Land tenure is one of the fundamental elements in the evolution of an agricultural economy and consequent settlement pattern. In Queensland as in other Australian States the solution of the land tenure problem has proved difficult. In efforts to regulate conflicting agricultural ideals the legislature has passed a multitude of land acts. The minutiae of these laws are overwhelmingly complex and difficult to summarise although several studies have outlined the development of and the search for satisfactory tenure conditions as reflected in Queensland legislation. However, case studies of the effects of specific land acts on particular localities are fewer in number. It is therefore the aim of this paper to examine the extent of land repurchased under the Agricultural Lands Purchase Act of 1894, and allied acts, in the twenty-five year period from 1894 to 1919 and to evaluate the success of the legislation and characteristics of farming and landscape changes that developed.

The Queensland Agricultural Lands Purchase Act of 1894

The Queensland Agricultural Lands Purchase Act which passed through the legislature in 1894 has been described by Charles Bernays as, 'one of much importance and far reaching effect'. This Act, its subsequent amendments and the Closer Settlement Acts passed from 1906 to 1917 had as their major aim the purchase of land by the government and its subsequent planned resale for closer settlement based upon the family agricultural farm. The Act introduced a number of principles widely adopted in later legislation. From its inception the regulations governing the Act were designed to be more discriminating in the development of closer settlement than the regulations of previous acts having the same objectives. For a variety of reasons most of these early acts had enjoyed only limited success in the fostering of closer agricultural settlement.

Under the conditions of the 1894 Act each estate that was offered for repurchase and agricultural sub-division was carefully
inspected by the Land Board. This Board then reported under six major headings to the Minister of Lands on the general suitability of the property for closer settlement. Particular consideration was paid to—(1) the fair value of the land to the owner; (2) the demand for land in the neighbourhood for agricultural settlement; (3) the suitability of the land offered for agricultural settlement; (4) the permanency of water supply; (5) the probability of immediate selection of the land; and (6) the absence of a sufficient quantity of Crown land in the neighbourhood available for agricultural settlement. Additional expert advice was also generally obtained on the nature and fertility of the soils of the estate from the Department of Agriculture.

In most instances some modification of the owner's original proposals was necessary before the Land Board submitted its final report. In some cases this led to protracted negotiations; the Gowrie estate, for example, was first offered for repurchase in March 1895 but was not finally acquired until 1901. In the case of the North Toolburra estate, the initial offer by the owners—Thomas Coutts and the Australian Joint Stock Bank—was modified because of the poor quality of a large sector of the land tendered (figure 1). At its preliminary inspection of this property, the Land Board judged that it contained too large a section of steep rugged terrain that was unsuitable for agriculture (portion C), although the land along the frontage of the Condamine River and Glengallan Creek was first class. This section was subsequently rejected. An amended proposal excluding portion C was then submitted and accepted by the Board, which stated that parcel A (see Figure 1) consisted of extensive rich black soil flats and good backland that was only lightly timbered. Parcel B although of poorer quality than A was considered capable of cultivation and suitable for the maintenance of good pasturage.

Similar adjustments occurred elsewhere. Rosewood estate in the Ipswich district was at first rejected because of the inclusion of 1058 acres deemed unsuitable on account of poor soils, bad drainage and physical separation from the area of potentially good agricultural land. The repurchase of Glengallan No. 1 also saw modifications of proposals to exclude an area of poor stony ridges.

There was also generally disparity between the price asked and the Government's offer. In the case of Rosewood the owners' amended offer was made at £4.2.6 per acre. However, the Land Board considered the fair value of the land to the owner as £3.12.6. In another case the acquisition of Westbrook Subdivision No. 1 the repurchase price was £2.8.0 per acre for land originally offered at £2.15.0.

A key factor in the repurchase of estates was the demand for agricultural land within the locality. This was in fact the very origin of the Agricultural Lands Purchase Act. In the area of all repurchased estates the demand was pressing. This factor and other major characteristics of repurchase is well illustrated in the report of the acquisition of Glengallan No. 1 estate.

