

(No. 106.)



1891.

PARLIAMENT OF TASMANIA.

“THE RABBITS’ DESTRUCTION ACT :”

REPORT OF SELECT COMMITTEE, WITH MINUTES OF
PROCEEDINGS, APPENDICES, AND EVIDENCE.

Brought up by Mr. Bennett, September 2, and ordered by the House of Assembly
to be printed.



SELECT COMMITTEE appointed, on Friday, the 31st July, to enquire into and report upon the working of the present Rabbit Act, and to recommend such Amendments in that Act or in any other existing Enactments as the Committee may consider necessary; with power to send for Persons and Papers.

MEMBERS OF THE COMMITTEE.

MR. E. H. SUTTON.
MR. DUMARESQ.
MR. VON STIEGLITZ.
MR. MACKENZIE.

MR. LEWIS.
MR. DAVIES.
MR. BENNETT. (*Mover.*)

DAYS OF MEETING.

Wednesday, 5th August; Friday, 7th August; Wednesday, 12th August; Thursday, 20th August; Wednesday, 26th August; Friday, 28th August; Wednesday, 2nd September.

WITNESSES EXAMINED.

Mr. J. W. Downie; Mr. W. Burbury; Mr. J. Taylor; the Hon. N. J. Brown; Mr. H. Dumaresq, M.H.A.; Mr. H. Von Stieglitz, M.H.A.; Mr. T. Tabart, Inspector of Stock; Mr. J. Lyne, M.H.A.

EXPENSES OF WITNESSES.

Mr. J. Taylor, £4 5s.; Mr. J. W. Downie, £2 6s.; Mr. H. Von Stieglitz, £5 2s.; Mr. W. Burbury, £3 15s.

MINUTES OF PROCEEDINGS.

WEDNESDAY, AUGUST 5, 1891.

The Committee met at 12 noon.

Present.—Mr. E. H. Sutton, Mr. Mackenzie, Mr. Von Stieglitz, Mr. Bennett, and Mr. Davies.

Mr. Bennett was unanimously voted to the Chair.

The Chairman laid the existing Acts to make further provision for the destruction of Rabbits on the Table.

Ordered, That the following witnesses be summoned to attend and give evidence before the Committee:—Mr. J. W. Downie; Mr. E. Dowling, Campbell Town; Mr. W. Burbury, Oatlands; Mr. J. Taylor, Campbell Town; The Hon. the Speaker; Mr. H. G. Von Stieglitz, Fingal; Mr. T. Tabart, Chief Inspector.

The Clerk was ordered to request H. Dumaresq, Esq., M.H.A., and John Lyne, Esq., M.H.A., to attend and give evidence at a period convenient to themselves.

The Committee adjourned at 12·40 A.M. till 10 A.M. on Friday, the 7th instant.

FRIDAY, AUGUST 7, 1891.

The Committee met at 11 A.M.

Present.—Mr. Von Stieglitz, Mr. Dumaresq, Mr. E. H. Sutton, Mr. Bennett (Chairman).

The Minutes of the last Meeting were read and confirmed.

Mr. T. Tabart, Chief Inspector, was called in and examined.

Mr. Tabart withdrew.

Mr. J. Lyne, M.H.A., was examined.

Mr. Lyne withdrew.

The Committee adjourned at 1 P.M. until 10 A.M. on Friday, the 12th instant.

WEDNESDAY, AUGUST 12, 1891.

The Committee met at 10 A.M.

Present.—Mr. Von Stieglitz, Mr. E. H. Sutton, Mr. Dumaresq, Mr. Mackenzie, Mr. Davies, and Mr. Bennett (Chairman).

The Minutes of the last Meeting were read and confirmed.

Mr. John Taylor, of Campbell Town, was called in and examined.

Mr. Taylor withdrew.

An apology for non-attendance was received, and accepted, from Mr. W. Burbury, of Oatlands.

Resolutions passed at public meetings held at Oatlands on the 4th and 19th instant, was laid upon the Table.

The Chairman read a letter from the Chief Inspector (Appendix A.)

Mr. J. W. Downie, Macquarie Plains, was called in and examined.

Mr. Downie withdrew.

Mr. Henry Von Stieglitz, of Fingal, was called in and examined.

Mr. Von Stieglitz withdrew.

Mr. Edward Dowling, of Campbell Town, was called in and examined.

Mr. Dowling withdrew.

Mr. Burbury's non-compliance with the summons of the Committee was excused on the plea of urgent private business.

Ordered, That Mr. W. Burbury be summoned for Thursday, the 20th inst., at 10 A.M.

The Committee adjourned at 12.50 P.M. until 10 A.M. on Thursday, the 20th inst.

THURSDAY, AUGUST 20, 1891.

The Committee met at 10 A.M.

Present.—Mr. Mackenzie, Mr. Sutton, Mr. Von Stieglitz, Mr. Bennett (Chairman).

The Minutes of the last Meeting were read and confirmed.

Mr. W. Burbury, of Oatlands, was called in and examined.

Mr. Burbury withdrew.

Mr. Sutton retired.

Mr. Thomas Tabart, Chief Inspector of Stock, was called in and examined.

Mr. Tabart withdrew.

The Hon. N. J. Brown attended, and gave evidence before the Committee.

The Hon. N. J. Brown withdrew.

The Committee adjourned at 12.50 P.M. until 10 A.M. on Wednesday, the 26th inst.

WEDNESDAY, AUGUST 26, 1891.

The Committee met at 10.15 A.M.

Present.—Mr. Dumaresq, Mr. E. H. Sutton, Mr. Von Stieglitz, Mr. Mackenzie, Mr. Lewis, Mr. Bennett (Chairman.)

The Minutes of the last Meeting were read and confirmed.

Mr. E. H. Sutton tabled two letters from Messrs. C. E. Hewitt and James Thirkell, advocating the use of poisoned oats.

The Committee deliberated.

At 12.50 P.M. the Committee adjourned until 10 A.M. on Friday, the 28th inst.

FRIDAY, AUGUST 28, 1891.

The Committee met at 11 A.M.

Present.—Mr. Dumaresq, Mr. Mackenzie, Mr. E. H. Sutton, Mr. Lewis, Mr. Bennett (Chairman).

The Minutes of last Meeting were read and confirmed.

The Chairman laid the following Papers on the Table :—(1) Correspondence with Mr. Harold Bisdee. (Appendix A.) (2.) Resolutions passed at a Public Meeting held at Oatlands, (Appendix B.) (3.) Instructions issued by the Chief Inspector of Stock to Sub-Inspectors, (Appendix C.)

The Committee adjourned at 1.40 P.M. until 10 A.M. on Wednesday, the 2nd September.

WEDNESDAY, SEPTEMBER 2, 1891.

The Committee met at 10 A.M.

Present.—Mr. Dumaresq, Mr. Mackenzie, Mr. E. H. Sutton, Mr. Bennett, Mr. Lewis, and the Chairman.

The Committee proceeded to consider the Draft Report.

The following paragraphs were read and agreed to :—

Your Committee have the honor to report to your Honorable House that they have given their most careful consideration to the matter referred to them.

