

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 22 OCTOBER 1880

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LEGISLATIVE ASSEMBLY.

Friday, October 22, 1880.

Ways and Means—Adoption of Report.—Goldfields Act Amendment Bill—committee.—Marsupials Destruction Bill—committee.

The SPEAKER took the chair at half-past 10 o'clock.

WAYS AND MEANS—ADOPTION OF REPORT.

The PREMIER (Mr. McIlwraith) moved that the following resolutions arrived at in Committee of Ways and Means be adopted :—

That towards making good the Supply to be granted to Her Majesty, there be collected and paid in lieu of the duties of Customs now levied upon the undermentioned articles, the several duties following, that is to say—

1st. On Acids	}	An <i>ad valorem</i> duty of 5 per cent.
" Boats		
" Leather		
" Screws		
On Tallow and Stearine	}	A duty of 1½d. per lb.
On Spirits Distilled in the Colony		
On Spirits Methylated in Bond	}	An Excise duty of 10s. per gallon.
	}	2s. per gallon.

2nd. That there be collected and paid on all Log Cedar Timber—the produce of Queensland—exported from the Colony, a duty of 2s. per one hundred superficial feet, one inch thick.

3rd. That in addition to the goods now exempt from duty under the provisions of the third schedule of the Customs Duties Act of 1870, and schedule B of the Customs Duties Act of 1874, the following article shall also be exempt from duty and admitted duty free, viz. hemp.

Bills to give effect to the resolutions were introduced by the Premier, and read a first time; and the second readings were made Orders of the Day for Monday next.

GOLDFIELDS ACT AMENDMENT BILL
—COMMITTEE.

On the motion of the MINISTER FOR WORKS (Mr. Macrossan), the House went into Committee to consider the Bill.

Preamble postponed.

Clause 1 passed as printed.

Mr. HAMILTON proposed the insertion of the following new clause:—

1. Notwithstanding anything to the contrary in the Goldfields Homestead Act of 1870, any holder of a miner's right may, for residence or business purposes, apply (in form A hereto annexed) for a lease of land not exceeding one-quarter of an acre within the limits of any township. The frontage of such land to any main thoroughfare, creek, or waterhole, shall not exceed 66 feet by a depth not exceeding 165 feet. Such area shall be marked off in a rectangular form, and in no instance shall its length exceed three times its breadth.

No person shall be entitled to hold more than an allotment of land within the limits of any township under the provisions of the last preceding section.

In doing so he said that great dissatisfaction had existed for some time past amongst miners on account of the insecurity of their homes. It was a great hardship that a miner who left his home for a few days was liable to find, on his return, that his dwelling had been taken possession of. Many miners desired, when they were not at work for a few days, to go prospecting, but they were often deterred from doing so by the fear that they might lose their homes. There was a clause in the present Act to the effect that when a man had made improvements to the value of £50 he could have his ground registered; but a dwelling only worth £5 or £10 was as valuable to one miner as a dwelling worth four or five times the amount might be to another. It was hardly necessary for him to say more, as the justice of the amendment would commend it to the Committee.

. After a pause,

The HON. S. W. GRIFFITH asked whether the Government intended to make any statement?

The MINISTER FOR WORKS: I have no objection to the new clause.

Mr. GRIFFITH said he did not understand this family arrangement. The clause was totally foreign to the Bill, and yet the hon. gentleman had nothing to say about it.

The MINISTER FOR WORKS said a clause in the Goldfields Homestead Act provided that any miner or other person might hold forty acres of land as a homestead, but there was a proviso which said that no application for land within the limits of any township or reserve should be entertained. The proposed clause simply repealed that provision, and limited the area to a quarter of an acre.

Mr. GRIFFITH: What would be the rent?

The MINISTER FOR WORKS: The Act provides that it shall be not more than 5s.

Mr. GRIFFITH said it appeared as though the Minister for Works had framed the clause, as he knew more about it than the hon. member for Gympie. The clause was an entire innovation, and, strange to say, it was exactly in the same direction as a scheme which he (Mr. Griffith) had proposed the other day. That scheme was fiercely denounced by the hon. member and the Minister for Works; but now a proposition to precisely the same effect was proposed by the one and accepted without a word by the other!

