

## 6. Rebuilding a Reputation

In 1850 Edward M. Curr was the head of a family pastoral empire covering 300 square miles of prime land yielding £2,000 per annum. His father was a prominent businessman and politician in Melbourne and the Curr name was well known in the newly independent Colony of Victoria. A decade later he was reduced to the necessity of accepting a salaried position with the Victorian Government to support his growing family. His subsequent career was undoubtedly a notable one and provided him with ample income; nevertheless, the painful reality of financial loss and squandered opportunities seems to have shaped his worldview. It also appears to have influenced the tone of *Recollections of Squatting in Victoria*, where it takes the form of a barely disguised nostalgia for the 1840s.

Curr regret at his financial misfortune is more explicit in a private memoir, which he dictated to his daughter Ela in 1877 and titled 'Memoranda Concerning Our Family'. A prominent theme was lost riches, as Curr outlined four occasions when circumstances conspired to deny his family a fortune. The first was his grandfather's £30,000 investment, which was squandered in 1823 by a financially illiterate French priest. The second was his father's costly dedication to the cause of Separation for Victoria. The third was the premature decision of his brother and mother to sell the family's squatting runs in 1852. Finally, Curr described the ruinous drought on the Lachlan River in 1861.

Curr's career as a stock inspector, which lasted from 1862 until his death in 1889, was the means by which he rebuilt his reputation after his failure at Uabba. It was by any measure a distinguished career, but perhaps one that Curr never anticipated. When dictating his memoir to his daughter, Curr clearly still felt pangs of regret when he remembered what might have been. His loss of socio-economic status could only be remedied by his commitment to a new career and a belief in his abilities. By the mid-1870s Curr was a senior public servant on a high salary and was able to give his children a quality education. Nevertheless, he was not a man of independent means; rather, his return to prominence after the nadir of 1861 was due to his success in the public service and his emergence as a talented writer.

Edward and Margaret Curr made their new home at 6 Chambers Terrace, Prahran, which was situated on Gardiner's Creek Road (now Toorak Road) near its intersection with Chapel Street. Mabel Curr was born in December 1861 and four more children, Ela, Justin, Hubert and Ernest, followed over the next decade. After the disastrous drought at Uabba, Curr sought a short-term solution to his financial woes: 'Having about £350 in hand, and no more, I invested £300

in horses which I took to New Zealand clearing £300 by the transaction.<sup>1</sup> His expertise with horses was further evident in his literary activities over the next few years. Curr had returned to Melbourne in the aftermath of the disastrous Burke and Wills expedition. In January 1862 an extensive debate raged in the pages of the *Argus* about the future of Australian exploration and Curr was a key contributor. He supported the common view that previous explorers had been poorly qualified for the task allocated them. Importantly, for Curr, a lack of bush experience was a hindrance to most expeditions: 'Mitchell, Sturt, Burke and Grey, were soldiers and Government officers, Leichardt a foreign savant, and Gregory no bushman.'<sup>2</sup> Curr argued that the men best suited to exploration were the squatters, particularly those (like himself) with experience in remote areas. Australian exploration had been only modestly successful, Curr continued, because colonial administrators were inclined to appoint government officials to the task. Curr recalled his own experience as a squatter to argue his point:

If I recollect the days of my boyhood right, I think I used now and then to sally out for three or four weeks on a hunting spree into the unoccupied country. Perhaps I took five pounds of flour with me, and with my rifle, horse, and tomahawk wandered off 150 or 200 miles. Somehow I always got back fat and well ... and yet the blacks were fierce and numerous. For the life of me I can not see what should prevent two bushmen 'to the manner born,' with two horses each, or at most three, and what they could well carry, riding to Carpentaria and back again, if they met such country as Burke passed through.

Although the 'outside squatters' were more likely to succeed in exploration, it was unlikely, Curr opined, that they would abandon their business pursuits in favour of exploration: 'in this money making land, no sufficient inducements have been held forth to tempt them to offer themselves for work'.<sup>3</sup>

Curr confidently continued his treatise in three more letters to the *Argus*.<sup>4</sup> A key argument concerned the appropriate use of horses, which he explored in considerable detail in his third letter:

The position I take up is, that the losses in horseflesh experienced by explorers is capable of a very great reduction; that a proper selection and management of their horses would enable explorers in a journey

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1 Edward M. Curr, 'Memoranda Concerning Our family' (1877), SLV, MS 8998. See also E.M.V. Curr, 'Memoir' (1872), Murrumbogie Papers.

