

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Council**

**TUESDAY, 18 OCTOBER 1898**

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## LEGISLATIVE COUNCIL.

TUESDAY, 18 OCTOBER, 1898.

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

## MINISTERIAL STATEMENT.

## CHANGES IN THE GOVERNMENT.

The POSTMASTER-GENERAL: I have to notify to the House certain changes that have taken place in the Ministry since our last sitting. The Hon. James Robert Dickson resigned the offices of Chief Secretary and Home Secretary; the Hon. Justin Fox Greenlaw Foxton resigned the office of Secretary for Public Lands; and the Hon. James Vincent Chataway resigned the office of Secretary for Agriculture. His Excellency the Governor has been pleased to appoint the Hon. J. R. Dickson to be Chief Secretary, the Hon. J. F. G. Foxton to be Home Secretary, and the Hon. J. V. Chataway to be Secretary for Public Lands and Secretary for Agriculture. I have also to notify to the House that the Hon. George Wilkie Gray, a member of this Council, has been appointed a member of the Executive Council. I lay upon the table the *Government Gazette* notifying these changes.

## TRUSTEES AND EXECUTORS ACT OF 1897 AMENDMENT BILL.

## THIRD READING.

On the motion of the HON. A. H. WILSON (in the absence of the Hon. P. Macpherson), this Bill was read a third time, passed, and ordered to be transmitted to the Legislative Assembly for their concurrence.

## DISEASES IN STOCK ACT AMENDMENT BILL.

## SECOND READING.

The POSTMASTER-GENERAL: This is a Bill to amend the Diseases in Stock Act of 1896 in three particulars—first, to enable the Government to assign districts to inspectors; secondly, to require owners of stock to give notice in case their cattle become infected with ticks; and thirdly, to enable inspectors to impound diseased cattle straying on roads, reserves, and unoccupied Crown lands. Clauses 2, 3, and 4 relate to the appointment of districts by the Governor in Council. It appears that under the Act itself districts were assigned in a way which has not proved convenient; they were assigned to petty sessions districts, and so on. Now the Government ask for power, by proclamation, to appoint any portion or portions of the colony to be a district or districts for the purposes of the Act, and to alter the boundaries of any district in case it should be necessary to do so. I may mention that in May last a conference of cattle-owners and others was held at Rockhampton, and they came to two resolutions that are embodied in this Bill. The first resolution was as to owners of cattle giving notice that their cattle were tick-infested. They thought that the Act, which now requires owners of cattle to give notice when their cattle are infected with some malignant disease, should also require owners to give notice when any ticks are found upon their stock; and they were of opinion that such notification should be made compulsory. The effect of that resolution is to be found in the amendment which is proposed to be made in section 15 of the principal Act. That section provides that every owner, when disease in a malignant form appears in stock upon his run or in his travelling stock, shall give notice thereof to the nearest inspector within a week from the time of

his discovering the fact, and that he shall forthwith, as far as practicable, draft out and keep separate all such diseased stock from the stock not suffering from disease. By the 5th clause of the Bill he will have to do so also "when any ticks known as *Ixodes bovis* are found upon any such stock." That is the only alteration in that section. The next important alteration is in section 17 of the principal Act, the 2nd subsection of which it is proposed to repeal. That subsection reads—

All stock impounded under the provisions of this Act shall be dealt with in all respects as if they had been impounded by a proprietor under the Impounding Act of 1863 or any Act amending or in substitution for the same.

It is proposed to insert a new subsection, which hon. gentlemen will find in clause 7 of the Bill, providing that an inspector may at any time cause to be impounded any stock which he may suspect of being diseased or infected found straying or trespassing upon any road or reserve or unoccupied Crown lands; that when any stock so impounded are found to be diseased the inspector may cause such stock to be destroyed, notice of the fact being given to the owner of the stock, if the owner is known to the inspector; that stock so impounded which are not diseased shall, after the expiration of twenty-one days, if not sooner claimed or released, be sold, destroyed, or otherwise disposed of as the Minister directs, the proceeds of the sale, if any, after payment of expenses, to be paid to the owner, if known, or if not, to the credit of the fund; and that notice of the impounding must be given to the chief inspector. That is really the principal clause in the Bill, and it also was suggested at the Rockhampton conference to which I have already referred. It is well known that local authorities will not do this, and it is the opinion of the cattle-owners that power should be given to the inspectors to see that such cattle should be impounded and, if found diseased, destroyed.

