

Queensland



Parliamentary Debates
[Hansard]

Legislative Council

FRIDAY, 13 DECEMBER 1895

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LEGISLATIVE COUNCIL.

FRIDAY, 13 DECEMBER, 1895.

The PRESIDING CHAIRMAN took the chair at half-past 3 o'clock.

ASSENT TO BILL.

The PRESIDING CHAIRMAN announced the receipt of a message from the Lieutenant-Governor, intimating that His Excellency had assented to the Savings Bank (Securities) Bill.

MAYNE TO ENOGGERA RAILWAY.

On the motion being called—That the House be put into a Committee of the Whole for the purpose of considering the adoption of the report of the select committee on this branch railway—

The POSTMASTER-GENERAL (Hon. A. J. Thynne) said: With respect to this and the following notice of motion I ask that they be postponed until Tuesday next. I am obliged to make this request because the plan attached to the select committee's report is not ready for circulation amongst hon. members. I am informed that the printing office cannot get this plan completed and ready for issue before Monday morning. I therefore move that the notices of motion be postponed till Tuesday next.

Question put and passed.

**LIVE STOCK AND MEAT EXPORT BILL.
COMMITTEE.**

Preamble postponed.

Clauses 1 to 3, inclusive, put and passed.

On clause 4—"Appointment of inspectors"—

The HON. P. PERKINS said he was pleased to see a measure like that introduced, giving the Government, through their officers, power to regulate the killing and sale of meat. It was well known that cancerous cattle were killed and sold for human consumption. Any inspector who knew his business could tell a cancerous bullock a mile away. He hoped the Government would deal thoroughly with the question. The way in which meat was exposed in tinpot shops was a public disgrace. There should be one central market where carcasses should be hung up in view of the public. However, the Bill was a step in the right direction.

Clause put and passed.

The remaining clauses, the schedules, and the preamble were put and passed.

The House resumed; the ACTING CHAIRMAN reported the Bill to the House without amendment.

THIRD READING.

The Bill was read a third time, passed, and ordered to be returned to the Assembly.

JOINT COMMITTEES.

The PRESIDING CHAIRMAN announced the receipt of a message from the Assembly, intimating that they agreed to the message of the Council relative to the control of the Parliamentary Buildings, refreshment room, and library during the recess.

**SUCCESSION AND PROBATE DUTIES
ACT AMENDMENT BILL.**

This Bill was passed through its remaining stages without amendment, and ordered to be returned to the Legislative Assembly.

LIQUOR BILL.

This Bill was passed through its remaining stages without amendment, and ordered to be returned to the Legislative Assembly.

MARSUPIALS DESTRUCTION BILL.

COMMITTEE.

Clauses 1, 2, and 3 put and passed.

On clause 4—"Interpretation"—

The HON. J. D. MACANSH objected to bandicoots and kangaroo rats being included in the clause. Bandicoots were very scarce; there were not a great many of them in any part of the colony, and they did very little damage. As to the kangaroo rat, it was easily killed—no animal took poison more readily. He had poisoned hundreds of them. As an article of food they were excellent. The name "rat" no doubt created a prejudice against them. If they had been called the Australian hare, they would have been sought after as a table delicacy. He would move, as an amendment, that the words "bandicoot or kangaroo rat" be omitted from the clause.

The POSTMASTER-GENERAL said he had no doubt the hon. gentleman had poisoned hundreds of kangaroo rats, because they were injurious to his crops. Were they not injurious to the crops of other men, who might be unable to protect themselves against the vermin? It would be far better to leave the matter in the hands of the respective boards, who would be conversant with the requirements of their own districts. He hoped the hon. gentleman would not press his amendment.

The HON. J. D. MACANSH said he objected to the inclusion of kangaroo rats, because if they

invaded a farmer's crops they could be got rid of with very little trouble and at hardly any expense.