In the neighbourhood of the Glengallan Estate, judging by the inquiries the Land Board has made, there is a steady demand for good land for agricultural settlement. Generally on the Darling Downs district this demand exists, and whenever land of good quality has been offered on reasonable terms by private owners, sales have been effected. The accessibility of land on the Glengallan Estate to the railway line offers additional inducement to select, and, in the opinion of the farming class, the value of the land is considerably enhanced thereby.

On the terms authorized by the 'Agricultural Lands Purchase Act of 1894' which are easier than any private owner could offer, land would certainly be purchased, and the Land Board have reasons to believe that there are selectors now on the lookout for farms on the property under reference, who are ready to select whenever it may be opened to selection.

Despite the more difficult terms that private sale entailed, on the Darling Downs, the purchase by would-be agriculturalists of small blocks of land from large estates was a feature by the 1890s, and this tendency continued. This trend clearly indicated the strong demand for arable land. On the Westbrook estate before its repurchase in 1895, 6149 acres had been sold to small-scale agriculturalists. The acreage of individual lots varied from 41 to 1224, with a price range from £2.5.0 to £7.1.0. A similar large sale of land had been negotiated on the Clifton Estate. Here a total of 9267 acres had been subdivided with the creation of 62 holdings. The situation at Clifton however was to prove exceptional. For although the farmers had paid deposits, had occupied and had improved the land to a considerable degree, the legal title was still vested in the Queensland Investment Company. This company offered the land to the government under the provisions in the Agricultural Lands Purchase Act. However, under the Act all land repurchased had to be thrown open for selection by ballot if necessary. This produced the immediate problem of the possibility of the occupant of the land losing his holding. However, as reported by Thomas Stevenson Sword of the Land Board, "each occupant is prepared to take his chance of gaining or losing his farm by ballot should there be more than one applicant for it, trusting that in the event of his farm being lost by him, the Crown will pay over to him, as an act of grace, the value of the improvements which may be paid by the incoming selector, as such value may be fixed either by mutual agreement or by the Land Board in open court in the usual way."

The unique position of Clifton was later resolved when the Government accepted the Clifton farmers as settlers under the ordinances of the Agricultural Lands Purchase Act.

The case of Clifton agriculturalists does emphasise the earnest desire of small-scale operators to own and work their own land. This demand had fostered the private sale of land by large estates to would-be agriculturalists. Private purchase from large holdings seems to have been the norm by which southern farmers, Victorians and New South Welshmen obtained holdings, "for very few from outside (Queensland) . . . selected repurchase land . . . they object to 160 acres being altogether too small." The rental of land for agricultural purposes at considerable premiums provides a further indication of the desire for land for crop production. In its report concerning the Cryna estate near Beaudesert the Land Board recorded that 'men were renting at 5s. to 8s. per acre...for a five years' lease'. This was considered a sound indication of the strong desire of people to obtain good quality agricultural land.

The high level of demand remained a constant factor in the repurchase of estates. Demand was still high in the early 1900s...
as is clearly indicated by the evidence submitted to the select committee on Land Monopoly Tax, — ‘there has been a very considerable demand recently on the Downs proper — between Toowoomba and Warwick, and extending as far as Pittsworth, there is no Crown Land except estates that have been repurchased of which nearly the whole has been disposed of’.

In its report to the Minister for Lands the Land Board described in general the edaphic* characteristics of the estate and their suitability for agricultural development. Attention was also given to the types of crops likely to thrive, the general capital improvements that had been undertaken and the estate's location in respect to rail facilities and town development. The fourth major factor which the Land Board considered was the important question of the permanency of water supplies. The adequacy of a permanent water supply was naturally of great importance in a country where the norm is for periods of water deficiency to exceed periods of surplus. Under this heading a general record of the disposition of wells and wind-pumps was made.

The fifth and sixth factors investigated were closely related to points already studied. It was logical to expect that if the land under scrutiny was suitable and the demand high there would be a high probability of immediate settlement. This was also liable to be emphasised by any dearth of Crown land available for selection within the neighbourhood.

If the report prepared by the Land Board under these six headings was favourable the land was generally acquired. The limiting factor to purchase was the availability of finance. Under the ordinances of the Act purchasing power was limited to a maximum of £100,000 per annum. Part of this sum could also be paid in debentures.

