

**Record of the
Proceedings of the Queensland Parliament**

...
**Legislative Assembly
9th January 1862**

...
Extracted from the third party account as published in the
Courier 10th January 1862

The SPEAKER took the chair at half-past 2 o'clock.

INSOLVENT AND PUBLICANS' ACT.

Mr. BLAKENEY asked the Attorney-General the following questions:—"Whether the government would be prepared at the commencement of next session to introduce Acts for the amendment of the present Insolvent Laws, and for the better regulation of Licensed Publicans in this Colony.

The ATTORNEY-GENERAL stated that the government would be prepared next session to introduce Acts for the amendment of the present Insolvent Laws, and for the better regulation of Licensed Publicans.

EMIGRATION FROM THE UNITED KINGDOM.

Mr. BLAKENEY, pursuant to notice, asked the Colonial Secretary—"Whether the Emigration Agent, Mr. Jordan, had received any instructions as to the proportion of free emigrants to be forwarded to this colony from England, Ireland, and Scotland respectively? And if so, what were the respective proportions?

The COLONIAL SECRETARY replied that Mr. Jordan had not been instructed to make any distinction with regard to the number of emigrants coming from England, Ireland or Scotland. The proportion of recent arrivals had been in favor of Ireland. The Emigration Agent had been directed to despatch a ship from Dublin or Cork, to accommodate the emigrants nominated by the Bishop.

PILOTAGE DUES.

Mr. R. CRIBB asked the Colonial Secretary if it was the intention of the government to take any steps to abolish the pilotage dues in the colony of Queensland, so as to give encouragement to the trade and commerce of the colony.

The COLONIAL SECRETARY, in reply, said that the government would be prepared next session to bring in a bill for the regulation of Pilotage dues. The dues would be abolished altogether as far as small coasting vessels were concerned. The dues in the case of these vessels would be abolished at once, in anticipation of the passing of the act, as the amount derived from them was but very small, and they were found burdensome to trade.

STEAM DREDGE.

Mr. RAFF asked the Colonial Treasurer if he expected the dredge, provided for in the Estimates for 1860, to be at work on the river bar during the present year?

The COLONIAL TREASURER, in reply, stated that he confidently expected that the dredge would be at work in the course of the present year. (Loud laughter.)

CONDAMINE BRIDGE.

Mr. FERRETT asked the Colonial Secretary what had been done towards erecting the

Bridge over the Condamine river at the Condamine township, for which the money was voted last session?

The COLONIAL SECRETARY: All the plans had been prepared, the plant brought together, and arrangements made for beginning the work. As soon as Mr. Longlands, the Inspector, returned from the North, the work would be commenced.

NEW ELECTORATE.

Mr. FERRETT asked the Colonial Secretary if any arrangements were being made by the government for the representation in this Assembly of the new squatting district in this colony?

The COLONIAL SECRETARY replied that the new squatting district of the Kennedy and Mitchell was at present included, as far as representation was concerned, in the Leichhardt district. In re-adjusting the electorates, a separate member would be given to the district to the extreme North.

CROWN LANDS' OCCUPATION ACT.

Mr. FERRETT asked the Colonial Secretary if the government contemplated taking steps to amend the Crown Lands' Occupation Act with regard to registering the applications for runs.

The COLONIAL SECRETARY: A short bill would be prepared and introduced at the beginning of next session, to amend the present system of making applications for runs.

IMMIGRANTS PER PERSIA.

Mr. COXEN asked the Colonial Secretary the following questions:—(1) Whether the employers of immigrants per ship Persia have given guarantees to the government for the passage money of said immigrants? (2.) And, if not, the reason why the regulations have not been adhered to?

The COLONIAL SECRETARY replied that the immigration agent wanted the employers to guarantee the passage of the immigrants per Persia, but they would not do so. They were accordingly hired as ordinary bounty emigrants. The public did not avail themselves of that part of the regulations.

NATIVE POLICE FORCE.

Mr. FERRETT asked the Colonial Secretary what steps had been taken by the government towards augmenting the Native Police Force since the Nogoia massacre?

The COLONIAL SECRETARY stated that the government had immediately sent forward detachments from Wide Bay and Port Curtis in aid of the Native Police at Nogoia. An outer line of stations from north to south was being formed on the Peak Downs, Comet, Nogoia, and Victoria; and an inner line at Collaroy, Rockhampton, the Upper Dawson, Lower Dawson, and Mackenzie, and Mimosa Creek.

DISEASES IN CATTLE BILL.

On the motion of the COLONIAL SECRETARY, the house having gone into committee on this bill,

The COLONIAL SECRETARY, in moving that clause 1 stand part of the bill, said that the discussion on the clause would enable many gentlemen to speak who were prevented from offering their opinions and suggestions upon the second reading. Some amendments would, no doubt, be proposed. He did not bind himself to adhere strictly to the clause in its present shape. If means could be devised to prevent hardship to gentlemen's stock already on their road here, the government would be glad to consider them. Their only object was to prevent real danger to the stock in the colony.

