

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**WEDNESDAY, 1 SEPTEMBER 1880**

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## INSANITY BILL—RE-COMMITTAL.

On the Order of the Day for the third reading of this Bill being called,

The POSTMASTER-GENERAL said that having gone carefully through the Bill after its consideration in Committee, he had found about half-a-dozen errors of a verbal nature, and he thought it desirable to ask the House to allow the Bill to be recommitted for the purpose of correcting them. The clauses he wished to have amended were 3, 4, 9, 53, 62, 63, 70, 73, 103, 123, 141, 152, and schedules 2, 3, and 5. He moved that the House resolve itself into Committee to reconsider the Bill.

The HON. W. H. WALSH said when they were called upon to recommit a Bill for the purpose of making so many alterations—though they might be really of a trifling nature—yet it might be such a tax upon hon. members' labours as well as their imagination that he thought some notice ought to have been given, and that copies of the intended alterations should have been circulated. He had heard of a Bill being recommitted for the purpose of making trivial alterations or a single alteration or two, but here were some six or eight; and hon. members who took so much interest in the Bill as it was passing through the House should have some opportunity of considering the bearing of these intended alterations upon the generality of the Bill. He put it to the Postmaster-General whether to-morrow would not be a better day.

The POSTMASTER-GENERAL said he was not particularly anxious to have the Bill recommitted merely to have these small errors corrected, but he was desirous of sending it to the other House in as perfect a state as possible, and therefore he had taken the trouble to go entirely through the Bill to see whether anything had escaped him, and he found several cases where verbal amendments were necessary, such as the insertion of the word "or," for instance. They were corrections that did not really affect the principles of the Bill, and scarcely the phraseology of it, and he therefore moved its recommitment. If the Hon. Mr. Walsh did not wish that course to be taken, he (the Postmaster-General) would be quite prepared to move the third reading at once.

The HON. C. S. MEIN said he did not think that was necessary. If the amendments were of the trifling character the Postmaster-General had indicated, there could be no objection to going into committee to consider them. He quite agreed with the Postmaster-General that they should send down their Bills to the other Chamber as complete as possible. Even if the substitution of the word "or" for "and" would render the Bill more intelligible it should be done in that House. Of course, if the amendments were extensive, and relating to matters of principle, the House would very properly, in committee, object to having any new matters of principle hurriedly considered; but if the alterations were merely of a formal character, he thought the Hon. Mr. Walsh would probably have no objection to the recommitment of the Bill.

Question put and passed, and the House went into Committee.

The amendments in the clauses mentioned, which were entirely verbal, were agreed to without amendment.

The House having resumed, the Bill was reported with further amendments, and the third reading was made an Order of the Day for to-morrow.

## RABBIT BILL—SECOND READING.

The HON. F. J. IVORY said that, in moving the second reading of the Bill, it would be quite

## LEGISLATIVE COUNCIL.

Wednesday, 1 September, 1880.

Leave of Absence.—Insanity Bill—re-commitment.—  
Rabbit Bill—second reading.

The PRESIDING CHAIRMAN took the chair at 4 o'clock.

## LEAVE OF ABSENCE.

The POSTMASTER-GENERAL moved that a month's leave of absence be granted to the Hon. J. Mullen. He said although the hon. gentleman's health was considerably improved he was still unable to attend the House, and was likely to be absent for some time.

Question put and passed.