Before discussing the extent of repurchase it is necessary briefly to outline the major amendments and complementary Acts that were legislated in the period 1896 to 1919. In this period the original Act was amended and supplemented. Under the initial regulations land was only opened as agricultural farms the rent for which was set at £7.12.6 per cent of the purchase price.

These regulations were amended in 1897 to make it possible to take out unconditional selection on land that was not selected after six months. The method of payment was also changed to one of an initial payment of £10 per £100 of the purchase price, with no payments in the second year followed by subsequent yearly payments of £7.19.0 per cent. Further minor modifications were passed in 1901 and 1905. In 1906 the Closer Settlement Act was passed. Under this Act land was available for selection as agricultural farms and after 12 months as unconditional selections. The terms of these selections were extended 25 years. This period was lengthened under the Closer Settlement Act of 1913 to 40 years. Further amendments were passed in 1917 with the introduction of perpetual lease tenancy. However, despite this plethora of amendments the initial concept of the Agricultural Lands Purchase Act of "the purchase of lands suitable for immediate settlement and the facilitating the settlement thereof" remained. The alterations that took place represented changing ideas on the most satisfactory way of achieving the aims.

The extent of repurchased lands.

Under the Land Act and subsequent amendment acts in the period 1894-1919, 662,755 acres were settled by 2304 selectors in the creation of 2755 farms (Fig. II). The greatest proportion of land selected occurred in south-eastern Queensland on the Darling Downs. One thousand and nine of the new agriculturalists took land on the Downs. The only estate that was repurchased but did not attract settlers was the Seaforth estate near Mackay. As Bernays recorded in 1919 'not an acre of the repurchased estate had been selected from the day it was purchased twenty years ago'. The total area selected represents 72 per cent of the land opened for occupation.

The predominant mode of selection was as agricultural farms (Table I) — this form of selection accounting for 511,955 acres (77.2 per cent). A higher proportion of land was selected in this manner on some estates. In the case of the Clifton estates, Goomburra, Glengallan No. 2, Beaumarab, Pinelands and Cooroy all land was taken under this method. The maximum area of individual blocks that could be selected under this method was 160 acres; however it was possible, and as a result quite common, to select more than one portion — for example at Kilcoy 83 selectors took up 93 portions in the creation of 90 farms while at Beaumaraba 30 persons selected 48 blocks in the establishment of 40 farms. As a result of this tendency of multiple selection the average size of the 2332 agricultural farms was 220 acres, nevertheless this acreage in many cases was later to prove totally inadequate for the establishment of commercial farming.

The remainder of the land selected was held either as unconditional selection, perpetual lease or prickly pear selection. Two hundred and fifty-two farms comprised of 45,815 acres were taken up as unconditional selection. Tenure under perpetual lease accounted for six per cent (175) of farms established, with a total acreage of 104,068 (16.2 per cent). The bulk of this selection occurred on Cecil Plains where the entire total selected (64,049 acres) was taken in this manner. Farms held under perpetual lease were considerably larger than other holdings with an average of 594.

The background of the new agriculturalists varied greatly, but certainly in the initial repurchases most were Queenslanders, chiefly the sons and daughters of local farmers.

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*Edaphic: Soil characteristics in relation to plant growth.

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Figure 2 Selection of land under the ordinances of the Queensland Agricultural Lands Purchase Act 1894 and Closer Settlement Acts 1906-1917.
The bulk of the settlers were men with relatively small capital resources who were aiming to meet their repayments from the products of their farms. The purchase of land that was close to major settlements by townspeople was also common. Numerous Warwick residents bought land on the Glengallan estates using their holdings to supply provisions for their families.

**Changes initiated by repurchase.**

Repurchase initiated changes in agricultural practices and created a new landscape of closer sub-division and small homesteads. Prior to repurchase most of the estates on the Downs were extensive ranges for sheep; (for instance, Westbrook 106,800, Gowrie 41,811 and Cecil Plains 90,000) and were comprised of large paddocks with few roads and only the occasional sign of permanent habitation. Probably the most common feature of the cultural landscape was the all important trinity of well, wind pump and trough for watering stock. The new basis of agricultural occupation wrought marked changes. The changes in the appearance of two repurchased estates, Glengallan No. 3 and Jimbour following subdivision is shown in Figures III 26 and IV 27.