2 Edward M. Curr, 'Letter to the Editor', *Argus*, 6 January 1862: 6.

3 Edward M. Curr, 'Letter to the Editor', *Argus*, 6 January 1862: 6.

4 Edward M. Curr, 'Letters to the Editor', *Argus*, 10, 16, 17 January 1862.

extending over months to perform something like double the distance usually accomplished, and that the dangers, failures, and expenses of the work would be very much lessened.<sup>5</sup>

His argument was in fact the prelude to a full-length book, which he likely spent much of the next year preparing. On 16 June 1863 the *Argus* announced the publication of *Pure Saddle Horses and how to breed them in Australia: together with a consideration of the history and merits of the English, Arab, Andalusian, & Australian breeds of horses*.<sup>6</sup> In its preliminary review of Curr's book the *Argus* immediately identified the key contention, even if it misspelt Curr's name: 'In the controversy between the Arab and the English horses, the coursers of the desert have found an able and enthusiastic champion in Mr. Edmund M. Curr.'<sup>7</sup>

In the 1860s there was growing concern among pundits in the horse industry that breeding practices were biased towards English thoroughbreds; as a result, reliable weight bearing horses were becoming scarce. The strong demand in India for saddle horses had elicited calls from many to introduce more Arab blood into breeding programs. Curr became a leading voice in this campaign, arguing that Australian breeders should favour Arab sires rather than English thoroughbred stallions. He contended that English thoroughbreds were bred and trained exclusively for racing and were poorly suited to general work. Furthermore, over a period of 200 years or more, the thoroughbred had been acclimatised to cool English weather, which often left it wanting in the hot Australian climate. In its review of *Pure Saddle Horses*, the *Argus* explained the key deficiency of the thoroughbred compared to its Arab competitor: 'To run two or three miles at top speed, at an early age, is the end for which the English blood-horse is destined from his birth.' In contrast, the *Argus* continued: 'The Arab horse has ... been made to attain the highest perfection, as a saddle horse.'<sup>8</sup>

In his preface to *Pure Saddle Horses* Curr described himself as one who had 'never backed, entered, or ridden near a racer on the turf, and who yet ventures to differ in opinion with many received authorities on the subject of the horse in general'.<sup>9</sup> He argued that the success of the English racer and hunter had encouraged English writers 'to claim a superiority for their saddle-horses over many others, which I have no hesitation in saying exists only in their imaginations'.<sup>10</sup> For this reason Curr confidently announced that he intended to plead 'the cause of the Eastern horse'.<sup>11</sup> He was not ill-qualified to offer a treatise on this topic: in 1860 he was awarded a prize of £100 offered by the

5 Edward M. Curr, 'Letter to the Editor', *Argus*, 16 January 1862: 6–7.

6 Curr 1863.

7 'Book Review, Pure Saddle Horses', *Argus*, 16 June 1863: 4–5.

8 'Book Review, Pure Saddle Horses', *Argus*, 16 June 1863: 4–5.

9 Curr 1863: v.

10 Curr 1863: vi–vii.

11 Curr 1863: viii.

British Government for the best essay on the breeding of horses for India.<sup>12</sup> Nevertheless, Curr felt the need to justify his foray into the theory of horse breeding, insisting that his views were based on personal experience: 'They are, indeed, the results of much sweat and long journeys, weary miles, painful roads, and worn-out spurs: intimacy with many who have lived in the saddle: – and the experience of the horses of many countries.'<sup>13</sup>

Curr believed his breadth of experience with horses, particularly in the Australian colonies, justified his assault on the established traditions of English horse breeding. He found support from the *Argus*, which published an extensive and favourable review.<sup>14</sup> An spirited debate ensued, featuring both praise and ridicule for Curr's position. Among the critics, an English writer using the pseudonym 'Cobb and Co.' argued that Curr had misrepresented prevailing English views on horse breeding in order to strengthen his own argument in favour of Arab techniques.<sup>15</sup> Another letter attributed to 'C.H.L.' suggested that Curr's plan was impractical, to which Curr responded provocatively by accusing his critic of reading *Pure Saddle Horses* 'only cursorily'.<sup>16</sup> The squabble soon degenerated into tedious repetition and trivial technicalities; as Margaret Kiddle has insightfully argued of Curr, 'he loved controversy and revelled in scoring off enraged opponents'.<sup>17</sup>

Curr certainly anticipated that his support for Arab stallions and Eastern training techniques he would provoke the ire of those convinced of the superiority of the British in all things. Towards the end of his book he had written:

It is of little consequence that what I have proposed is new if it be reasonable, advantageous and practicable. What if it be against the practices of England? It accords with usage still more ancient and general ... Many new things, and simple and useful, have come to us from the barbarous and the uncivilized.<sup>18</sup>

Curr's book asserts his status as an educated gentleman of wide experience: a pastoralist with practical knowledge, but also a traveller with an intimate understanding of exotic lands. In the full title of his book, Curr announced his intention to compare the horses of four diverse regions. The book thus served

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12 *The Herald* (Melbourne), 22 July 1921.

13 Curr 1863: 298–299.

14 'Book Review, *Pure Saddle Horses*', *Argus*, 19 June 1863: 5.