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unnecessary for him to make any lengthened remarks. The general opinion—the opinion universally held, he believed—was that rabbits were a dreadful pest when they once gained a foothold in a country. He had no practical experience of the damage they had done in Victoria, New Zealand, and New South Wales; but, from what he had read in the papers and what had been said in the other Chamber by gentlemen interested in the question, and who had had practical experience of the bad effects these animals had upon the country, he had not the slightest doubt that what they said was perfectly true. In Victoria rabbits were particularly bad, and vast sums of money had been spent there to get rid of them. He believed that one might as well try to make water run up hill as to get rid of rabbits when once they had got foothold in a country. He had had experience of rabbits at home, and knew that, notwithstanding the efforts of proprietors to exterminate them, the animals maintained themselves, and that the efforts had only to be relaxed for a short season when they became as bad as ever. Seeing that rabbits were a pest everywhere, more especially to farmers, every precaution should be taken to prevent them gaining a footing in this colony. If anything could be done in that direction they were bound to adopt it; and although it might be said that at the present moment there was no reason for this legislation, still he thought it was far better that timely measures should be taken to prevent rabbits becoming a serious nuisance, than to attempt to exterminate them when they had actually become a nuisance. Upon these grounds he thought hon. members would agree with him that the Bill was a good one. Viewing the matter as he did he held that no measure could be too stringent to prevent the introduction of this pest, and any leniency that might be shown in the matter would be mistaken leniency. It might be said that rabbits did not exist in the colony, and that they would not spread—that efforts had been made once or twice to introduce them in certain parts but they had disappeared. But he would point out that the same thing happened in Riverina; that for about twenty-five years there was scarcely a rabbit seen there, and all at once they appeared and overspread the country so quickly that they absolutely rendered it useless. To show the extent of the foothold they had gained in one part of Victoria he would read a paragraph which appeared in that day's *Courier* :—

"Here is a description of a mallee squatter's homestead in Victoria. The head station at Brim presents a sad spectacle. There is a large and substantially built brick house, but it is unoccupied, and the rabbits, by undermining it, are bringing it down. Before the invasion of the rabbits there was a fine fruit garden, but it is now a wilderness."

Viewing the matter from the point that he did, seeing that wherever rabbits had been turned out in the neighbouring colonies they had become a pest, and that men of experience in the mother-country had found that it was impossible to eradicate them once they had gained a foothold, he believed he had given sufficient reasons for asking hon. gentlemen to pass the second reading of the Bill. The Bill itself was very short and simple. The first clause provided that rabbits were not to be introduced; the second, that supposing live rabbits were kept they must be kept in such manner that every precaution was taken that they could not escape—they were to be confined in hard wood hutches with wire netting on one side. Clause 3 enabled anyone who found stray rabbits to destroy them at once, and the owner had no remedy against the destroyer for any damage that he might sustain in consequence of their destruction. Clause 4 provided the penal-

ties for any person turning rabbits loose; and clause 5, which he considered an admirable one, provided that every person keeping rabbits within the colony should be compelled to make a periodical return of the number he possessed. That in itself would be a great safeguard against the introduction or keeping of rabbits unknown to the authorities. With these few remarks he moved the second reading of the Bill. He believed it was a measure that would commend itself to every hon. member, and he did not anticipate any opposition whatever to it. It had received very favourable consideration in the other Chamber—in fact, he did not think there was a single division taken against it.

The Hon. W. H. WALSH said surely hon. members had something to say respecting the introduction of such an Algerine Bill as this! He trusted there was some little sense of responsibility left in them regarding a matter which was much more to be dreaded than the introduction of rabbits—namely, over legislation. They were far too prone to indulge in it—perhaps with a view to make themselves popular thereby. He did not at all take the examples which had been mentioned by the hon. mover of the Bill as sufficient justification for introducing what appeared to him such an unnecessary measure. There were no rabbits—they had no pest to provide against in this colony, and, although they knew that hundreds had been turned out, they had not flourished, much to the sorrow of the introducers. He had turned out rabbits in two places, but they had all disappeared; he knew other persons who had done the same, but the rabbits had not increased in the quantities expected. In one instance, the Sub-Collector of Customs at Maryborough had turned out rabbits on Woody Island, as favourable a spot for the propagation of those animals as could be selected; and some years ago he (Mr. Walsh) was invited to go to this island to have some rabbit shooting; but although it was said that the island was swarming with them, he and those who accompanied him did not see half a dozen—in fact, they did not see one. He hoped that hon. members would not be misled by the pictorial descriptions which had been placed before them of a mansion which had been deserted because a few rabbits ran about the place. He should like to know what sort of people the owners were that they allowed themselves to be extirpated by rabbits, instead of extirpating the rabbits. He had seen places in Tasmania where rabbits had become a great nuisance, but on making inquiries he found that it was owing to the laziness, the supineness of the people in not taking timely and active efforts to get rid of them, and that on those portions where proper provision was exercised for the destruction of the animals such efforts had been effectual. He would ask whether there was a rabbit in the colony that it was necessary to legislate against?—and until there were any why should they encumber the statute-book with such a measure as this? If he remembered aright, the Bill was introduced as a kind of interlude—as a kind of comedy—as a diversity to the dull business which lately pervaded the other Chamber. If members would turn to the discussion in that Chamber they would see that this Bill, which was to produce such important effects and prevent such dire results, was treated as a piece of fun. They would find that when the measure got into committee nearly the whole time was taken up, not in a discussion about rabbits, but as to the necessity or non-necessity of punctuating Bills. Mr. Thompson drew attention to the subject of punctuation, and was followed by the Colonial Secretary, Mr. King, Mr. Groom, and then other members took up the running until they seemed to have got out