The Hon. A. NORTON: If they are not found diseased, what is to happen?

The POSTMASTER-GENERAL: Then they will be dealt with as they would be under the Impounding Act as stray cattle. They can be released by the owners after paying expenses, and if the owner cannot be found they will be disposed of as the Minister directs. There is a slight alteration also in subsection 3 of section 23 of the principal Act. That subsection provides that every person who leaves, or causes or permits to be left, the carcass of any stock on any public road, or within half-a-mile of such road, shall be liable to a penalty not exceeding £100. We propose to amend that subsection by making it an offence to leave any infected stock, whether living or dead, on a public road. That section is also amended by adding another subsection, to be called subsection 6, the words to be added being "is guilty of any breach of the regulations." There is also an amendment in subsection 4 of section 23 of the principal Act, which reads—

The fact that disease in a malignant form has existed upon a run or in any travelling stock for a period of one month shall be taken as *prima facie* evidence that the owner of the run or stock knew of the existence of the disease upon the run or in the stock, as the case may be.

That has been found to be insufficient, and it is proposed after the word "month" to insert the words—

or that any ticks known as *Ixodes bovis* have from time to time during a period of one month been found upon any stock upon a run or upon any travelling stock.

These are the only alterations made in the principal Act, and I think they are deserving of

the favourable consideration of the House, because they are alterations which are based on experience which has been gained in working the Act during the last two years. I move that the Bill be now read a second time.

The Hon. P. PERKINS: I see nothing too arbitrary about the Bill, which is for the protection of the stockowners themselves, excepting the provisions in clause 7, that an inspector may cause stock to be impounded and destroyed if he should "suspect" them to be diseased or infected. We know the quality of some of the people who will be appointed inspectors. We know what a rush there will be for the billets.

The POSTMASTER-GENERAL: They are nearly all appointed now.

The Hon. P. PERKINS: Well, we know the quality of some of those who have been appointed, and they at any rate are not the class of persons who ought to be allowed to impound and destroy cattle on mere suspicion. Inspectors should be men capable of determining whether the disease is there or not. To suspect it is not enough. It is very easy to be suspicious and to create annoyance and disturbance. Cattle-owners should not be exposed to be irritated in this fashion. They have had quite enough to put up with of late years, even before the ticks came along. I would suggest to the Postmaster-General to remove the word "suspect" from the clause.

The Hon. J. T. SMITH: I approve of this Bill on account of its being an endeavour to provide for the public safety. It has come to be a most horrible thing, the manner in which food is supplied to the general public, and the manner in which disease has begun to spread itself over the face of this land. I have continually brought before me, partly in connection with my attendance at the Toowoomba hospital and partly from what I read in the public prints, what appears to me to be the close connection between diseases in cattle and diseases in human beings; and it has become absolutely imperative on the Government to take some steps to arrest this disease amongst stock in the interests of the general public. We see all over the face of this happy land the spreading of cancer, tuberculosis and its allied diseases, and the causes of them should be grasped by the throat and destroyed. I do not think it is saying too much when I express my opinion that if this matter were taken in hand properly, if the proper tests are applied, and if animals found to be diseased are destroyed at once, eventually, and in a comparatively short time, the communication of those diseases from cattle to the human species can be arrested and prevented. Any measure which has for its object the preservation of the public health I would fight for tooth and nail. One of the great objects of our existence here is to pass Acts which will conserve the public interests, and as I believe this to be one of them I shall give it my heartiest support.