15 Cobb and Co., 'Mr. Curr's strictures on English horses and authors thereon', *Argus*, 4 December 1863: 7.

16 C.H.L., 'Letter to the Editor', *Argus*, 14 July 1863: 6; Edward M. Curr, 'Letter to the Editor', *Argus*, 20 July 1863: 7.

17 Kiddle 1967: 383–384.

18 Curr 1863: 297–298.

to bolster his status as an educated travelling gentleman. His apparently open-minded attitude to the merits of techniques derived from the 'barbarous' and 'uncivilised' Arabs supported this view.

Curr's advice to Australian horse breeders was never entirely adopted, although some Arab stallions were imported to Victoria over ensuing decades. According to Kiddle, the quality of horse breeding in Victoria improved markedly after the 1860s, but not due to any significant injection of Arab blood: 'The emphasis remained on the English stud book, but more discrimination in breeding was used.'<sup>19</sup> Despite courting controversy (or perhaps because of it) *Pure Saddle Horses* was a modest success. It can only have added to Curr's reputation as a man of ability and contributed to his subsequent success as Victoria's Chief Inspector of Stock. It was also an early sign of his literary ability. Significantly, Curr remained an occasional *Argus* correspondent for the rest of his life. He wrote on various topics, always cultivating a persona that combined extensive bush experience with an advanced education and marked literary ability.

## The Scab Act

Despite the success of *Pure Saddle Horses*, Curr was still constrained by financial reality. In November 1862 he abandoned his eight-year-long quest to re-establish himself as a colonial landholder and commenced employment as an Inspector of Sheep for the Victorian Government on a salary of £350 per annum. He was appointed Inspector of the Melbourne District, which meant he could live with his family in Prahran, although he must have travelled frequently. In his new job, Curr joined several other inspectors appointed under the recently revised 'Scab Act'.<sup>20</sup>

Sheep diseases such as scab and catarrh were deemed sufficiently perilous to the Australian economy that colonial governments passed various regulations attempting to control them. Early versions of the Scab Act had simply attempted to control the movement of scabby sheep, in order to minimise the spread of the disease. In 1861 the O'Shanassy Government in Victoria introduced a new bill, based largely on South Australian legislation, which attempted to tackle the disease more directly. The Legislative Assembly was told that 'a small but gradually increasing penalty would be enforced against those who would not take the trouble to see that their sheep were properly attended to, and kept clean'.<sup>21</sup> The new Scab Act relied strongly on the cooperation of sheep-owners

19 Kiddle 1967: 383–384.

20 *An Act to repeal the Act intituled "An Act for preventing the extension of the Disease called Scab in Sheep" and to substitute the provisions in lieu thereof 1862*, (Victoria).

21 Victoria, *Parliamentary Debates*, Legislative Assembly, 25 October 1861, Volume 8, 207.

and was modest compared to subsequent legislation; nevertheless, it represented a significant increase in government intervention in the pastoral industry. In 1862 some members of the Legislative Council expressed a concern that too much power would be invested in the sheep inspectors, who would need to be well paid men of high integrity in order to avoid corruption.<sup>22</sup> The Scab Act became law in June 1862.

Curr had substantial experience with this problematic and expensive disease. One of his first tasks as a young squatter had been 'helping to dress the sheep for scab and foot-rot'.<sup>23</sup> Regulations controlling the movement of scabby sheep were weak in 1841; consequently, Curr did not encounter any difficulties when he moved his father's diseased flock from Wolfscrag to Tongala in 1841: 'the country between the two places being unoccupied, I took it for granted that the "Scab Act" offered no obstacle to the removal of my flocks in the proposed direction'.<sup>24</sup> Scab was an ongoing problem for the pastoralists of the 1840s, and Curr's extensive experience with sheep surely recommended him to the new position he accepted in November 1862.

Curr took his role seriously and wrote regularly to the chief secretary's office with questions, reports and advice. It is clear that his enthusiasm for the job was noticed, even if his frequently verbose communiqués appeared unnecessarily detailed to the chief secretary. In January 1863 he wrote to his employer describing a common practice among stockowners in his district, which he believed was contrary to the provisions of the Scab Act. Although Curr's letter spanned several pages, the chief secretary's brief instruction to his clerk, scribbled on the back of the letter, simply stated: 'I hardly think the Inspector requires any special instructions in such cases. The law provides the remedy.'<sup>25</sup>

Curr's official reports reveal a confidence in his own abilities and a belief in his prospects for promotion. On 30 January 1863, for example, he wrote a long letter offering various suggestions for changes to the Scab Act. Not insignificantly, he also lobbied for higher pay; he noted that the low salaries paid to the inspectors was 'a subject of constant remark by persons connected with sheep' and further observed that the issue was 'gradually finding its way into the public papers'. Curr argued the salary did not take into account the significant expenses incurred by the travelling inspectors: 'Hence at present I do, not what is to be done, but what I can afford to do.'<sup>26</sup> Importantly, Curr highlighted that he had the support of many larger sheep-owners, some of whom had offered to pay his

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22 Victoria, *Parliamentary Debates*, Volume 8, 750–751, 905.