of breath discussing the value of properly punctuating Bills: but he did not think they settled the question. When they had got thoroughly tired of discussing that subject, it appeared that the Bill went rapidly through committee. All agreed as to the necessity of its introduction, but gave the strangest reasons. One gentleman referred to his being an absentee owner of land in Ireland, and said that the land, to which he apparently paid no attention, was overrun with rabbits. He had no doubt that if that gentleman had remained at home and looked after the rabbits they would not have behaved in that way. The whole of the arguments used by members of the other Chamber, with the exception of one or two who spoke as protectors of rabbits, were not sufficient to justify hon. members in encumbering the statute-book with a Bill which was not needed. Again, if he remembered aright, this Bill, which had been treated seriously this session, was actually ridiculed last session or the session before. He did not think it very much mattered whether the Bill passed, for there did not seem to be any likelihood of any part of the colony being overrun with rabbits. Again, it must be remembered that there were thousands and tens of thousands of acres of land in the colony which was not fit for the sustenance of stock, but which would be a source of profit if rabbits were turned out upon it. He could tell the gentleman who had pointed to the mischief that rabbits were doing in the southern colonies that there were places where they were a source of immense revenue. Not long ago he was reading that upon a piece of barren ground near the sea-shore, in some part of America, the owner was netting £3,000 a-year from the potting and exportation of rabbit-meat; and he was sure that in this colony thousands of people could derive a capital income from the cultivation and sale of rabbits. He would warn hon. members to take care what they were about when considering this measure; the colony had not too many productions. He protested principally against the Bill because it appeared to be over-legislation, and because the arguments adduced were not sufficient to justify the House in carrying out such legislation.

The POSTMASTER-GENERAL said he was glad to see that there was a friend of rabbits in that Chamber if not elsewhere. He had perused the accounts from other colonies as to the evil the propagation of rabbits had done, and the depreciation of property that had been caused thereby, but he had never seen a single instance in which any proprietor of land had considered that the land was improved in value, or that any benefit was conferred upon him by the presence of rabbits. He had a great deal of sympathy with the Hon. Mr. Walsh's remarks on the subject of Algerine or over-legislation, but he did not think that this small measure could possibly do any harm. If rabbits would not exist, surely no hardship would be done to any individual by an Act preventing anyone from keeping or introducing them. He knew that in the southern colonies, where rabbits had become a perfect plague, it had been found profitable to some extent to preserve them and in that way make something towards the expenses involved in their destruction. He was quite sure that it was very desirable, indeed, to keep them out of Queensland. Although they might have been tried in certain districts and not lived or increased, it did not follow, with such a large territory as Queensland possessed, containing such diversity of climate, that rabbits would not multiply anywhere in the colony. He therefore thought that as a Bill similar to this had been passed in one or two of the other colonies, having been found necessary, and that it had been considered desirable by the representatives of the people to pass this measure, the Chamber need not offer any opposition to it.

