

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

WEDNESDAY, 22 JULY 1885

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LEGISLATIVE COUNCIL.

Wednesday, 22 July, 1885.

Answer to Address in Reply.—Auditor-General's Report.—Absence of Member.—Correspondence respecting Australian Volunteers.—Joint Committees of both Houses.—Police Officers Relief Bill.—Members Expenses Bill.—Pacific Islanders Employers Compensation Bill.—Additional Members Bill.—Petition.—Rabbit Bill—second reading.

The PRESIDENT took the chair at 4 o'clock.

ANSWER TO ADDRESS IN REPLY.

The PRESIDENT said: I have to report to the House that I have received the following reply from His Excellency the Governor:—

“Government House,
Brisbane, Queensland,
9th July, 1885.

“MR. PRESIDENT AND HONOURABLE GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

“I receive with satisfaction and confidence your expression of continued loyalty and affection to the Person and Government of our beloved Sovereign, and I thank you for your assurance that it will be your constant endeavour to unite with the other branch of the Legislature in the adoption of measures likely to promote the welfare of the community.

“A. MUSGRAVE.”

AUDITOR-GENERAL'S REPORT.

The PRESIDENT said: I have to report to the House that I have received from the Auditor-General a letter, of date the 7th instant, upon the subject of the condition of the securities of the Government Savings Bank, and enclosing statement showing how the funds of the bank were invested on the 30th June, 1885. The following is the letter:—

“Audit Department, Queensland,
Brisbane, 7th July, 1885.

“SIR,

“In compliance with the provisions of the 6th clause of the Savings Banks Act of 1870 (34 Vic. No. 10), I have the honour to report to the Legislative Council that the Government debentures and other securities held in trust for the Savings Bank by the President of the Legislative Council, the Speaker of the Legislative Assembly, and the Colonial Treasurer, have been duly examined, counted, and audited on the 1st instant, and that they were found correct.

“The enclosed statement shows how the funds of the Savings Bank were invested on that date.

“W. L. G. DREW,
Auditor-General.”

On the motion of the POSTMASTER-GENERAL (Hon. T. Macdonald-Paterson), the letter and statement were ordered to be printed.

ABSENCE OF MEMBER.

The PRESIDENT informed the House that he had received a telegram from the Hon. J. F. McDougall stating that he was not able to attend the House, in consequence of severe illness.

CORRESPONDENCE RESPECTING AUSTRALIAN VOLUNTEERS.

The POSTMASTER-GENERAL laid on the table corrected correspondence respecting Australian volunteers for service in the Soudan, and moved that the paper be printed.

Question put and passed.

The POSTMASTER-GENERAL then moved that the paper on the same subject, laid on the table on the 7th instant, be withdrawn, and the order for its printing be rescinded.

Question put and passed.

JOINT COMMITTEES OF BOTH HOUSES.

The PRESIDENT announced that he had received the following message from the House of Assembly:—

“MR. PRESIDENT,—

“In answer to the message from the Legislative Council, of date the 6th instant, notifying the appointment of certain members of that House to serve on Joint Committees, to be appointed under the Joint Standing Orders of the two Houses, the Legislative Assembly beg to intimate to the Council that they have appointed the hon. the Speaker, Mr. Norton, and Mr. Brookes to be members of the Joint Library Committee; the hon. the Speaker, Mr. Aland, and Mr. Black to be members of the Joint Committee for the management of the Refreshment Rooms; the hon. the Speaker, Mr. Ferguson, and Mr. Mellor to be members of the Joint Committee for the management and superintendence of the Parliamentary Buildings.”

POLICE OFFICERS RELIEF BILL.

The PRESIDENT read a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to give relief to persons who, having become entitled to certain rights as members of the Police Force, have, under the Police Act of 1863, ceased to belong to that force, but are still employed in the Public Service of the colony.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, and the second reading made an Order of the Day for to-morrow.

MEMBERS EXPENSES BILL.

The PRESIDENT read a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to provide for the Payment of the Expenses incurred by Members of the Legislative Assembly in attending Parliament.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, and the second reading made an Order of the Day for Wednesday next.