Mr. HAMILTON said the clause was quite different from the scheme proposed by the hon. member for North Brisbane. The Bill he introduced was to authorise the sale of land on the goldfields, whereas this was simply a clause to extend the provisions of the Goldfields Homestead Act into towns. Rent would have to be paid for any land leased under this clause, according to the provision of the 6th clause of the Goldfields Homestead Act.

The MINISTER FOR WORKS said he was sure the Committee would see the difference, in

practical application, between the two proposals. By the Bill proposed by the hon. member for North Brisbane land within goldfield areas would be sold absolutely, the only right reserved being that of mining within certain restrictions. By this clause leases would be issued which might afterwards fall into the hands of the Crown through abandonment, and there was no restriction as to mining.

Mr. GRIFFITH said that to his mind the difference between a lease for ever and a freehold was very small indeed. Under the 16th clause of the Goldfields Homestead Act, any miner might mine for gold on leased land if the lessee did not object, but if the latter objected the miner could call upon the commissioner to assess the amount of probable damage, and the miner was required to deposit in his hands an equal amount. The proposal of the hon. member was in substance exactly what he (Mr. Griffith) had proposed, and he considered it to be a very good plan. It was strange, however, that the very same scheme should have been so fiercely denounced when he brought it forward. It struck him at the time that there must have been some reason, other than the merits of the Bill, for the opposition. He was quite satisfied that the clause was a good one.

The MINISTER FOR WORKS said he was quite satisfied with the clause, but it was very different from the Bill proposed by the hon. gentleman.

Mr. GRIFFITH: Not in the slightest degree.

Mr. McLEAN said all the revenue derived from selections under the Goldfields Homestead Act was paid into the Treasury to be placed to the credit of a board and expended in making roads and bridges on the goldfields: were the homesteads under the Act also subject to be rated under the divisional boards Act?

The MINISTER FOR WORKS: Yes.

Mr. McLEAN said in that case the people received the benefit of the rents as well as of the rates collected, and he did not see why the same principle might not be applied all over the colony.

The MINISTER FOR WORKS said the amounts received for rents under that Act had been first paid into the Treasury and then handed over to a board appointed by the Government to be expended on the goldfields roads. That plan was adopted to prevent any conflict of authority between the board appointed by the Government and the divisional boards.

Mr. McLEAN said the Goldfields Act was passed before the Divisional Boards Act, and he thought that after the passing of the latter Act the rents ought to have gone into Consolidated Revenue.

Mr. KING said the wear and tear on the goldfields roads owing to the carting of many thousand tons of quartz annually was much more severe than on ordinary roads, and for that reason the rents received under the Goldfields Homestead Act had been set apart as a special fund to be applied to the maintenance of those roads. That plan had now been in operation for ten years and it had been found to work very satisfactorily.

The MINISTER FOR WORKS said in some cases the ferries were a source of revenue to the divisional boards.

Mr. McLEAN said in some cases the ferries had been a burden rather than a relief to the boards, and some of them, he believed, had been closed. Whether the boards had a right to close ferries was, however, a point which would have to be settled by the Government. It seemed exceptional legislation to provide that

in certain districts rents should go to the divisional boards instead of, as in all other districts, into the Consolidated Revenue. The only funds at the disposal of these other boards were what they derived from the land. There were not many districts containing ferries, and in most of those the ferries instead of being sources of remuneration were often a loss. It was a question whether the divisional boards had power to close a ferry, as it would stop communication along that particular road.

Question put and passed.

Mr. HAMILTON proposed the following new clause:—

No person shall be entitled to hold more than one allotment of ground within the limits of any township under the provisions of the last preceding section.

Hon. members would see that the necessity for that clause was evident. It would prevent people from taking up more than one block of land for speculative purposes. Without it one miner might take up a number of allotments and rent them.

Question put and passed.

Clauses 2 and 3 passed with verbal amendments, and clause 4 and the preamble as printed.

The CHAIRMAN reported the Bill with amendments; the report was adopted; and the third reading made an Order of the Day for Monday next.