The HON. W. F. LAMBERT said he must agree with some of the remarks made by the Hon. Postmaster-General. It was no proof whatever that because rabbits had been turned out in several places by the Hon. Mr. Walsh, and others, and had not increased, that there were not other portions of the colony where they might increase and become as great a nuisance as they had done in Victoria, South Australia, Tasmania, New Zealand, and, he believed, to some extent in New South Wales. He could not see why this small Bill should not be added to those already in force simply as a protective measure. Fortunately for Queensland they did not suffer from the rabbit plague at present, but he could speak from his own knowledge that it was a very great plague in Victoria. He was travelling in the western portion of that colony about twelve months ago, and on a small estate of 15,000 acres the proprietor assured him that he employed fourteen men regularly from one end of the year to the other destroying rabbits.

The HON. W. H. WALSH: And makes a deal of money by them.

The HON. W. F. LAMBERT said he did not. On the contrary, the proprietor informed him that he was suffering a loss. He (Mr. Lambert) was on another property, Colac, and one of the proprietors, Mr. James Robertson, told him that £20,000 had been spent in keeping down rabbits, and that he was still carrying on the same continuous work of destroying them. With these facts before them he could see no objection to this small Bill passing, and, in fact, thought it would be ridiculous to offer the slightest objection to it.

The HON. C. S. MEIN thought that the Hon. Mr. Lambert and the Hon. the Postmaster-General had misconceived the tendency of the Hon. Mr. Walsh's remarks. That hon. gentleman did not wish to encourage the dispersion of rabbits, but he objected to the stringent provisions of the Bill by which it was made a criminal offence, almost, to introduce those animals. Rabbits had not propagated in this colony with the celerity they had in others, and hitherto they had not been found injurious to settlers; but with the experience that had been obtained in other colonies he thought that it was desirable to legislate in a certain direction—to prevent the possibility of the plague from which other colonies had been suffering extending to this. At the same time, he did not think any necessity had been shown for going so far as the Bill proposed—to penalise every person who introduced rabbits. By all means let them legislate against persons dispersing rabbits throughout the land, but at the same time they need not prohibit persons, who took proper precautions, from keeping them, or prevent persons from introducing them for legitimate purposes. He admitted that he was a friend of rabbits, and did not see any harm in keeping them if proper precautions were taken to prevent their spreading throughout the country;—that he took to be the fundamental object of the introducer of the Bill, and if it was confined to that extent he did not think the Hon. Mr. Walsh would have any objection to it. But until the plague disclosed itself, they should not make it a penal offence for anyone to bring a rabbit into the colony.

The HON. G. SANDEMAN said it had been remarked that the Bill was too stringent, and the Hon. Mr. Mein seemed to follow that view. He might say that a good deal was to be learned by travelling a little. He had had the opportunity recently of visiting parts of Victoria and South Australia, and if those hon. gentlemen who had taken exception to the stringency of the Bill had seen what came under his observation, he was sure they would not have expressed the opinions that they had.

The rabbit pest was even worse than the marsupial pest, and they knew what amount of money it had cost to extirpate marsupials, and that even now the pest was raging to a ruinous extent in many parts of the colony. He thought it was to be regretted that steps had not been taken sooner to put a stop to the introduction of rabbits. The Hon. Mr. Walsh had asked what was the necessity for the Bill, and he would answer that there were rabbits already in the colony, and that prevention was better than cure. He held in his hand the law that was in force in South Australia for the suppression of rabbits, and he believed its provisions would almost stagger some hon. members who spoke of the stringency of the measure now before them. In South Australia it was found necessary, owing to the country being so overrun by the rabbit nuisance, to bring in an almost Algerine law to prevent the further spread of the pest. This law provided that the Commissioner of Crown Lands had power to destroy all rabbits on Crown Lands, and that boards and corporations in whom lands were vested were bound to destroy them. Power was given to enter upon lands and see whether the provisions of the Act were carried out, and if the occupiers of lands neglected to destroy rabbits found upon it the Government then took measures to destroy them, and the cost and expense of the Government doing so had to be paid by the occupiers. In the case of alienated lands, the land might be sold for the payment of the cost of destroying rabbits. The penalty for setting loose rabbits was as high as £100. He mentioned these facts to show how extremely stringent the Act was required to be to suppress what had become a national and most ruinous nuisance, and to demonstrate that they were not going to extreme measures in endeavouring to nip in the bud a pest which would amount to very great and destructive results if it was allowed to be perpetuated. The remarks that he had made with reference to South Australia applied also to Victoria, where whole districts had been injured by the increase of rabbits. It had been argued that rabbits had been turned out in this colony and the results had not been destructive, but he did not see why they should not be as destructive here as elsewhere. In the other Chamber an hon. member speaking upon the Bill said—