PACIFIC ISLANDERS EMPLOYERS COMPENSATION BILL.

The PRESIDENT read a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to make provision for the assessment and payment of compensation to certain employers of Pacific Island labourers who have been returned to their native islands by order of the Governor in Council.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, and the second reading made an Order of the Day for Wednesday next.

ADDITIONAL MEMBERS BILL.

The PRESIDENT read a message from the Legislative Assembly, forwarding, for the concurrence of the Council, a Bill to provide for an additional representation of certain portions of the colony in the Legislative Assembly.

On the motion of the POSTMASTER-GENERAL, the Bill was read a first time, and the second reading made an Order of the Day for Wednesday next.

PETITION.

The HON. J. TAYLOR presented a petition from certain settlers on the Westbrook Homestead Area against the present railway survey, praying for such relief as may appear just, and moved that the petition be read.

The PRESIDENT: It would be a good plan for hon. members before presenting a petition to let the Clerk read it, because it may be irregular.

Question put and passed, and petition read by the Clerk.

On the motion of the HON. J. TAYLOR, the petition was received.

RABBIT BILL--SECOND READING.

The POSTMASTER-GENERAL said: Hon. gentlemen,—This is not, as has been anticipated by some hon. members, a “money Bill” in any sense; it is a Bill strictly within its title—a Bill to prohibit the keeping of rabbits in the colony of Queensland, and to authorise their destruction. In 1880, when the existing Act was introduced, the rabbit was spoken of as a pest and a nuisance, and in other terms of that character. Since then we have had much and varied information on the subject of the advance of the rabbit north-easterly from the colonies of Victoria and New South Wales, and there is no member of this House who is not conversant with the vast amount of destruction and monetary losses and ruin to the pastoralist as well as the farmer, that have ensued from the advance of the rabbit. The Government do not regard this as by any means a final measure, but it is an improvement on the subsisting law. Anything, therefore, I have to say on the subject—which will be brief—must be regarded from that point of view. The Government, in the meantime, are taking every step they possibly can to gain information on the subject of the advance of the rabbits towards this colony, and are also endeavouring by every means in their power to devise a scheme which will enable them to legislate on the subject at the earliest possible moment. That will possibly not be done this session, but they are by no means inactive, and they have a very high sense of their responsibility in regard to the question. The principal difference between this Bill and the Act of 1880, so far as I can see, lies in the circumstance that the Act of 1880 prohibited the introduction of rabbits, but contained, among other provisions, permission to keep rabbits in the colony: whereas this Bill strikes a blow at that, and does not permit a live rabbit to be kept by any person within our boundaries. Practically, therefore, that is the principal difference between the subsisting law and the Bill to which I now ask your attention. It is not necessary that I should occupy the time of the House in expatiating on the enormous losses and evils the rabbits have brought about in the adjacent colonies of New South Wales and Victoria, because I feel sure that every hon. gentleman is deeply impressed with the importance of the subject, and with the necessity for passing a Bill to enable everyone in the colony to kill a rabbit if he sees it, and not be liable for trespass if he is found seeking and