The Hon. A. NORTON: I like to hear an hon. member take up a subject and speak upon it as distinctly as the Hon. Mr. Smith has done. At any rate he has opinions, and he is prepared to advocate and support them in every possible way. What I ask is, are those opinions correct—on what are they based? Does the hon. gentleman suppose that the inspectors who are to be appointed under this Act, or who have already been appointed under another Act, can distinguish those diseases? I say they are absolutely incompetent to do anything of the kind. How many veterinary surgeons are there in the colony who can say this is such a disease and that is such another disease? Are there a dozen? Only a few years ago a disease appeared among

the fish in the river at Mudgee. What did the Government of New South Wales do? They sent a constable to apprehend the fish. We are doing something equivalent in passing an Act to empower a lot of incompetent men to say, "I suspect that that is such a disease." They are not to distinguish between one disease and another, but to impound and slaughter beasts on suspicion of their being diseased. It may be one beast or 100 or 500, and the inspector who suspects them of being diseased may be some incompetent person who knows about as much of the diseases of stock as that constable in New South Wales did about the diseases of the fish he was sent to look after. Has the hon. gentleman looked at the Act to see what those diseases are? Here are some of them—Actinomycosis, anthrax, cancer, foot and mouth disease, glanders and farcy, pleuro-pneumonia, rinderpest, Texas or tick fever, tuberculosis, and variola or sheep-pox. How many inspectors have we who can distinguish any one of those diseases? I do not pretend to have any special knowledge of those diseases, but as a practical pastoralist I have done my best for years to get a general knowledge of those which most affect stock. I do not stand much upon that; I admit that in many cases I have been deceived, but I venture to say I have a great deal more knowledge of cattle diseases than some of the inspectors who have been appointed by the Government. It is impossible for them to have the knowledge; they have had no opportunity of acquiring it. My hon. friend talked about cancer, and he is evidently under the impression that it is communicated from cattle to human beings. He imagines that the cases of cancer he has seen in the hospital at Toowoomba—they may be seen in every hospital in the colony—are attributable to cancer in cattle. I say that is not the case. I do not say so of my own knowledge, but on the statement of men who, I believe, know a great deal more than all of us here put together. I will take the statement of Mr. Pound—a statement endorsed by a medical man who was present on the occasion—who said that bovine cancer of cattle was not the same as human cancer, that they are two distinct diseases. I have heard him repeat that on more than one occasion. Apart from that, before Mr. Pound came to this colony he was appointed in New South Wales to examine the stock suspected of disease which came into the yards at Homebush. I forget the number he examined, but it was very large, and out of the whole lot all but  $\frac{1}{2}$  per cent. of the cattle suspected of cancer were suffering from bovine cancer. Is it not folly, when a man like Mr. Pound, who has done so much for the colony, has stated in public that the two diseases are not the same, for anyone to get up here—I do not accuse my hon. friend of folly, because he is misled—and say that they are? I am well aware the two are often confused. I have read a letter written by a medical man, in which he showed his ignorance on the subject. Under those circumstances, how can you expect unfortunate inspectors—who, I admit, do their best, but who know no more of the matter than the pastoralists whom they are supposed to look after—how can you expect them to deal in a reasonable manner with cattle which are supposed to be suffering from certain diseases that probably they do not suffer from at all. Not long ago, while riding along a country road, I saw two cows which were suffering from what is generally supposed to be cancer of the eye. Now that is not cancer at all, I am told. I am told positively that what is known as cancer of the eye and cancer of the brand are not cancer. If they are taken in hand in the early stages, and the affected part removed, the beast may absolutely recover. Of course I do not mean to say

that these cattle should not be killed—I am using extreme cases to illustrate my argument that these men do not and cannot understand the diseases which they are appointed to look after. The result will be that a number of stock belonging to men who cannot afford to lose them may be sacrificed because some incompetent inspector considers them diseased. I shall take another case. Some of us remember the time when pleuro-pneumonia first broke out in Queensland. We have outbreaks of pleuro-pneumonia now, but cattle recover from it, and the flesh of the recovered cattle is eaten with as much safety as the flesh of the cleanest beast. For some years after that outbreak only a very small percentage of the cattle that were slaughtered showed that they had not at one time suffered from pleuro-pneumonia. Now, can anyone say that any harm resulted from eating those cattle?

The Hon. A. J. THYNNE: How many died from pleuro-pneumonia?

The Hon. W. FORREST: Forty-five per cent. of the herds in the Wide Bay district died.