Mr. RAFF argued that the clause as it stood would prove injurious unless modified, and unless the power which it gave to the executive were restricted. The clause in its present shape

appeared to dictate to the executive a policy of total prohibition. Total prohibition would be futile to prevent the introduction of the disease. He contended that in spite of legal prohibitions, the wild cattle could not be prevented from straying across the Border into this colony. It was well known that these cattle frequented the dense scrubs on many of the runs during the day, and it was impossible to prevent such cattle from straying into this colony across the border. This disease which he might call "scrubomania," or wildness, was brought about by the parsimony of many of the cattle holders, and was as productive of evil results as pleuro-pneumonia. He would read an amendment which he intended by and bye to propose, which, instead of empowering the government to prohibit the introduction of all cattle whether sound or unsound, would empower them to exclude all diseased cattle, and impose certain restrictions in the case of cattle not diseased, with the word "prohibit"; he intended, by and bye, to propose that the words "or impose such restrictions on" be inserted, and a proviso added to the end of the clause, to the effect that such prohibitions and restrictions should not be imposed in such a manner as to cause the indiscriminate exclusion from the colony of all cattle, whether diseased or not, or as to prevent parties moving stock from one part of the colony to another, unless such stock were declared to be diseased. He would not formally move his amendment until he heard whether other hon. members had suggestions to offer.

The ATTORNEY-GENERAL contended that unless this clause were passed in its integrity, without amendment, the bill had better be thrown out altogether. The hon member who had last spoken evidently did not understand the construing of Acts of Parliament. The clause did not compel the government to adopt a policy of total prohibition, but gave them a discretionary power. It would be as absurd to send a doctor into a sick room and compel him to treat the patient in a certain manner, leaving him no discretionary power, as to bind the hands of the government in this matter. The government would of course exert their power, guided by the advice of competent professional men. The government would be by the bill enabled either to prohibit the importation of cattle entirely, to prohibit their importation from particular districts, or to prevent them from crossing the border without being examined, and to place them in a sort of quarantine. The hon. member was wrong when he said that this was a clause enforcing absolute prohibition. It was a discretionary clause, and was so framed because the matter to be dealt with was a difficult one. Supposing that 10,000 cattle, known to come from a diseased district, were on their way to the colony, would it not be right that the government should have power to stop them when they reached the border? Even if the clause did amount to a total prohibition, he would sooner see it, than a clause not giving the government any power to prohibit the passage of cattle. The clause merely gave a discretionary power to the government to carry out the wishes of the people. An act had been passed in New South Wales, and it was subsequently found that it did not give the Executive sufficient powers to prevent the spread of the disease. The legislature there, in consequence of information supplied by the chairman of a public meeting, instead of waiting to pass an amended act, passed resolutions in the house to meet the case, having the force of an act, and endowing the Executive with the necessary power. This showed that if the provisions of an act were made too special, the Executive would be unable to cope with the exigencies of the case. The 10th clause empowered the Governor in Council to make regulations and this would work conveniently with the first clause. The proclamation and regulations would work together. No injustice would be done by this clause to persons at present importing stock, if a wise discretion were used; and he (the Attorney-General) was sure that a wise discretion would be used.

Mr. GORE agreed with the remarks of the hon. member (Mr. Raff) as to the existence of the disease which he had designated "scrubomania," but denied that it was produced by the parsimony of the squatters. Persons kept cattle as a commercial transaction, and did not profess to be animated by higher sentiments in keeping them, and they let their cattle roam into the scrubs, because it would not pay to attempt to prevent them from doing so. It was unlikely, however, that the disease would be imported by these wild cattle; as when the cattle had once settled in a scrub they generally remained there. He believed that the pleuro-pneumonia was a complaint which in its spread amongst cattle was somewhat analogous to the spread of

influenza amongst human beings. If we were to have it no clause in any Act could prevent it. (Hear, hear from the Opposition benches.) This, however, was only his opinion, others thought differently and the government did well to adopt precautionary measures. It was not likely that the government of New South Wales would let cattle notoriously diseased pass through their colony, but cattle apparently healthy carried often the germs of disease in them. The only value of the bill was the power it gave to the government to exclude at their discretion all cattle from other colonies. How was any inspector to tell whether all the cattle in a large herd were sound? If one diseased beast were in the herd, that beast would be sufficient to communicate the disease, on the hypothesis that it was contagious. He therefore argued that unless the government were allowed the power of totally prohibiting the importation of cattle the bill would be practically useless.

Mr. R. CRIBB contended that the petition presented on the previous day by the hon. member for Western Downs (Mr. Moffatt), was one which should have great weight with the house. If this clause were carried some individuals in the same circumstances as these petitioners might be ruined. He should propose an amendment which would give the government power to prohibit the introduction of all diseased cattle, and put into quarantine all doubtful ones. Some parties had purchased cattle, and on the strength of our land laws had made arrangements, at an enormous expense and a great injustice would be done to them if all cattle were indiscriminately prohibited from entering the colony. The hon. gentlemen behind the ministry seemed very anxious that the bill should be carried out in its integrity. One effect of the measure would undoubtedly be to make their own herds more valuable. (Hear, hear, and "no.") The power given to the government was a discretionary one certainly; and he gave the government credit for the best intentions, but he knew what pressure might be brought to bear upon them. He would sooner not give them this power. The hon. member concluded with an amendment to the effect that quarantine grounds should be established at certain places along the frontier, and that no cattle should be allowed to pass until inspected. If diseased they should be prohibited from coming into the colony, and if there were any doubt then they should be placed in the quarantine ground for seven days for subsequent inspection.