The HON. J. DEANE said that while the kangaroo rat was a very harmless animal the bandicoot was very destructive to farmers' crops. They did not even wait till the crop was grown; they would take all the seed out of a paddock as soon as it was sown. If the hon. member would limit his amendment to the kangaroo rat, he would support it.

The HON. A. NORTON said he hoped the amendment would be accepted. He had often heard in another place—nowhere else—about the harm done by bandicoots and kangaroo rats, but he had never seen anything of it himself, although he had travelled a good deal in the farming districts. If either of them got into a man's sweet potato patch he could very easily kill them.

The POSTMASTER-GENERAL did not think the farmers' representatives would have desired the inclusion of those animals unless they had very good reason for doing so. It had been said that the mischief might be prevented by putting up paling fences, but if the farmers had to do that the Bill would be very little good. The object was to save them from that expense.

The HON. F. CLEWETT: It seemed that these animals had been introduced at the request of those affected by them. It often happened that one kind of marsupial was more numerous in a district than another, and there was no reason why farmers should not be protected as well as the pastoralists. If they were not sufficiently numerous to be a nuisance, no notice would be taken of them, but if they were their destruction would be encouraged. As for fencing, it might be possible to fence small holdings, but they could not put paling fences round large ones. He hoped the hon. member would not press the amendment.

The HON. A. NORTON contended that a useless number of animals were included in the Bill. He thought this animal had been included at the request of farmers' representatives who wished to show what they had done to benefit the farmers. If the bandicoots were so bad on the Downs, the Hon. Mr. Macansh would know, and the returns of the scalps paid for would show it. They were evidently not so numerous as to require to be included in the Bill.

The HON. J. D. MACANSH said the farmers in his district were compelled to put up paling fences to keep out wallabies, although many of them had only put up fences on the sides of their holdings next the scrubs. There were very few bandicoots there. Many people confused kangaroo rats with bandicoots, but the latter were far more easily got rid of, as they could be poisoned.

The HON. F. CLEWETT said the control of the matter was altogether in the hands of the interested localities. If the boards did not think it necessary to offer bonuses, they need not do so. It was purely a matter of local administration.

The HON. P. PERKINS said the boards would be the best judges of the situation. They were not likely to pay for more work than had been done, and it was a waste of time discussing the matter. The boards should have a free hand in the business.

The HON. J. T. SMITH thought there should be some protection for the farmers, who suffered a great deal of damage by these animals. These smaller marsupials were a source of great trouble, and there was no sense in excluding them from the Bill.

The HON. A. C. GREGORY said kangaroo rats were very scarce, and they lived out in the

open country. There was another animal very closely connected with it, and there were very few people who knew the difference. This other animal lived in the scrubs, and burrowed in the ground. It was as troublesome as a rabbit, and was a small species of kangaroo generally designated a wallaby. They stayed in the scrubs all the day, and came out at night. Bandicoots were very scarce, but if they were not interfered with they would increase rapidly, but were still a local nuisance only. The larger kangaroos were comparatively rare, but in times of drought they came down like an eruption, as they did a few years ago. They were easily managed, because they were big enough to shoot, and their skins were of some value. All these animals had better be left on the list. On one occasion bandicoots became a great nuisance at Toowoomba, but that was purely a local matter. If any animal was so scarce that no damage could be done, no notice need be taken of it by the boards.

The HON. F. CLEWETT said when the boards were fixing the rates they could fix them at such amounts as would not induce people to turn their attention to destroying any particular animal. The boards would have the matter in their own hands.