Your Committee having obtained and duly weighed all reliable evidence relative to the best method of dealing with the Rabbit pest, beg to make the following suggestions as to alterations in the existing Act :—

- (a) That a provision be inserted prohibiting the conveyance of live Rabbits from place to place.
- (b) That Government depôts be established at which poison of approved strength shall be supplied at cost price, and that the said poison be carried on Government Railways free of all charge.
- (c) That Inspectors be allowed free passes on the Government Railways in their own Districts.
- (d) That rabbit-proof wire netting, being 3 feet to 4 feet wide, 1 to 1½ inch mesh, and No. 17 or No. 18 gauge, be admitted duty free.
- (e) That provision be made for the purchase and importation by the Government of rabbit-proof wire netting, and for the sale of it at cost price for cash.

The following paragraph was read :—

- (f) That the Boundary Fences Act be amended so that a landholder may compel any neighbouring landholder to cut any boundary live fence to a width of 2 feet from the boundary line, and to clear any land adjoining such boundary fence to a distance of thirty feet of all briars and gorse.

Amended by inserting the words "six inches" after feet in line 2; by striking out the words "thirty feet" in line 3, and inserting the words "one chain" in lieu thereof (Mr. Von Stieglitz), and agreed to.

The following paragraphs were agreed to :—

- (g.) That the Boundary Fences Act be amended so that a landholder may be empowered to compel a neighbouring landholder to submit to arbitration the question whether it is expedient that a rabbit-proof wire-netting fence should be erected between their respective properties at their joint expense. All the other provisions of the said Act to be applicable to such arbitration.

Your Committee would also suggest that the existing Rabbits' Destruction Act be amended in Clause 22 by striking out the words "to take effective measures" and inserting "to lay poison" in lieu thereof; by inserting the word "the" after "of" in the seventh line of the Section; and by striking out the Proviso.

That the penalty for non-compliance with notice to destroy Rabbits be reduced to not less than Two Pounds for the first and not less than Ten Pounds for the second offence.

Your Committee submit the foregoing suggestions, the result of their most earnest deliberation, in the hope that they may receive the favourable consideration of your Honourable House.

The Draft Report was then agreed to, as amended.

Resolved, That the Chairman be requested to present the Report to the House.

The Committee adjourned at 11.40 A.M., *sine die*.

APPENDIX A.

Attorney-General's Office, Hobart, 27th August, 1891.

SIR,

I AM directed by the Attorney-General to forward to you, for the information of the Select Committee of the House of Assembly now sitting upon the Rabbit question, the enclosed correspondence with Mr. Harold Bisdee, with the remarks of the Chief Inspector endorsed thereon.

I have, &c.

F. STOPS, *Secretary.*

The Clerk Assistant, House of Assembly.

Melton Mowbray, 11th August, 1891.

MY DEAR SIR,

I AM very glad to learn that a Committee of Members has been formed to enquire into the Rabbit question.

I need scarcely call your attention to the great importance of this subject; still, I am of opinion that the Government do not realise the full extent of damage done to the Colony at large by the overwhelming force of this general enemy, otherwise some greater attention would be paid to the pest by Ministers.

The rabbit is steadily increasing, in spite of all the working of the present Act.

Personally I have tried every known remedy, and have proved only one method as being perfectly effective, that is, by gradually netting the rabbits off the good land and poisoning them upon the rough country. I have erected many miles of netting, and all lands so enclosed are now practically free from rabbits.

I am of opinion that if the present Act was repealed, and some encouragement given towards netting boundaries, in a few years the Colony would be free from the pest.

The question certainly requires the most urgent attention of the Government, and I have taken the liberty of writing to draw your attention to the Resolutions passed at a Rabbit Meeting held here yesterday, with the hope that you will cause them to be considered and embodied in the new Bill.

I am, yours truly,

HAROLD BISDEE.

The Hon. the Attorney-General, Hobart.

Rabbit Meeting, held at Melton Mowbray on the 18th August, 1891.

1. That it is the opinion of this Meeting that the present Rabbit Act has proved a failure, and therefore should be repealed.
2. That the Government be requested to import wire netting and phosphorus, and supply to consumers at cost price for cash.
3. That present Stock Tax be abolished, because inspection of Stock is now confined to that imported; and as importation benefits the consumer and general public, that Department should be charged to the General Revenue, and not, as now, a special tax upon stock-owners.
4. That, as a substitute to the present Act, the Government be asked to encourage the enclosure of infested lands into comparatively small areas by rabbit-proof fences, such encouragement to consist of offering a bonus (of say 25 per cent. of the cost) upon every mile of wire netting erected, such bonus to be paid from fund contributed to by stock-owners in the same manner as at present collected towards the Stock Act, or by a tax on land; also that the Government add £ for £ so contributed. Bonus only to be paid upon netting erected in a substantial and permanent manner.

Each of these Resolutions was proposed, seconded, and carried. There is to be a second meeting on the same subject on Saturday next at Melton. If the Committee appointed would name a day, I know of several gentlemen in this District who would wait upon them and discuss these matters.

H. BISDEE.

FORWARDED to the Honorable the Chief Secretary for the consideration of the Chief Inspector of Stock.

A. INGLIS CLARK.
18th August, 1891.

FORWARDED to the Chief Inspector of Stock for his perusal and observations.

B. TRAVERS SOLLY.
18th Aug. 1891.

RETURNED to the Hon. the Attorney-General, with the remarks of the Chief Inspector of Stock. All previous correspondence has been forwarded to the Clerk Assistant of the House of Assembly for the Select Committee.

B. TRAVERS SOLLY.
21. 8. 91.

THE Chief Inspector has to inform the Honorable the Chief Secretary that the meeting referred to herein consisted of but nine (9) residents of the Green Ponds District; and, further, that the proposers of the Resolutions are gentlemen against whom the Inspector has been compelled to proceed for using insufficient means to destroy rabbits.

There is a Select Committee appointed by Parliament to enquire into the working of the Rabbit Destruction Act, which the Chief Inspector, I presume, will determine from evidence as to the desirability of complying with Resolution No. 1.

The Honorable the Premier has verbally informed the Chief Inspector that the Government decline to conform with Resolution No. 2.

No. 3.—Inspection of stock is *not* confined to imported stock, but has to be extended to exported also, which latter returns to the Colony some £66,000 annually. If this is not fairly a tax upon stock-owners, then, on the same principle, the general revenue should contribute to all the pest Acts.

No. 4.—This Resolution was negatived at a large and influential meeting held at Oatlands, at which Mr. Bisdee was present.

THOMAS A. TABART, *Chief Inspector.*
Hobart, 20. 8. 91.

Attorney-General's Office, Hobart, 13th August, 1891.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 11th instant, referring to Resolutions passed at the Meeting held at Melton Mowbray on the 10th instant to consider the Rabbit question, also offering suggestions as to the best mode of dealing with the subject. I beg to assure you that the matter shall receive due consideration.

I have, &c.

A. INGLIS CLARK.

HAROLD BISDEE, *Esq., Melton Mowbray.*

APPENDIX B.

*Office of Inspector of Stock,
Hobart, 20th July, 1891.*

SIR,

I HAVE the honor to inform you that I attended the adjourned Meeting held at Oatlands to consider the working of the present Rabbit Act, and endeavour to devise some measure for the better destruction of rabbits.

Mr. T. Burbury submitted the propositions brought up by the Committee, which were adopted—

“1st. The present Rabbit Act, 53 Vict. No. 42, be amended by the insertion of a clause giving the Chief Inspector of Stock power to compel the laying of poisoned grain.”

“2nd. That the Government be asked to import wire netting and phosphorus, and supply them at cost price on the most liberal terms.”