Dr. CHALLINOR addressed himself to the question as to whether the disease was contagious or not. He considered that a great number of the treatises written on the subject of these diseases were "bosh." He had lately, however, met with an article by Professor Dick, of the veterinary college at Edinburgh, which showed that this disease of pleuro-pneumonia was not contagious. The article in question was republished recently in the *Queensland Times*. (The hon. member proceeded to read some lengthy extracts from the article in question.) Even admitting that the disease were contagious, although the government might prohibit traveling stock from crossing the boundary, they could not prevent the disease from being imported by the wild cattle. The disease would be just as likely to attack the wild cattle as to attack the tame cattle. An analogous case was afforded by the distemper which some years ago broke out amongst dogs; the disease then did not confine its ravages to the domesticated dogs, but attacked the native dogs also. Moreover, as observed by the hon. member for Warwick, cattle apparently healthy, might have in them the germs of the disease, and it might in this way be introduced. He contended that it would be unjust to many parties, and ineffectual to prevent the disease, if all cattle indiscriminately were prohibited.

Mr. HALY thought the extracts read by the previous speaker merely proved that Professor Dick knew nothing about the subject of which he was writing, as he had contradicted himself half a dozen times in the article referred to. The hon. member proceeded to argue that before the disease could be prevented they should attempt to ascertain the cause of it, and that the best way to do this would be to appoint a commissioner, in conjunction with the governments of New South Wales and Victoria, to inquire into the matter. His own opinion was, that this and other cattle diseases were caused by over-stocking. In Newfoundland the cattle were stabled during several months of the year. When the winter was of short duration, and the cattle had good fodder, they were healthy; but if the winter were a long one, and it was found necessary to fall back upon the inferior fodder, the cattle were sure to be afflicted with all sorts of diseases. Owing

to similar reasons it would be found that when the horses for the troops in the wars in the peninsular were landed after a long voyage, most of them were afflicted with glanders and other diseases. To come to these colonies, diseases amongst the stock were very rare when he first arrived here. Black leg was about the only disease known, and this came on in '36 and '39, when the dry seasons had the same effect in destroying the natural grass, as overstocking had at the present time. The Cumberland disease first broke out in Cumberland, the most overstocked district of New South Wales. Where did the pleuro-pneumonia, as it was termed, first break out? Every person of experience from Victoria to whom he had spoken agreed in stating that it first made its appearance in paddocks around Melbourne, every one of which must have been overstocked for years and years back. Coming nearer home, the stock at New Farm and Cooper's Plains had been more subject to disease than elsewhere for the same reason. He had a paddock round his own head station, the horses in which, some time back, became afflicted with inflammation of the pleuro. He treated the case and lost several horses, but so convinced was he that the disease was produced by the land being overstocked that he at once went to a considerable expense, and converted three thousand acres into a paddock. He would like to see a commission held; a course pursued in England and on the Continent in 1714 when a disease broke out which swept off thousands of cattle. The result of the investigations of that commission was that the origin of the disease was distinctly traced to a brewery in Germany, the owner of which running short of oats, used the refuse of the brew to feed his horses, which, in consequence, became diseased. (The hon. member here entered into a dissertation upon the anatomy of the horse, and concluded his speech by a few remarks upon the subject of irrigation.

Mr. O'SULLIVAN thought that the Attorney-General must have been asleep when the hon. member for North Brisbane (Mr. Raff) read the amendment which he proposed to move. The whole argument of the hon. and learned member was based upon an assumption of false premises. That amendment did not take away all discretionary power from the government, as assumed by the learned member. The hon. member compared the discretionary power which the clause in its original shape gave to the giver to a doctor when he enters a sick room. Before, however, we gave this power to the doctor, we endeavoured to make sure that he was not a quack, and that he knew his business. (Hear, hear.) He could not then see the force of the analogy which was attempted to be proved. He (Mr. O'S.) was glad to hear the hon. member for Warwick make the admission that no act passed by that house could prevent the disease. But how could that hon. gentleman reconcile himself to voting for an Act against which his own private opinion rebelled. It was beginning to become very apparent that the Act had been framed to meet the pleasure, whim, fear, or avarice of a certain class. What was its history? Two or three squatters from the Darling Downs, one of whom confessed that he wanted to raise the wind, had come down in an awful bustle to the Colonial Treasurer with their hair standing on end, and had stated that something must be done. At first it was proposed to call a public meeting, but after consideration it was found this would not do. If a meeting were held in Brisbane it was feared too much light might be thrown upon the matter. As matters stood at present the one class had everything in their own hands. He would ask was not this the real state of the case? (The COLONIAL TREASURER: No.) The whole affair had come out in the speech of the hon. member for the Burnett, who had let the cat out of the bag. The squatters thought that there was too much stock in the colony, and that the country was overstocked. Did the hon. member for Western Downs (Mr. Taylor), who was experienced in these matters, mean to say that if the consumers, inspectors and a lot of other officers were appointed under this bill, we should not hear of pleuro-pneumonia here before a month was over. According to the admissions of the hon. member for Warwick, they might as well pass an Act to put a stop to the ebb and flow of the tide, as pass this Act for the purposes alleged. There was nothing in the amendment to restrict unduly the power of the Executive, and if they intended to act fairly they could not ask for more than a reasonable latitude. The ministry had no fee simple for their position, and although they might be honest men, the next ministry might not possess such integrity, and might abuse power, if entrusted to them in too great a degree. (The hon. member concluded by commenting upon the clumsy working of the clause, and stating his intention of moving the insertion of the word "diseased" before the words