![Figure 3 The changing landscape of the Glengallan No. 3 Estate.](image)

The 21,000 acre Glengallan No. 3 estate before repurchase was divided irregularly into large paddocks some with an area in excess of 2000 acres. Apart from one road which ran past the homestead complex in the north-east corner of the estate the only permanent features that indicated occupation were a slab house, a stone built house, two wind pumps and the railway which skirted the western boundary. The proposed changes under the Agricultural Lands Purchase Act scheduled the area into 78 portions and a pattern of access roads.

This general pattern was repeated on Jimbour and on the remainder of the repurchased estates. On Jimbour for instance the original 14 paddocks of repurchased selection No. 4 were divided into 81 portions each suitable to be taken up as agricultural farms. A rectangular network of roads was also laid out. The erection of 94 dwellings on the new rectangular holdings of Jimbour created visible evidence of the development of closer settlement. The status of occupancy of the estates purchased before 1900 is shown in Table II 28. Of the 792 selections taken out as agricultural farms, 480 satisfied occupancy regulations by residence on the selection by either the selector and his family or an agent. The vast majority of this total (386) was residence by the selector. The remainder of the selectors satisfied occupancy requirements by residence within 15 miles.

The irregular paddocks of pre-repurchase had been superceded by rectangular holdings which in turn were sub-divided, a necessary pre-requisite for the development of a more intensive land-use pattern. During the 25 years from 1894 to 1919 the Land Act was responsible for the development of many agricultural activities including the growth of commercial dairy activities, wheat cultivation and mixed farming on the Darling Downs and the extension of sugar cultivation on the coast.

An increase in cultivation and capital application to the land was typical of the trends that developed on the Darling Downs after 1894. Extracts of evidence of the small-scale agriculturalists of Clifton No. 1 estate submitted to the Land Board illustrate the general lines of development that followed the implementation of the 1894 Act.

**Name** — James O'Brien; **Description of land** — Portion E, parish of Elphinstone. Area 80 acres. What price was land purchased for? — £3 per acre. What deposit was paid? — £40. What improvements have been made? — House, value £60; kitchen £10; barn £20. What fencing has been done? — the whole homestead is fenced and sub-divided into two paddocks; 40 acres under corn and 38 grass paddock — other improvements — stockyard, well erected; garden.

**Name** — Anthony George Larsen: **Description of land** — sub-division 2 of portion 28, parish of Huldon. Area — 80 acres. What price was land purchased for? — £3 per acre. What deposit was paid? — 5s per acre. What homestead improvements have been made? — Two-roomed slab house. What fencing has been done? — fenced all round and divided into three paddocks. Other improvements — Barn, piggy, yard, and dam for water. Remarks — I have 50 acres broken up for cropping, 35 acres with a standing crop of corn 29.

The fencing of holdings, internal sub-division, the tillage of the soil, and the erection of dwellings as outlined by these two Clifton farmers are characteristics of the developments that followed the implementation of the Agricultural Lands Purchase Act. An outline of the progress of agricultural occupation on the estates repurchased in the first ten years of the Act's operation is shown in Table III 30.

At the end of 1904 a total of 65,574 acres, 24.1% of the total area selected was under the plough. The proportion of land that had been tilled varied greatly; 60% of the Rosewood and over half the acreage selected on Clifton No. 1 and Glengallan No. 2. At the other end of the scale only 301 acres (0.3%) and 586 acres (5.8%) had been ploughed on Durundur and Pinelands respectively. The value of capital improvements also varied greatly but they showed considerable correlation with the acreage under tillage. The largest capital improvements per acre were £4.1 and £2.1 which occurred on the Rosewood and Westbrook estates respectively.

The state of agricultural advancement of the repurchased estates also serves to show that on certain estates the expected developments had not occurred. In the case of the Cryna estate the report submitted to the Minister of Lands in 1895 included the following account of the estate's potential:

The soil on the creek flats is of best description. Lucerne would grow on it luxuriantly. The crops taken off this land have a very high average yield, it is stated at as much as from 50 to 90 bushels of maize per acre, according to the season 31.

