

(No. 46.)



1870.

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T A S M A N I A.

LEGISLATIVE COUNCIL.

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SCAB ACT.

PETITION FOR REPEAL.

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Presented by Captain Langdon, September 6; and ordered by the Council to be printed, September 7, 1870.



To the Honorable the Legislative Council.

The Petition of the undersigned Sheepowners in Tasmania.

RESPECTFULLY SHOWETH :

THAT Petitioners are of opinion that "The Bill for the prevention of the Disease in Sheep called Scab," passed during the last Session of Parliament, is most inquisitorial, arbitrary, and oppressive in its whole character, and that its operation cannot but be highly injurious to the pastoral interests of the Colony.

That to attempt to analyse and comment upon the whole of the clauses in which the operation of the said Bill in all its inquisitorial and arbitrary features is involved would trespass too much upon the time of your Honorable House, and Petitioners would, therefore, only refer to a few of the most objectionable clauses.

That Petitioners would in the first instance respectfully ask the attention of your Honorable House to the definition of the terms "Diseased" and "Infected," given in the 2nd section of the said Bill, and to some of the results:—The word 'Diseased' shall mean actually infected with the disease called Scab; the word 'Infected' shall apply to all sheep that are diseased—*All* sheep in any flock in which there are *one* or more diseased sheep—*All* sheep that have been within two months in any flock of sheep such as last aforesaid—*All* sheep that have been in yards or enclosures or kept on runs in or on which any diseased sheep have been within two months—*All* sheep that have been within two months dressed for scab."

To apply the operation of the Bill attendant upon this definition and upon subsequent provisions to the scrubby and rugged Crown and private lands upon which sheep are now kept:—A sheepowner occupying such land, in compliance with the demand which may at any time be made upon him by the Inspector, collects from such run, say 2000 sheep; one of them is pronounced by the Inspector as "diseased," the remaining 1999 are pronounced "infected;" the whole must at once (under heavy penalty) be branded with the letter S in red paint; and if put into a fresh and clean run, it will at once be pronounced an "infected" run, and any other clean sheep put in the said run, within two months after such branded sheep are taken out, would also be pronounced and dealt with as "infected." No sheep can be put in the run from whence the said 2000 sheep first came, nor into the yards or enclosures in which they may have been, in the process of collecting and branding, for a period of two months, without being also pronounced "infected," and subject to the same process and penalties.

Through many of such lands there are public roads unfenced on either side, along which sheep belonging to other parties are frequently driven. If one of such travelling sheep so passing through such runs be pronounced "infected," all the sheep depasturing upon such runs, and belonging to the occupier of the same, would also be liable to be pronounced "infected"—must forthwith be branded S, and subject to all other restrictions of the Bill; and this process would be renewed every time an "infected" sheep passed along such road; and it would be necessary for the occupiers of such runs to have the notice that their sheep are "infected" *permanently posted* at each end of such road to meet the requirements of the Bill. It is well known that it takes several—in numerous instances many—days to collect the sheep from one large run of such description, and that it is impracticable to ensure every one being collected; and if one sheep is so left on the run and becomes "diseased" the whole of the sheep put in such run become an "infected" flock, and no amount of care or pains on the part of the occupiers of such runs can prevent such a contingency, involving such serious results, from taking place.

That the said Bill is not only inapplicable, but utterly unsuitable to this Colony, Petitioners respectfully submit is evidenced by the foregoing description of its operation upon the scrubby and rugged lands upon which sheep have hitherto been kept, taken in connection with the fact that a

very large portion both of the Crown and private sheep lands are of this description, rendering the gathering of the sheep thereon at any time a very difficult and tedious undertaking, and that it is, it may be said, impracticable to get every sheep in at one stated time. And Petitioners are of opinion that the operation of the Bill will most injuriously affect the owners and occupiers of such land, and tend to—what Petitioners believe has already taken place in many instances—their being abandoned as “Sheep Runs,” for which purpose only they are adapted.

That Petitioners recognise to the fullest extent the great importance of adopting all legitimate measures for the eradication of scab from the flocks of the Colony; but whilst they would not attempt to define the provisions of any Act which might be framed for the attainment of that object—and which, whilst effectual in its operation, would be free from the objectionable and injurious requirements of the Act now in force—they would respectfully express their conviction that a short and simple legislative measure which would render all sheep affected by “scab” unsaleable would immediately tend to the speedy eradication of the disease: and as by far the greater portion of the sheep sold in this Colony are disposed of by public auction, such a measure might be easily and effectually carried out by rendering all persons sending to a public sale any sheep which shall be pronounced “infected” by a competent Inspector appointed to attend such sales liable to a penalty, and to be compelled to return such sheep to the run from whence they came—the same provisions to apply to all sheep sent to the Public Slaughter-houses of the Colony.

Petitioners therefore respectfully pray that your Honorable House will take the foregoing particulars into your favourable consideration, and take such measures as your Honorable House may deem expedient for the repeal of the said Bill during the present Session of Parliament.

And Petitioners, as in duty bound, will ever pray, &c.

[*Here follow 6 Signatures.*]