4. THE PASTORAL HEGEMONY AND LAND TANGLE OF THE EIGHTIES

ECONOMIC PROGRESS: 1875 CROWN LANDS ACT: 1880 CROWN LANDS ACT: 1884 CROWN LANDS ACT: 1889 CROWN LANDS ACT.

ECONOMIC PROGRESS

From 1862 to 1871 an average of 397,000 acres was sold absolutely or conditionally each year. In 1872 the area alienated was 916,421 acres. Thereafter, until 1876, the yearly figures of disposal were:—

1873	..	..	..	1,782,407 acres
1874	..	..	..	2,289,040 acres
1875	..	..	..	2,891,952 acres
1876	..	..	..	4,046,380 acres

While it is true that this rapid alienation was made possible by the Robertson Land Acts, the actual cause is to be found in the then conditions of pastoral prosperity.

In 1860 the number of sheep in Australia and Tasmania numbered 20,135,286. In the following ten years the numbers doubled, so that in 1870 they totalled 41,593,614. The considerable increase during the years 1866 to 1868 can be attributed to a sequence of favourable seasons, and to the cotton famine in America, which tended to keep up the price of wool. However, there were also other influences at work: "Fencing was carried on to a great extent, especially on the large runs of Riverina, and the sheep being turned out unshepherded on these enclosed runs, the country was able to carry more to the acre. Many squatters from Victoria, crowded out by the growth of population and the extension of agriculture, migrated with their flocks into the south-western part of New South Wales, and many owners of cattle sold them to make way for sheep."[61] However, severe drought conditions during the latter part of 1868 caused losses and a slackening of speculative enthusiasm. Then also, "the low price of wool having greatly diminished the profits of sheep farming, the culling of flocks has proceeded much more vigorously than before. There is no disposition to take up new runs or to overstock old runs. The tendency is all the other way, and the inferior stock has been sent remorselessly to the pots. The operation is a wholesome one; and though the diminished number of sheep appears at first sight a retrograde movement, it is not so in reality."[62]

From 1861 until the end of 1868, an average of a mere 16,500 acres only was taken up annually by selectors. In 1869 the total area selected rose to 39,085 acres. Thereafter, until 1875, an average of 72,155 acres was selected each year.[63]

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[61] W. S. Campbell, "The Pastoral Industry", Colwell, *op. cit.*, Vol. IV, pp. 60 *et seq.*

[62] *Ibid.*

[63] *Official Year Book of New South Wales*, 1925, p. 716; T. A. Coghlan, *Wealth and Progress of New South Wales* (1897), pp. 122, 243, 576; T. A. Coghlan, *A Statistical Account of the Seven Colonies of Australasia* (New South Wales Govt. Printer, 1894), pp. 32 *et seq.*

As a result of both land purchase and selection, however, more than 25,000,000 acres were alienated or in course of alienation by 1884, and practically the whole of the remaining area of the State suitable for occupation was under lease for varying periods.

1875 CROWN LANDS ACT

The Crown Lands (Amendment) Act of 1875 (39 Vic. No. 13) made dummying a criminal offence, but it still continued in practice. Under the 1861 Act, the selector of a Conditional Purchase paid a deposit of 5s. per acre—25 per cent of the purchase money. At the end of three years he could pay the balance, or if he did not feel so disposed, he could defer it for all time by paying interest annually on it at 5 per cent. The 1875 Act required payment of the balance by instalments of 1s. per acre, and the holders of land taken up under the 1861 Act were given the right to bring their holdings under the instalment system. Many holders did not choose to avail themselves of this right, and in consequence have been paying interest for ninety years or thereabouts, with nothing paid off the principal except the original deposit of 25 per cent. (The interest rate was reduced to 2½ per cent by Act No. 69 of 1932, which is the current rate payable in respect of these old Conditional Purchases.)

1880 CROWN LANDS ACT

Up to the end of 1879 it had been the practice of the Department of Lands to *provisionally approve at once* all claims to leases of Crown lands, subject only to such modifications or amendments as might, on examination, be found later necessary. This further inquiry, in many cases, however, was not completed for years, and hence unavoidable errors arose. It frequently happened, for example, that land provisionally granted as a pre-lease to one applicant was found to have been previously approved of on a prior claim, thus causing endless disputes, ill-will and litigation. New regulations made in 1880 under the Acts of 1875 and further amendment Act of 1880, provided that pre-leases would date only from notification in the *Government Gazette* of their approval by the Minister; such approval only being given where according to the Survey Office maps, the lands in question were available. The wisdom of such alteration in procedure becomes obvious from the fact that in 1880 alone, out of 1,971 lease applications finally dealt with, no less than 497 were refused.[64]

Another source of confusion cleared up in 1880 had to do with notification of lands becoming vacant. Until 1880, no formal notice was given of the forfeiture of pre-leases because of the non-payment of rent. Lands were held for years, ostensibly under pre-lease, but without any payment of rent by the occupiers, and unless the attention of the Department of Lands was drawn to this fact by neighbours or other interested persons, no action was taken. During 1880 lists were published in the *Government Gazette,* notifying the forfeiture of all pre-leases—about 11,283 in number—on which the rent for the whole of or

[64] *Annual Reports of the Department of Lands,* 1880, 1881.

part of any of the years from 1875 to 1880 inclusive was in arrears. The results were satisfactory, "lessees at last becoming aware of the Crown's determination to enforce penalty for the non-payment of rent, in some cases the arrears extending to more than twelve years." [65]

A schedule of the total area alienated in 1880 and 1881 by auction and after auction purchase, with the prices realised is as follows:—

1880 ..	.. 854,752 acres—realising	£996,414	14s. 5d.
1881 ..	.. 858,734 acres—realising	£1,068,317	1s. 1d.

1884 CROWN LANDS ACT

By 1880 land settlement conditions had become chaotic and the demand insistent for some correction of the all too obvious abuses. A great deal of class antagonism had been engendered between squatters and selectors, and both were vehement in their demands for land reform. In the Parkes-Robertson government, which was in office from 21st December, 1878 to 2nd January, 1883, Sir Henry Parkes showed small interest in land matters and left such issues to Sir John Robertson, now Vice-President of the Executive Council, who represented the Government in the Upper House. Although those connected with the land were by now aware of the need for radical alterations to existing land policy, Robertson, the author of the 1861 Act, could never see imperfections in his creation.