“horned cattle.”)

The COLONIAL SECRETARY remarked that at present three amendments in this clause had been read to the house, and the three amounted to much the same thing. The government intended to adhere to the clause as it stood in the bill. It merely conferred the same powers upon the government to prevent and check the disease as had been conferred upon the governments in other colonies. Had the government only required power to keep out stock actually diseased, they might have exercised the power without calling Parliament together until the ordinary session commenced.

Mr. RAFF observed that the assertion of the Colonial Secretary, that the government required to be endowed with power to prohibit the entrance of any stock into the colony, gave some color to the assertion which had been made that the object of the bill was to raise the price of stock in Queensland. The Attorney-General had stated that the clause gave power to the government to carry out the wishes of the people; but the house at present did not know what the wishes of the people were in this matter. (The ATTORNEY-GENERAL: I said nothing about the people.) If the object of the bill were to keep sound as well as unsound cattle out of the colony he could not approve of it. He contended, in opposition to the Attorney-General, that the amendment he had read gave the government even a greater discretionary power than they had by the original clause.

The ATTORNEY-GENERAL would have the bill stand or fall by this clause. He considered the previous speaker to be inconsistent, when at one time he stated that great injury might be inflicted if the government were endowed with the power conferred by this clause, and at another time that his own amendment gave even greater discretionary power to the government than the clause in its original shape.

Mr. WATTS repudiated the base insinuations cast by some hon. members upon the gentlemen on his side of the house. With exception of two hon. members, none of them were large breeders of cattle. He was surprised that, in the face of this fact, some hon. members should get up and state that the object of the supporters of the bill was to raise the price of cattle. (The hon member here proceeded to quote from a book the conflicting opinions of several professional and scientific men upon the question, whether the disease was contagious). It had been asserted that no person would knowingly buy diseased cattle to bring to the Queensland market; but when the catarrh was amongst the sheep, parties were found ready to buy sheep with the catarrh up in New England, and to fatten them up for the market in this colony. They bought the sheep for 4s, 6d a head, and took the chance of loss by the disease breaking out in a virulent form. Some of these sheep when fattened were sold here for 25s per head. One gentleman had driven a flock of diseased sheep over his (Mr. W.'s) station, three of which were left behind. The consequence was that 12,000 of his sheep had soon after to be killed. (The hon. member here proceeded to cite his experience in England of this disease of pleuro-pneumonia in 1843, in support of his hypothesis that it was a contagious disease. He believed that if the bill were not passed in its present shape a great proportion of the cattle in the colony would be at once thrown into the market and sold at a ruinous figure to pay off mortgages. It was his intention to support the clause as it at present stood.

After some remarks from Dr. CHALLINOR,

Mr. FERRETT stated that he was quite a disinterested party and had brought no pressure to bear upon the ministry. The first clause of the bill as it at present stood had not his entire approval. He thought a limit should be placed to any prohibition enacted by the ministry, and would propose a proviso to the effect that such prohibition should not extend over three months, and should not be applied to cattle which had entered the colony by certain stated roads and submitted to an inspection by officers appointed for this purpose.

Mr. TAYLOR thought that the serious accusations made by certain hon. members should be refuted. He intended to support the first clause of the bill in its integrity. He was prepared to advise the total prohibition of all cattle from entering the colony for three months, until they saw

whether the disease abated, or in what direction it progressed. It was very well for members to say that the prohibition would inflict a serious injury upon parties travelling here with stock, but those members should consider what a much greater amount of injury would be inflicted upon present proprietors if the disease were imported. He believed that if the disease once made its appearance here, the cattle holders would be ruined. A great many cattle had come into the colony within the last month. He knew of 10,000 having passed over one run. The probability, therefore, was that most of the persons who signed the petition presented to the house yesterday had their cattle in the colony by this time. The amendment of the hon. member (Mr. Cribb) showed that he knew nothing about cattle transactions. Where were the quarantine grounds to be erected? At whose expense were they to be erected? How were they to get and keep large herds of cattle in them? Herds, perhaps, of 20,000 or 30,000 head. He would like to see the man born who could detect one or two or thirty diseased cattle amongst 1000. He (Mr. T.) could not do it, and he believed no one else could by mere inspection, without a close examination of each beast. He knew that he labored under the suspicions of certain hon. members, of the member for Ipswich, two of the members for North Brisbane, and the member for West Moreton. Were these gentlemen so pure? He should like to know what sort of lives some of these gentlemen had led that they dared sit in judgment on other men.