I may inform you that the Report substantially bears out the recommendations contained in my Reports for 1890 and 1891.

I have, &c.

THOMAS A. TABART, *Chief Inspector.*

The Honorable the Chief Secretary.

Chief Secretary's Office, 23rd July, 1891.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 20th instant, forwarding copy of Resolutions passed at a Meeting held at Oatlands on the 18th instant, by which the Government is asked to import wire netting and phosphorus, and supply them at cost price on the most liberal terms for the purpose of combating the Rabbit pest.

In reply, I have to inform you that the Government purpose to submit to Parliament a Bill amending the Rabbit Act, embodying a clause enforcing simultaneous poisoning; but this is the only direction in which Ministers can aid the objects contemplated by the Resolutions.

The Government cannot undertake to import either netting or phosphorus as advocated by the Meeting.

I have, &c.

P. O. FYSH.

WILLIAM BURBURY, *Esquire, Oatlands.*

Chief Secretary's Office, 23rd July, 1891.

MEMO.

THE accompanying correspondence is forwarded for the perusal of the Honorable the Attorney-General, with the request that he will prepare a Bill for submission to Parliament amending the Rabbit Act, embodying a clause to render simultaneous poisoning compulsory.

P. O. FYSH.

The Honorable the Attorney-General.

Chief Secretary's Office, 29th July, 1891.

SIR,

In reply to your letter of the 20th instant, I have the honour to inform you that the Government purpose submitting a Bill to Parliament to amend the Rabbit Act by making simultaneous poisoning compulsory; but Ministers are not prepared to import wire-netting or phosphorus.

Mr. Burbury, the Chairman of the meeting held on the 18th instant, and who forwarded a copy of the Resolutions, has been informed of the decision of the Government.

I have, &c.

P. O. FYSH.

THOMAS A. TABART, *Esq., Chief Inspector of Stock.*

APPENDIX C.

*Office of Inspector of Stock,
Hobart, January 1st, 1890.*

SIR,

ON entering on your duties as an Inspector under "The Stock Act, 1889," you are to carry out the provisions of all Acts under which Inspectors of Stock are appointed.

One of the great objects to be attained is the destruction of rabbits; and although a more difficult question to grapple with than the eradication of scab, still I am encouraged to hope that with energetic, uniform, and simultaneous action the pest can be dealt with successfully.

The provisions of "The Rabbits Destruction Act, 1889," so far as can be foreseen, are of such a nature as to embrace all circumstances that may arise, and the provisions are sufficiently stringent to compel careless occupiers to destroy the pest.

I need hardly inform you that I desire that all occupiers shall comply with the Act, which must be administered in a firm but judicious manner, so that "The Rabbits Destruction Act, 1889," may grow in public favour.

In any case of difficulty, or when you may be in doubt as to the course you ought to adopt, you will at once communicate with me either through the post, or by telegraph if necessary, as may appear most desirable, keeping a copy of your letter or telegram as the case may be.

In performing your duties you will at all times be courteous in your bearing to those with whom you come in contact, and, with due regard to the objects of the Act, give no unnecessary cause of annoyance to individuals. At the same time you will bear in mind that in all cases it will be your duty to act with the strictest impartiality, without respect to persons or their social position, or whether the individual you have to deal with has one acre of land or 10,000.

The success of the Act may be materially advanced or retarded by the discreet or indiscreet procedure of Inspectors during the early stages of its workings. I shall therefore expect you to be prompt but careful in all your actions as an Inspector, and that you will aid me heartily and in good faith to accomplish the object contemplated by the Legislature, viz., the eradication of rabbits from the lands of Tasmania with as little delay and at as small an amount of inconvenience and annoyance to individuals as possible.

You will consider strictly confidential all information you may receive from outside sources bearing upon the existence of rabbits upon the holdings of individual occupiers.

Feeling confident that you are well acquainted with the most approved modes of dealing with the rabbit pest, I shall consider it part of your duty to afford all information in your power to anyone you may find unacquainted with the best methods.

I desire that you will retain a copy of every communication you may be called upon to make, to whomsoever it may be addressed,—such copies to be considered as the property of this Department, and to be open for perusal and examination by the Chief Inspector, when considered necessary.

A diary shall be kept, setting forth all work performed by you,—showing the inspections made, and all proceedings taken under the Act, and the result. From this diary a report must be compiled, and furnished to the Chief Inspector as early as possible after 1st of each month.

When proceedings are to be instituted under 53 Vict. No. 42, the nature of the offence and the particulars must be forwarded to the Chief Inspector, in writing, for his approval, prior to the prosecution.

These instructions will apply to all Acts which Inspectors of Stock are appointed to carry out.

I have, &c.

THOMAS A. TABART, *Chief Inspector.*

R E P O R T.

Your Committee have the honor to report to your Honorable House that they have given their most careful consideration to the matter referred to them.

Your Committee, having obtained and duly weighed all reliable evidence relative to the best method of dealing with the Rabbit pest, beg to make the following suggestions as to alterations in the existing Act :—

- (a) That a provision be inserted prohibiting the conveyance of live Rabbits from place to place.
- (b) That Government depôts be established at which poison of approved strength shall be supplied at cost price, and that the said poison be carried on Government railways free of all charge.
- (c) That Inspectors be allowed free passes on the Government Railways in their own districts.
- (d) That rabbit-proof wire netting, being 3 feet to 4 feet wide, 1 to 1½ inch mesh, and No. 17 or No. 18 gauge, be admitted duty free.
- (e) That provision be made for the purchase and importation by the Government of rabbit-proof wire netting, and for the sale of it at cost price for cash.
- (f) That the Boundary Fences Act be amended so that a landholder may compel any neighbouring landholder to cut any boundary-live fence to a width 2 feet 6 inches from the boundary line, and to clear any land adjoining such boundary fence to a distance of one chain of all briars and gorse.
- (g) That the Boundary Fences Act be amended so that a landholder may be empowered to compel a neighbouring landholder to submit to arbitration the question whether it is expedient that a rabbit-proof wire-netting fence should be erected between their respective properties at their joint expense. All the other provisions of the said Act to be applicable to such arbitration.

Your Committee would also suggest that the existing Rabbits' Destruction Act be amended in Clause 22 by striking out the words "to take effective measures" and inserting "to lay poison" in lieu thereof; by inserting the word "the" after "of" in the seventh line of the Section; and by striking out the Proviso.

That the penalty for non-compliance with notice to destroy Rabbits be reduced to not less than Two Pounds for the first and not less than Ten Pounds for the second offence.

Your Committee submit the foregoing suggestions, the result of their most earnest deliberation, in the hope that they may receive the favourable consideration of your Honorable House.

WILLIAM H. BENNETT, *Chairman.*

Committee Room, Wednesday, 2nd September, 1891.

EVIDENCE.

FRIDAY, AUGUST 7, 1891.

MR. THOMAS TABART, *called and examined.*

1. *By the Chairman.*—Mr. Tabart, this is a Select Committee to enquire into the working of the present Act for the destruction of rabbits, and to endeavour to devise some means to improve it. The Committee have thought that you, in your position as Chief Inspector, and having the working of the Act in your charge, will be able to give some valuable information. At any rate, you will be able to give us your experience as to the manner in which the Act is being carried out, and give us any suggestions you might have as to how it can be improved upon. I think now you have had two years' experience under the Act? No; the Act came into force on the 1st of January, 1890. Of course six months after it came into force was taken up by providing the machinery for its successful carrying out. Inspectors had to be appointed and other matters attended to, so that it left very little time for the operation of the Act. The Act was passed on 5th December, 1889, to take effect from 1st January, 1890.