The HON. J. TYSON was afraid there was some misconception as to the difference between a bandicoot and a kangaroo rat, and he might offer a few words of explanation. The bandicoot was an animal that lived in the open forest, and made a nest. It did very little harm and was good eating, so that it need not be included in the Bill at all. The kangaroo rat was something like a wallaby; it lived in the high grass and made a nest. The wallaby was nocturnal in its habits, and came out of the scrub at night, and would travel as far as fifteen miles for water. He had had to erect hundreds of miles of fencing to keep them out of his paddocks. If he had not done so they would have eaten out the whole country, and he would have no sheep there, but only wallabies. The kangaroo was a different animal, and by its speed it could defy the dogs and protect itself; but the wallaby was slow, and kept out of the way until night. It would feed all over the good country and eat all the best grass, and then retire to the scrub until night came again. As he had said, he was only able to keep them away by fencing.

Question—That the words proposed to be omitted stand part of the question—put; and the Committee divided:—

CONTENTS, 13.

The Hons. A. J. Thynne, P. Perkins, A. C. Gregory, J. Deane, F. Clewett, J. T. Smith, G. W. Gray, C. F. Marks, J. C. Smyth, J. S. Turner, F. T. Brentnall, E. H. Hart, and W. G. Power.

NOT-CONTENTS, 6.

The Hons. J. Tyson, A. Norton, J. D. Macansh, W. Aplin, W. F. Taylor, and H. C. Wood.

Resolved in the affirmative.

The HON. A. NORTON moved the insertion of the following new paragraph in the clause:—
"Dingo"—A native dog or any cross between a native dog and a domestic dog.

It was well known that half-bred dogs were a great deal worse than native dogs, especially among sheep. It would be convenient to have the term defined, so that the boards might know how far they could go in giving the bonus.

The POSTMASTER-GENERAL said ample power was given by clause 31 with regard to dingoes. The boards would be quite capable of saying what was a dingo without the insertion of a definition which could not help them and did not improve the Bill.

The HON. A. NORTON said it was necessary the term should be defined, in order that there should be no mistake what kind of dog was

meant. Without it the boards would not be able to pay for the scalp of any but a pure-bred native dog.

The HON. J. DEANE said the best plan was to treat every dog running at large in the bush as a dingo. The worst dog he ever knew for killing sheep or calves was a kangaroo hound that had outlived itself and taken to the bush.

The HON. J. D. MACANSH thought they ought to have an interpretation of dingo. A dingo was a native dog, and if the clause remained as it stood it would be only the pure-bred native dog for which money would be paid, and that would not reach the very worst kind of dog at all.

The HON. A. C. GREGORY said it would greatly simplify matters if the Committee, or the boards, were to adopt his definition. Any dog with his ears sticking out in front was a dingo.

The HON. F. CLEWETT thought the matter might be safely left in the hands of the people who would have to administer the Act.

Amendment put and negatived.

The HON. A. NORTON said he had pointed out on the second reading that the term "holding" applied to all land held in fee-simple as well as Crown land. As the clause stood, scalp-hunters would be able to go into fattening paddocks, the value of which as fattening paddocks would thereby be destroyed. He was one of a large number who depended for a portion of their incomes upon the fattening of stock, and knew what would be the effect if the cattle were disturbed by hunters. The paddocks he rented at present had previously been used by everybody, and when he found people shooting all over them he pointed out that if they were to have the right of shooting there he would lose the right to fatten his stock there. He did not think permission should be given to scalp-hunters to go into fattening paddocks.

The POSTMASTER-GENERAL: The contention of the hon. member amounted to this: That any freeholder might prevent the Bill coming into operation in regard to his station. Those lands would thus become perfect breeding-places for marsupials. So far as fattening paddocks were concerned, protection for them could be provided by clause 34, which gave boards power to refuse permission to enter certain lands, and, even after permits had been given, they might be revoked. The remedy, therefore, was to ask the board to refuse to issue permits to go into fattening paddocks. If the matter were left to the owners, the object of the Bill would be defeated.

The HON. A. NORTON admitted there was something in what had fallen from the Postmaster-General, but anyone who kept paddocks for fattening stock would see that marsupials were kept out of them. If cattle were not kept quiet they would never get fat, and even quiet cattle got restless when strangers went amongst them. These hunters would go on the land with guns and dogs, and if the dogs went after a wallaby the cattle would soon be all over the paddock as hard as they could run. The owners would devote special times of the year to keeping the marsupials down, and they should be left to deal with the matter themselves.