killing a rabbit where he knows it to exist, nor liable for any compensation to anyone for such killing. In a nutshell, therefore, the Bill is for the purpose of placing every man's hand against the rabbit, and giving no compensation to the owners of the rabbits. It also enables a man to kill a rabbit, as I said before, wherever he may find one, or where he knows it can be found. That is all we propose to do in the meantime; but I would ask hon. members to keep in view my previous observations in regard to what the Government are doing with a view to future legislation, which, I trust, will very soon take place, because I feel very deeply on the subject. I may tell this House that when recently returning from Victoria I happened to meet, in a railway carriage on the line between Albury and Sydney, the Chief Inspector under the Rabbit Act there, who assured me that he was aware that rabbits had been seen within 150 miles of the border of our colony, in South Australian territory; and he gave me a good deal more information, not being aware that I was interested in the question, or that I was a colonist of Queensland. On reaching Sydney, I asked him to be good enough to give me the information in writing, together with a plan showing the spots where he was aware the rabbits existed two years ago. I subsequently received that information and placed it in the hands of the Minister for Lands, who is taking the necessary action in the matter; but, in view of that fact, which I believe to be undoubted, it is just as well that this Chamber should be asked to initiate legislation and carry it through; and between this session and the next I hope the Government will be in a position to bring up a measure of more practical utility which will have the effect of preventing the rabbit from coming within our territory. Some of these provisions are similar to the existing law, as you will notice. Clause 1 is to the effect that “no live rabbits are to be introduced into the colony of Queensland, by sea or land, and any master of any vessel, or driver or person in charge of any conveyance by land”—or, in fact, any person who carries or brings live rabbits into the colony—“shall be guilty of an offence against this Act.” Clause 2 is the clause to which I referred as being the principal part of the Bill. It provides that “no person shall have in his possession or keep on his premises any live rabbit, and any person who has in his possession, or knowingly keeps or permits to be kept on his premises, any live rabbit, shall be guilty of an offence against this Act.” Clause 3 relates to straying rabbits, which may be destroyed; and the owner of any rabbit so destroyed shall not be entitled to claim any compensation for loss or damage that he sustains by the destruction of such rabbit. Clause 4 refers to turning rabbits loose, and that is an offence against the Act. Clause 5 is to the effect that “the Governor in Council may authorise bailiffs or rangers of Crown lands, or any other person, to enter upon any land in the occupation of any person, and to destroy any rabbits found thereon, and any person so authorised may enter upon any land, and may take such means as appear to him most expedient, and as are approved by the Minister, for the destruction of all rabbits found thereon.” The subsection of this clause provides that “any person, obstructing, resisting, or hindering any person so authorised in the prosecution of his work of destruction, shall be guilty of an offence against this Act.” Clause 6 provides that, “any person offending against any of the provisions of this Act shall, for the first offence, be liable, on conviction, to a penalty not exceeding fifty pounds and not less than ten pounds, and for the second or any subsequent offence, to a penalty not ex-

ceeding one hundred pounds and not less than twenty pounds." The subsection gives the mode of prosecution. I do not think the minimum penalty is at all too much; indeed, I am inclined to think it would be advisable to make it higher; but, on the whole, perhaps it will be as well to leave it at £10. I know that some members think it would be a little too high, but I am not of that opinion, and I hope hon. members will accede to the minimum of £10. I have only to add that the Rabbit Act of 1880 is repealed by this Bill, and I now beg to move that the Bill be read a second time.

The HON. A. H. WILSON said: It is not my intention to speak on the Bill, but I simply wish to ask the Postmaster-General whether he is aware that near Maryborough there is an island overrun and infested with rabbits. I believe the island either belongs to the Government or the Acclimatisation Society, and it is within a few miles of the mainland. Perhaps it would be well for the Government to take steps to have the rabbits destroyed.

The HON. F. T. GREGORY said: Hon. gentlemen.—There must be very little doubt in the minds of most members here that this Bill should take effect, at any rate if not in its present form in some other shape, especially when we see the amount of damage the rabbits have effected in the southern colonies. Running over the various clauses of the Bill, which of course can be more carefully considered in committee, it struck me that there is no provision made as to the extent anyone who happens to be the owner of rabbits at the present moment might be held liable for not destroying them the moment the Bill comes into operation. Generally, in measures of this sort, there are some few words explaining the position of those parties who would become offenders unless notice were given them—that is, they might be aware that the Bill is passing through the House, but they might hold the rabbits for months before they became aware that the measure was operative and that they made themselves liable to a fine. I suppose the law would protect such parties if they were really ignorant of the Act having been brought into operation. In the only other matter I wished to refer to I have been forestalled by the Hon. Mr. Wilson. There is not only one island, but I think there are four or five islands, up the coast of Australia, which belong to Queensland, where the rabbits are terribly numerous already, and some of these islands are leased to private persons. It would be desirable that provision should be made to protect those persons from any responsibility on account of rabbits being on their runs. When the Bill is going through committee we shall probably be able to deal with that point. There is a slight apparent contradiction between clauses 3 and 5. Clause 3 provides that it shall be lawful for any person to destroy any live rabbit found at any place within the colony, and clause 5 says the Governor in Council may authorise any bailiff or ranger of Crown lands to enter upon any land in the occupation of any person and destroy any rabbits found thereon. Possibly that is only a slight oversight in the wording of the Bill, but I point it out now so that it shall not be overlooked in committee. There can be very little doubt but that the passing of the measure will be of benefit to the colony.