In the newspapers and journals of these times, land matters were to the forefront. The squatters constituted an established and strongly entrenched conservative class, many of them in positions of great wealth and influence, and they shared with the other important landholders, such as the banks and pastoral companies, a virtual hegemony over the commercial life of the colony, securely based as it was on wool and other products of the pastoral industry. The interest rates were uniformly high, and opportunities for small land settlement very narrow and even then beset with every possible difficulty. Land reform was long overdue, the weaknesses of the 1861 Acts obvious, but what were the best means of correcting the abuses, controlling the squatters and promoting farming settlement? A particular point of view strongly held by some at this time (e.g., *The Express*) was that much of the trouble had arisen through the State's wasteful policy of land sales, whereby the richest lands had become irrevocably alienated, on the mere expediency of acquiring ready cash to assist the revenues. The rich pastoralists buying up such freeholds, however, were paying ridiculously small rentals, and so it was suggested that immediate steps should be taken in land reform to abolish land sales everywhere, increase rents and tax the large landholdings. The arguments in support of such a policy as put forward in the *Express* provide interesting criticism of the 1861 Acts:

> "During the year 1881 more than 3½ million acres of the public estate were alienated. The bulk of it went . . . . to the land monopolists who are building up all over the country and particularly along all our

[65] *Ibid.*

best river frontages, such enormous estates as Burrabogie. In some of these vast properties the freehold land runs up to 200 or 300 square miles . . . . for which a merely nominal rent is paid to the State . . . . For years and years past the squatters of the colony have paid a fractional part of a penny per acre rent for land which they are now buying up in all directions at £1 per acre . . . . which should return at 5 per cent. interest 1s. 0d. an acre per annum. This wholesale alienation of the land is the gaping wound in our land policy which should be staunched at once . . . .

"The system of free selection has turned out an utter failure. It was foreseen that it would set class against class, but that was regarded at the time as a minor evil. It has turned out a gigantic one. The free selector was let loose on the squatter, to pick out the very best of his run. It was inevitable that this should arouse the bitterest resentment and the most pertinacious opposition. Then according to the laws of human nature, a certain proportion of the invaded squatters were unscrupulous, overbearing, grasping, tyrannical men, and a certain proportion of the invading selectors were dishonest, covetous, and leviers of blackmail. Hostile classes are very apt to judge of one another by their worst specimens, and whilst the squatters thought the selectors were all cattle stealers, the selectors thought the squatters were all grasping tyrants. A feeling of extraordinary acrimony thus grew up on both sides.

"But what the authors of the Land Acts failed to foresee was that in such a fight as this the selectors must in the long run get the worst of it. They were poor, and they were isolated. They might be favoured with good seasons for a few years, and then, when they had got over the worst of their drudgery, a drought would come upon them. What could they do then? Nothing but sell out to the only buyer, the very squatter on whose run they had selected, and who thus became the heir to all their labours . . . The mistake evidently was in leaving the squatter on the ground at all, when the farmer came to succeed him. The selectors should have been induced to make their selections in groups or communities, on runs from which the squatters had been removed by a refusal to renew their leases. Then there would have been no feud between invaders and invaded . . . .

"If ever a people had a sufficient opportunity to learn from experience, the colonists of New South Wales are that people. For more than 20 years they have been experimenting on land legislation—forged out ten Acts—are almost helplessly swathed in regulations, decisions, and red tape, and, notwithstanding this costly and bold empiricism, what is the upshot? This, the whole community, is divided into hostile camps. Land cormorants of two species are devouring as much as they severally can lay hold of without satisfying their appetites, while in the meantime the public domain —capable of accommodating millions of bona fide cultivators—is being alienated without a thought to the future and false financial security is being created because the Treasury is full—the money ill got by legal spoliation . . . ."

(*The Express,* 15th April, 1882; 21st October, 1882.)

And again, in this earlier reference:

"All can see that we are in financial embarrassment, and that money must be raised somehow to meet the requirements of the colony . . . . There are but two ways to meet our wants—to tax or to borrow. In New South Wales . . . . we can use both—but we need use neither to any great extent so long as we possess a third way . . . . if we can command sense enough to use it rightly, and that is to manage in a prudent and profitable manner our magnificent public estate. . . . . The rents should be increased because the land has been improved enormously in value by the opening up of the country, by the millions we have spent on railways and upon irrigation and by every permanent improvement we have effected . . . .

"A farmer within 20 miles of the railway station at Goulburn or Campbelltown is glad to get land from a capitalist for cultivation or grazing purposes at from 5s. 0d. to £1 per acre per annum . . . . The squatter gets within an equal distance of the railway stations at Gunnedah or Wagga better land from the Government at little more than a farthing an acre per annum. The cost of transport to a market in both cases leaves a difference scarcely appreciable. In dry seasons we find the heavily rented small farmers of the counties of Cumberland and Camden, driving their starving herds far afield and paying pasturage to the Crown tenants . . . . In the Murrumbidgee district through which the southern line of railway runs, over 14½ million acres are held by a few squatters and banks, at an average rent of £1 14s. 11d. per square mile. This is the richest land in the colony and obtaining the highest rent, and yet that rent is not ¾d. an acre . . . Nine million acres are leased on the Liverpool Plains through which the northern railway passes at an average of 19s. 11½d. per square mile little better than one farthing an acre . . . The splendid pastoral lands in New England, Wellington, the Clarence and Monaro are all rented at about the same figure . . . while the far off but excellent pasturage of the Albert is let to the extent of 35½ million acres at the annual rent of 6s. 8¾d. per 100 square miles or ½d. or ¼d. per acre. . . . . The above are high average prices. Land in hundreds of thousands of acres is let as low as 2s. 0d. per square mile or even lower.

"In September, 1878, there were in the whole colony under pastoral lease, in round numbers 135,000,000 acres (134,967,886) and the whole of this enormous territory returned to the Treasury only £165,947 3s. 0d. per annum. An average of 7d. per acre would return to the Treasury an income of £1 million sterling. One-fourth of 7d. per acre would realise more than we shall receive from the Stamp Act. A reasonably fair figure would pay the whole of our Education Grant and enable us to pass sugar and perhaps tea, to boot, duty free . . . . 7d. per acre would enable us to spend, if we so willed it, £25,000,000 upon additional railways and other remunerative works at an interest upon debentures of 4 per cent. We are certainly strangely enamoured with the squatting interest when we meekly or carelessly, make such enormous sacrifices of our well being for its advantage.

". . . . The remedy is to prohibit the sale of Crown lands by auction, and to prevent the patent imposture of sales for improvements. Then let the public lands be divided into convenient blocks, and rented annually or biannually at public auction, starting from a fair minimum. In this way good pasture lands would realize in a little time their full value and moderate lands would certainly meet prices far superior to what are now paid . . ."

(*The Express,* 20th August, 1880.)

On 8th November, 1882, Robertson introduced an amending Land Bill designed to make some minor changes, but continuing nevertheless the basic principle of the 1861 Act, namely, "free selection before survey." However, on this measure being debated in the Assembly, the Parkes-Robertson Ministry was surprised by a series of resolutions put forward by the Leader of the Opposition, Sir Alexander Stuart, condemning free selection before survey, advocating the division of the colony into two or more districts, further suggesting the dividing of runs into leasehold and resumed areas, reducing deposits for selection to 2s. an acre, recommending the establishment of local land boards and the grant of conditional leases to selectors. The resolutions made a strong appeal to both press and public, and were welcomed also by the squatters and selectors, since they offered concessions to both sides. After a debate extending over three nights, the Parkes-Robertson Government was defeated by 43 to 33 votes. The House was at once adjourned and dissolved on 23rd November, 1882. An exciting election ensued in which the Parkes-Robertson party was badly beaten, and a seat secured for Parkes himself only with great difficulty.[66]

[66] *Cyclopedia of New South Wales, op. cit.,* p. 71.