2. You commenced to work the Act in 1890? Yes; I then proceeded to appoint inspectors, so that six months of 1890 I was practically without any information.

3. Will you tell the Committee what difficulties you found in the working of the Act? I found this, that during the breeding seasons—that is, the spring and summer—very little is done by landholders to deal with the pest. On numbers of runs the rabbits are allowed to breed to the benefit of the occupier of the land, and this I consider one of the greatest obstructions to the successful working of the Act. I may read you some information I have received within the last few days from one of my Inspectors, which will show you that although rabbits are very plentiful on this particular ground, it is impossible to obtain a conviction. The Inspector says:—"I inspected defendant's land on 26th May last, and found the rabbits very numerous. I served defendant with a notice under the 11th Section of the Rabbits Act on the 5th of June; on the 9th July I again inspected defendant's land, and found the rabbits as numerous as before; I counted eighty-five rabbits feeding on a small piece of ground about quarter of an acre; a short distance further on I saw between two and three hundred rabbits running in all directions to their burrows; almost every burrow had been freshly worked; the rabbit manure was so thick on the ground that I could count from eighteen to twenty balls of manure under my foot wherever I put it down; I could do this over many acres; the grass is eaten into the earth; I saw the most rabbits about quarter of a mile from defendant's house; outside a netting fence round defendant's cultivation the ground was very much trodden by rabbits, and the manure was very thick. I have on several occasions drawn defendant's attention to the number of rabbits on his land, and asked him to run plough furrows and lay poison; this has not been done. I have never seen any phosphorous grain on the ground in question, but have occasionally seen traps; the trappers do not confine themselves to defendant's land to trap, but also trap on land occupied by ———. The property in question, known as ———, is a favourite breeding-place for rabbits. The last time I spoke to defendant about his rabbits he said 'the trappers have left my ground and gone to ———, because they cannot catch any rabbits'; the trappers told me the rabbits would not trap well at this time of the year. So far as I can learn, the trappers only catch sufficient rabbits to supply carters who take them to Hobart for sale. The last time I had a conversation with defendant I told him I would have to take proceedings against him if he did not use more effective means to destroy the pest. He replied: 'If I lay poison the trappers will leave.' This was before I served the last notice." I may tell you, Sir, that my instructions to the Inspectors are never to take proceedings against any occupier of land until I have the case put before me. This case was put before me, and I deemed it my duty to instruct the Inspector to take action. The effect has been that the defendant in this case brought forward a number of trappers to prove that he had done everything that was required by the Act, and the case has been dismissed. I must tell you that one great difficulty I have to contend with—and it is possibly a delicate subject to mention, but as I have been asked to give every possible information, I will refer to it without disclosing names—is that in this case the chief magistrate was the landlord of this property, and he was also served with a notice to destroy the rabbits at the same time. The defendant was a tenant of the chief magistrate who heard this case. This is not the only case I have to refer to. I have at the present time in a certain district in this island three cases in which the Bench will not give their decision either one way or the other.

4. You refer to different parts of the island? Yes. You see the difficulty I have to contend against is that when I do take a case I consider a prosecution necessary; if the Bench of Magistrates decline to assist me in carrying out the Act I cannot be responsible. I proceed under the 11th Section, but it seems to me the Bench of Magistrates who hear these cases do not properly construe the words. The Act reads thus:—"If within seven days after the service of such notice such occupier do not commence to use all such means and take all such measures, and do and perform all and every such acts and things as may be necessary to destroy the rabbits on the land mentioned in such notice, and having so commenced do not continue such action until such rabbits are destroyed, he shall be liable, &c." When I take a case before the Magistrate the defendant comes and says he has taken means, but does not say he has continued to take means. I have had numbers of cases dismissed under this Section, and that is one of the greatest difficulties I have to complain about. Another very essential point, if a workable Act is to be procured, is

that you should have a compulsory Section. In this way the occupier of land may be doing his utmost to destroy rabbits on his property; the neighbours on each side are probably doing nothing. I maintain that where an Inspector sees that a man is having his land infected by his neighbour's rabbits, he ought to have the power to step in and call upon that man to lay poison. If you had a compulsory poisoning clause in this Act the matter would, I think, be met. With reference to the use of wire netting, I have the evidence of Mr. Downie, who has 2300 acres of land enclosed. He has this year upon that land 700 more ewes than he usually has, and he now tells me he can run easily 300 more sheep, and that he estimates his outlay has returned him two per cent., which is £650 more this year than he had previously for many years. I recommended in my Report of 1890 that the Government should be importers of wire netting; I think I was wrong when I suggested the Government should go to that outlay. I think this, that wire netting should be imported in the usual course—in the usual business course—and it should be purchased from the importers in the usual way; but there are very few landholders in this colony who are in a position to go to the importer and buy his netting for cash. Therefore I think that some means should be devised by which Government could step in and guarantee the payment at long dates, and make it a first charge on the land. I am certain by making it such some good at all events would be done. If there are mortgages upon the land the mortgagee has the benefit of it. It must be greatly to his benefit to have his land enclosed from the inroads of his neighbour's rabbits, which could not then encroach upon it. He would then have the opportunity of producing fat stock; he would produce a larger quantity of wool, and certainly a larger percentage of lambs. I feel that if we can only devise means by which this wire netting can be provided to the landholders that we shall, instead of having to send out of the colony for fat sheep, we should be able to supply our market with a larger number of colonial fat stock, and also produce a larger quantity of wool. In Victoria, I think I am right in saying, the Government last year provided £150,000 for the purchase of wire netting. The money had to be applied for by the Shire Councils, who then supplied the netting to the occupier of land at the cost price, and charged, I think, eight per cent. interest until the netting is paid for. I think the wire netting runs over a term of, I am not certain whether eight or ten years, and it is a preferential charge against the land. From the report of Mr. Black I see that from the use of wire netting, and from the compulsory poisoning which is now in force in Victoria, most satisfactory results have been obtained, and I feel certain that if our Bill were amended in that way, with the compulsory poisoning clause and the adoption of wire netting fencing—with the appointment of a proper magistrate to deal with all these cases—some relief might be afforded. It would be a great boon to the magistrates who now have to preside, and who, possibly, are sitting upon a case in which their neighbours are affected. It would relieve them from a very large amount of responsibility and also annoyance.

5. *By Mr. Von Stieglitz.*—What court would you have the cases tried in? I should have a magistrate appointed to deal with all these cases such as Mr. Tarleton or Mr. Waterhouse, or any anybody not specially interested in the pest.

6. *By Mr. Dumaresq.*—Under this Act the inspectors have power to poison rabbits? Yes, we have power to poison rabbits after giving seven days' notice; but, then, before we do that we have to go before a bench of magistrates. If we cannot get a conviction for the case before the bench of magistrates, is it likely the bench will give the inspector power to go on to the land and poison it, which is as much as to say its owner has not done his duty? We must get a conviction before we can do anything, and, as I have told you, it is only in one or two districts where the rabbits are scarce that we can get a conviction.

7. If the rabbits are scarce and only over small areas, wire netting would give the owners and occupiers enormous expense? No, Sir. I would propose the wire netting if you have only a few rabbits in the district and you deem it desirable to protect your lands from the inroads of rabbits; where there are a number of small holders, I would say fence in groups, and let each group contribute to the cost of the fence.

