, was close to the towns, and is now worth from £100 to, in some instances, £300 per acre. And what have they done in order to obtain this great advantage? Why, simply devoted their capital to the rearing of sheep and cattle—the cultivation of horses and hides, of wool, and of mutton and beef fat. They have lived by selling these articles, and supplied their customers with *scabby* mutton; and they have paid into the Treasury moneys in, say ten to seventeen years, £10 a-year for each run—say from £100 to, at most, £500 in the whole.

Now, what land has been given at the upset price to the hundreds of farmers that have laid out their thousands of pounds each in the buying of land—not one acre has ever been accorded to the farm buyer or cultivator; but on the contrary, his money has been taken from him to bring laborers from Europe; ay, and to land them away from the farmer, but at the Squatter's door; and this arrangement was made by Squattocrats who hold lands here, but reside in Britain,—even the right to cut firewood was taken from the buyer of land. The people require land; the diggers of gold and others have money to invest in land—farms of from eighty to 640 acres, not the beggarly plots of from one to two roods so plentifully palmed off upon these men by our paltry Government. Adelaide, a sister Colony, with a far less population, has sold nearly £1,000,000 worth of land within the last few years, because a liberal system is there pursued, and the Orders in Council are not suffered to repress

the rising prosperity of the Colony. This Colony has as good land and in ten-fold proportion, the people are willing to buy, and have plenty of money to pay for lands.

The whole of the lands must be declared settled, and every man that is willing to put his money in the Colonial Treasury for land, instead of spending it in drunkenness and debauchery, instead of thus causing delirium tremens, and frequently robbery, rape, suicide, and murder—must have an opportunity of doing the best with his money, and thus we insure an honest, industrious population: and as our local rulers will not do this good act, the Queen (God bless her) and her Council must enable these industrious, these hard-working and intelligent gold diggers to rescue themselves from the stigma cast upon them, drawn down upon them, forced upon them, by this vacillating, unintellectual, graspingly-blind Government, by withholding from these men the lands they would buy in suitable lots, and which lands, if sold when first asked for, hundreds of acres would have been cropped near the mines, and by growing produce on the spot, have saved to those men thousands of pounds that have been utterly wasted, in carting up from Melbourne flour, oats, hay, &c., all which have been grown at Kyneton. Mr. J. Palmer and others have cultivated and have realised good prices: Hay, taken from the stack, at £50 per ton; wheat, £1 a bushel; oats, the same; milk, 2s. per quart; and butter, 4s. 6d. per lb. All these and vegetables might have been reared on farms of eighty acres and upwards—but not on the paity rood or two roods that it has hitherto been the fashion to sell. As a positive proof of the prices, and the manner of these sales, I here reprint from the *Argus* of the 2nd November, 1853, the following:—

GOVERNMENT LAND SALE AT
WARRNAMBOOL.

TOWN ALLOTMENTS, TWO ROODS EACH.

November 2, 1853.

Lot	£	s.	Lot	£	s.
1. Withdrawn			31. Stoddart, Baptist, and		
2. James Davidson	257	0	Deulfoy	20	0
3. Cust	158	10	32. Ditto	20	10
4. Bromfield	79	0	33. Ditto	20	0
5. W. Brown	97	10	34. W. H. Watson	18	0
6. William Jelly	98	0	35. R. Smith	20	0
7. Denton	80	0	36. Stoddart, Baptist, and		
8. Denton	102	0	Deulfoy	15	0
9. Gauley	100	0	37. Samuel M'Gregor	16	10
10. R. H. Woodward	123	0	38. Stoddart, Baptist, and		
11. Cust	130	10	Deulfoy	17	0
12. Cust	170	10	39. Alexander Lee	10	0
13. A. W. Hume	107	10	40. Ditto	10	0
14. Donaldson	107	0	41. Ditto	15	0
15. Joseph Dobson	20	10	42. M'Dowal	30	0
16. Hyland	20	0	43. Connor	25	10
17. Joseph Dobson	17	10	44. M'Dowal	22	10
18. Ditto	11	10	45. M'Laughlin	16	0
19. W. Williams	8	0	46. Ditto	16	10
20. Tomlinson	8	0	47. Farrell	11	10
21. Wall	4	0	48. Ditto	15	10
22. Joseph Dobson	15	0	49. Smith	23	2
23. Tomlinson	18	0	50. Denton	23	10
24. Bromley	12	12	51. Hyland	17	5
25. Joseph Dobson	20	10	52. Farrell	16	10
26. Wall	12	10	53. Wall	18	5
27. Brew	13	0	54. Connor	18	10
28. Richardson	13	0	55. M'Doual	25	0
29. Holt	14	0	56. Wall	26	0
30. Dobson	20	10			