The "Land Reform Cabinet," with Sir Alex. Stuart as Premier and Mr. J. S. Farnell as Minister for Lands, went into office on 6th January, 1883. Early in the same year it appointed Augustus Morris and George Ranken as a Commission of Inquiry to look into the "state of the public lands and the land laws."

In connection with these developments, the *Express* had further comments to make on this vexed question of land reform, and in particular upon the action taken by the Stuart "Land Reform Cabinet" to stop for the time being further Crown land sales:

> "(Mr. Stuart's) New Government deserves the very greatest praise for their courage and promptitude in stopping the auction sales of the public lands. Nothing could mark more distinctly the wide difference between the policies of the past (Parkes-Robertson) and the present administrations than this bold and statesmanlike act. The last Ministry, though the evils of the auction sales were pointed out to them over and over again; and the land monopoly created by their agency was a fact so glaring that no one could help seeing it, turned a deaf ear to all remonstrance, and only hurried the land faster into the market . . . . The temptation which weighed with them, no doubt, was the great command of money which the sacrifice of the land gave them. They appear to have reckoned that the money would sweeten everybody and apparently it did . . . .
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> "The temptation which proved too strong for the Ministry which built itself upon corruption, has been disregarded by the Ministry which we hope will not be corrupt. Yet it required great courage to give up at once such a source of revenue. There will be very little money now to spare to construct useless courthouses and to pay unnecessary salaries . . . . The Ministry (Stuart) by stopping the auction sales have given the best guarantee that they will personally bring forward a comprehensive measure of legislation . . . . For years back we have had large surpluses, but the stoppage of the revenue from the sale of the land will give us heavy deficits. . . . .the increased revenue will no doubt be derived from an increased rental upon squattages . . . . The only alternative is that Mr. Stuart should provide fresh taxation . . . . if he were to propose any kind of direct taxation . . . he would raise up the strongest possible opposition, and if he were to propose new taxes of an indirect kind, he would find it almost impossible to save his character from consistency as a Free Trader . . . One way would be . . . an increase of rent from the squatters. Another way, we think, ought to be the imposition of a land tax . . . . It should be confined of course to the big estates—to those enormous properties undesirable and mischievous, and which are so great as to be merely a luxury to the proprietors. Luxuries are generally fair subject of taxation, but luxuries which monopolise the inheritance of the people, and lock up the public land from settlement, are much the fairest of all . . . . Moreover, such a tax would be the best possible means of preventing the formation of more such estates . . . We approve also of the idea of the Commission of Enquiry which has been appointed by Mr. Farnell . . . We fear that the country has not quite enough confidence in the two gentlemen whom he has selected, to give their report the weight it ought to have. The names of the witnesses are not to be made public and it is known, a fact which is notorious, that Messrs. Morris and Ranken have very decided views of their own upon the present land laws and upon the direction which any reform of them should take."
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> (*The Express*, 27th January, 1883.)

The Commissioners conducted a most thorough inquiry, taking voluminous evidence, and finally presented to Parliament an able analysis of the situation. They reported that they had found the system of free selection to have worked fairly well in the old settled districts, notwithstanding that the land was somewhat poor as compared with that in the intermediate districts. The reason for this was that the original

system of free grants, with the right of occupation of surrounding country, had been a sound one; and, generally speaking, "selection had shaken down alongside the old grants without bringing monopoly or debt in its train." The most important portion of the report, however, was that referring to the intermediate territory which had been most affected by the Act of 1861. Of the 86,000,000 acres in these districts, including some of the finest lands in the colony, it was found that no less than 25,000,000 acres had been alienated. Referring to the effects of "free selection before survey" in this intermediate division, the Commissioners reported:

> "It would be a wonder if a law so framed (1861 Act) showed any fixed principle and consistency in its administration. The history of its whole operation for years has been an unintelligible chaos, in which the rights and interests of all mainly concerned have been the sport of accident, political interest, and departmental disorders. As the law became more intricate and involved, Ministerial patronage and Parliamentary interest became more and more in request, and the chief fruits of the policy now apparent are the huge pastoral freehold estates accumulating in the best of our grazing country, and much spurious property in Sydney, engendered by a vicious system of administrative centralisation, which forces all dealings and litigation to the metropolis.
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> ". . . (The 1861) policy offered for sale to one class of occupants the same land which was simultaneously assigned under lease to another class. There was no partition of the sort to provide for both classes. There was abundant space and to spare to satisfy all reasonable wants then, as there is yet; but the self-evident method of meeting the requirements was not adopted. Thus two separate forms of tenure were instituted by law, both authorising the occupation of the same ground . . . A policy such as this would be intelligible and expedient, perhaps, if some stringent necessity arose to supplant a condition of lawless commonage, or nomadic barbarism by a system of civilised industry and social security; but one may search in vain for a reason justifying its application to lands used in a legal and orderly manner, viz., harmony with the recognised industry of the community . . . The men whose enterprise was thus telling daily in reclaiming a wilderness could not be expected to receive with favour a law which authorised any stranger to seize upon each spot as soon as it became of any value. But there was a peculiarity in the tenure originally acquired under the Orders-in-Council which gave this squattage a different character from a merely permissive occupancy of the pasture, and told greatly in the squatters' defence against selection. The pre-emptive right enabled the lessee of a run to buy one square mile in every twenty-five, and through the exercise of this privilege the water frontages and choice spots—the oases on which the value of every station depends—often became private freeholds. In this way, from the possession of these advantageous positions, a station acquired a certain permanence of title, altogether apart from the leasehold, and these positions formed the centres from which schemes of systematic defence against selection were afterwards organised.
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> "It has no doubt been often pointed out that the 'Orders-in-Council,' with all belonging to them, were abrogated by the legislation of 1861; but this same abrogation could not void what had been done under the prior tenure . . . Neither could the Act of 1861 obliterate the financial and business interests concerned in these stations. Squatting as a productive enterprise had been as it were cemented into the commerce and banking of the colony . . . It is no wonder, then, that the standard interests of the country have been arrayed in opposition to the spread of colonisation—at least of such colonisation as was proposed for the pastoral districts under the present law. The way out of the difficulty for all interests is still plain. The squatting indust would be much better carried on, more cheaply, more securely, and with much greater proportionate results, on a reduced area under a safe tenure; while real honest settlement would thrive most where a settler could get a sufficient extent of ground without the risks attached to contending with an antagonistic tenure. There was then, as now, plenty of land to provide for the two interests apart.

> "A long training to use the law in any way to their own advantage has rendered lessees and selectors alike adepts in evading its provisions, irrespective of moral obligations. This may appear a terrible indictment to prefer on parole evidence, abundant and concurrent as that is; but the sketch maps, produced by photo-lithography, with which this report abounds, are incontrovertible witnesses to a moral obliquity, which the present land laws can never make straight."