Mr. O'SULLIVAN, as one of the members referred to rose to call the hon. gentleman to order. He denied having made any accusation against the hon. member personally.

Mr. TAYLOR contended that he was in order. The hon. gentleman had said that some squatters from the Downs had rushed to the Treasury with their hair standing on end. He (Mr. T.) was the only member of that house whose hair stood on end. (Laughter.) It was enough, however, to make any one's hair stand on end to hear the accusations which had been made. He had been accused of rushing down and calling on the Colonial Treasurer. For what purpose? Because he was over head and ears in debt, and his cattle was mortgaged. He could inform hon. members that he had not a single head of cattle mortgaged and that if all his cattle were swept away by disease to-morrow he could still be a perfectly independent man. These remarks were injurious to him. He might want to borrow £10,000 from the banks, and such assertion coming whence this did might shake his credit. He was sorry to hear the hon. member (Mr. R. Cribb) join in these accusations. The squatters were not more grasping either in their dealings over land or in other matters than the hon. member or any other man. As to the charge of bringing a pressure upon the ministry, he denied having done so. Although a man of weight he could not get much out of them that way he believed. The soft insinuating manner of the hon. member (Mr. Cribb) was perhaps more effectual with them. He (Mr. T.) was still more surprised that the hon. member (Mr. Raff) a man who got his living by the squatters, should countenance such accusations against them. If this clause was not passed in its integrity, he would vote for the entire rejection of the bill. It would be better to allow cattle to come into the colony indiscriminately without hindrance, than to make their admission contingent upon the *ipse dixit* of an inspector. Such a course would produce all sorts of bribery and corruption.

Mr. RAFF explained, in answer to the hon. member that he had merely stated that certain remarks made by the Colonial Secretary lent a color to certain accusations which had been brought against the government, that the object of the bill was to raise the price of cattle. He (Mr. R.) especially guarded himself against endorsing these accusations.

Mr. O'SULLIVAN rose to deny having accused the hon. member (Mr. Taylor) of improper motives. He (Mr. O'S.) imputed motives to "parties," and he had a right to do so. He had made use of the word "parties," and there was no necessity for the hon. member to pick up the cap which had been thrown down, and to put it on his straight hair. He still maintained that the bill was the work of a party. It owed its origin to a public meeting, from which the general public was excluded. If the hon. member had asked him what his (Mr. O'S.'s) conduct had been he would tell him—

At this stage Mr. TAYLOR called the hon. member to order, and a discussion arose upon the point of order. It was finally ruled by the Chairman that Mr. O'Sullivan was in order.

Mr. O'SULLIVAN then went on to state that he had gained his way by his own honest exertions since he had been in the colony, and that his title deeds to his seat in the house were as good as those of any hon. member. He had come into the house with hands as clean as those of any hon. member. (The hon. member concluded by again contending at some length that the bill was the work of a particular class, intended to give a monopoly to that class.)

The COLONIAL SECRETARY deprecated the extent to which personalities had been indulged in during the discussion. He was so used to the accusation of interested motives, which the hon. member (Mr. O'S.) for want of argument was in the habit of indulging in that he now took no notice of them, being aware that they did very little harm. The circumstances alluded to by the hon. member and others were soon told. He (the Colonial Secretary) had been the first to bring the matter under the notice of the Executive, and he had done so on account of the precautionary and preventive measures being enacted in the other colonies. Soon after he had brought the matter before the Executive, he heard of the meeting alluded to. He attended that meeting, and when it was recommended to call a public meeting to draw the attention of the government to the matter, he at once stated that such a course was unnecessary, as the matter was then under the consideration of the Executive, who would take the necessary steps.