The HON. J. DEANE was in sympathy with the Hon. Mr. Norton, as he had heard many complaints as to the way in which stock were disturbed by scalp-hunters. These men used rifles which would carry a long distance, and stock had been known to be unintentionally killed. He remembered a neighbour of his losing a valuable brood mare in this way. He thought hunters should be prevented from using rifles.

The HON. F. CLEWETT thought the Bill provided against the thing the Hon. Mr. Norton took exception to, as hunters could be prevented

from going on to certain lands without permission. They should be prevented from going into fattening paddocks, and the owners might be trusted to see that the marsupials did not increase there. The boards would not grant permission under circumstances which would be of a harassing nature to the stockowners, and the matter might safely be left in their hands.

The HON. J. D. MACANSH thought the best thing they could do would be to leave out clause 34, which allowed boards to issue permits, because no stockowner would keep a paddock for marsupials to breed in. He would not put it in the power of any board to allow people to go into a man's paddock.

The POSTMASTER-GENERAL: If the boards were not given this power the object of the Bill might be defeated, as there were men quite crotchety enough to refuse to submit to regulations necessary for the protection of the whole district. It was necessary that a board should have power to tell such a man that if he did not destroy the marsupials himself they would give permission to others to do so. If the Hon. Mr. Norton were on a board he would be one of the first to compel a man of that description to comply with the law, and to prevent him doing an injury to his neighbours and the whole district.

The HON. J. D. MACANSH hoped that if the Postmaster-General would not consent to leave out clause 34, he would provide that it should only apply to cases where the owner did not destroy the marsupials himself.

The POSTMASTER-GENERAL said the difficulty would be that in doing that they would be anticipating the action of the boards and limiting their operations. They did not know what the position of affairs might be in future, and it would be better to leave the matter in the discretion of the boards altogether.

The HON. A. NORTON said clause 34 would give some protection, and if it were omitted scalp-hunters would be able to go into paddocks at any time. In some districts there were very few fattening paddocks, so that the ratepayers would not be much concerned in the matter. He thought the meaning of the term "holding" should be so limited as not to include land held in fee-simple. He did not think there were many people who would not give way in the interests of the State. He proposed to omit the words "in fee-simple or" in line 53, and would move a further amendment afterwards.

The POSTMASTER-GENERAL said he had not heard from the hon. member why holders of the fee-simple of land should be specially provided for and treated differently from those holding land by any other tenure. Why should the freeholder be exempted from the provisions of the Bill and the leaseholder not? In the district of Toowoomba the greatest trouble came from freehold land. A large area of scrub land was taken up there under the Act of 1876; it had been made freehold, and it was the centre of annoyance to all the farmers in the vicinity. Why should not those farmers be entitled to go into that scrub country and destroy the vermin which the owners would not themselves take the trouble to destroy.

The HON. A. NORTON could only attribute the difficulty to their system of coddling legislation which made the Government, or some special class, responsible for work which, under ordinary circumstances, should be done by the individual. He could see no way out of the difficulty. If the words were retained, great harm would be done to the owners of those paddocks. On the other hand, it might be an injustice to selectors if any holdings were allowed to become the breeding-places of vermin. The

best way, perhaps, would be to let the whole thing drop, and let persons who were annoyed by marsupials destroy them themselves.

The HON. A. C. GREGORY could not see why the tenure under which a piece of land was held should be a ground of exemption from its being kept free from those pests. In any case the 34th clause gave ample security, because no one could go into a paddock for the purpose without being authorised by the board, who might fairly be considered the best judges in each particular case.

Amendment negatived; and clause, as read, passed.

Clauses 5 to 17, inclusive, put and passed.