And again, speaking of the provisions of the Act:—

> "It has barred the advance of honest enterprise in all directions, and has at the same time opened a door for the entrance of every phase of abuse and fraud, to be shared in by all classes and conditions. It would be well if the moral and social evils which have grown from the law could be depicted as vividly as the waste of the national estate has been displayed; but it needs little argument to prove the vice of a policy which of its very essence divides the rural population into two hostile camps: and it would be superfluous to state that the personal virtues of veracity and honourable dealing have been tarnished by the daily habit of intrigue, the practice of evading the law, and by declarations in defiance of fact universally made. It is in evidence that self-interest has created a laxity of conscience in all matters connected with the land law, and that the stain attaches to men of all classes and all degrees." [67]

As the basis of amending legislation, the commissioners recommended the abolition of "survey before selection," except as applied to lands in the old settled districts; the adoption for all lands (except town, suburban and special lands) of a system of leasing; pastoral leases to be granted to former lessees of one half their runs with compensation for certain improvements; conditional leases for a period of fifteen years, with the right of renewal, of a maximum area of 2,560 acres in the intermediate, and 5,760 in the unsettled districts, to be obtainable after survey (upon conditions as to residence and improvements) by persons other than pastoral lessees; and the administration of the lands by non-political commissioners and local boards. These broad principles, if adopted with a provision for classification, might well have changed the whole aspect of the land legislation of the colony, and proved generally acceptable to those who desired a simplified administration and genuine settlement. But, unfortunately, twenty years of class hatred and internecine struggles had left behind them such a "poisonous rankling" in the minds of those who were directly interested in the question of land legislation that it was impossible for the members of Parliament —who in many cases were returned as the direct representatives of the opposing factions—to bring to the subject a calm unbiassed consideration. As first introduced to Parliament in the latter half of 1883, the proposed new bill of Mr. Farnell embracing the ideas of the Stuart government was described as a "masterly measure," but in the subsequent dealings with the bill, so many amendments were made to it that by the time it was finalised, it "looked very little like the original." One provision from the original draft retained, however, which is of a special significance, was the abolition of the privilege which had previously been employed by the pastoral lessees of purchasing land by virtue of the improvements which they effected upon it.[68]

[67] *Journal of the Legislative Council of New South Wales, Session* 1883, Vol. XXXIV, Part I, Report of Inquiry into the State of the Public Lands.

[68] *Annual Reports of the Departments of Lands,* 1882, 1883, 1884, 1886.

The important Act passed in 1884 (48 Vic. No. 18), as likewise the amending Bill of 1889, retained the old principle of "selection before survey," but upon a new basis, and thus, although there was some improvement in the conditions of settlement, there was still no systematic opening up of lands for legitimate *bona fide* agricultural purposes, and the old uncertainties and feuds between selectors and pastoralists still continued. Nevertheless, the process commenced by the 1861 Act of breaking up the runs of the squatters was continued by the 1884 Act, the intention being to gradually complete the process of subdivision, but not at one blow. And whilst free selection was retained, there was granted to the runholder some security and stability, to this extent the 1884 Act being a considerable improvement on the 1861 Act.

A back country Station.

(*Mitchell Library.*)

In regard to these developments, the *Express* had this to say of the Report of the Commissioners, and in further warning of the effects of tenantry as against the freeholding of small farms:—

> "The report of Messrs. Morris and Ranken upon the working of our Land Laws has vindicated the appointment of those gentlemen by the Government. The report is a very valuable collection of information, put together in a clear and easily comprehensible way and illustrated by maps . . . The work has been done quickly and well, and though Sir John Robertson took beforehand last session, an attitude of deriding the whole affair, and will find his cue readily taken up by the opposition, the report is of too much intrinsic weight and value to be ignored . . . we do not include the recommendations.
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> ". . . (Mr. Farnell had said) They were not properly a Commission at all . . . that they were not to recommend anything, or to guide the Ministry in any way; they were merely to collect and arrange in a convenient form a quantity of information relating to the working of the Land Laws. Their duties were to be no more than two intelligent clerks could perform . . . The Commissioners, however, have gone far beyond this limited sphere . . .

"The problem of our Land Laws is indeed one which might make the wisest heads consider long. So many vested interests have grown up under the present laws—the clash of private interests with one another, and with the public interest, is so bewildering and complicated, that it would be perhaps impossible even to devise a measure which should reconcile justice to all with the undoing of past and the prevention of future mischief. If such a Bill could not even be framed, how much more hopeless would it be to carry it into law. The country must make up its mind, we fear, to an acceptance, for the present, of much of the evil that has been brought about, and content itself with a measure of fairly good compromise, instead of demanding an ideal and complete reform. The main thing, to our minds, which ought to be legislated against is the creation, to any great extent, of a landlord system in the country.

" . . . Big estates are mischievous, at first only as they retard and hamper the proper settlement of the colony. Their operation in this way is to be seen in many parts of the country. At this stage, however, all they do is to keep the land comparatively idle—to prevent population settling on it at all. By and by they will produce a worse effect. The population will come on to the land, but will come on not as freeholders, but as tenants. The evil system that has borne such bitter fruit in other countries will get a strong hold here. When once it is established our whole social system will be adapted to it and based upon it and nothing is so hard to alter as a social system. It took the great Revolution of France to alter the social system, based upon land tenure, in that country. In England and Ireland landlordism has modified the laws, the government, the constitution, and society to an extent which makes it an almost impossible task to get rid of it . . .

"Although very large estates have been formed in many parts of New South Wales, the evil, if it be now prevented from spreading, will not be seriously great.

" . . . The tendency of capital to accumulate land is like some vast force of nature—like the tendency of water to find its own level; only the strongest and most perfectly watertight dams can keep it back."

(*The Express,* 2nd June, 1883.)

Bullock Waggons—Settler's Home.

(*Mitchell Library.*)

And in connection with the proposed Act, these additional observations of the *Express* are of interest:

> "If a kind of mania had not seized the people of the colony many years ago to get on the public lands somehow, they would not have accepted the formula of free selection before survey, which really deceived them, but demanded the absolute appropriation of the best agricultural lands for bona fide settlement only. . . . A superficial survey of agricultural areas, even along the eastern coast, extending some 200 miles inland, would, thirty years ago, have given immense relief to those desirous of cultivating the soil. . . . During the last few years (to 1883)—an ardent longing to establish peace, even at a sacrifice, may be said to have permeated all classes of the community . . . involving no renunciation of principle, but merely the making of such mutual concessions as would be generally deemed equitable . . .
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> "The features of the new bill resolve themselves into three principal parts namely administration, alienation and occupation . . . The old mode of administration soon became a huge system of centralization, out of which grew that 'monstrous horrendum ingens', etc., the Department of Lands . . .
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> " . . . We have had 22 years' experience of the working of a land policy in New South Wales which has resulted in ignominious failure, so far as bona fide settlement is concerned. In other respects, its effects have been worse; it set class against class from an early date of its existence, arrayed Squatter and Selector in unnatural antagonism against each other, stimulated perjury and other crime, offered a premium for successful dummyism and black-mailing, and demoralised a large section of the young men of the country . . .
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> "The new Bill of the Stuart Ministry is a monument of patient thoughtfulness and enlightened zeal . . . no conscientious man can say that fifteen years is too long a lease to give to those who face the wilderness with their herds and flocks . . It must not be forgotten that wool, beef, mutton, tallow and hides are the mainstays of our present mercantile prosperity . . . and that to check them would be as unpatriotic an exercise of political power as it is in its very nature senseless.
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> " . . . (The new bill) practically reserves our best agricultural lands for Conditional Purchases only—and that too, after survey. The obligations of payment and residence come after survey, and these taken into consideration with the reduced deposit of 2s. per acre, the three years breathing time and the establishment of local land courts, must render bona fide settlement easier than it has hitherto been, although the restrictions as to residence may deprive professional dummies their shady occupation . . . The Bill as a whole is a masterly measure . . . Surely we have had quite enough of that great Circumlocution Office—the Department of Lands."
>
> (*The Express*, 20th October, 1883.)