“In Riverina, where rabbits were such a pest, they were turned out for twenty-five years and hardly seemed to increase at all. Yet, all at once, they sprang up on every hand as if by magic, and were a terrible pest.”

Another hon. member said—

“In the north-west of Victoria the pest was still worse. Rabbits, there, were turned out in scrub country for the purpose of affording sport; but they had taken entire possession of the country, and hundreds of square miles of land occupied by squatters, and formerly carrying large numbers of sheep, had been given up to rabbits, and the farmers had been obliged to fly before them.”

With such facts before them they really ought not to offer any objection to a measure which proposed to take timely steps to prevent the introduction of such a destructive pest. They would be very wrong if they did not at once pass a Bill of this kind.

The Hon. J. TAYLOR said it gave him great pleasure to support the Bill, and he thought it quite unnecessary, after what he had seen and heard regarding the destruction caused by rabbits, to make a long speech in favour of the measure. He was himself pleased to find that the Hon. Mr. Walsh had studied the Insanity Bill closely, for if he had not he could not have made the speech that he did upon the subject now under consideration. He was positive that if the Bill was not

passed, and the rabbit pest got a firm hold, the colony would be ruined. He had no doubt that the Hon. Mr. Walsh recollected the time when a working man, if he had a down on a squatter, used to carry a scabby sheepskin under his saddle and throw it on the squatter's run, so as to introduce scab amongst his sheep and do him an immense amount of injury. He had heard, when in Victoria, that men had for spite turned out male and female rabbits upon squatters' runs; and if rabbits once got upon a run they would quickly spread over it and render the country useless. An immense sum had been spent in trying to destroy marsupials in this colony, and yet not one-half had been killed. And if in addition to having to fight the Bathurst burr, the marsupial and other pests, they would have to fight the rabbit plague, they would have to give up the country altogether. He believed in a Bill of this kind being introduced, and should give the one before the House his support.

The Hon. W. D. BOX said he had seen country in Victoria upon which there was not a single rabbit, and in a comparatively short time it had become overrun with rabbits without any effort being made to propagate them; and hundreds had been destroyed upon it in a single day. He had also seen vast sums of money spent in exterminating rabbits in Victoria. The Hon. Mr. Walsh had said that the pest did not exist in this colony, but to his (Mr. Box's) mind prevention was better than cure. Some time ago he endeavoured to get the Government to take steps to eradicate another pest, the Noogoora burr, before it became a serious nuisance; and holding the opinions that he did he should be stultifying himself were he not to support this Bill. Clause 4, however, would require amendment. According to the clause it appeared that a person who turned loose any rabbit should be liable for all loss and damage occasioned by it, but he thought that it would be necessary to add that any person turning out rabbits should be liable to the penalties of the Act—should be liable not only for the effects of turning out the rabbits but for the act of turning them out. He would ask hon. gentlemen how it could possibly be proved that the damage which might be suffered through a rabbit had been occasioned by the particular rabbit which a man had turned loose? It might be done by the grandson or great-grandson of that rabbit, and he certainly thought that the clause required alteration. He should support the Bill.

Question—That the Bill be now read a second time—put and passed.

The committal of the Bill was made an Order of the Day for to-morrow.

The House adjourned at twenty-five minutes past 5 o'clock until the usual hour to-morrow.