However, the position on Cryna in 1904 reveals that only 356½ acres were under tillage. Only a total of 1600 bushels of maize (approximately 5 bushels per acre), 167 tons of hay, 10.25 tons of potatoes and a negligible amount of lucerne were produced. The density of stock was also low.
Apart from the one or two estates which were not fulfilling their estimated potential an assessment of the impact of the repurchased estates on the development of agriculture, particularly on the Darling Downs, gives a highly positive picture. By 1910 approximately 75 per cent of all cultivated land on the Downs was on the repurchased estates — in the Warwick, as in the Toowoomba District there is comparatively little land under cultivation outside the repurchased estates, the area cultivated on selections of all kinds being about 3000 acres and on the repurchased estates about 28,000 acres, made up as follows — North Toolburra, 1900; Glengallan (No. 1, 2 and 3) 16,800; Goomburra 4,500; Maryvale 5,100 32. The position in the Toowoomba area also shows the same high proportion of cultivated land on repurchased estates, in this case 86 per cent of the total arable area (37,300 acres out of 43,300 acres) 33.

The crops grown on this newly cultivated ground varied, maize, sorghum, lucerne, Rhodes grass and paspalum as summer grown fodder crops, and wheat, barley and oats occupying the winter sown acreage. A change in emphasis from wheat cultivation to fodder crop production and dairying occurred between the time of initial occupation of agricultural repurchased lands and the end of the second decade of the twentieth century. Table IV indicates this general trend for the Darling Downs 34. During this period a two hundred per cent increase in cultivated area occurred. At the start of the 1890s maize was the most important crop and together with wheat accounted for 55 per cent of the arable area, the amount of land given over to fodder crops was relatively small, less than 10 per cent. By 1910 wheat had become the major cereal accounting for 30.4 per cent of the cultivated area. This increase had been
encouraged by the general developments that were taking place in
the Australian wheat industry—increased markets, greater
use of fertilisers, the introduction of new seed varieties and the
greater use of summer fallowing. However, the really significant
change by 1910 was the development of hay and fodder crops—
112,000 acres of fodder crops were under cultivation,(39.4 per cent
of arable land). The dominance of this land use had strengthened
by 1915, when the percentage stood at 54.2. The greater part
of this production was green fodder. The wheat acreage in 1915
had stabilised at about 80,000—approximately 25 per cent of
arable land. At this time the significance of maize had greatly
diminished. The change to fodder crop production was in part
a response to the realisation that the Darling Downs was generally more suited to dairying and mixed farming than grain farming taking all risks into consideration.

The Outcome of Repurchase.

The success of this type of legislation depends on the stimulus
given to new agricultural pursuits in this case intensive agriculture
based on the owner-occupied farm. In the establishment of this
pattern the Act achieved a considerable degree of success for
it opened up over 600,000 acres which provided the base for
more than 2700 settlers and their dependants. It created a
situation in a decade which under the then existing legislation
would have only slowly been obtained. In agricultural develop­
ments there is little doubt that it was instrumental in the large
degree in the development of cereal cultivation and dairy
production. In many areas it initiated the occupation and land
use patterns as we recognise them today. Mere settlement and
the establishment of agricultural practices, however, are not the
sole criteria of success of land legislation. The financial outcome
of the new ventures and the applicability of the legislation
through time are of major importance.

To some degree the success can be gauged by the extent
to which the new agriculturalists can meet their financial
commitments in terms of rent payments. At the end of the
financial year in 1919 rent arrears on repurchased estates totalled
£66,519, however, 40 per cent (£28,172) of this total was
owed by Jimbour selectors 35. Only six of the 29 estates
repurchased had no selectors in arrears. On the remaining
estates the number varied with the indebtedness averaging about
£10.0.0 per selector. Although this figure is small, failure fully
to meet financial commitments indicates that certain problems
did exist. These problems had, in some cases, been aggravated
by shortcomings in the legislation.