8. What about gates? You can compel the gates to be closed under a penalty.

9. *By the Chairman.*—Do you know as a positive fact that the Government of Victoria have imported wire netting? I am not certain; but I think I am right in saying they supplied the money to purchase the wire netting. I think I can show you conclusively that wire netting is most desirable. The Royal Commission of Inquiry into schemes for extermination of rabbits in Australasia took evidence upon the question of wire fencing. Mr. Agar Wynne, who was examined by that Commission, was asked and replied to the following questions:—"Do you use netting only as a boundary fence over the whole estate, or do you subdivide? As an experiment we netted in a section of four thousand acres. Two of the boundaries are enclosed by walls, the other two by wire netting sunk in the ground. We turn the flange end of the netting outwards from the paddock to that part very much infested with rabbits. After it was enclosed we cleared the rabbits that were inside, and it has been free from rabbits ever since.—If you were controlling a very large run of very poor land, do you think it would be possible, as a matter of practical expense, to deal with the whole run at once without assistance from Government so as to successfully extirpate the rabbits? I can only tell you what we have done. We have 48,000 acres of land. It was covered with rabbits when we purchased it. In three years over 760,000 rabbits were destroyed, and the place is now practically free from them." You will therefore see that large areas of ground can be dealt with, and so small areas ought to be.

10. *By Mr. Dumaresq.*—There would be a very great difficulty as far as creeks are concerned? I think the following extract, which was made in evidence by Samuel Green Hubbe, Esq., before the Commission on the Rabbit Question, fully deals with that matter. The evidence was as follows:—"Have you made any recommendation to your Government in regard to the suppression of the rabbits in these thickly-infested parts? I have suggested the desirability of erecting rabbit-proof fences. My idea was to fence off the pastoral from the agricultural country, as by doing so the rabbits from the pastoral country would be prevented from getting into agricultural areas, and so isolate the country where they are now to be found. My opinion is that if rabbit-proof fences were generally adopted, the solution of the rabbit difficulty

would be found.—Have you considered the difficulty of fencing rough country and water-courses, especially parts that are subject to floods? Yes, I have considered that. It could be met in the same way as with the rabbit-proof fences that were erected east of the Murray on the cliffs for 16 miles. That line of fence crosses innumerable gullies and ravines that run into the River Murray. It was composed principally of pine pickets, set side by side. In places where the line crosses these ravines sluice-gates were left, and these were formed by swinging-pickets on strong wires. Whatever flood matter was brought down by the floods swept through these sluice-gates, in some cases doing damage and in some cases not; but in all cases where damage was done it was repaired at very little cost by the boundary-rider who was in charge of the fence. I will send in specifications of this fence. I have found that this picket fence barred the progress of the rabbits, and I have received numbers of letters from settlers stating that these fences saved them from ruin."

11. *By the Chairman.*—To summarise your evidence, and put it in a few words, you say that the failure to reduce the rabbit pest is because the landholders in the breeding season do not kill their rabbits? Yes.

12. That is not a question affecting the Act in any way. It is no fault of the Act, providing the Act is sufficiently plain to say that they shall do it? Yes, it is the fault in this way. The landholders do just sufficient to keep themselves out of the police court. They do not exterminate—they do not attempt to reduce, but they keep sufficient hands on to be able to say "I have had so many hands destroying my rabbits," and in these cases I have deemed it my duty not to take action; because I consider failure to obtain a conviction does harm to the Act itself.

13. And yet you think under the Act you have not got sufficient powers to obtain a conviction? No, I believe it will be so until we have a magistrate specially appointed to hear cases under the Pest Acts. I might also tell you that one of the difficulties I had under the Californian Thistle Act was the very nominal fines that were inflicted by the benches. I had at one time, in a certain court in the Colony, seven cases under the Californian Thistle Act, and when the seventh case was called on it was against the Warden of the district, who took his place on the floor of the court where he had been previously adjudicating; so that it is impossible to work an Act under circumstances of that kind.

14. *By Mr. Von Stieglitz.*—Do you think it would be a good thing to make the rabbits the property of the State? My impression is, that while there is a commercial value for the rabbits and their skins, the landholders will not kill them during the breeding season. I know one rabbitier who had this year brought into Hobart 2200 rabbits, for which he has received 3s. 6d. per dozen, having sold them to the retail dealer, who in turn has sold them at from 4s. to 6s. per dozen, and then obtained 2s. 4d. for the skins, so that you see it is a most profitable thing; and I was particularly struck with the fact that there is a system of rabbit farming going on. I know, as a positive fact, of four or five owners who conserve their rabbits for the purpose of letting their runs to the rabbitiers; and thus the rabbitier and owner mutually benefit.

15. By doing away with the commercial value, then, would it not also do away with the system of which you complain? I think you would find it a very difficult matter; to work the system out an extensive staff would be necessary, and there would be large losses on skins. In New South Wales there was paid sixpence per head on rabbits, and it did not reduce them—on the contrary, instead of reducing them, they increased during five years from 250,000 per month to something like 2,250,000 per month. This was caused by breeding having been allowed.

16. *By the Chairman.*—You know the increase here has been something great? Yes.

17. You think there has been less destruction during the breeding season? Yes, I think it is the commercial value upon the skins and rabbits which some landowners allow to breed for future profits.

18. *By Mr. Sutton.*—I should like to know, Mr. Tabart, whether you think the rabbits could be the property of the State? I have never thought the matter out—I scarcely understand the suggestion.

19. *By the Chairman.*—If Mr. Von Stieglitz puts his question on paper, then, I think, Mr. Tabart, you will be able to answer it? Yes.

20. *By Mr. Von Stieglitz.*—Do you not think that one of the Judges could do the work? It all depends upon whether the Judges would travel to hear these case; but my own idea is, that a Stipendiary Magistrate should be appointed to hear them all. He would relieve the Bench of Magistrates from a very great annoyance.

21. *By the Chairman.*—Do you suggest, then, that Section 11 be amended? No; I should recommend a new clause altogether,—a poisoning clause.

22. Have you a copy? No, I never prepared one.

23. Well, to what effect would you want an amendment? To give an inspector power, supposing the occupier of any land is not doing anything to eradicate the rabbits which were very plentiful, to step in and order that man to lay poison; in short, "compulsory poisoning." In Victoria they have a certain date for laying poison on the ground; I think it is on the 15th January, all landholders are compelled to lay poisoned grain, and to continue to lay it until the end of April. I will read you the following extract from the *Australasian* of 11th April, 1891:—"Are the rabbits ever to disappear from Victoria? That is a question so often asked that there seems to be but one possible reply. The casual observer may be inclined to answer 'No'; but Mr. P. J. Black, the Chief Inspector under the Vermin Destruction Act, bids all who are faint-hearted to hope for the best. From his point of view—and he should know—there seems to be a prospect of the pest being considerably reduced by the time the breeding season commences in August. He has received very favourable reports from the inspectors stationed throughout the Colony as to the measures which are being taken for the destruction of the rabbits. Poisoning operations commenced about the 15th January and have continued up to the end of last month. The poisons mostly used have been phosphorised grain and strychnine mixed with jam. The former has been most successful year in nearly every district. The factories which were established some time ago for the tinning of rabbit

threatened to be a means of maintaining the pest, it being found that rabbits were being conserved for the permanent supply of the factories. When, however, cases came under the notice of the inspectors in which they had good reason to suppose that the rabbits were receiving the slightest consideration, they lost no time in seeing that the provisions of the Vermin Destruction Act were strictly enforced. It has been suggested by a farmer of some standing that to secure the thorough extermination of the rabbits it will be necessary that their sale should be prohibited by law."