MARSUPIALS DESTRUCTION BILL— COMMITTEE.

On the motion of the COLONIAL SECRETARY (Mr. Palmer), the House went into Committee to consider this Bill in detail.

Preamble postponed.

Clauses 1 and 2 passed as printed.

On clause 3—"Interpretation of terms"—

Mr. NORTON moved that the words "to be elected or" be inserted after the word "board."

Amendment agreed to.

The COLONIAL SECRETARY moved the omission of the interpretation of the term "district," with the view of inserting the words "any district defined by proclamation in the *Gazette* for the purposes of this Act." The alteration would greatly facilitate the working of the Act. Without it the cattle and sheep interests would clash. It was intended to make each district, as far as possible, a cattle district or a sheep district. Where cattle predominated the district board would be composed of cattle-owners, and where sheep predominated it would be composed of sheep-owners.

Mr. BAYNES said the amendment would give great satisfaction throughout the country, and he was glad to see it introduced.

Amendment agreed to.

Mr. NORTON proposed to insert after the definition of the word "marsupial," the following words: "or any other marsupial animal which the Governor in Council may by proclamation bring within the operation of this Act." In some parts of New South Wales native bears were increasing rapidly, and a great deal of harm was done by native cats, which were increasing very largely.

Mr. GRIFFITH: Is the native cat a marsupial?

Mr. NORTON said that what were called native cats were marsupials.

Mr. LUMLEY HILL said that, although the native rat was a marsupial, the native cat was certainly not.

The COLONIAL SECRETARY said he hoped the hon. member would not press his amendment, for if it was passed it would be simply throwing open the doors of the Treasury. On the Flinders and the Barcoo, not long ago, there was an irruption of rats. They were marsupials, and some wise Colonial Secretary might recommend that they should be included in the definition, and the country would be ruined. Native cats were not marsupials.

Mr. KING said he hoped the hon. member would press his amendment. He (Mr. King) would like to see flying-foxes included as well. People who cultivated had as much right to be protected as pastoral tenants who had their grass eaten by kangaroos. If they were to lay down the rule that every man should take care of his own property that would be treating everybody alike. But when they saw that the man whose orchard was destroyed by flying-foxes had to be at the expense of destroying them, while the man who had his grass eaten by kangaroos had them killed off for him at the expense of the country, it was unequal. He hoped the hon. member would stick to his amendment.

Mr. McLEAN said that if flying-foxes were to be included he himself could exhaust the Treasury in a very short time. On his own property he could bring them down by tens of thousands without any trouble. He should be obliged to vote against the amendment, although, consulting his own personal interests, he could very soon make a small fortune by it.

Mr. LUMLEY HILL said that to introduce such outside animals as flying-foxes and native cats was a perfect farce. The hon. member (Mr. King) said the man who cultivated an orchard had as much right to be protected by the State as the pastoral tenant who subsisted by his cattle and sheep grazing on the natural grasses of the colony. There was merely this to be taken into consideration—if the pastoral interest was destroyed it would be a national calamity, while the destruction of the fruit-growing industry would not be a national calamity. He knew that in the neighbourhood of Rockhampton there were millions of flying-foxes. In some places the air was black with them. They could be killed in any number in the scrubs in which they camped. If they were introduced into this Bill the fund for destruction would be literally exhausted in paying for their scalps. Although a certain amount of damage was done by them to the orchards at Rockhampton that was not a matter of vital importance to the colony, because the colony was not in any way dependent upon the production of fruit and vegetables. If they could not grow fruit and vegetables at Rockhampton they could get them from elsewhere, but the colony was dependent to a considerable extent upon the pastoral interest. It was to the interest of the colony to preserve the natural grasses as long as possible. The pastoral and mining interest together were the only two real sources of wealth to the colony. The gardening interest was a very minor one, and must take its chance. It was not an interest the consideration of which bore in any way upon the welfare of the colony.