Mr. MACALISTER thought that the head of the government was required to make no apology. A bill must commence somewhere, and it made little matter whether it originated from one or from fifty persons, or whether it were concocted in a respectable club house or in a low public house. It was a matter of doubt in his mind whether the disease existed in the other colonies to such an extent as to render this measure necessary in this colony. From the reports which he had read in the newspapers, the resolutions referred to by the Attorney-General, giving the government power to appoint inspectors, &c., had been subsequently rescinded. (The Attorney General: No). At any rate there had been many very great complaints of the conduct of the inspectors, who had been accused in some instances of destroying large herds of cattle which were not diseased at all. It was a very serious consideration whether a power of the kind contemplated by the bill should be given to the Executive. If once they admitted the right of the Executive to interfere with cattle or stock without cause, the same line of reasoning would compel them to admit the right of the government to interfere in like manner with other descriptions of property. It was admitted also that it was questionable whether the disease were contagious. The best authorities did not agree on this point, and he believed that some of the gentlemen recently appointed as inspectors by the government were of opinion that the disease was not contagious. He (Mr. M.) believed with the hon. member for Warwick, that the disease had its origin in atmospheric influence, and that no legislation could be effectual to prevent it from coming into the colony. The hon. member for Western Downs (Mr. Taylor) had repudiated the charge that the squatters were actuated by interested motives in pressing the bill. The fact, however, could not be concealed that it had been whispered abroad very generally that the measure was one which would be of great benefit to the large cattle-holders, and that the price of beef would be most effectually raised by it. He (Mr. M.) believed that it would, on the contrary, ruin the cattle-holders in the colony. The fact that every cattle station would be liable to the visitation of a parcel of inspectors, open, perhaps to the influence of bribes, &c., these inspectors at the same being invested with large powers from the government, would in itself conduce to the deterioration in value of this class of property in the colony. He considered that the restrictions named in the bill should be in operation only for a certain stated time. This was one great defect in the measure. The bill at present was a permanent measure. If a limit with respect to the time during which the bill should operate were inserted, and some restriction placed upon the power of utterly prohibiting all cattle, whether sound, doubtful, or unsound, from entering the colony, he would support the bill; otherwise he could not support it.

[The remainder of our report we are compelled to summarise very briefly, reserving the fuller report until to-morrow's issue. Mr Cribb's amendment was lost by a majority of 9. An amendment of Mr. Raff's, providing for the forcible detention of cattle in diseased localities within the colony if necessary, was negatived by 14 to 7. The same gentleman then moved a proviso to do away with the indiscriminate exclusion from the colony of all cattle whether diseased

or not, as contemplated by clause 1, but this was also negated by 16 to 6. The clause was then put and passed.—The second clause, which gives the proclamation of the Governor the force of law on a second publication in the 'Gazette,' was next proposed. Mr. Moffatt moved a proviso limiting the duration of each such proclamation to three months, providing for thirty days' notice before it should come into effect, for giving parliamentary sanction to it and publishing it in the neighboring colonies. The amendment, after a long discussion, was negated by 9 to 8. Mr. Cribb brought forward another proviso, excluding cattle at present en route to this colony from the operation of clause 1, unless they were proved to be diseased, but this amendment was lost by 14 to 3, and the clause was put and passed.—Clause 3, providing for the appointment of one or more Commissioners was passed with one amendment—an omission proposed by Mr. O'Sullivan of the part which empowered the Executive to suspend or discharge such officer—Clause 4, providing for the destruction of diseased cattle, was carried after its discussion in its entirety.—Clause 5, providing for compensation, was amended by the substitution of 15s, for £1 per head, and striking out the 10s, for beasts under one year.—Clause 6, providing for an assessment on horned stock was amended as follows:—the 1st September was appointed as the day for the annual returns of stock to be sent in; 90 days after that date was allowed for payment of the assessment; the proposed assessment of 8s. per hundred head was reduced to 5s.: persons were exempt from the impost were allowed 50 instead of 10 head; and the penalty for omitting to make a return, or making a false return, of stock was increased from £50 to £200.—Clauses 7 and 8 were passed intact.—Clause 9, providing for an extension of time in stocking runs in certain cases, was expunged.—Clause 10, empowering Executive to frame regulations, and the short title clause, were passed without amendment.—The schedule was amended to meet the alterations made in the 5th clause.—The house then resumed, the bill was reported with amendments, the third reading carried without a division, and the house adjourned, a little before 12 o'clock, till 10 o'clock on Saturday.]

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[The subjoined portions of our report of this day's proceedings were necessarily omitted yesterday. It will be remembered that the house was in committee on the Diseases in Cattle Bill, and were debating the 1st clause.]

The ATTORNEY-GENERAL pointed out in answer to Mr. Macalister, that the operation of the bill was dependent solely on the length of the proclamation which the government would have the power to issue from week to week or month to month. If, therefore, the hon. member could vote for the bill with a limitation of three months' operation, he was at a loss to understand why the hon. member could not conscientiously vote for it in its present shape, supposing the question or duration to be the only one at issue. At all events, if the hon. member voted otherwise the country would do well to look narrowly into his reasons.

Mr. MOFFATT supported the bill as it then stood and expressed his concurrence with those who urged the impossibility of any inspector going into a herd of cattle and detecting a diseased beast. He was disposed to think, however, that the operation of the bill should be limited. He believed, further, that a reasonable time should be given to those persons now engaged in bringing stock into the colony, so as to give them an opportunity of completing their arrangements. He concluded by stating that it was his intention to move a proviso limiting the operation of the bill.

Mr. MACALISTER reiterated his objection to the bill, on the ground of its unlimited character in point of duration.

Mr. FORBES opposed the principal clauses of the bill for reasons similar to those advanced by previous members.

Mr. R. CRIBB contended that it was absurd on the part of the government to appoint a Commissioner and Inspectors when it was admitted, both by themselves and their supporters, that it was impossible for any man to detect the disease in a herd of cattle. He disclaimed, moreover, any intention of imputing motives to the government.