The HON. W. FORREST said: Hon. gentlemen.—I speak with great difficulty, because I have got a very bad cold, but I cannot allow the observations of the Postmaster-General to pass without expressing my regret. I have no objection to the Bill, except that it does not go far enough; but I listened with dismay to the state-

ment of the Postmaster-General—that a more comprehensive Bill dealing with the question was not going to be brought forward this session. I was under the impression that a Bill of that nature was in course of preparation. What information do the Government want? Are they not aware of the fact that the southern portions of Australia have been absolutely destroyed by rabbits, and that those pests are approaching our borders? This Bill repeals the Act of 1880, and I had a great deal to do in getting that Act passed. I furnished a good deal of information to the late Mr. Davenport, and upon that he founded the measure. It is our duty, I think, to anticipate the evil, and to prevent them from taking possession of our pastures, for as sure as they do they will overrun the whole colony. I can testify to the truth of the information given to the Postmaster-General by the rabbit inspector in Victoria, because I have recently been in South Australia, and a young friend of mine, who owns a property on the border, and was under the impression that there were no rabbits there, has found out quite recently that he has got into their midst. If the Government persists in putting off comprehensive legislation upon the subject, instead of their being able to say when the rabbits do come, "Too late, too late, ye cannot enter in," the rabbits will be able to say, "Too late, too late, you cannot keep us out." I cannot see why the Government cannot get the necessary information. I took the trouble to get the whole of the statistics from the various colonies bearing upon this subject; but the Government, it appears, have only been able to get one meagre report to present to Parliament. I considered that the information I obtained should be put before the House in some way or other, and I placed it in the hands of two members for that purpose; but I regret to say that they put it away, and did not bring it forward. I think this is a matter of the very greatest concern to the colony, and very much more so than many of the measures that we have dealt with this afternoon. For instance, the amount of money that it is proposed to appropriate to the payment of members would pay the interest on the cost of a fence that would keep the rabbits out of the colony altogether. I cannot help once again stating that I listened with absolute dismay to the statement made by the Postmaster-General of the intentions of the Government, because I think that although this Bill may do some good it is simply playing with the matter.

The HON. G. KING said: No doubt this Bill is an instalment of legislation in the right direction, but I agree with my hon. friend, Mr. Forrest, and I am somewhat disappointed at the measure placed before us. Certainly we are promised a better measure next session, but there is no time to be lost. The subject is one of those important ones that ought to have close attention from Parliament, and it is a subject of such magnitude that it ought to have immediate consideration.

The POSTMASTER-GENERAL said: With the permission of hon. gentlemen, I would say a few words in reply. Regarding what fell from the Hon. Mr. Forrest, that the Government ought to have brought in a comprehensive scheme, I am able to say this—that the Government have not been able to do that; they have not had the information before them. Neither in Victoria nor New South Wales have they yet been able to bring in a comprehensive scheme dealing with this subject. I do not think, myself, that it would be possible to bring in another measure this session. The Government are entirely alive to what must

be considered one of the most grave responsibilities that could fall upon any Government of any colony, and hon. members may rest assured that the subject will be dealt with hereafter. With respect to the apparent difference in clauses 3 and 5, as pointed out by the Hon. Mr. Gregory, I think that may be left until the Bill goes into committee.

Question put and passed; and the consideration of the Bill in committee made an Order of the Day for to-morrow.

The House adjourned at twenty minutes to 5 o'clock.