Mr. NORTON said he did not wish to press his amendment. The animals he had in mind when he had proposed the amendment were the native bears. They were great heavy brutes who did a great deal of harm in gardens, because they not only destroyed the fruit but broke down the wood. He did not suppose that any Minister would interfere to include flying-foxes in the Bill, because they existed in such numbers that anyone in one month could almost exhaust the fund created for marsupial destruction.

With the consent of the Committee he would withdraw his amendment.

Amendment withdrawn.

Mr. KING said the hon. member for Gregory had treated them to a dissertation upon the old subject—there was nothing like leather. The hon. member seemed to think that the squatters were entitled to every consideration, and that small cultivators were entitled to none. It was an extraordinary argument to say that because the number of flying-foxes was so great the small cultivator should receive no assistance in their destruction. It was the very reverse of the argument which was used in respect to the kangaroos and the squatters. In that case the kangaroos were said to exist in such numbers that some assistance must be rendered. Although flying-foxes congregated in large camps, he did not think the hon. member for the Logan would say that there were more flying-foxes than kangaroos in the colony. Under the provisions of that Bill he did not hesitate to say that people might pay a large proportion of their rent by the destruction of kangaroos. In England the farmers were well content to kill the ground game themselves, and he thought to some extent the same state of things should exist in this colony. To test the feeling of the Committee, he would move that the words "flying-fox" be inserted after the word "paddamelon."

In reply to Mr. McLEAN,

Mr. KING said he did not propose that the same price should be paid for the scalps of flying-foxes as was paid for the scalps of kangaroos.

Question—That the words proposed to be added be so added—put, and division called for; but, there being no tellers on the side of the "ayes," no record was taken, and the question was resolved in the negative.

Mr. NORTON said he would move that the paragraph defining native dogs be omitted. Gentlemen who had been resident in districts where these dogs existed in large numbers had told him that where they proved destructive to sheep they could easily be destroyed by a few ounces of strychnine. There was no difficulty in keeping them under by poisoning, with an ordinary amount of care. There were a great number of people who were of opinion that native dogs ought not to be included in the Bill. Although they did harm in some cases, there were a number of others in which they did no harm whatever—in fact, they helped to carry out the object of the Bill by keeping down marsupials. In many places it was desirable that they should be allowed to exist. On some cattle stations they came in large numbers, but they could easily be got rid of by a few poison baits. He had spoken to a great many persons upon this subject, and he had found scarcely anyone in favour of including native dogs in the Bill.

Mr. BAYNES said it was an open question whether the dingo really did destroy the marsupials. He had very much doubt upon the subject himself. He had had some experience in the matter, and the general opinion in his own district was that native dogs were a great nuisance. He had often seen them running round a mob of cattle until they turned out a calf. His neighbours had lost great numbers of calves through the dingoes, and for his own part he would be very sorry to see them struck out of the Bill, although he would be willing to alter the amount of money provided for in the schedule.

The COLONIAL SECRETARY said he could not accept the amendment. It was a vexed question whether native dogs injured cattle. He could say from his own experience that he had heard of native dogs killing

calves, but that he had never heard of them killing kangaroos. If they hunted kangaroos it must be in very wet weather. It was of great importance that native dogs should remain in the Bill. They were repealing the only Act at present in force for their destruction. The hon. member for Port Curtis talked of a few ounces of strychnine getting rid of the dogs;—all he could say was that he himself had paid some hundreds of pounds in one year. No amount of speechifying, however, would settle the question as to whether or not dogs killed kangaroos, but they did know that the dogs killed sheep and calves.