The Hon. A. NORTON: I lost of my own cattle 33 per cent. That is one of the diseases we propose to deal with in this Bill. If a beast is found to be suffering from pleuro-pneumonia, it will be travelled along the road to a pound and the disease spread over the country. It is a dangerous thing to put this power in the hands of men who know nothing about the question they have to deal with. Some of the stockowners commenced to inoculate for pleuro-pneumonia at the first, and lost heavily because they did not understand the proper system of inoculation. Now let me say a word about tuberculosis. I ask anyone to take up any scientific work dealing with the subject, and he will find that the greatest danger in the spread of tuberculosis is from tuberculous human subjects. Some of the best scientists in the world—at any rate some of the best of those whose books have been published in the English language—point out clearly that the chief centre of infection, beside which all others are mere trifles, is the tuberculous human subject. Why are we establishing a consumptive hospital at Dalby? Why in all the hospitals of Europe are consumptive subjects kept apart from the others? Why is each subject supplied with a pail of water into which to expectorate? Why are the cloths with which they wipe their mouths thrown into water? It is because of the great danger of spreading tuberculosis to others. The great danger is from people who are suffering badly from the disease dropping their sputum here and there on the ground. The dust, I am told, is raised when it becomes dry, and so the disease is conveyed from one human being to another. Even the breath is a means of conveying the infection. A consumptive mother nursing her child, in her affection for the child, may be the means of conveying infection to it. One has only to read of these things to see the danger—not of passing a Bill of this kind, but the danger that its object will be frustrated by the incompetence of the persons who have to administer it. I will go the whole way with the Hon. Mr. Smith in regard to what he has said. There is not much use in opposing the passing of the Bill; but if disease can be stopped by the means my hon. friend is supporting, then I say let it be done by all means; but why cannot we go a step further? We are going to protect people from tuberculous cattle, but we have tuberculous people supplying us with groceries, we have them supplying us in butchers' shops, and we have them keeping dairies, and the danger of infection from these people is much greater than from the cattle that we are making so much fuss about. I speak pointedly and warmly on this subject, because I

find that in the official mind there is a desire to achieve their object in a particular way, and to ignore the greatest dangers which exist. That is not only the effect of my reading, but it is supported by what I have ascertained from a number of persons with whom I have spoken. I have spoken to Mr. Pound on this matter. I may say a word here about Mr. Pound, which ought to be said everywhere. Before he came to Queensland the Stock Department—with the best possible intentions—were helping us unfortunate pastoralists to spread pleuro-pneumonia by inoculation. They got virus which was supposed to be pure, and sent it out to stockowners, who inoculated their cattle wholesale with it. It is just about four years since Mr. Pound got some virus from a place not far from Brisbane which appeared to be perfectly clear, and with which he inoculated some calves. When he came to take the virus from one of these calves he noticed something peculiar about the beast after he had killed it, and he then made a microscopical examination of the virus with the result that he found it literally teeming with the bacilli of tuberculosis. He then, with this virus, inoculated three other calves, and the three of them took tuberculosis. With two other lots of three which he inoculated he found the same result. This was the pure virus which was to protect our herds from tuberculosis. There is no wonder that tuberculosis was spread through the colony. Can anything more than that condemn the appointment of men who are incompetent to discriminate between diseases to positions such as these inspectors under the Bill? The insufficiency of care—unintentional insufficiency, I admit—which was taken in the selection of this virus shows the men at whose mercy we shall be placed. That is what I object to in this Bill. By all means let us endeavour to cope with all kinds of disease, though I know that we shall not be able to stamp it out completely. Lots of people do not like to waste a beast that dies on their place. I know that hundreds of beasts are used in that way, but the danger from that source is less than the danger which arises from contamination from human beings. The process of cooking destroys bacilli, if the meat is decently cooked. Of course, people who like to eat their meat half raw must take their chance. I point these matters out because it is just as well to call attention to the fact that a great deal of ignorance prevails with respect to diseases in stock which are supposed to be dangerous to human beings, while in many cases they are not dangerous. I call attention to it also because I wish to emphasise the fact with which I have been made acquainted by reading books written by scientific men and from information supplied by me by men with scientific knowledge that the greatest possible danger of contracting such diseases as tuberculosis arises not from cattle whose flesh, or even whose milk may be used, but from human beings suffering from tuberculosis, and who are allowed to go where they like, and to enter into any business they like.

The Hon. J. THORNELOE SMITH: Would you treat them like lepers?