The question on Mr. Cribb's amendment, namely—that the words proposed to be omitted stand part of the question, was then put with the following result—

Ayes, 16.	Noes, 7.
Mr. Richards	Mr. Warry
“ Macalister	“ Forbes
“ Coxen	“ Edmondstone
“ Raff	“ O'Sullivan
“ Moffatt	“ B. Cribb
Attorney-General	“ Dr. Challiner } Colonial Treasurer } Tellers.
Colonial Secretary	“ Mr. R. Cribb }
The Speaker	
Mr. Haly	

“ Watts
“ Taylor
“ Ferrett
“ Gore } Tellers.
“ Royds }

The amendment was therefore negated.

Mr. GORE was desirous of raising a point which he thought had not been before touched on during the course of the debate. He thought it was a serious question in the event of the government not having absolute power to deal in this matter by regulation whether the seizure by a government inspector of cattle which might afterwards prove to have been sound whilst crossing the borders, would not render the government liable to an action at law. If such were the case, the impolicy of the restrictive amendments proposed would at once be apparent.

The ATTORNEY-GENERAL at once replied that under the circumstances alluded to, actions at law would certainly be against the government, they being accountable for the acts of their agents. If, on the other hand, the absolute power proposed in this bill were granted, the government would be enabled by special regulations to guard against the evils alluded to, inasmuch as they would be in a position to pass cattle which were subsequently proved to be sound.

Mr. O’SULLIVAN opposed the granting of absolute power to the government, and thought it was a miserable kind of statesmanship, which, in the first place, lessened the revenue by restricting the importation of cattle into the colony, and in the second place, exacted an assessment tax from those who held stock in the colony.

Mr. GORE explained.

The COLONIAL SECRETARY approved of Mr. Raff’s amendment as far as it went.

Mr. Raff’s amendment to insert after the word “prohibition,” in the second clause, the words “or place restrictions on,” was carried. The word “any” in the third clause was also omitted on the motion of the same member. Two verbal amendments were moved by Mr. O’SULLIVAN. One was negated and the other was withdrawn after some discussion.

Mr. RAFF moved that the following words be inserted in the fifth line, after the word “necessary,” also to prohibit their removal from such places within the colony during such time as may be deemed necessary.

The amendment was put and negated by a majority of 14 to 7.

Mr. RAFF then moved the following proviso, namely, provided always that such prohibition and restriction shall not be imposed in such a manner as to cause the indiscriminate exclusion from the colony of all cattle whether infected or not, or to prevent persons from removing stock, whether diseased or not, to other districts, without satisfactory evidence that such removal would be attended with injurious consequences.

The amendment, after some discussion, was put and negated by a majority of 16 to 6.

The first clause was eventually put and passed without a division.

The second clause, declaring the proclamation of the government to have the force of law on a second publication in the *Gazette*, was proposed to be amended by Mr. MOFFATT, in so far as to add a proviso enacting that each proclamation shall not have more than a three months duration, or come into force without 30 days’ notice, and in every instance receive parliamentary sanction at the earliest opportunity, and also be published in the neighboring colonies.

The ATTORNEY-GENERAL opposed the amendment, pointing out that before the expiration of the 30 days 10,000 diseased cattle might not only cross the borders but arrive in the very middle of Queensland, and thus be the means of spreading the disease throughout the whole of the colony.

Mr. MACALISTER advocated the principle of allowing every facility to persons at present engaged in the conveyance of stock into the colony to complete and execute their arrangements.

Mr. WATTS pointed out that some difficulty might arise with regard to persons who held runs which were divided by the boundary line, that was to say, in those cases wherein a portion of the run was in New South Wales and another in Queensland. It appeared to him that unless particular care were taken the arrangements of the government might clash with those of the New South Wales government. With regard to the amendment, he was decidedly opposed to it. He believed that the notice of 30 days would tend to frustrate the principal object of the bill which, as he understood it, was to give the government the most complete power of promptitude of action in all matters calculated to prevent the introduction of the disease into the colony.

Mr. TAYLOR perceived from the explanations of the Colonial Secretary that the whole question at issue was to be left entirely to the inspector, who was to decide whether the cattle were diseased or not, and, therefore, he thought the sooner the bill was withdrawn the better.

Dr. CHALLINOR finding that the government were prepared to provide, by regulation, for the exception of sound cattle coming over the border, would vote for giving them the discretionary power claimed.

The Committee divided on the question of the amendment with the following result, that the words proposed to be omitted stand part of the question:—

Ayes, 9.		Noes, 8.	
Mr. Haly		Dr. Challinor	
Watts		Mr. R. Cribb	
Ferrett		Macalister	
Coxen		Forbes	
Taylor		Royds	
Colonial Treasurer		B. Cribb	
Attorney-General		Moffatt	} Tellers
Col. Sec.	} Tellers	O'Sullivan	}
Mr. Gore	}		

The amendment was therefore negatived.