24. Now you are here, I would like to ask you, with respect to rabbits on Crown lands, if you have any difficulty in dealing with those that have been under the control of the Department? I have used poison on all the Crown lands where rabbits were known to exist, and the reports from the inspectors are that it has been most satisfactory. There are very few rabbits on Crown lands, but those there are hunted from the private holdings on to these Crown lands, where they remain only during the daytime. We have expended on Crown lands in 1887 from the Consolidated Revenue, £205.

25. What grain do you always use? Not always the same. I sometimes use peas. In 1888 and 1889 there was no poison laid under the Board system on Crown lands; but under the present Act in 1890 I expended £578 on Crown lands, and up till now of the present year £251. I can safely say the Crown estate is not destroyed, and is attended to by the Department.

26. What I wanted to get from you was whether the means adopted on the Crown lands has been satisfactory? Yes.

27. Have you taken any other means except poisoning? No.

28. *By Mr. Von Stieglitz.*—Do you find the cats destroy the rabbits? I think our natural enemy is gone. The cat does not kill them like the ferret.

29. *By the Chairman.*—I think it would be advisable, perhaps, if you could tell us the extent of the country that is infested? There are less rabbits in the Huon than in any other district. The Huon is not declared an infested district.

30. I thought the whole island was declared infested? No, Sir; Glenorchy is not, but I proposed to make it an infested district, because I find there are some rabbits coming down from the hills. All the other districts throughout the colony are more or less infested.

31. There was one thing I should like to call attention to. In the new Municipalities Bill now before the public there is a proviso for the Councils to have the control of pests, and, I take it, that will include the rabbits. How would that, in your opinion, work in conjunction with the present Act? I do not think it would work at all, Sir. I think in all systems for the eradication of pests you must have a central head; whatever action you take must be uniform. Of course, we have had the experience of Boards, which in some districts have done very good work, and in other districts have simply bred rabbits to the injury of others. That is the experience of Victoria under the Board system. Might I make a suggestion? I do not know whether the Committee has summoned Mr. Charles Tabart to give evidence here; but, if not, I think his testimony would be valuable, he having been the manager of a large estate, and also has acted in the capacity of inspector under the present Rabbit Act, and also inspector under the Midland Rabbit Board. Mr. Chalmers, of New Norfolk, has also been an inspector, and has dealt very largely in the district with poisoned grain with the greatest possible success.

32. Mr. Tabart, will you take the following questions by Mr. Von Stieglitz away with you and give them your consideration, in order that you might at some future date express an opinion on them:—No. 1, What is your opinion regarding making the whole of the rabbits the property of the State? No. 2, Would this not take away the commercial value of the rabbits and their skins from private individuals? No. 3, Could you not get a considerable revenue from the sale of rabbits and their skins if they were the property of the State, this revenue to go towards eradicating the pest? The questions, Sir, will have my consideration.

MR. JOHN LYNE, *called and examined.*

33. *By the Chairman.*—Living, as you do, on the East Coast of Tasmania, Mr. Lyne, and having had practical experience amongst the rabbits, the Committee have thought that you would be able to give them some information as to how the Act has been working, at any rate in your district. I think you are not a very badly infested district? I will give you my ideas before you ask me any questions. I have very little to do with the working of the Act. We have very few rabbits in Glamorgan, and consequently the Act is not used to any great extent. My opinion is that the present mode of taxing holders should not be continued, because all classes receive a benefit by the destruction of pests; but then, again, if the Municipalities Act passes the present inspectors will not be required, and every municipality will have to deal with its own affairs. Not that I think that would be the best move; not that I think the move would be a good one. I believe that it is a very small thing to destroy the rabbits throughout the country, and it may be done in this way—Poison should be laid at such times as when the rabbits' natural food is not plentiful,—that is to say, in the middle of winter or in the middle of summer. Laid at other times it would be of little use in getting rid of the rabbits, at all events by poisoning. I think that trapping is a most injurious thing. By using traps you destroy cats, birds, and such other things as assist in keeping down the pest. In the Glamorgan district the rabbits are kept down by means of poisoning. Where I have been living we have had some at times, but certainly nothing to what I saw when passing through other districts. A few people shoot some of them, and that is all. There are so very few to destroy that there are not enough to support trappers. With reference to the proposal to have compulsory wire netting fences, I think it is out of the question in this colony. It would be ruination to people living on timbered lands and on lands which were not fit for cultivation. It would be a very good plan where rabbits are burrowing to put up fences of the kind mentioned. If these matters were attended to we would have very few rabbits seen upon any estate.

34. Respecting the carrying out of the Act, do you think it would be a good principle to have a magistrate appointed, or some gentleman appointed, to go through the whole district and administer the Act? No, I do not think it would be advisable; it would be an insult to the magistrates, and the law, as it now exists, would have to be altered before you could carry it out. There is one thing I would like to mention, and it is that I think the inspectors should give the proprietors notice to destroy their rabbits and not cause them the expense of poisoning when it is useless. If the inspectors worked with the proprietors rather than as detectives they would not be held in such dislike. In case the proprietor did not take the warning from the inspector, he should have power to go and lay poison at the expense of the owner.

35. They have that power now? Further than that, the Government Inspectors ought to have a depôt of poisoned grain and sell it as cheap as they could afford to do.

36. *By Mr. Dumaresq.*—You think it would be an advantage to have a Government depôt of poison? Yes, I have long thought so.

37. *By the Chairman.*—You quite understand my question?—You heard Mr. Tabart say he attributed the failure of this Act in a great measure to the fact that he could not get local convictions? It is because they are detectives and are not working in unison with the proprietors. The magistrates look upon it that they are trying to take advantage of the proprietors rather than destroying the rabbits. I think it is an insult upon the magistracy to say that their leanings are towards the defendant. If such case occurred shift it to another court, which would be a right thing to do.

38. *By Mr. Dumaresq.*—Do you think it would be as great an insult to that bench of magistrates to change the venue as it would be to appoint a magistrate specially to deal with these cases? Such a thing could not take place; affidavits would have to be proved to show that it was impossible to get a proper conviction, and where a bench of magistrates was open to such a slur from those affidavits there would have to be some good reason shown.

WEDNESDAY, AUGUST 12, 1891.

JOHN TAYLOR, *called and examined.*

39. *By the Chairman.*—What is your name? John Taylor.

40. You are a landowner in the Midland district? Yes.

41. I think you were Chairman of the Midlands Rabbit Board? Yes.

42. Consequently you have had a good deal of experience in the working of the Rabbit Act? Yes, I had a good deal to do with it.