23 Curr 1883: 45.

24 Curr 1883: 69.

25 Edward M. Curr to the Chief Secretary, 23 January 1863, PROV, VPRS 1189/P0, Unit 681.

26 Edward M. Curr to Chief Secretary, 30 January 1863, PROV, VPRS 1189/P0, Unit 681.

travel expenses to help him attend their locality. Curr soon secured an increase in his salary to £500 per annum, which would surely have been welcome after his recent financial failures.<sup>27</sup>

In December 1863 Curr wrote again to the chief secretary with suggestions and advice. He was motivated by a belief that momentum for change was gathering following the formation of the new McCulloch Government in June. Curr advocated more changes to the Scab Act, mostly related to stronger enforcement and increased fines; he insisted that 'the real difficulty for sheep-owners at this moment is not to effect a cure of scab, but to guard against reinfection from neighbouring flocks'. He was beginning to formulate a view that quarantine of one form or another was the primary solution to the ravages of stock diseases. On the question of scab he took a very hard line, demonstrated most clearly by his suggestion of a £200 fine for the possession of even one scabby sheep. It was an attitude that would make him unpopular among many sheep-owners, particularly those with smaller flocks, but he believed that 'one scabby sheep is like one spark of fire'.<sup>28</sup>

By April 1864 the political will for changes to the Scab Act had strengthened, so Curr once again offered his advice to chief secretary James McCulloch in an extensive 19-page letter. He justified his unsolicited advice in another letter the following day: 'The kindness and patience you have always shewn in listening to what I have had to say on this subject, must be my excuse for troubling you on this occasion, unasked, with my opinions.'<sup>29</sup> Some of Curr's recommendations were adopted in the subsequent legislation, but it would be several years before his more radical suggestions gained widespread support. In the meantime, his persistence in advocating reform won him a promotion.

In May 1864 the McCulloch Government rushed through parliament the 'Diseases in Animals Prevention Bill'. The new legislation consolidated various statutes relevant to animal diseases (including the Scab Act), but also signalled a more prominent role for the sheep inspectors. The government increased their number from seven to 11 and created the new position of Chief Inspector of Sheep. Not surprisingly, Curr was appointed to this office on 17 May 1864. It appears Curr had a very positive relationship with James McCulloch, which might explain his success during McCulloch's reign as premier and chief secretary. In his new role Curr acted as an intermediary between the district inspectors and the chief secretary.<sup>30</sup> It was largely an administrative position, so Curr was provided with

27 Curr, 'Memoranda Concerning our Family' (1877), SLV, MS 8998.

28 Edward M. Curr to Chief Secretary, 4 December 1863, PROV, VPRS 1189/P0, Unit 681.

29 Edward M. Curr to Chief Secretary, 5 and 6 April 1864, PROV, VPRS 3991/P0, Unit 55.

30 Instructions to Chief Inspector of Sheep, 26 May 1864, PROV, VPRS 3991/P0, Unit 56.

office accommodation in the old treasury building in Queen Street.<sup>31</sup> He was given special responsibility for overseeing 'all prosecutions under the Act and all appeals arising out of them'. His salary was raised to £700 per annum, double the income he received when he began his employment 18 months earlier.

Curr soon asserted power over his subordinates. In September 1864 he recommended the dismissal of Inspector Jones (a 'confirmed drunkard') and also reported Inspector James Riley for disobedience.<sup>32</sup> Riley was the inspector for the Melbourne District and presumably had regular contact with his new superior officer. Curr accused him of a 'systematic refusal ... to carry out instructions' and implied that Riley resented the new power Curr had over him.<sup>33</sup> Curr subsequently accused Riley of 'insinuations of an insulting character' and suggested to the chief secretary that 'Mr Riley is unfitted for an Inspector of Sheep'.<sup>34</sup> Despite Curr's complaints, Riley retained his position as the Inspector of Sheep for the Melbourne District and later acted as chief inspector in Curr's absence.<sup>35</sup>

During the early period of his administration, Curr provoked the ire of a judge of the Kilmore County Court, before whom he had appeared while prosecuting a scab case in April 1864. Judge Skinner had quashed an earlier conviction, arguing the law did not require a three-shilling fine for every head of sheep enclosed on a run where scabby sheep were known to be.<sup>36</sup> In September, Inspector Spurling reported to Curr a subsequent outburst by the judge in Bendigo:

His Honor Judge Skinner made the following observations. "These Scab Cases are generally got up in a very loose manner, I must say you [Inspector Spurling] have taken more trouble in this than your Chief [Curr], for he appears to be too much of a Gentleman to get off his Horse, or to dirty his hands."