COUNTRY ALLOTMENTS.

Lot	Per Acre.			Total.	Lot	Per Acre.			Total.
	£	s.	d.			£	s.	d.	
1. Donaldson	2	14		182 18 6	12. Denney	2	5		360 0 0
2. Ditto	2	16		705 12 0	13. Reny	1	6		208 0 0
3. Wm. Jelly	1	10		354 0 0	14. Inglis	2	3		335 8 0
4. A. Russell	2	1		400 15 6	15. Ditto	1	8		429 16 0
5. Ditto	3	0		585 0 0	16. Adams	2	6		566 19 0
6. Ditto	1	16		288 0 0	17. A. W. Hume	2	17		900 12 0
7. Ditto	2	2		508 4 0	18. Kenna	4	4		1344 0 0
8. Ditto	3	1		582 11 0	19. Woodward	3	1		976 0 0
9. Ditto	2	14		410 12 0	20. Adams	1	16		568 16 0
10. Ditto	1	14		257 8 0	21. W. Witt	2	6		731 16 0
11. Ditto	2	6		358 16 0	22. M'Guiness	3	14		1184 0 0

Lot	Per Acre		Total		Lot	Per Acre		Total	
	£	s.	£	s. d.		£	s.	£	s. d.
23. M'Guiness	3	7	1072	0 0	30. Tozer & Co	1	10	636	0 0
24. A. W. Hume	2	12	811	4 0	31. Somervill	1	10	454	10 0
25. Tozer & Co.	2	11	805	16 0	32. S. M'Gregor	4	1	1225	2 6
26. Wall	1	7	426	12 0	33. W. Young	2	10	336	17 6
27. Coles	1	6	400	10 0	34. M'Donal	2	7	418	6 0
28. Woodward	1	8	638	1 0					
29. M'Donal	2	2	499	16 0					
					Total			£19,963	19 0

It will be seen that the allotments in the township of Warrnambool realised £1610 10s. for thirteen half-acre allotments, being at the rate of about £248 per acre. The Hexham lots sold for about £23 10s. per acre; the lots at Caramut, about fifteen miles from Hexam, for £36 15s. per acre; at Chatsworth, for about £36 per acre; at Wickliffe, for about £38 per acre. All these allotments consisted of two roods each. The special country and country lots sold at from £1 6s. to £4 4s. per acre. The amount of the day's sale was £19,963 19s.

GOVERNMENT LAND SALE AT BEECHWORTH.

November 2nd, 1853.

The second sale of land at Beechworth was held at the Police Office, when sixty town and four suburban allotments were sold. Through the courtesy of the Clerk of the Bench, who, as local Government Auctioneer, had the management of the sale, the reporters' table was replaced in its original position during the sale, and I am thereby enabled to furnish you with the annexed report. The high prices realised speak well for the prosperity of the township, which is really going ahead at a wonderful rate as regards both trade and building. The land sales for the Murray district are in future all to be held at Beechworth. On the 17th and 18th November the Benalla and Wangaratta lands will be sold.

TOWN ALLOTMENTS, ONE ROOD EACH.