Mr. CRIBB then moved a proviso for excluding the operation of the first clause as regards cattle at present coming over the border, unless such cattle were satisfactorily proved to be diseased.

The amendment was lost on a division of 14 to 3, the minority being Messrs. R. and B. Cribb and Mr. Challinor.

The clause was then put and passed.

Mr. RAFF asked the Colonial Secretary whether commissioners would be appointed on the border, or whether power was to be given to stockowners there to act.

The COLONIAL SECRETARY said it was the intention at present only to appoint one commissioner, and to give the necessary instructions to the present scab inspectors.

Mr. O'SULLIVAN then moved that the following words be omitted at the end of the clause:—"And any such commissioner, inspector, or other officer, to suspend, discharge, or remove;" which, after some discussion was carried.

The COLONIAL SECRETARY, in moving the 4th clause, said that under the provisions of the Scab Act two commissioners of the peace were sufficient to order the destruction of sheep affected, and this clause was intended to give the same power to the commissioners and inspectors.

Dr. CHALLINOR would like to know whether, under this clause, it was intended to give power to the commissioners to destroy those which were only suspected to be affected; if so, he

should object to it, as he did not think it would be right, under such circumstances, to destroy cattle.

The COLONIAL SECRETARY said that cattle would not be slaughtered unless they were diseased.

Mr. O'SULLIVAN objected to so much power being given to the commissioners. He should, therefore, move that all the words after "malignant disease" be omitted, which limited the decision to them alone. The amendment was lost, and the original clause was then put and carried.

On the 5th clause being proposed, providing for compensation,

Mr. WATTS moved that 15s. per head be substituted for the £1 proposed by the clause, which amendment was carried on the following division:—

Ayes, 11.	Noes, 9.
Mr. Moffatt	Mr. Mackenzie
Pring	Raff
Royds	Haly
Herbert	R. Cribb
Elliott	B. Cribb
Edmondstone	O'Sullivan
Ferrett	Warry
Forbes	Gore
Macalister	Challinor
Taylor	
Watts	

On the motion of Mr. WATTS, that part of the clause providing a compensation of 10s. per head for cattle destroyed under one year was omitted.

Mr. GORE moved the addition of the following proviso, which was carried, "Provided that no such compensation shall be awarded to any person whose stock so destroyed shall not have been depastured within the colony for one year before the date of such destruction."

The sixth clause, imposing an assessment on the horned stock of the colony was then proposed. This clause provides that each stockholder shall forward a return of his stock to the Colonial Treasurer on the 1st of July in each year, and as it originally stood, the assessment was to be paid "at the same time."

On the motion of Mr. FERRETT, "within ninety days" were inserted instead of "at the same time."

Mr. MOFFATT moved that the words "five shillings" be substituted for the words "eight shillings" as the amount of assessment on stock for every hundred head of horned cattle, and after a lengthened discussion, the amendment was passed on the following division:—

Noes, 7.	Ayes, 11.
Mr. B. Cribb	Mr. Pring
Forbes	Elliott
Edmondstone	Mackenzie
Challinor	Moffatt
Raff	Haly
O'Sullivan } Tellers.	Royds
R. Cribb }	Ferrett
	Taylor
	Watts
	Herbert } Tellers.
	Gore }

Mr. O'SULLIVAN next moved that the words "or part of a hundred head" should be omitted, so that the clause should read "such owner shall, within ninety days, pay into the Treasury, as an assessment, the sum of 5s. for every hundred head," and not "or part of a hundred head," which amendment was negated.

Mr. FERRETT moved that the word "ten" in the first proviso be altered to "fifty," so that it should read "provided that persons owning not more than fifty head of cattle shall be exempt from payment of such assessment," which was carried, on a division, by 12 to 7.

Several other amendments were proposed in the clause:—one by Mr. RAFF, to the effect that when there was an insufficiency to meet claims for compensation by the fund, instead of increasing the assessment by an amount "not exceeding sixteen shillings for every 100 head," &c. it should be "by an amount which would be sufficient to meet all claims," &c. This amendment was rejected.

The penalty for neglecting to forward returns, or for sending false returns, was altered from £50 to £200.

The following proviso was moved by Mr. GORE, and rejected:—"Provided also that no person shall be assessed at a higher rate than 5s. a hundred, who shall renounce all claims to compensation for cattle slaughtered under the act."

The seventh and eighth clauses were passed without amendment.

The 9th clause was, on the motion of the COLONIAL SECRETARY, expunged, and the 10th and 11th, together with the preamble, were passed intact after some discussion.

The schedule was slightly amended by omitting all conditions as to the ages of cattle, in conformity with the amendments made in clause 5.

The CHAIRMAN then left the chair, the house resumed, and the bill was reported with amendments.

The COLONIAL SECRETARY then moved that the bill be read a third time, which motion was carried, after some remarks in opposition by Mr. R. CRIBB, and the bill was ordered to be transmitted to the Legislative Council in the usual form.

The house adjourned shortly before 12 o'clock, till 10 o'clock on Saturday morning (this day).