The Hon. A. NORTON: I would not treat them as lepers. I do not yet know—nor does the Royal Commission which was appointed by the British Government, and which made a marvellously long inquiry into the matter, yet know—how leprosy is passed from one subject to another. Nobody can tell us how cancer is passed from one subject to another. I am afraid I have spoken rather warmly on this subject, but still it is just as well to put the matter straight while you are at it. I have tried my best to learn, as a layman may, something of the means

of distribution of these different diseases, and when we have a Bill of this kind introduced, and we are asked to agree to the appointment of persons who know nothing about these diseases, we run a risk of doing a vast deal of harm. I do not intend to take an active part in getting the Bill thrown out, but I believe it will be ineffective, and that, instead of acting as a preventive of disease, it may have the contrary effect. The effect of passing a Bill of this sort is to lead people to believe that those who pass it and those who administer it understand the subject with which they are dealing, and thus these people are lulled into a sense of security, which is the very thing to be avoided. They ought to be taught that the danger arises especially from the fact that there are persons living amongst them who handle the food they eat and the clothes which they wear, by whom disease in its very worst form may be conveyed to other human beings.

The Hon. A. H. BARLOW: My hon. friend in charge of the Bill wishes me to submit to the House the fact that we are wise in showing the other colonies that we are doing all we can to stamp out disease. He also points out that the 21st section of the Diseases in Stock Act empowers the local authorities to do all these things.

The Hon. A. NORTON: But happily they don't do them.

The Hon. A. H. BARLOW: It is because it is considered that these things should be done that this additional legislation is now introduced. The Bill originated with the resolutions passed at the Rockhampton conference. The happy mean no doubt lies between the views expressed by the two hon. gentlemen who have addressed the House. We must do the best we can. We cannot be sure of everything in this world.

The Hon. A. NORTON: We can be sure of our ignorance.

The Hon. A. H. BARLOW: Because we cannot have experienced veterinary surgeons at every street corner it is no reason why we should not try to stamp out disease. I was only reading the other day that advanced authorities are of opinion that many diseases—notably scarlet fever and smallpox—actually originated amongst the lower animals, and were by them transmitted to the human species. The Hon. Dr. Marks can confirm what I say, or correct me if I am wrong, but I saw the statement in a scientific work. We know very little about these things, and since the microbe theory has been started life has really become a burden. We are beset on all hands by microbes of all descriptions.

The Hon. A. NORTON: But they have always been with us.

The Hon. A. H. BARLOW: Yes, but we were in that state of happy ignorance that we did not know it. I quite understand the objection of stockowners to being molested, but I do not think it is the intention of the Bill or of the Government to molest anyone. All we can do is to do the best we can.

The Hon. C. F. MARKS: What the Hon. Mr. Barlow says is correct. Sheep-pox is practically the same thing as smallpox, and pigs are affected by a disease which is the same as scarlatina, and, so far as we know, it is interchangeable between human beings and pigs. I have no doubt other diseases are the same. Every effort has been made to prove the transmission of some diseases about which we do know something, but without success—such as cancer. Other diseases, which are commonly called cancer, such as actinomycosis, are very

easily communicated to the human species. I entirely agree with the Hon. Mr. Norton in what he has said. An incompetent inspector is a most mischievous person. The whole thing may be made to work well if there are only capable inspectors, but they are not provided for in this Bill. It simply speaks of "an inspector," or a "chief inspector." Most of the inspectors who have been appointed heretofore have been incompetent—men who knew nothing of the diseases which affect stock more than that they could certify whether meat killed at the meatworks was sound. A policeman is the inspector of slaughter-yards, and he can know nothing about it. If the Government would make a further amendment to the effect that the inspectors should be competent it would meet the difficulty. It is agreed that we have not got the supply, that there are only some six or seven veterinary surgeons in the colony. But if occasion for their employment were given the supply would soon be forthcoming. With the offer of a fairly good salary we could get them here by hundreds. Even the salary of those incompetent inspectors if offered to good men at home would be jumped at. We want to show the southern colonies that we are doing our very best to stamp out these diseases. Complaints are made in the old country of the nature of the inspection of meat sent home and certified to be sound. Such inspection does far more harm than good. It would be better to throw this out entirely unless we provide that the inspectors shall be competent persons. And competent persons must be competently educated in this particular direction. Medical men never treat their own horses when they are sick; they always send for a veterinary surgeon, and only veterinary surgeons should be appointed inspectors under this measure.