Mr. LUMLEY HILL said he intended to support the amendment. He had had a great deal of experience with native dogs. He believed himself that they killed kangaroos, or if they did not kill kangaroos they certainly killed wallabies by hundreds, and they were more dangerous and difficult to get rid of than kangaroos. He believed it was easy for a sheep drover to keep his run clear of dogs by means of poison; and they did no damage upon a cattle station. He knew of some scrubby and useless country unoccupied by either sheep or cattle, and in this country the native dogs abounded. If they were destroyed out of that country the place would become a breeding ground for the marsupial pest. The native dogs in these parts were unquestionably keeping the pest down at the present time. Some of the worst grounds for the breeding of the pest were sheep runs where the dogs had been destroyed by poison. Upon these runs not only the dogs but the eaglehawks were destroyed. Perhaps the Colonial Secretary would not allow that the eaglehawks killed marsupials. He had seen them killing marsupials repeatedly. It might be said that the eaglehawks should be poisoned because they killed a few lambs; but he was satisfied that the killing of those birds and the native dogs, together with the recession of the blacks, had led to the increase of the marsupial pest to an extent which had cost the colony some hundreds of thousands of pounds. For his own part he would neither kill dogs nor allow his men to kill them. His neighbours killed them, much to his sorrow; but he did not see why he should be called upon to pay for the destruction of animals which tended to keep down marsupials. The native dogs would not get more than 1 per cent. of the calves which were dropped upon a station in the course of the year, and for his own part they were quite welcome to that percentage as long as they continued to keep down the marsupials.

Mr. STEVENS said his own experience was that dingoes killed kangaroos; but he believed they killed more paddamelons, which were a greater curse than kangaroos. He knew of one run in the Warrego district where the wallabies were very thick, and where there were no dogs; and further down the river, in his own neighbourhood, there were dogs, but scarcely any kangaroos or wallabies. Sheep-owners might feel obliged to keep the dogs in check; but he thought they killed far more than was necessary. The dogs did very little harm upon cattle stations; and when they became numerous they could easily be kept under by poison.

Mr. WELD-BLUNDELL said they were drifting into a discussion between cattle men and sheep men. The cattle men wanted the dogs because they did very little harm; and the sheep men would prefer to see the dogs destroyed. The question from a broad point of view was whether the dogs did any harm to the colony as a whole? He thought there was no doubt but that the dogs killed a certain number of marsupials, but he did not believe they killed the large number some hon. members seemed to suppose. He had had some experience of the dogs. In one part of a

run he had a wallaby-proof fence. The dogs ran along outside the fence, and could be killed there in numbers—he had killed seventy or eighty this year—but a very small number of wallabies killed by dingoes were found near the fence. It was greatly to the advantage of the colony as a whole that the native dogs should be kept under.

Mr. KING said the arguments used by the hon. member for Gregory upon this amendment were inconsistent with the arguments he had used when the amendment for the insertion of the words "flying-foxes" was under consideration. The hon. member had previously talked of the importance of the wool-producing interest; and to be consistent he must now admit that if the number of sheep were in any way diminished by dogs a serious loss must result to the colony.

Mr. LUMLEY HILL said the hon. member for Maryborough seemed to think that he was an enthusiastic supporter of this Bill, but he was not. All that he desired, seeing that a majority of members had determined that the Bill should pass, was to see the measure carried in such a shape that it would be free from inconsistencies and of some benefit to the colony. He agreed with the hon. member when he said, in a former speech, that the squatters should endeavour to keep down the pest themselves.

Mr. NORTON said he wished to see the Bill passed, not because he was personally interested in the matter, but because it would be of benefit to the whole colony. His own runs were free from kangaroos, so that hon. members need not be under the impression that he was personally interested in the passing of the Bill. He had seen the native dogs killing kangaroos. He had not only seen the dogs killing the marsupials, but he had seen them carrying the carcasses away. That would account for the hon. member for Clermont not finding the dead wallabies in the neighbourhood of his fence. The dogs did not kill the wallabies for fun; they killed them because they wanted something to eat. The probability was that if a dog killed a paddamelon he would eat it up at once. He knew of many places where kangaroos scarcely existed at one time, but where the dogs had been poisoned off, and where, as a consequence, the marsupials had now increased to an enormous extent. In a part of New England where he lived before he came to this colony, twenty-five years ago, there was scarcely a kangaroo, but the dogs had been systematically poisoned off as they came up from the head of the Macleay, and the result was that on several runs near which he had lived they had now erected yards for the destruction of kangaroos. He was present at a drive upon one of these runs not long ago. They were now building another yard upon the same run, and several of the runs were joining in providing calico for the erection of wings, so that when a raid had been made upon the kangaroos on one run the wings could be removed to another. In parts of the Burnett the paddamelon was a great nuisance. In one case a friend of his had been obliged to shift his station where the paddamelons frequented the verandahs at night. A short time ago he went to the same part, and, as the result of no native dogs being poisoned, he saw scarcely any sign of paddamelons, and the country looked as good as when he first went on it. He (Mr. Norton) was quite satisfied that native dogs did a great deal to assist in destroying marsupials.