Judge Skinner referred to the earlier case in Kilmore, when Curr had suggested that, if the land between Melbourne and Kilmore were unfenced, the 20,000 sheep in the area would effectively constitute one flock. Justice Skinner wryly observed: 'Mr Curr might as well say all the Geese on the swamp between Kilmore and Melbourne were one Flock and himself the greatest Goose amongst them.'<sup>37</sup>

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31 Edward M. Curr to Chief Secretary, 11 June 1864, requesting his new work address be gazetted, PROV, VPRS 3991/P0, Unit 56.

32 Edward M. Curr to Chief Secretary, 7 and 26 September 1864, PROV, VPRS 3991/P0, Unit 57.

33 Edward M. Curr to Chief Secretary, 26 September 1864, PROV, VPRS 3991/P0, Unit 57.

34 Edward M. Curr to Chief Secretary, 10 October 1864, PROV, VPRS 3991/P0, Unit 57.

35 James Riley to Chief Secretary, 6 July 1868, PROV, VPRS 3991/P0, Unit 362.

36 'A scab case at Kilmore', *Argus*, 28 April 1864: 5.

37 Inspector Spurling to Edward M. Curr, 8 September 1864, PROV, VPRS 3991/P0, Unit 56.

Curr promptly complained to the chief secretary. He noted that he had not met Judge Skinner until he appeared before him six months earlier, but that he had since received 'a hostile and verbal message' from the judge. Curr was clearly outraged by the judge's remarks, but the chief secretary was reluctant to intercede: 'I cannot call a Judge to account summarily for every rude or splenetic expression which may escape him from the Bench.'<sup>38</sup> It is hard to say what was behind the animosity of a judge and at least one junior employee towards Curr. One might speculate that there was a sectarian motivation, fuelled by simple prejudice against Curr's Catholicism and displeasure at his rapid elevation in the public service. More likely, it would seem that Curr inherited some of the imperious manner for which his father had been renowned, which, when directed at an equally imperious judge, was bound to cause offence.

Despite all this, by 1864 Curr had established himself as the leading thinker on the problem of scab in the colony of Victoria. This was confirmed when he was awarded a £150 prize for an essay on the subject. In 1865 the Victorian Government published *An Essay on Scab in Sheep: Its Causes, Symptoms, Pathology, Best Means of Treatment, and Practical Hints for Its Avoidance and Extermination, Etc.* Curr impressed upon his reader the economic importance of the issues he addressed; namely, that scab in sheep was causing the loss of 'one seventh of the whole revenue' of the Colony of Victoria.<sup>39</sup> Much of the essay outlined the accepted wisdom on treating scabby sheep, but the more controversial passages concerned the best method for eradicating the disease altogether. This was a matter that, as Curr put it, 'trenches on, and interferes with, the freedom of action of the individual sheep owner'. He explained that his solution involved 'restrictions and penalties ... surveillance and coercion'; the legislation he proposed would affect some individuals greatly, but was 'for the benefit of the entire body of sheep-owners'.<sup>40</sup> There is no doubt that the significant power Curr already enjoyed in his role as chief inspector provoked resentment from those who abhorred government interference in private enterprise. Yet Curr was quite willing to justify 'the interference of our legislators with our flock-owners', arguing that the economic loss made the matter one of 'national importance'. He contended that with the proper powers of legislatively backed intervention, scab could easily be eliminated throughout Victoria.<sup>41</sup>

In putting forward his case, Curr reviewed the limited success of the 1862 Scab Act under which he was first appointed. He remarked that while the disease might have reduced in frequency, its complete eradication had not been achieved in any district. He attributed the failure of the 1862 Act to several factors, the

38 Edward M. Curr to Chief Secretary, 9 September 1864, PROV, VPRS 3991/P0, Unit 56.

39 Curr 1865: 6, emphasis in the original.

40 Curr 1865: 28.

41 Curr 1865: 29.

most notable being: 'The attempt to clean the whole country at once, and to accomplish at a blow, what can only be effected by degrees.'<sup>42</sup> Curr advocated a staged approach, which involved the classification of sheep flocks and of scab districts as clean, scabby or *doubtful*. This third category was crucial to Curr's approach of risk management, which was made necessary by the elapse in time from sheep being infected with scab and symptoms becoming apparent.