The Act of 1884 invited the squatters to divide their leaseholds into two portions, to be known as the *Leasehold Area* and the *Resumed Area*, respectively. The squatters, subject to certain conditions, were to be allowed to re-lease this *Leasehold Area* for fixed periods. (The term of pastoral leases was fixed originally at 15 years in the Western Division, ten years in the Central Division, and five years in the Eastern Division. Provision was made later for extension of these terms under certain circumstances.) The balance of their runs, or the *Resumed Area*, they were to be permitted to occupy under annual licences, subject to the condition that it was to be open for selection as formerly, but under new methods. No attempt, however, was made anywhere in the Act in the direction of separating the arable land from that which was suitable only for pastoral purposes. Section 81 defined the conditions for the granting of *Occupational Licences* to the runholders which would entitle them to continue to occupy for grazing purposes the *Resumed Area*, provided only that such area should remain open at any time to

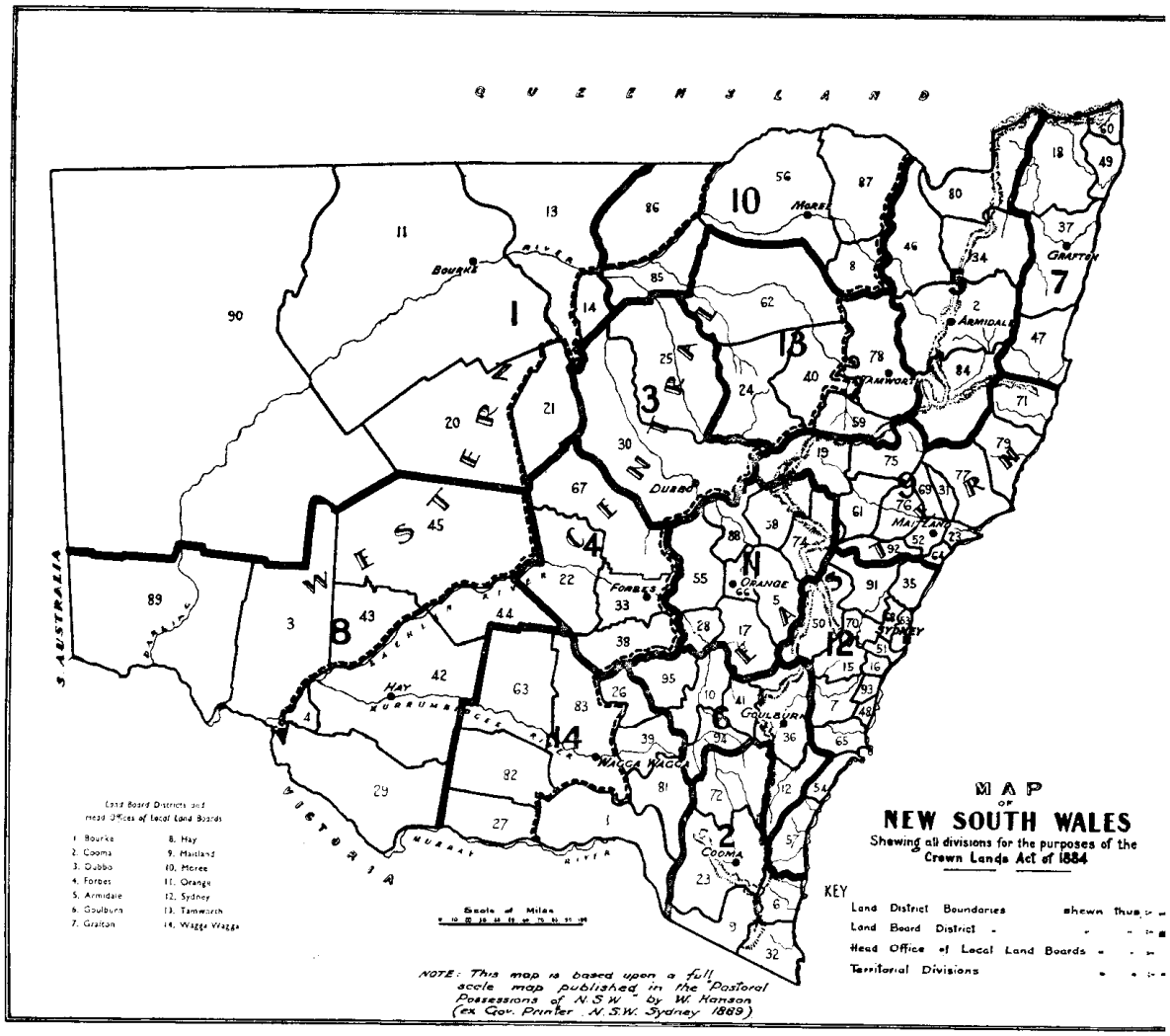

Fig. 6.—Map of New South Wales showing all Divisions for the Purposes of the Crown Lands Act of 1884.

free selection under Conditional Purchase (C.P.) and Conditional Lease (C.L.). If the runholder failed to exercise his right to secure a licence of the resumed area, the right to a licence of such area and of other vacant land could be disposed of by way of auction or tender. This title of *Occupational Licence*, first provided for in the Act of 1884, has very important links with the history of land settlement in New South Wales.[69]

[69] As the name indicates, occupation licences are licences to occupy Crown lands. The licence is on a yearly basis, renewable annually on payment of the licence fee. The land may be used for grazing only. The resumed and leasehold areas retained the name of the original run or pastoral holding. These names were shown on maps and plans. For record purposes, the occupation licence

Until the coming into force of the Crown Lands Act of 1884, the administration of the Department of Lands was centralised in Sydney. The Commissioners who, in 1883, reported on the state of the public lands and the operation of the land laws, had been very critical of this centralised system of administration. They gave it as their opinion that "delay, accumulation of arrears of work, individual loss, the daily growth of the official staff, are all most needlessly occasioned by carrying the details of transactions to headquarters, which might be much more easily and accurately completed in the districts where they arise." Much the same sort of criticism came from other quarters. Thus in the new Act, provision was made for the establishment of Local Land Boards, as opposed to the central office in Sydney. The Hon. the Secretary for Lands (Mr. J. S. Farnell) explained to the House that the great object to be attained by the establishment of the boards was decentralisation of the business of government. "It is," he said, "surely better to have the business dealt with by a Land Board on the spot than to have the parties coming to Sydney and having to wait a year or two before their case can be dealt with. The establishment of the Board would enable everyone to be heard in open court in the district, and anyone who felt dissatisfied with the decision arrived at would have the right of appeal to headquarters." (In the Act of 1884, provision was made for an appeal to the Minister, but in 1889 this was altered and a right of appeal given to the Land Court, later known as the Land Appeal Court. This principle has since obtained, an appeal to-day from a decision of a Local Land Board being to the Land and Valuation Court.)