The Hon. A. J. THYNNE: The principal turn the discussion has taken has been with regard to the appointment of inspectors. There is not a single word in the Bill about that. This is an amendment of an Act passed in 1896, which itself was the successor of a series of Acts passed during the last thirty or forty years in Australia, the object being to enable people to keep their herds as free from disease as they could. They have not succeeded, and I do not suppose they will ever succeed in absolutely keeping their herds, in any colony, absolutely free from disease. It is impracticable. When you get rid of one disease another set of conditions arise under which a new disease may come into existence. But there can be little doubt that the work that has been done during the last thirty-five or forty years under those Acts has been of immense service in this country in the checking of the spread of disease. And that has been done by the class of men spoken of so contemptuously by some hon. members. It was my duty some time ago to consider the question of getting veterinary surgeons for certain work, and when I asked for a list of all who were in the colony at that time, the list supplied to me consisted of seven. That is less than one qualified veterinary surgeon for every million head of cattle in the country, and even then he would have to take charge of some 7,000,000 sheep, besides some millions of other animals which would come within the sphere of veterinary science. And there are very few veterinary surgeons engaged in private practice in the colony to-day. They are not in the country, and we must do the best we can without them. The argument of the Hon. Mr. Norton might be pushed so far as to say, "We will not allow an ambulance man to transfer an accident case unless he is a qualified medical man." You must employ the best men you can get, and if you do the best with the means available you cannot be expected to do more. This Bill is simply an extension of the

Act now in force, and I am very pleased at the Government introducing it. It is one of the most urgent things they have to do. When I was at Rockhampton some time ago on matters connected with the tick districts, I realised then that it was absolutely impossible to check the spread of ticks all over the colony so long as the public roads were allowed to be travelled over by tick-infested stray cattle. They could not help spreading the disease. I attribute the spread of the disease from Rockhampton to Duaringa, to Mount Morgan, and towards Gladstone, and the infection of a large area around Rockhampton, to nothing else than stray cattle. If I had the records here I could convince hon. gentlemen fully of that fact, and that this is one of the most important measures to protect other places. It is too late now for Rockhampton, but the disease is spreading southwards, and let us do what we can to try to prevent its further spread. This Bill does not authorise an inspector to go on to a station or a private holding and seize cattle which he suspects and take them to a pound. It authorises him to impound stray stock. That is the evil to be contended with, and I say it is absolutely necessary for the protection of people to keep their stock within their own boundaries, and take care to avoid the imminent danger of infection by this stray stock. Stray stock ought not to be allowed to poison the herds of the country along the public roads. They are a perfect nuisance, and even if it were for the clause dealing with them alone, I should urge hon. members to support the Bill.

The Hon. A. NORTON: They have the power now.

The Hon. A. J. THYNNE: They have the power of impounding stray stock in certain cases. It was done two or three times at Rockhampton. Stray stock were impounded by the local authorities once or twice. They were released, but it so happened that the pound was infected, and when the stray cattle went back to their original runs they took the disease with them. Under this Bill, if they are infected they would not be allowed to go back. In the case I refer to the poundkeeper had to keep the stock for the required time, and those not claimed were put up for sale, realising 6d., 9d., up to 1s. a head, so that the poundkeeper lost over the transaction, the inspectors were dissatisfied with the result, and the experiment was not repeated. Quite apart from any question connected with New South Wales, but in the interests of our own stockowners, I hope the House will give the Bill its full support. I would mention that there is one class of people very much afraid of this Bill. I speak of the bullock-drivers. With regard to them, I know that in one district they are very much alarmed that they may be deprived of their means of living when they turn their cattle out. Still I cannot see why on that account the Bill ought to be rejected; but I would urge upon the Government, if the Bill becomes law, as I presume it will, that they should take some special measures in districts where men are engaged in timber-getting and work of that kind, so as to prevent its being any oppression upon them. Of course, if ticks break out amongst their animals, they must put up with the loss the same as other people; but where that is not the case men employing cattle under such very exceptional circumstances should receive great attention and be treated with every consideration.

Question put and passed; and the committal of the Bill made an Order of the Day for Tuesday next.

The House, at a quarter to 5 o'clock, adjourned till Tuesday next.