Lot	£	Lot	£
1. F. H. Morse & Co.....	5	27. J. B. Perry	10
Improvements valued at	695	28. C. Williams.....	14
2. R. Mellish	115	29. J. B. Perry	14
3. J. B. Perry	5	30. Ditto	7
Improvements valued at	230	31. George Woodcock	6
4. J. Smallwood	3	32. C. Williams.....	20
Improvements valued at	140	33. J. Place	6
5. C. Williams	39	34. H. R. Way	10
6. Ditto	36	35. A. S. Palmer	9
7. R. H. Murton	50	36. J. Smallwood	20
8. E. Vickery	126	37. C. Williams.....	18
Improvements valued at	315	38. Ditto	31
9. George Black	5	39. J. B. Perry	11
10. John Whitty	130	40. C. Williams..	16
11. W. H. Neuber	100	41. J. H. Reilley	25
12. Ditto	60	42. J. O. Daly	16
13. J. H. Reilley	70	46. J. Smallwood	12
14. Ditto	110	47. J. H. Reilley	16
15. George Black	40	48. Ditto	12
16. Edward Greville	50	49. John King	9
17. W. H. Neuber	50	50. R. Mellish	52
18. F. R. Hutchinson	44	51. Ditto	16
19. James Hodgson	80	52. John King	9
Improvements valued at	15	53. H. C. Daly	5
20. J. B. Perry	55	54. R. H. Way	6
21. F. R. Bernard	25	55. J. Smallwood	7
22. C. Williams	22	56. J. B. Perry	6
23. F. R. Bernard	25	57. J. H. Tyrer.....	7
24. Ditto	20	58. H. D. Church.....	5
25. C. Williams	30	59. John Whitty	10
26. G. J. Rumley	14	60. J. B. Perry.....	27

SUBURBAN ALLOTMENTS, FIVE ACRES EACH.

Lot	Per Acre.		Lot	Per Acre.	
	£			£	
1. G. D. Smythe.....	24		3. E. Vickery	10	
2. B. Prior	10		4. C. Williams.....	14	

Let all classes have equal justice; and it will not do to lock up in the hands of the master shepherd or herdsman these lands, particularly in quantities from double up to ten times more than he can find stock to consume the grass upon. Now that there are men here, and daily more coming, that require these lands, that have money, plenty of gold to buy with, and to secure to them and their families sufficient land for all their future progeny. But, then, there must be sufficient lands put up at once to enable all buyers to secure their

full quantity, without paying much above the upset price; yes, and a new plan is wanted, whereby any man, upon his arrival, could go at once and get his lot, say from 80 acres upwards, upon paying down a certain sum of money, say one-fourth or one-fifth of the sum the lands he required were valued at. All these lands should be valued as soon as measured, the lease or grant not to issue until a certain quantity of cultivation and of buildings had been carried forward. And lands might still be sold by auction to those who might prefer (if any person did) such plan. Under a judiciously managed system of this sort, the colony would not long be in want of immigrants; they would pour in rapidly, if this plan was once known to be in active operation, and a stream of cash poured constantly into the Colonial Treasury; and thousands of poor families, now barely dragging on an existence, would thereby be placed in comparative wealth, and in sure ease and plenteousness. The end I aim at is, the "greatest happiness" to the "greatest number;" and this can be done without injury to any one, only by withholding from the few hundreds of the class Squatter the *unfair*, the *FRADULENT* support and favor that our imbecile Government has awarded to them hitherto, to the injury of the bulk of the people, and seemingly with little good to them, the Squatters.

Thus Victoria may soon boast that she has, and can support, her 40,000,000 to 50,000,000 sheep, with a corresponding export of wool and tallow, horns, hides, &c., &c. And thus with plenty of gold, we shall have peace, plenty, and prosperity perambulating Victoria from east to west, from north to south, and Britain honored, Britain duly held in reverence, by her colonial offspring.

May God in His mercy grant us this happy consummation!