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was allotted a number, the same number with the letter "A" affixed being used to record the Preferential Occupation Licence attached to the same pastoral holding.

Since the 1884 Act, large areas of Crown lands have been let under occupation licences, not only to former run-holders and pastoral lessees, but to other persons as well. With the gradual selection of Crown lands, however, the area available for licence has gradually diminished and, relatively speaking, only small areas are now under licence, for the most part comprising reserved land not open for original selection, or land which although open to selection is not likely to attract original applicants. The last occasion of the grant of an occupation licence was in 1944 when land within the Marshes on the Macquarie River, near Coonamble and Warren, was offered, this being a special case.

For the purpose of a licence, the land and boundaries need to be determined only with reasonable accuracy by a general description. The Supreme Court has held that a licence fee is payable on an estimated area only, and, if it is discovered that the area is over-estimated, the licensee cannot claim a refund of the fee paid in respect of the over-estimate because the relevant Act does not require or contemplate an adjustment by survey—the case is not one of mistake but of a contract on the parties to pay and receive a licence fee upon an estimated and not upon the actual area.

Section 33, Act 1889, provided that on the expiry of a pastoral lease within the Eastern Division, the lands subject thereto should become and be dealt with as a resumed area and, subject to application by the pastoral lessee, for the granting to him of an occupation licence over the land formerly held under pastoral lease. Under Section 4, on the expiry of a pastoral lease in the Central Division, the land included therein also became a resumed area, the former lessee being afforded the opportunity of acquiring a *Preferential Occupation Licence* over the land formerly held under lease. This preferential occupation licence was subject to the provisions of the 1884 Act in respect of licences, but two qualifications were provided, one being in connection with the fee, the other being that the renewal of such licence might be refused, on not less than three months notice being given.

Land Districts were established, and thereafter all applications for land were required to be lodged with the Crown Land Agent for the district in which the land applied for was situated. To complete the administrative arrangements, a District Surveyor was appointed for each Land District or number of Districts, and Land Board Offices were established.[70] Additional provision was made for auction sales and the reservation and the dedication of Crown land for public purposes, establishment of cities, towns and villages.[71]

The Act also divided the colony into three divisions on a different plan to that prevailing under the 1847 Orders in Council. The new divisions were *Eastern, Central and Western Divisions,* corresponding roughly, from a geographical point of view, with the coastal strip, the tablelands and slopes and the western plains. The limit for conditional purchase was 640 acres, and with conditional lease, 1,280 acres in the Eastern Division and 2,560 in the Central Division. The price was £1 per acre, except in special areas.[72] Five years residence was required, and the boundaries had to be fenced within two years, in contradistinction to the Act of 1880, which had permitted improvements to be affected to the value of 6s. per acre within three years, and 10s. per acre within five years. The Act of 1884 repealed that provision and made fencing compulsory within two years.

[70] An important principle to note is that the Local Land Board exercises a purely judicial function in dealing with every application and cannot, therefore, collect evidence either for or against the applicant. It cannot be judge and prosecutor, or judge and advocate, at the same time, but the parties interested must collect and tender such evidence, and the Crown in the public interest, through the C.P. Inspector, or some other available public functionary, can obtain and produce such evidence as ought to be before the Board to prevent the improper alienation or other disposal of the public estate. "It is certainly no business of the Board to hunt up such evidence". (Re Bryans, 6 L.C.C. 181.)

There are at present thirteen Land Board Offices (Armidale, Cootamundra, Dubbo, Forbes, Goulburn, Grafton, Hay, Maitland, Moree, Orange, Sydney, Tamworth, Wagga Wagga), each being under the control of a District Surveyor, each office being the headquarters of a Land Board District which comprises a number of Lands Districts (e.g., the Land Board District of Tamworth comprises the land districts of Coonabarabran, Gunnedah, Quirindi and Tamworth). Section 10 of the Crown Lands Consolidation Act (1913) makes provision for the appointment of a "District Surveyor" and such other officers as may be necessary for the purposes of administration. The District Surveyor is stationed at the Land Board Office and has a staff of Surveyors, Land Inspectors, Draftsmen and Clerks under his immediate charge. To a considerable extent this decentralises the administration of the Department of Lands. The duties of the District Surveyor are mainly administrative and involve reporting to the Local Land Board on applications for land, the principal matters reviewed being the availability of the land and the eligibility of the applicant; suggesting prices and rents; arranging for all surveys in the district; supervision of Crown holdings and of the conditions attached to them; recommending the best means of disposal of Crown lands, whether by sale or lease; the conduct of the Crown's case in matters which come before the Local Land Board.

[71] It is of some interest to note that all cities, towns and villages in existence throughout New South Wales have not been established under the Crown Lands Act. Many of them are the result of the subdivision and sale of private property, and in such cases the Department of Lands has had no hand in their design or lay-out or in the sale of the allotments. The difference in the mode of establishment is commonly expressed in the terms "Government town" and "private town". In practice it will be found that in Government towns reference is to an *allotment* of a section, whereas in private towns the expression is *lot*—of section.

[72] These Divisions, Eastern, Central and Western, were retained in the Crown Lands Consolidation Act, 1913, their respective boundaries being described in the Second Schedule to this Act. With the passage of time, the divisions have

The Act also introduced some new forms of tenure to meet special circumstances, including *Improvement Purchase, Annual Leases, Special Leases* and *Homestead Leases,* in addition to Occupation Licences (all of which, with the exception of Homestead Leases, are still in existence).

But perhaps the greatest reform of the 1884 Act was the introduction of *Local Land Boards.* To a large extent this took the administration of the Act out of political control and placed it in the hands of Local Land Boards which dealt with all matters in open court. A right of appeal against the decisions of these boards was given, but only to the Minister.

The administrative problems associated with these far-reaching changes and the urgency with which so much had to be done deserve some mention. They are described by Charles Oliver,[73] then Under Secretary of the Department of Lands, in the Annual Report of the Department for the year ended 31st December, 1885:—

> "The organizing of the administrative machinery of the Act, its distribution in the country, and the readustment of the staff generally, was not unattended with difficulty . . . Amongst the more important appointments were those

lost a lot of their importance and significance. The 1884 Act set up the three divisions and arithmetical restrictions on the areas which could be selected. Special legislation now governs the Western Division, and the line of demarcation between the Eastern and Central Divisions is nowadays of little practical value. Section 39 of the 1913 Act still regulates the maximum areas of unclassified Crown land which may be conditionally purchased and conditionally leased in the Eastern and Central Divisions, but very little Crown land now remains available for ordinary selection. These divisional limits have never applied to homestead selections, homestead farms, Crown leases, etc. Generally speaking, divisional limits have given way to another standard, viz. "home maintenance area."