Curr's systematic approach was to begin at the colony's northern and eastern extremities, where large areas were already free from scab. He proposed that the boundaries of these 'clean' districts might slowly be extended towards Melbourne. This would have the least detrimental effect on the income of the colony's sheep-owners, as it would not prevent those in scabby districts from taking their sheep to the market in Melbourne for sale. Clean districts, which would require restrictions on the travel of flocks and provisions for quarantine, would be less disruptive to the pastoral economy if they commenced at the periphery and slowly converged on the commercial centre in Melbourne. The 'doubtful' districts, which bordered the clean districts in the north and east, would be subject to the most intrusive aspects of Curr's proposed regime. Here the sheep inspectors would have considerable power: to fine those not cooperating with the Scab Act; to quarantine stations until they were deemed clean; and to destroy sheep 'which the owner cannot or will not cure'.<sup>43</sup> As logical as it sounded in theory, Curr's proposal was always going to be hard to sell. In his essay, he suggested that opposition from sheep-owners would be inevitable with 'approval only gradually growing out of fortunate results'.<sup>44</sup> Curr's major task as Chief Inspector of Sheep was, therefore, to build a consensus around his proposals for the eradication of scab.

An important step towards this goal was a two-day meeting of flock-owners in February 1866. Curr chaired the meeting and attempted to convince those present of the wisdom of his views. He remarked that when his *Essay on Scab in Sheep* was printed in 1865 'a large number of sheepowners were diametrically opposed to the suggestions it contained', but in subsequent conversations 'scarcely one' had disputed the validity of his arguments.<sup>45</sup> Curr condemned the Scab Act as 'almost useless' and said that his plan had been approved by the owners of between three and four million sheep. There was some opposition, principally from those who perceived they would be disadvantaged, but by and large Curr's ideas were endorsed.<sup>46</sup> Nevertheless, it would take another three years before the parliament was willing to adopt Curr's plan.

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42 Curr 1865: 30.

43 Curr 1865: 37.

44 Curr 1865: 38.

45 Report on Meeting of Sheep Owners, 5 and 6 February 1866, 'The Scab Act', *Argus*, 7 February 1866: 5.

46 The proposals were published in the *Economist*, 16 February 1866. See also Edward M. Curr to Chief Secretary, 25 July 1866, PROV, VPRS 3991/P0, Unit 215.

Meanwhile, controversy and suspicion continued to surround the powers that Curr and the other sheep inspectors already exercised. This all came to a head in 1869 when Curr's office was charged with the illegal destruction the previous year of 7,000 sheep at a station called 'Rigby Downs'. The sheep, which were *en route* to South Australia, were alleged to be scabby, but there was some confusion as to whether the entire flock was affected, or just one straggling sheep. An order for their destruction was issued by the Attorney General and subsequently withdrawn, but the slaughter proceeded in February 1868. The controversy that embroiled Curr's department was politically charged due to the critical involvement of the Attorney General, G.P. Smith.

In August 1869 the *Argus* observed that 'the precipitancy of the Attorney-General ... will cost the country something', and reported that the plaintiffs had successfully sued the Chief Inspector of Sheep for damages of £1,277 (4 shillings per head).<sup>47</sup> Curr challenged the ruling but was unsuccessful. Meanwhile, the local inspector, Mr McRae, was blamed for the illegal slaughter by the findings of a board of inquiry that was ratified by the Attorney General. It appeared that Curr had escaped any repercussions until Smith, who was under pressure to justify his own actions, suggested in parliament that Curr was ultimately to blame. An *Argus* correspondent wrote on 16 December 1869: 'The ex-Minister distinctly admitted that the person to blame for the ovine holocaust at Rifle Downs in March last year was the Chief Inspector and not Mr. McCrae, his subordinate.'<sup>48</sup> Curr defended himself in a report to parliament where he explained that he 'was necessarily guided by the very peremptory instructions he received from Mr. Smith' and that he had 'pointed out to him the unadvisability [sic] of the course he was directed to pursue'.<sup>49</sup> The whole episode was no doubt an unwelcome distraction in a period when Curr was lobbying for expanded powers under the Scab Act. Despite all the controversy, however, Curr's long-term quest for more intrusive legislation was soon achieved.

In 1870 the Scab Act was finally amended in line with Curr's 1865 essay. As the *Australasian* later described, the new legislation gave the chief inspector wide-ranging powers, including the ability to frame regulations without consulting the parliament: 'The act was, indeed, almost a skeleton, to be filled up and worked at the instance of the department concerned by means of regulations.' The newspaper insisted that Curr exercised these extensive powers 'for the benefit of the classes most deeply concerned'.<sup>50</sup> His plan was successful and the

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47 *Argus*, 3 August 1869: 5.

48 F.H. Nixon, 'Letter to the Editor', *Argus*, 17 December 1869: 5.

49 *Argus*, 22 December 1869: 5.

50 'Obituary: Edward M. Curr', *Australasian*, 10 August 1889: 293.

Colony of Victoria was officially declared free of scab on 6 June 1876. It was an achievement of major economic importance to the colony and certainly cemented Curr's reputation as a man of considerable ability and public importance.