To conclude. The Squatters in reality pay No Rent—the £10 License-fee is given, irrespective of quantity, of

stock possessed, or land held. It was offered by the Squatters to the Government, and accepted by our rulers, simply to defray the costs of Commissioners to keep off from the lands of the Colony the useful laboring poor, so that they should not be licensed—these Squattocrats having branded all industrious poor men settled on Crown Lands, as cattle or sheep stealers! thieves!! robbers!!! Sir Richard Bourke declared his dissent from this description of these men, but took the £10 a year and appointed Commissioners. The whole, or nearly so, of this £10 fee was swallowed up by these Commissioners, and their staff and attendants. This money for licenses never added any sensible sum to the Colonial Treasury, therefore I contend no rent was ever paid for the use of these lands. The Squatters say that it takes three acres to feed one sheep. By this showing they ought to have at least 20,000,000 sheep. I say the 60,000,000 of acres would, under careful management, support from 40,000,000 to 50,000,000 of sheep. Mr. Westgarth, in his new work on Victoria, just arrived, says, page 113, "During the next five years there was a disposition to concede the sufficiency of two acres of land for this purpose (support of one sheep)"

Page 114, "One station in the latter locality (Colac) was described to me as containing 16,000 sheep upon 13,000 acres land. The practice was to sell off 4000 sheep annually, the quantity thus fluctuating between 12,000 and 16,000 sheep." Now, this coming from a man so well known and so favorably disposed to the Squatters, speaks volumes. Again, Mr. W. says, pp. 125-6, "As the Squatter has no power either to sub-lease, or to cultivate for the market, and his tenure is therefore solely for pastoral purposes, the compensation in any case can never be serious—never for a moment to be balanced against the repeal of these regulations." Page 127, "Under the prospects of Victoria the day of Squatting cannot be expected to endure much longer in the present form."

Page 128, "The earlier advantages of Squatting, when the Crown Lands were not otherwise required, and when *nothing else could have been made of them, must not BLIND us by any INDOLENT habit of thought to its DEFICIENCIES now.*"

The cry made by the Squatters is—If you ruin the Squatters, how is Great Britain to obtain a full supply of wool? To this I reply—That the fraudulent representations made to obtain these Squatting stations, is here in these statements falsely repeated. The taking away the undue and ruinous monopoly under which these men have held these lands, and making them pay in an equal rate with the land buyers, and in proportion to the real grazing value of these lands, will not destroy the sheep—will not prevent the growth of wool—on the contrary, every million of acres sold will increase the number of sheep and pounds of wool. The sale of these lands no man will surely say destroys the nature of the soil, or prevents the growth of the natural grasses. And let my readers, here and in Britain and elsewhere, bear in mind that 6,000,000 of sheep, or thereabouts, is the quantity returned to be held here in Victoria; that 12,000,000 of acres, they having the best lands of the Colony to graze on, is fully sufficient to find food for these: say, 3,000,000 more for the cattle. There would then remain 45,000,000 of acres to be disposed of by lease or sale by auction, and these men and their cry that Great Britain could get no more wool satisfactorily answered, for within a few years the sheep and the wool too would be more than doubled.

The Orders in Council must be repealed; and the Squatters, by their own acts, have demanded this. First—they obtained them by false statements; and last year they openly violated the compact made with them in those Orders, viz: that in Section 4, Cap. II. of the Orders in Council, in these words—"The rents to be paid according to the scale above-mentioned are to be reserved, exclusively of any *existing* assessments of taxes or rates on sheep and cattle, and are to be

paid, without abatement on account of *existing* or any FUTURE assessments of taxes or rates on sheep and cattle, and in no way to interfere with the right of the Colonial Legislature to IMPOSE FROM TIME TO TIME such assessment as may be DEEMED ADVISABLE." And in Earl Grey's despatch to Sir Charles Fitz Roy were enclosed certain decisions and directions for the guidance of the Colonial Government; the despatch was dated 11th August, 1848, Downing-street, and the enclosed, 3rd August, 1848, published in the Council Papers of the Sydney Legislature in 1849, page 5, contains the following very impressive and significant words:

"First—The Committee have omitted to notice that a *limit* can at any time be put to the *Squatters' occupation* of HIS LANDS by including them within the SETTLED DISTRICTS, a proceeding which is expressly contemplated and provided for in the Orders in Council." And page 6 of the enclosed, is the proof that the assessment was to be continued. These are the words—"We must, however, admit that, after all these statements, the *minimum price required* from PURCHASERS of *agricultural land* appears VERY LARGE in *proportion* to what may be called the *MINIMUM rent of pastoral lands*; and it is, of course, possible that this disproportion may be *viewed* with DISSATISFACTION by the *cultivators* of land, who may regard it as *something* in the nature of a *differential TAX*, levied on those purchasing land for agricultural pursuits. *But we have to observe that the inequality may be removed by the Legislative Council, who have it in THEIR POWER at any time to INCREASE the ASSESSMENT on stock.*" Here is a clear proof that the assessment upon stock was considered as the safety valve, as the means of remedying the first fault of the Government, in suffering the falsehoods sent home by the Legislative Council of Sydney to lead them wrong. There is here a distinct notice that the assessment was part and parcel of the Orders in Council,

and power given to increase the assessment, but no power *given* to strike it off. Therefore the Squatters have violated the act under which they hold, and the Government are bound to repeal the Orders in Council, and declare the whole lands of the Colony as within the Settled Districts.

To conclude. The Home Government, before the issue of the Orders in Council, put a price upon these lands; the lowest price was £1 per acre. See now what the Squatter pays—

For 60,000,000 acres at the minimum rate of £1,	
value £60,000,000, at 5 per cent. comes to, per	
year, no less than	£3,000,000
The Squatters have, at the highest, paid about	20,000
<hr/>	
Thus they have benefited, at the expense of the	
other colonists, to the tune of, per year, no less	
than	£2,980,000
<hr/>	

They have not only grazed the 6,000,000 of sheep and 400,000 cattle free of all rent (the license-fee being the pay of the Commissioner); but they have prevented any person and all persons from occupying the 45,000,000 acres of the 60,000,000, being the residue; but have kept it idle, in order to sell it at a high price, they having paid nothing for it, but obtained it by fraud and falsehood, and try to retain it by a continuance of fraudulent misrepresentations. And compare their no title, no price paid for lands, to the purchased title of the man who attended the auction where the land was, after being duly advertised by the Government, put up at 20s. per acre, and sold at all sorts of prices above that amount, up to £16,800 per acre. And the Squatter says his vested interest is of equal value,—got by fraud, held by force,—upon the old motto:—

“ Let him take who has the power,
And let him keep who can.”

But the gold diggers have produced a golden key which will surely unlock these lands, and the people, not the 666, will have the lands; and they will hold by purchase or lease, sold or let by auction, for their real value.

And the result will be an advance in the resources of the colony of £1,500,000 to £2,000,000 a year permanent revenue.



NOTES

TO PAGE 17.