Mr. DAVENPORT said he should certainly vote for the amendment.

Mr. REA said that, in the many discussions which had taken place in the North of late years, the universal opinion was that it was mainly

owing to the destruction of native dogs that the marsupials had increased and become a pest.

Question—That the words proposed to be omitted stand part of the clause—put.

The Committee divided:—

AYES, 7.

Messrs. A. H. Palmer, Weld-Blundell, Baynes, Sheaffe, McIlwraith, Hamilton, and H. W. Palmer.

NOES, 13.

Messrs. Stevens, Griffith, Dickson, McLean, Garrick, Rea, King, Davenport, Perkins, Low, Hill, Norton, and Lalor.

Question, therefore, resolved in the negative.

Mr. GRIFFITH said he should like to know what rabbits had to do in a Bill to provide for the destruction of marsupials? The Legislature passed a Bill the other day providing that rabbits should not be kept, except in cages. Now this Bill proposed that the public should be taxed for the destruction of rabbits. All that a selector would have to do to acquire land under this Bill would be to take it up, breed rabbits upon it, kill them, and then claim to have made the necessary improvements. He begged to move the omission from the clause of the two lines relating to rabbits.

The COLONIAL SECRETARY said that rabbits came quite within the provisions of the Bill, which was to encourage the destruction of marsupials and other noxious animals. It was not a matter of much consequence whether rabbits were kept in the measure, but he might state that the chief inspector said that a great many were running loose. There were a great many running loose at Eagle Farm, and it would be better to get rid of them before they reached Brisbane and undermined it. They might burrow under the hon. member's new house and cause it to come tumbling down about him.

Mr. GRIFFITH was understood to say that under the clause a man could make a living by breeding and killing rabbits. He might make eighteenpence every time a doe had young, rabbits having, on an average, a family of six.

Mr. KING said there was an Act imposing a fine of £1 upon any person killing animals introduced by the Acclimatisation Society. As rabbits were introduced by the society, a man might get 3d. for a rabbit scalp, and have to pay a fine of £1 for killing the animal.

Mr. HAMILTON said the climate was not conducive to the propagation of rabbits. He knew persons who had introduced them several times for sporting purposes, but the rabbits did not propagate, notwithstanding that in one instance they had the protection of being let into a Chinaman's garden.

Mr. H. W. PALMER was understood to say that years ago the owner of Glengallan Station, Darling Downs, turned rabbits out on sand ridges; they died out, apparently, in some cases, but turned up in the scrubs.

Mr. REA said that if hon. members would go to the southern colonies they would see the mischief that rabbits had done; its extent was incredible until it was seen.

The COLONIAL SECRETARY said the member for Maryborough was wrong in his law. Rabbits were not protected among the animals introduced by the Acclimatisation Society.

Question—That the words proposed to be omitted stand part of the clause—put and negatived.

Mr. NORTON said he would propose that after the word "run," in the definition of the term "owner," the following words should be added:—

On which not less than 100 head of cattle, or 500 sheep, or cattle and sheep which shall together be equal

to 100 head of cattle (allowing five sheep to every head of cattle), are kept and depastured.

His object in proposing the amendment was to exempt the owners of small areas who would otherwise come under the operation of the law. A great many people owned small selections, and had not many cattle or sheep; and he did not think it quite fair to tax them with the object of carrying out the Act.

The COLONIAL SECRETARY said he considered the amendment a very bad one. It would absolve from the payment of assessment the very men whom they wanted particularly to get at. It was notorious that on and in the neighbourhood of reserves and on commonages men who did not own five acres of land depastured hundreds of cattle. The amendment would exempt them entirely. Then, again, a large proportion of the cattle of the country were owned by men who did not return themselves as the owners of more than fifty head, and they would all get clear. Rather than such an amendment should go he would withdraw the Bill.