[73] Charles Oliver was one of the most distinguished public servants of his time. Born in 1848, he became a junior clerk in the Lands Department in April, 1865. Twelve years later, in 1877, he was appointed Inspector of Land Offices, and in 1880, Under Secretary. For the ensuing eight years, Oliver controlled this large and important department of State with marked ability and effected its complete reorganisation. The first printed Report of the Department of Lands is for the year ended 31st December, 1880, and contains this statement by Oliver, then Under Secretary: "During the past year there were 38 Parliamentary returns laid down on the Table of the House, extending over 532 pages of printed matter—seven being of a tabular form—representing a far greater amount of labour and research than can be conveyed by a statement of their number and printed contents." In the consideration of the 1884 Act, Parliament sat almost continuously for twelve months, and Oliver's services were on constant call. Upon the passage of the 1884 Act, Oliver received from the Rt. Hon. W. B. Dalley, Q.C., Attorney-General, and Acting Premier at the time, an inscribed goblet and with it this written tribute:—"31.12.1884: Dear Mr. Oliver,—Will you accept at my hands on this the closing day of a year eventful in legislation, which your intelligence and industry largely contributed to make effective, and I trust, valuable to the country, this small memorial of my own personal gratitude for your very great and always cheerfully accorded assistance? Yours very sincerely, William B. Dalley." In 1888 the Parkes government passed the Railway Act, which vested the management and control of the State railways in a Commission of three members. An English railway expert, E. M. G. Eddy, was appointed Chief Commissioner, and Oliver, a Commissioner. In June, 1897, on the death of Mr. Eddy, Charles Oliver was appointed Chief Commissioner. This position he retained until in 1906 a Royal Commission was appointed to inquire into the general working of the railway department and the 'inharmonious relations of the three Commissioners.' The result of the investigation led to the Government retiring Oliver and Mr. W. M. Fehon, a second Commissioner. In 1907 Mr. T. R. Johnson was brought out from England to fill the position of Chief Commissioner, with absolutely undivided authority.

(Miscellaneous References, Mitchell Library.)

of the Chairman . . . and members of the various Local Land Boards, District Surveyors, and Crown Land Agents . . . The selection of Chairmen was made, as far as practicable, from officers of tried experience and capacity formerly connected with the Department . . . Considerable trouble was experienced in selecting suitable persons to fill the positions of unofficial members of the Local Land Boards, as the choice was necessarily restricted by the difficulty of finding gentlemen in the country districts who, while possessing the necessary attainments and qualifications to enable them to participate efficiently in the duties devolving upon the Local Land Boards, were not either directly or indirectly interested in dealing with Crown Lands . . . The selection of qualified officers as District Surveyors was readily effected from amongst gentlemen holding similar positions on the Staff of the Survey Branch . . . The judiciousness of these appointments has been demonstrated in the efforts made by the District Surveyors and their respective staffs . . . to facilitate in the year . . . the transaction of public business . . . The novelty of the situation in connection with (Local Land Boards) was at first somewhat felt by many of the different Boards, and the Minister and myself were frequently appealed to for interpretations of the law; but while every assistance was rendered in conveying to the Boards as much information as possible, it was found necessary to avoid giving opinions which might influence their decisions, or be held to contract in any way the independence of their judicial functions, or tend to weaken the effect of the local administration contemplated by the statute.

"*Division of Runs, etc.*:—By this operation effect was given to what has been regarded as the central principle of the Act of 1884, and as the peremptory terms of the enactment required that the whole of the pastoral lands of the Colony should be dealt with on this principle at the same time, the Department was confronted with a task unequalled in proportion and difficulty by anything yet attempted in connection with the public lands of the Colony, and involving incidental operations which at any time would have been regarded in themselves as extensive and important . . . An effort was made in the latter part of 1884 to encourage the early lodgment of plans of pastoral holdings by the lessees. These plans were after a provisional investigation returned to them or their representatives, to be subsequently tendered with formal applications. By this means a number of cases were preliminarily dealt with prior to the 1st January, 1885. Many applications for pastoral leases were lodged shortly after this date, but it was not until March and April that the great bulk was received . . .

"The principal stages involved in the consideration of the division of pastoral holdings were as follows:—The application upon being received and registered came under a close and careful examination as to the status and the rights of the applicant or applicants, also whether all of the runs held and worked as a station in terms of the Act had been properly included . . . the majority of the applications received were found to be deficient in some particular, thus involving a considerable amount of correspondence and consequent delay . . . An examination and verification of the external boundaries of the pastoral holdings . . . was then entered upon by the draftsmen of the Occupation Branch, and the geographical area of the holding determined as closely as possible . . . Here again, complications frequently occurred, runs being found to overlap. The position of the boundaries being in some cases uncertain, and in others altogether unknown to the Department, action in many cases had to be suspended until necessary inquiries could be made, or until the plans of adjoining runs had been received, when further comparisons could be instituted . . . In the majority of cases the dividing lines were altered or entirely redesigned, which frequently gave rise to much correspondence, followed up by innumerable personal interviews . . . Considerations other than the mere apportionment of country frequently and of necessity influenced the final recommendation of the dividing line, more especially in the Central Division . . . While on the one hand every possible precaution was taken to ascertain the position, character and value of the working improvements of the Station . . . ; on the other, the interests and direction of present and prospective settlement had to be considered, as also the probable requirements of population—existing or contemplated towns, villages, railways, etc."

The assessment of the rentals to be paid on the individual holdings was also a substantial administrative undertaking. In 1885 the principal work was the division of the pastoral holdings and this task was practically finished in the same year, a few cases only, surrounded by special difficulties, remaining over to the following year. It then became necessary in connection with the leasehold and resumed areas notified during 1885 and 1886 to collect the necessary data upon which to determine the rentals. As a first step in this direction, the Department of Lands had to prepare duplicate tracings of the whole of the lands under pastoral lease and occupation licence, one tracing being for the use of the field officer, while the other was revised in the District Survey Office, for the use of the Local Land Board. This formidable undertaking was let out to public contract draftsmen and is thus described:—