## Chief Inspector of Stock

In June 1872 an outbreak of foot-and-mouth disease (FMD) was discovered near Werribee, in what has been described as 'the most serious incident' of its type in Australia.<sup>51</sup> Two separate farms were involved (belonging to Mr Bowman and Mr Cobbledick) and the disease was stamped out only after the destruction of 122 cattle, 71 pigs and 14 sheep. At the time, there was no legislative framework for dealing with diseases in cattle or pigs. Due to the serious nature of the disease, government intervention was swift and Curr played a crucial role. He first visited the affected farms on 8 June 1872 as part of an official party of three appointed by the Commissioner for Trade and Customs, William Vale. He was joined by a veterinary surgeon and a stockowner with experience of the disease; all agreed it was a case of FMD. The parliament passed temporary legislation on 11 June and established a Royal Commission on Foot and Mouth Disease.



**Figure 15: E.M. Curr (1872). Thomas Foster Chuck.**

Photograph. State Library of Victoria, H5056/235.

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<sup>51</sup> Bunn, Garner and Cannon 1998.

On 12 June 1872 Curr returned to Bowman's farm with two more veterinary surgeons, both of whom confirmed the diagnosis. Acting under instructions from the Minister, Curr immediately shot 64 cattle with the assistance of a policeman. One of Curr's subordinates, Inspector John Kerr, then proceeded to Cobbledick's farm and destroyed 58 cattle and 37 pigs. Because Curr was instructed to destroy the animals immediately, proper disposal of the animals was made extremely difficult. The carcasses at Cobbledick's farm were burned, while those at Bowman's farm were buried. Curr reported to the Royal Commission on 20 June 1872 that the disposal of the cattle he shot at Bowman's farm was only possible because of the cooler winter weather: 'In summer men could not be induced by money to work amongst cattle so long dead; it is a question with me if men could work amongst them and live.' Curr noted he was only able to enlist support 'by leading the way myself and giving them grog'.<sup>52</sup> The hideous task of disposing of the rotting carcasses motivated Curr to delay killing the pigs on Bowman's farm: 'I should have done so at once, but they were all in styes, and the cattle were so putrid that I didn't like to add to the stench that was there'.<sup>53</sup>

In its interim report, the Royal Commission recorded its thanks 'to Inspectors Curr and Kerr for their active cooperation'.<sup>54</sup> Curr was again commended in the final report. In fact, the FMD outbreak provided the impetus for an expansion of his role and a further increase in salary. Curr was asked during the Royal Commission if it was necessary to delegate him further powers, to which he responded: 'If I am to look after the cattle and other stock, I think it would be desirable that I should be, as inspectors in the neighbouring colonies are. At present I am in a false position altogether.'<sup>55</sup>

The FMD outbreak had coincided precisely with a change of government in Victoria, following a vote of no confidence against Charles Duffy's liberal administration on 10 June 1872. The first action of the new James Francis Government was the temporary legislation it passed in response to the FMD outbreak. It subsequently introduced the more comprehensive 'Diseases in Stock Bill', which consolidated government legislation relating to scab, catarrh and pleuro-pneumonia, and added new provisions for foot-and-mouth disease.<sup>56</sup> As a result of this legislation, in January 1873 Curr was promoted to the new position of Chief Inspector of Stock and his salary was raised to £750 per annum, which made him one of the highest paid public servants in Victoria. Curr's promotion also corresponded with the creation of Victoria's first Department of Agriculture in 1872. The closer settlement that followed the land acts of the

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52 Royal Commission on Foot and Mouth Disease, 'Progress Report of the Commission, with Minutes of Evidence' in Victoria, *Votes and Proceedings of the Legislative Assembly*, 1872, 3 (58), 814.

53 Royal Commission on Foot and Mouth Disease, 'Progress Report', 809.

54 Royal Commission on Foot and Mouth Disease, 'Progress Report'.

55 Royal Commission on Foot and Mouth Disease, 'Progress Report', 823–825.

56 Victoria, *Parliamentary Debates*, Volume 15, 1160.

1860s justified an increase in government regulation of pastoral and agricultural matters. As the Chief Inspector of Stock, Curr held the most important position in the new Department. As late as 1884 his salary remained significantly higher than that of any other employee (the Secretary received only £516 per annum).

Curr remained Chief Inspector of Stock from 1873 until his death. Throughout his career he was a prominent voice in debates about the prevention of animal disease and the framing of quarantine laws and regulations throughout the Australian colonies. In November 1874 he attended an intercolonial conference for stock inspectors, at which the New South Wales delegate, Alexander Bruce, attempted to establish a consensus around quarantine measures for animal imports. While an uncontrolled outbreak of foot-and-mouth disease was greatly feared, Bruce was prepared to accept that complete prohibition of livestock imports was impossible. As J.R. Fisher has explained, Bruce proposed 'a system of discretionary prohibition based on information of disease status and supplemented by a lengthy quarantine period'.<sup>57</sup> Curr proved to be the principal barrier to an agreement; he proposed that imports from Britain be prohibited until that country was declared free of any infectious or contagious disease.<sup>58</sup> Fisher has argued that Curr's intransigence was partly influenced by 'tensions over intercolonial trade',<sup>59</sup> but Curr's record would suggest his objection was based on a more principled opposition to the compromise Bruce proposed. As Curr had already shown in relation to his program for the eradication of scab in sheep, he was willing to countenance extreme measures. For the rest of his life he consistently advocated a complete ban on the importation of livestock into Australia.