43. Will you give the Committee your opinion as to how the Act is working? I can only speak for my own district. I think that the state of that district under the present Act is the same as under that which preceded it. I have noticed very little difference between the Act as carried out by the Board and by the Chief Inspector. Under both systems there was a great deal of useful work done, and the rabbit plague in our district, compared with what it was eight or ten years ago, has very much abated. I have been carrying on war against the rabbits for pretty well twenty years, and before there was any legislation on the subject the country was so over-run with rabbits that in many places the land could not carry stock at all. Since these various Acts have come into force there has certainly been more grass and less rabbits. I can scarcely suggest any improvements in the Act; it is good enough, and ought to be sufficient. There is only one respect in which I can find fault, and that is that I think the Rabbit Inspectors have too much to do. The inspector should be on every estate pretty frequently, or give a thorough inspection at least once a month, especially in the spring and summer, which is the breeding season. I do not think that there are enough inspectors to do this work properly. While we were carrying on our Board in the Campbell Town District I advocated the appointment of a sub-inspector to help Mr. Tabart to carry on his duty. I believe the inspector there now has the same area as under the Board. He is as good a man as could be appointed, but he has too much to do to do his work thoroughly, and he ought to have assistance. I hear that other inspectors have even larger districts to look after, but I can only speak from hearsay about them.

44. *By Mr. Mackenzie.*—Is yours a rough country? In parts; and particularly favourable for breeding rabbits. The soil is light, and easily burrowed, and in parts covered with ferns. It is a very difficult country to deal with.

45. Is it a difficult country to fence? I would not call it a particularly difficult country to fence.

46. What means have you adopted to destroy rabbits? I have tried pretty well all systems. The one I am carrying out now is the most satisfactory. I divide the land into different lots, and place one man on each lot. There may be two or three thousand acres in each lot, and I place the man there all the year round, and he has nothing to do but to kill rabbits.

47. Is that fenced? Parts of it.

48. Do you use poison? I have poisoned, but not during the last year.

49. What is your reason for not poisoning? I do not like the wholesale use of poison. If my system were carried out, the rabbits would never get thick enough to require the use of poison.

50. What is the danger in using poison? It kills native birds.

51. You do not approve of wholesale and simultaneous poisoning? No; I do not. But if poisoning is to be done at all, it is better done simultaneously.

52. You do not approve of the compulsory use of poison? Not from year to year. It is a very good way to begin a raid upon the rabbits, but any good system should make it unnecessary to go back to poison from year to year. I am convinced that rabbits can never be exterminated by poison.

53. *By Mr. Von Steiglitz.*—Are you in favour of completely exterminating them? I doubt if that is practicable. The present Act strictly carried out will keep the rabbits well within bounds.

54. How do you pay these men of yours? They are paid by the year. They enter into an agreement for twelve months and have the skins they get. I can judge of their fitness by the number of rabbits they get. If the rabbits increase I call the hunter's attention to the fact, and if matters do not improve I make a change.

55. *By Mr. Mackenzie.*—Is that plan adopted by your neighbours? It is by some.

56. *By the Chairman.*—Have you ever tried wire-netting? I have never put any down. I have put up many miles of paling fence.

57. Was it money well spent? It was, for it kept the rabbits out at a time when they were swarming. I very much doubt if I shall do it again, because the rabbits are kept down so that it is hardly necessary to fence. A good Act, well carried out, should render rabbit-proof fencing almost unnecessary. There would be no need of it if the present Act were strictly carried out.

58. *By Mr. Dumaresq.*—The Chief Inspector advocates compulsory poisoning during the months of January, February, March, and April: don't you think that June and July would be better months than March and April? April is rather late, I should say; but rabbits will take poison pretty well at any time. I only approve of poisoning as a start, and then if the Rabbit Act is a good one and well carried out, the rabbits should never get thick enough to make poisoning necessary.

59. Do you believe in trapping? Yes, at all times.

60. Has it not a tendency to drive the rabbits away? Yes. All systems of rabbit-killing do that.

61. *By the Chairman.*—The inspectors have power to compel persons to carry out the Act? Yes.

62. To what do you attribute the partial failure of this Act? I think it is not strictly enough carried out by the Inspectors? That is my own idea. Our inspector is an excellent man, and is doing all one man can, but his district is too large to make the inspection as thorough as it should be.

63. Do you think special magistrates should be appointed to adjudicate upon all cases under this Act? I can scarcely answer that question. In my district fines have been inflicted in nearly every case that has come into Court. There have not been many persons proceeded against, but in each instance the magistrates have fairly gone into the case. I do not admit that the Act is a failure in our district; it has done an immense amount of good, and is worked as well as one inspector can work it.

64. *By Mr. McKenzie.*—It is said that the magistrates are often too lenient to offenders under this Act, and do not help the inspectors in carrying out their duty: would it not be better to have a special bench who would be entirely unbiassed and have no direct interest in the district, to go through the various districts and decide all these cases? I think the present benches are quite sufficient. As far as our own bench is concerned, they would deal fairly and sufficiently with any case.

65. *By Mr. Davies.*—Do you not think that fixing the minimum penalty as high as £5 has something to do with what Mr. Mackenzie complains of? I do not think that £5 is too much to fine anyone who neglects to kill his rabbits, after due notice has been given him.

66. *By Mr. Von Steiglitz.*—But cases might arise in which the bench would only wish to fine a man 10s. or £1: do you think such cases have arisen? No, not in my district; in all cases a £5 fine has been inflicted, except in one case, which I think was dismissed.

67. *By the Chairman.*—Your general opinion, then, is that the present Act will suffice, but you would like to see more supervision? Yes.

68. Do you think the inspectors have sufficient powers under the present Act? Yes; they have power to kill the rabbits at the expense of the landowner, and I do not see what more they want.

69. Taking it as a whole, do you think that the present system is better than the Board system? I was in favour of the change, because I thought that all these things should be centralised, so as to work from one head, but a certain amount of good work was done under both systems.

70. *By Mr. Von Steiglitz.*—Do you think there is any plan by which rabbits can be totally exterminated? A money value per head might do it; that is the only way I can see. The present system should keep them sufficiently low to prevent them causing any loss.

71. Do you think landowners would be prepared to pay liberally to have them totally exterminated? I would be very glad to contribute a large sum.

72. How often does the Inspector go upon your property? I do not know. He goes through it on foot, and gives us no notice of his visit.

73. *By Mr. Sutton.*—How would you pay for additional inspectors? The fairest way would be to tax the parts of the country most where the pest was worst. There are some parts of the country where rabbits are scarce. I would not object to pay four times as much as I do now, as what the landholder pays is a mere bagatelle compared to the good he gets from it.

74. *By Mr. Von Steiglitz.*—What do you think of doubling the rate in the badly infested districts, and reducing it in the clean ones? That would be a fair way of doing it.

75. *By the Chairman.*—Are you in favour of enclosing the country in small areas with rabbit-proof fencing? I have read a good deal about this rabbit-proof fencing, and I am inclined to think that if it is universally adopted the people will be disappointed. It wants to be watched every day; will prove most expensive, and, I believe, the rabbits will get over it. They will get over a 3 feet 10 inch paling fence.

I cannot say what height of wire they would jump, but it will be difficult to prevent them getting underneath it. Fires will burn the netting, unless it is carefully cleared, and then there are water-courses to contend with, which will wash it away altogether. It is not a satisfactory thing, and I would not hope much from it.

JOHN WILLIAM DOWNIE, *called and examined.*

76. *By the Chairman.*—What is your name? John William Downie.