> "During 1887 the Department had cast upon it the large responsibility of determining the rents of land under pastoral lease and occupation license; and the extent and trouble connected with this would be difficult, if not impossible, for any one not engaged in the work to appreciate. No fewer than 1,452 leasehold and 1,338 resumed areas thus came under review, each case involving a perusal of its own mass of evidence, and the weighing of the discrepant representations or arguments which were brought forward to support a higher or lower rental. Apart from this, there followed appeals or subsequent protests which necessitated patient consideration of the cases in their new shape, and by this coming forward again and again they, in effect, multiplied themselves and each time became more complicated and difficult of treatment. The rents so determined were £54,978 8s. 5d. for 6,882,021 acres in the Eastern; £190,656 12s. 7d. for 18,760,703 acres in the Central, and £144,498 4s. 9d. for 28,962,717 acres in the Western divisions of the Colony, while in connection with resumed areas, following the same order of divisions, the amounts were £32,035 8s. 4d. for 5,984,812 acres; £103,730 4s. for 17,182,325 acres; and £88,205 6s. 6d. for 25,835,640 acres, respectively."[71]

1889 CROWN LANDS (AMENDMENT) ACT

The next important Act was passed in 1889, which instituted another radical reform. A new body was created, to be known as the *Land Appeal Court* (lay until 1922 when it became judicial) and appeals were to be made to this Court instead of to the Minister. It was to give its decision on judicial and not political principles. Every decision of a Land Board was open to appeal, and if the Crown was interested, the Minister had the right to refer the case to the Court. (The first sitting of the Land Court constituted under the Act of 1889 was on 3rd March, 1890, at the Court House, Darlinghurst, when fifty-seven cases comprising appeals and references remaining undealt with from the Ministerial Appeal Court were set down for hearing.)

The objects of the new Act were thus described:—

> ". . . The aim of this Act (which has perhaps as many of the essentials of a new as of an Amending Act) was to remove patent disadvantages under which purchasers and lessees were found to labour; to create some new methods of disposing of Crown lands; to offer privileges which the Act of 1884 withheld; and to establish for the final determination of rents, values, and disputed questions, such an independent Court of Appeal as would be acceptable to the public . . .

[71] *Annual Reports of the Department of Lands*, 1886, 1887.

> "One important provision of the Act of 1889 was that by which pastoral, conditional and homestead leaseholders and occupation licensees were allowed the option of remaining under the conditions of rent laid down by the Act of 1884, or of demanding a fresh appraisement for each of the successive periods into which their term of lease might be divided. Another was that affording the holders of expiring pastoral leaseholds in the Eastern Division the privilege of continuing to hold their land at a new rent under preferential occupation license."[75]

The Crown Lands Act of 1889, and the Crown Rents Act of 1890, contained some important provisions in connection with both pastoral leases and occupation licences. The necessity for the *Crown Rents Act of* 1890 arose from the judgment of the Privy Council in the case of Alison versus Burns. This Act offered all lessees and licensees (without reference to divisions) the opportunity of having their rents (if fixed by the Minister above the rates recommended by the Board) determined by the Land Court.

The *Crown Lands Act of* 1889 among other things offered pastoral lessees in the Western Division a new term of 21 years divided into seven-year periods—the rent for each period to be subject to separate appraisement. To lessees in the Central Division it offered an appraisement of rent for the residue of the then existing term, in lieu of the statutory increase of rent of 25 per cent on the rent already charged. To the holders of occupation licences in the Central or Western Divisions, it offered the right of re-appraisement of rent. So far, therefore, as the question of rent is concerned, the broad difference between the two Acts was that the Act of 1889 dealt with the rent to be paid in the future, while the Crown Rents Act of 1890 dealt with that charged in the past.[76]

A good deal of controversy had, before 1889, taken place as to whether forfeited selections or leasehold areas reverted to the runs or not. One of the main principles of the 1884 Act, as has been seen, was the division of the runs into two parts, one—called the leasehold area—being held by the pastoral lessee free from interference during the term of his lease, and the other—known as the resumed area—being open to selection. There were many subsequent forfeitures of selections, and the vexed question was whether the lands so comprised became part of the leasehold area to be held by the runholder or were again open to selection. The Privy Council had held that on forfeiture the land in the selection did not revert to the leasehold. The Crown Lands Act of 1889 (Section 32), however, made definite provision for their reversion, and the particular clause, regarded by many as one of the most important in the measure, was hotly debated in Parliament. (The provision was for reversion to pastoral or homestead leases or occupation licences, but pastoral and homestead leases are now archaic and reference to them has been deleted from later amending Acts. The Consolidated Crown Land Act of 1913 provides only for reversion to occupation licences. If the land added to the licence is unimproved, the licence fee will be at the same rate per acre as for the rest of the licence, but if the land contains improvements, the license fee has to be determined by the Land Board.)

[75] *Annual Report of the Department of Lands,* 1891, pp. 1, 2.

[76] *Annual Report of the Department of Lands,* 1890.

The Act of 1889 also included a provision that title to land commenced from the date of *application,* and the run-holder became a trespasser after he had received notice of the application. Under the 1884 Act, the position had been that titles to holdings commenced from the day of *confirmation,* the result of which was that immediately an application was lodged for land, the run-holder could put his stock to graze on it, frequently deliberately overstocking and flogging the pastures available, so that by the time the selector was in a position with legal entitlement to enter into occupation, the land might be grassless and useless for immediate further grazing. The Act of 1889 also repealed the old bar which had existed since 1861, exempting improved lands from selection. It made improved lands open to selection, but the selector had to pay the capital value of them to the run-holder or such other person as might be the owner of them.

The 1889 Act also made provision for the conversion of Conditional Leases (C.L.) into Additional Conditional Purchases and for the new tenures, *Scrub Lease, Snow Lease* and *Inferior Lands Lease.*

The total number of conditional purchases recorded as at 31st December, 1888 was 144,867, representing an area of 18,109,102 acres.

The unlocking of a very large area by the lapsing and reversion to the Crown of the pastoral leases of the Eastern Division which commenced in July, 1890 greatly stimulated the demand for land under conditional purchase, especially because of the 1889 Act. This can be illustrated by the following table:—

No. of Conditional Purchases Taken Up[77]

Year	No.	Area	Deposit
		Acres	£
1885	5,377	1,165,351	121,069
1886	6,080	963,196	101,794
1887	4,769	793,004	82,670
1888	5,364	865,199	93,158
1889	6,205	903,159	99,854
1890	8,526	1,713,577	193,978

Droughts.—The drought years of 1880-1886 affected New South Wales and other States, and both sheep and wheat areas were seriously involved. In 1888-1889 a further drought affected principally the wheat areas in New South Wales. The longest and worst drought in Australia's history, however, was that which is usually referred to as the 1902 drought, but which in reality extended over seven years from 1895-1903, affecting practically the whole of Australia. In New South Wales it was associated with the devastating effects of a rabbit plague and a prolonged water shortage. It was most persistent in the inland areas of New South Wales, northern Victoria, South Australia, Tasmania and the coast of Queensland. Other major and lessor droughts of note affecting New South Wales and involving other parts of the Commonwealth are those of 1911-1916 (major); 1918-1920 (major); 1922-1923 (lesser); 1926-1929 (lesser); 1935-1938 (lesser); 1939-1945 (major); 1946-1947 (lesser).

(*cf.* also *Queensland Agricultural Journal,* Vol. 83, No. 8, August, 1957.)

[77] *Annual Report of the Department of Lands,* 1891, p. 6.