On clause 18—"Assessment in a district"—

The HON. A. NORTON said the clause provided for an annual assessment. It was necessary, of course, that the first assessment must be levied in every district. If a district had money to its credit after the first assessment had been made, why should another be levied? It ought to be provided that no further assessment should be levied unless funds were required.

The POSTMASTER-GENERAL said that if a board had sufficient funds to its credit it might be unnecessary to levy a further assessment. In any case they might make it as small as they chose. Boards would not be appointed unless there was some occasion for their appointment.

The HON. A. NORTON said the best evidence of what boards would do was what boards had done. They should be guided not by what ought to happen, but by what had happened and might happen again.

Clause put and passed.

Clauses 19 to 31, inclusive, passed as printed.

On clause 32—"Rates of bonus"—

The HON. A. NORTON thought the rates were a little too high, and might be reduced by one-half.

The HON. P. PERKINS: That is the business of the ratepayers.

The HON. A. NORTON said if nine-tenths of the ratepayers wanted high rates, and the other one-tenth did not, the higher rate would be imposed upon the latter.

The POSTMASTER-GENERAL said these were not the maximum rates. It was provided that the rates should be fixed at the first meeting of the board, but if they neglected to fix them the Bill provided that the Government might impose these rates. The boards might impose what rates they liked.

The HON. J. DEANE said it was possible that the members of the boards would be people living in the towns, who had very little interest in the matter and whose own contributions would be very small, so that they might be tempted to fix a high rate. It would not matter if the maximum were made lower.

The HON. A. NORTON thought the maximum of 1s. for kangaroos and 8d. for smaller marsupials was too high. The skins of the larger animals were valuable, and they had been shot for their skins alone without any scalp money at all.

The POSTMASTER-GENERAL said these had been the rates ever since 1885. Of course when the rate had been once fixed it could not be reduced till the end of the year without the consent of the Governor in Council.

The HON. A. NORTON said it would be most unfair to reduce the rate during the year. All he wanted was that the rate should not be fixed too high, and he thought the maximum provided in the clause was too high.

Clause put and passed.

Clause 33 put and passed.

On clause 34—"Issue of permits to destroy marsupials"—

The HON. A. NORTON said he proposed to amend the clause by adding the following proviso:—

Provided that if any owner makes a statutory declaration to the effect that any particular paddock is used by him for fattening stock, no permit shall be issued by the board to enter upon that land.

He did not think that matter should be left to the board.

The POSTMASTER-GENERAL said if they made provision for exemptions for fattening stock, they would have to make others, such as an exemption in the case of breeding paddocks, and so on. There would be certain operations going on at every period of the year, and when once they began making exemptions there would be no end to them. The Government proposed to give power to the board to do what was right.

The HON. A. NORTON said he had had forty-three years' experience in pastoral pursuits, and thought he was fairly well acquainted with the business, but he had now learned how possible it was for a man with that experience to know nothing, and how possible it was for a man who had resided in town all his life to know so much. He did not want the boards to be allowed to grant permits to anybody to go into these paddocks, because it would be in their power to do a great deal of harm.

The HON. F. CLEWETT thought the Postmaster-General had met the amendment very well. It was the duty of that hon. gentleman to see that the whole of the interests of the community were protected, and not any particular class. All classes should be considered, no matter how necessary it might appear to protect the stockowners in particular.

The HON. A. NORTON did not doubt but that the Postmaster-General was influenced by the best intentions, but it was impossible for anyone who had lived in town always to have the same practical knowledge as one who had spent all his life amongst stock.

Amendment put and negatived, and clause passed as printed.

The remaining clauses and the schedule were passed as printed.

The House resumed; the ACTING CHAIRMAN reported the Bill without amendment, and the report was adopted.

THIRD READING.

The Bill was read a third time, passed, and ordered to be returned to the Assembly.

The House adjourned at fifteen minutes past 6 o'clock until Tuesday.