Mr. NORTON said he did not wish to force his amendment upon the Committee or endanger the passage of the Bill, and therefore he would withdraw it.

Amendment withdrawn by permission.

Mr. NORTON, in moving that the words "of any marsupial" should be inserted after the word "head" in the definition of the term "scalp," said he contended that one uniform price should be applied to marsupials, and that the rate per head should be low. Under the present system comparatively large prices were paid, and run-owners who suffered most from the pest, and who in some places employed men, cleared the marsupials pretty well off their runs, paid all the cost of doing so, paid the amount of assessment that they were called upon to contribute to the fund, and at the same time were able to make a profit. If his proposals were carried out, one general fund would be created into which all would contribute, and from which the rate would be paid. Such a system would give more satisfaction than the present one.

Question—That the words proposed to be inserted be so inserted—put and passed.

Clause 3, as amended, passed.

On the motion of the COLONIAL SECRETARY, the following new clause was substituted for clause 4:—

In every district there shall be a Marsupial Board which shall be composed of five owners to be elected as hereinafter provided, and all vacancies in such board caused by death, resignation, or otherwise, shall be filled up by the Colonial Secretary on the nomination of the board or otherwise, but no such vacancy shall invalidate any proceedings of the board.

At all meetings of the board three shall form a quorum, and in the case of an equality of votes, the chairman for the time being shall have a second or casting vote.

On the motion of the COLONIAL SECRETARY, the following new clause was substituted for clause 5:—

Every annual election of members shall take place at such times and places as may be notified by the Colonial Secretary in the *Gazette*, and at all elections any ten or more owners duly qualified as provided in the next succeeding section, shall meet, and having chosen a chairman to act as returning officer, shall deliver to the returning officer before 4 o'clock on the day of election their voting papers, each of which papers shall contain the names of five owners qualified as hereinafter provided, and the five owners receiving the greatest number of votes shall be declared by the returning officer to be duly elected.

Provided that in case of an equality of vote, the returning officer shall give a casting vote.

Clause 6—"Qualification of cattle-owners and selectors"—postponed.

Clause 7—"Governor may appoint board or members in certain cases;" and clause 8—"Board shall appoint a chairman and secretary"—put and passed.

The COLONIAL SECRETARY moved the following new clause:—

On the first day of January, one thousand eight hundred and eighty-one, and thereafter on the first day of January in each year, during the currency of this Act, every owner shall make and render to the nearest clerk of petty sessions a return in the form of schedule C hereto, of all sheep, cattle, and horses pasturing on his run.

Any owner failing or neglecting to make such return within one month after the time hereinbefore required, shall on conviction, before any court of petty sessions, be liable to a penalty of not less than five pounds nor more than fifty pounds; and any owner wilfully making a false return shall be deemed guilty of a misdemeanour, and be liable to a penalty of not less than twenty pounds nor more than one hundred pounds, or, at the option of the justices, to imprisonment for any term not less than three nor more than six calendar months.

Mr. GRIFFITH pointed out that in the case of a misdemeanour it would have to be tried by a jury, and therefore he would suggest the omission of the words "be deemed guilty of a misdemeanour, and."

Question—That the words proposed to be omitted stand part of the question—put and negatived.

Clause—on being further amended by the substitution of "discretion" for "opinion"—put and passed.

Clause 9—"Assessment how levied"—put and negatived.

On the motion of the COLONIAL SECRETARY, the following new clause was passed, to follow the last new clause:—

Every clerk of petty sessions shall, within one month after the date of the receipt by him of the returns referred to in the last preceding section, transmit the same to the Chief Inspector of Sheep, and any clerk of petty sessions who fails to transmit any such return within the time required shall be liable to a penalty of five pounds.

The House resumed; the Chairman reported progress, and obtained leave to sit again on Monday next.

In reply to Mr. GRIFFITH, the PREMIER stated that the Government would go on with the Railway Companies Bill on Monday first, and afterwards with the batch of tariff Bills which had been sent down that morning.

The House adjourned at forty-seven minutes past 12 o'clock.