The legislation as outlined earlier took deliberate steps to
avoid the selection of physically unsuitable land. This was
generally achieved and the principle of land assessment was
of major importance for later legislation. However, an apprecia­
tion of the equally important vagaries of climate was lacking.
The full significance of climate data and the effects which a
decrease in both the amount and reliability of rainfall have
on production costs were not fully understood at the time.
Average annual rainfall was considered, but seasonal incidence,
variability and the number of months of effective rainfall were
not. The failure to appreciate fully these aspects led principally
to legislation that allowed for the selection of a maximum
acreage that was to prove inadequate. It soon became apparent
that some reassessment was required. The dairymen in dry
spells required additional land on which to run his dry stock,
but most selections with 160 to 240 acres could not provide
such additional pasturage. In general the dairymen suggested
that 600 acres would form a satisfactory basis. The grazier,
on the other hand, indicated that an area of from 2,000 to
3,000 acres was necessary to operate a financial proposition.
The Royal Commission on Jimbour after hearing such evidence,
suggested that the maximum area of holding should be raised
up to 2,560 acres 36, thus providing for a change which it hoped
would bring about a more satisfactory occupancy base.

Inadequacies in the appreciation of climatic conditions may
be to some extent expected and can be understood but failure
to recognize the human variable in land settlement proved to
be a major shortcoming of the legislation. This was a short­
coming that persisted in much Australian legislation designed
to stimulate closer settlement until post 1945. It is readily
recognised that new migrants to Queensland would lack
knowledge of local environmental conditions, but many also
lacked farming backgrounds. Many also had false impressions
of the potential of the land they were to farm. These impressions
in many instances had been created by inflated publicity. For
example the exaggerated publicity of the Jimbour lands in such
phrases as ‘open black soil plains—good agricultural land—
280 acres will support 80 cattle (dairying') 37, attracted many
persons overseas.

Failure to investigate the new selectors' financial status also
proved a shortcoming. In numerous cases the farmer’s own
contribution to capital investment (i.e. his equity) was excessively
low, and consequently interest charges on borrowed funds
represented a heavy burden. Unfortunately this situation was
aggravated by the selection of several estates in highly favourable
seasons which tended to encourage wheat cultivation. This in
turn led to overcapitalisation on plant and machinery. In this
lay an inherent danger, for unless successful agriculture ensures
such assets become worthless liabilities, thus representing a
further financial drain. The failure to appreciate the need for
a sound financial background was perpetuated in early Soldier
Settlement schemes between the World Wars and it was not
until Land Settlement Schemes for Returned Servicemen after
World War II that attempts to avoid such mistakes were made 38

The question of land tenure is dynamic and is one in which
the experiences of the past largely determine present and future
policies. Thus no appreciation of the development of agriculture
in Queensland can exclude the background of tenure—its
continuity from the inheritance of New South Wales legislation
and the Colony's first land act of 1860 to the present status of
land laws. Although the Queensland Agricultural Lands Purchase
Act represents only one phase in the continuum of land tenure
and land use it has proved to be of consequence not only in
laying the foundations of present day agricultural patterns in
many areas but also by its introduction of the principle of
land assessment. The success was restricted because of the
failure to take account of the human variable.

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16. Minutes of evidence taken before Select Committee on the Land
The maximum area of this type of selection was set at 160 acres. This mode of selection required residence on the selection or within 15 miles by the selector or his appointed agent and the fencing and improvement of the land.

On unconditional no conditions of residency or improvement.


Data for Cecil Plains from Department of Public Lands, Report by Under Secretary for Public Lands under the Closer Settlement Act, 1906-1913.

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Source; Annual Reports of the Department of Agriculture and Stock 1894 to 1915 printed in Votes and Proceedings and Parliamentary Papers.


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Ibid. pp. 721-950.

Land Settlement Schemes for Returned Servicemen after World War II attempted to avoid such mistakes by adhering to certain ‘principles of operation’ e.g.

(a) Settlement shall be undertaken only where economic prospects for the production concerned are reasonably sound; and the number of eligible persons to be settled shall be determined primarily by opportunities for settlement and not by the number of applicants;

(b) Applicants shall not be selected as settlers unless a competent authority is satisfied as to their eligibility, suitability and qualifications for settlement under the Scheme and their experience of farm work;

(c) Holdings shall be of sufficient size to enable settlers to operate efficiently and to earn reasonable labour income.

Other principles related to capital investment and the provision of agricultural extension services. Official Yearbook of the Commonwealth of Australia 1945/46, no. 37, p. 114.