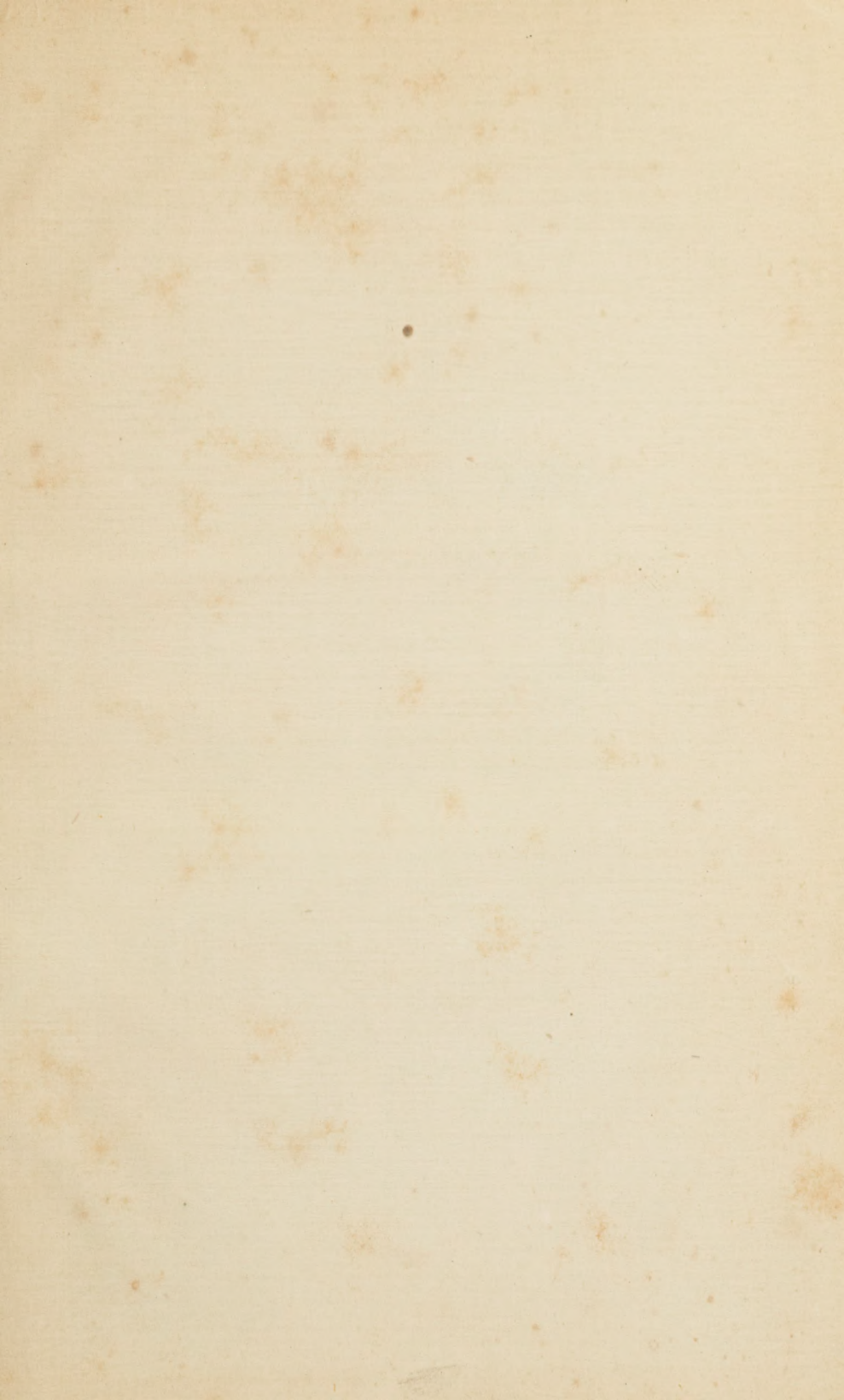
No. 1. Mr. Sam. Lyons, of Sydney.

No. 2. Mr. S. Lyons, auctioneer, gave this evidence to suit the Squatters' Committee of the Sydney Legislature.

No. 3. Sundry (so-called) gentlemen stated before the same committee, in 1844, that the lands, some said, were not worth 5s., some not 2s. 6d., some 1s., and some that 6d. per acre was the utmost value of the Crown Lands of N. S. Wales, of which Victoria then formed a part. What was our Ruler about not to deny this false statement?

No. 4. Mr. Samuel Lyons, who in the evidence and report is stated to be an auctioneer of experience, gave his evidence to suit the gentlemen of the committee, his customers and supporters.

No. 5. Sir George Gipps very truly states that the officers of his Government did all in their power to prevent him doing justice to the colony, by keeping squatting within its proper bounds. His officers of trust were all, or nearly all, Squatters, and they have done their best to assign over the lands of Victoria to 666 persons for less than £20,000 a year—a real robbery of the rights of the bulk of the colonists.



an

617462-1M

DSM

333.30994

2

333

DSM/ 333.30994/ 2
Squatting orders : orders in
Council : locking up the
lands of the colony in the
hands of a small minority
...

STATE LIBRARY
OF N.S.W.



N0447519