In 1877 Curr told the National Agricultural Society of Victoria that the quality of stock in Australia was so high that 'fresh importations were not needed'. According to the *Argus*, he stressed 'the difficulty of detecting disease in stock and the almost certain failure of any kind of quarantine regulations to prevent the introduction of disease'.<sup>60</sup> Curr was motivated to speak out on the issue by the news that New South Wales, Queensland and Western Australia were all considering lifting the ban on livestock imports from Great Britain. He mounted an argument against the superiority of English breeds that was reminiscent of *Pure Saddle Horses*, published 14 years earlier:

Let breeders remember that there is no magic about English stock, no particular aboriginal breed of exceptional quality in Great Britain, no

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57 Fisher 2000: 480.

58 Conference of the Chief Inspectors of Stock for the Several Australian Colonies, 'Report, Minutes of Proceedings, Resolutions, etc.', in Victoria, *Papers Presented to Parliament by Command*, Session 1875–6, Vol. 2: 4, 10.

59 Conference of the Chief Inspectors of Stock, 'Report, Minutes of Proceedings, Resolutions, etc.'

60 Edward M. Curr, 'The importation of live stock into Australia' (Paper delivered to the National Agricultural Society of Victoria, 18 September 1877), reported in the *Argus*, 19 September 1877: 5.

specially favourable circumstances of nature even ... Foreign animals are a drawback to breeding, not needed; and if they come, they will in the future, as in the past, bring disaster with them.<sup>61</sup>

Nearly a decade later Curr was still struggling to win support for prohibition over quarantine. In June 1886 he attempted to convince the Council of the National Agricultural Society to support common legislation for the whole of Australasia, which would permanently prohibit the importation of livestock from other countries.<sup>62</sup> Later that year he attended another Stock Conference in Sydney where he proposed a motion 'that the introduction of all bovine, ovine, equine, porcine, feline and canine animals should be prohibited, except for the purposes of zoological gardens'.<sup>63</sup> Curr's motion was rejected and the meeting eventually adopted a proposal to lift prohibition and introduce a rigorous quarantine program. The *Argus* was supportive of the measure and quite critical of Curr's resistance:

The Victorian inspector of stock had the honor of leading off the discussion, a concession due to his age, his experience, and his enthusiasm. Mr. Curr was as vigorous, as eccentric, and as absurd as ever. The idea that England possesses all the excellencies in stock is described by him as 'a tradition.'<sup>64</sup>

Not to be cowed, Curr told the *Argus* that prohibition had only been lifted with the support of two veterinary delegates, who, Curr argued, would benefit financially from renewed stock importation and the system of quarantine that accompanied it.<sup>65</sup> Prominent Victorian pastoralist Thomas Shaw also jumped to Curr's defence, objecting to the sarcastic tone of the *Argus*:

The sheep-farmers of this colony owe an eternal debt of gratitude to our chief inspector for his vigorous eradication of scab from our flocks. At first I was inclined to rebel against his clean and unclean districts, and his determined plans of removing that costly disease from our midst, but soon I saw that we were on the right track, and, thanks to the indomitable perseverance, and, if you will, 'eccentricity' and 'absurdity' of Mr. Curr, this colony was soon a clean one, and we have been a model to other colonies and countries.<sup>66</sup>

Curr's attitudes to stock importation, quarantine and horse breeding were certainly controversial, resisting, as they did, the common Victorian belief

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61 Edward M. Curr, 'The importation of live stock into Australia', in *Argus*, 19 September 1877: 7.

62 *Argus*, 9 June 1886: 5.

63 *Argus*, 22 October 1886: 4.

64 *Argus*, 22 October 1886: 4.

65 Edward M. Curr, 'Letter to the Editor', *Argus*, 30 October 1886: 11.

66 Thomas Shaw, 'Letter to the Editor', *Argus*, 11 November 1886: 8.

in the superiority of all things British. He clearly believed that the validity of his arguments was obscured by prejudice. The *Argus* perhaps justifiably pointed to Curr's enthusiasm, vigour and eccentricity; his views and theories were always keenly argued, even if many were ultimately rejected. His greatest achievement as Victoria's Inspector of Stock was undoubtedly the eradication of scab. Veterinary scientist P.J. Macwhirter has described Curr's *Essay on Scab in Sheep* as a key breakthrough, which contributed to a paradigm shift in theories of contagious animal diseases in Australia.<sup>67</sup>

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67 Macwhirter 1997: 515–519.