77. Where do you reside? At Macquarie Plains.

78. Have you had much experience of rabbits? I have been 15 or 16 years in a badly infested district. In the Glenelg District we had 11 or 12 trappers at work, and when they finished we were as badly off as when we started, because all the cats and native enemies of the rabbit had been destroyed. We tried poisoning with strychnine and arsenic, but did not get much benefit until we tried phosphorised oats. As regards the Act, I think it is right enough, but it wants poisoning made compulsory during January, February, March, and April, and then very few rabbits would escape. I think these are the four best months to lay poison. No Act will be complete, however, without provision being made in it for the use of wire-fencing, the value of which I have proved upon my own property; I have put down about 21 miles of it. I put it round an area of 2300 acres on the Hamilton road side, and last year I put on traps and got 10,000 rabbits in this one enclosure. I put on more traps a short time ago, but they only got three or four rabbits. I have this year 700 more ewes on that property than I had last year, and have marked 82 per cent. of lambs, the grass having improved so much. No one could shoot half-a-dozen rabbits on that property now. I am going to put netting round the whole of my property. Where the fence would run along a boundary the adjoining owner should be made to pay part of the cost.

79. *By Mr. Mackenzie.*—What sort of country is it? Both rough and smooth.

80. How do you manage with the wire in the rough country? Just the same as in the open country. Where there are water-courses, I put up two large posts and have a sluice made, so that the man attending the fence can raise it up in case of flood, and let the water get away without injuring the fence.

81. Do you find the fencing destroyed by fire? My fences have never experienced the effects of fire, as I always have the ground well cleared on each side of them.

82. Does it cost much to keep it in repair? No, it is a very simple fence to erect, and very easy to repair.

83. What is the height of the fence? 3 feet 6 inches, and 6 inches is buried in the ground.

84. Can the rabbits get over that? I have never found it so.

85. *By the Chairman.*—What is the cost of the fencing? That entirely depends upon the timber. My fencing cost me £75 per mile; it is cheaper than a post and rail fence, as 4 posts to the chain is all you want. My fences have barbed wire on top. The netting costs £32 10s. to £38 per mile, but can be had cheaper by importing it direct. I am now going in for 1½ inch netting, as I find that a small rabbit can go through the 1½ inch netting.

86. Do you think the mesh recommended by the New South Wales Conference is not sufficient? It is in one way, but the small rabbits will go through it.

87. *By Mr. Sutton.*—Do you think those small rabbits would be large enough to live away from their mothers? Yes; I got the fact from a man I can rely upon. The small netting would only be necessary in bad places, where there were warrens. The Government should be requested to take the duty off the 1½ inch netting.

88. *By the Chairman.*—How is the Act carried out in your district? Very fairly, though I do not think the Magistrates have enough power. The greatest drawback is the trial of cases under the Act by the local Magistrates. I did my duty when I sat on the Bench, but I do not like it. We want independent Justices.

89. *By Mr. Mackenzie.*—Have you found poisoning destroy the birds? Not if the poison is used at the proper time.

90. It has been suggested that the best months are January, February, June, and July: what is your opinion? In the two latter months the birds are short of food and would take the poison. I have had as good results in January as in any month, but February I consider the best month for laying the poison. My mode is to make a plough furrow across the ground and lay the poison in that.

91. *By the Chairman.*—Is any of your land stony? Yes, but I prefer that, as the rabbits are not so apt to scratch under the fences.

92. *By Mr. Von Stieglitz.*—Would it not be a good plan to make a permanent waterhole across the creeks? Yes, without doubt. My fencing was only completed last March, and I reckon I will be £200 in pocket by it at shearing time.

93. Does the fencing last? I have some on one of my gates that was put in 11 years ago, and it is as sound as ever. It is apt to decay in salt country.

94. *By the Chairman.*—Do you include the whole cost in £75 per mile? Yes. I clear from 11 to 12 feet on each side of the fence, but that is not included in the cost; any trees likely to fall on the fence are cut down.

95. *By Mr. Von Stieglitz.*—Have you tried these new traps of wire netting? No, but I think they are a good idea. I have found that rabbits will not jump a wire fence, which they can see through, like they will jump a paling fence.

96. Do you think 3 feet out of the ground is sufficient? Yes.
97. You would like to see the rabbits totally exterminated? Yes, but I am afraid it can't be done. You have to contend against the men who make their living by trapping.
98. *By the Chairman.*—Do you pay the men by the skins or by so much a year? I have paid them so much a dozen for the skins, but now I am going to pay them so much a year. It looks costly, but it is the cheapest in the end.
99. Have you any difficulty in getting men? At times; but we do not mind the wages if get good men who will do their work.
100. *By Mr. Von Stieglitz.*—Do you think the land-owners would be willing to pay a large sum if they could get the rabbits exterminated in 10 years? I should think they would.
101. *By Mr. Mackenzie.*—Do you think a district that has no rabbits should be exempt from taxation? Yes; but before long they will be all over the country.
102. *By Mr. Von Stieglitz.*—Does the inspector in your district do his work? Yes, as far as the Act will allow him. The inspectors complain bitterly about the Justices not giving convictions.
103. What would you suggest as a remedy? I would like to see independent men appointed to decide those cases.
104. *By the Chairman.*—The present Act fairly meets all requirements, but may be improved by a clause rendering the use of poison compulsory, and some proviso in the Boundary Fencing Act to compel a neighbour to assist in making a wire-netting fence on a boundary? Yes, those are my views. If there was a dispute in regard to boundary fences, arbitrators should be appointed to decide whether the fence was necessary or not.
105. *By Mr. Davies.*—Do you think the minimum fine of £5 is too high? I think it is a fair thing. People have been fined as high as £20 or £30 in our district.
106. *By Mr. Von Stieglitz.*—Is one inspector sufficient in your district? There is rather too much for one man.
107. *By the Chairman.*—Are the rabbits increasing in that district? Yes, they are spreading.
108. *By Mr. Von Stieglitz.*—Would you be in favour of doubling the rates in the infested districts, and reducing it in the clean ones? All the districts I am acquainted with are infested, and I do not know how you could make a difference in the rate. I would sooner pay a rate and have no rabbits, than have them and have to pay for them.

HENRY VON STIEGLITZ, *called and examined.*

109. *By the Chairman.*—You are a land occupier in the Fingal District? Yes.
110. You have had considerable experience in rabbit-infested districts? Yes.
111. What is your opinion of the working of the Act? I think, in the first place, that traps should be abolished, as they scatter the rabbits far and wide. I never trapped on my property until about 6 months ago, but since then the rabbits are scattered miles beyond where they were before.
112. Have you tried poisoning? Yes, but the rabbits will not take it while they can get any green food. I had half a bushel of grain poisoned with strychnine, and I killed more rabbits with that than with 5 bushels of phosphorised grain. I have tried both oats and wheat, with bad results. I find the plough the best way to lay the grain, and I find it is much more fatal in times of severe frosts.
113. When do you think the best time to lay the poison? When the grass is at its worst. The rabbits took it better last autumn than any other time.
114. Have you had any experience of fencing? No.
115. Are the rabbits in your district increasing? Yes, decidedly so.
116. Is the inspector doing his duty? Yes, as far as I can see. I do not think he has too much to do.
117. You are Warden of the District? Yes.
118. How many informations have been laid under the Rabbit Act? There were 2 or 3 cases. I was one victim myself.
119. Have convictions followed? There were two cases, myself and another. In the other case there was not sufficient evidence, as the owner of the land, Mr. Thomas Parker, showed that his men had done all they could to carry out the Act. Whether the evidence was reliable I cannot say, but it was sworn to by three men.
120. Do you think the magistrates could work better if the minimum penalty was not so high as £5? Yes, I think it is too high. The magistrates might be inclined to give a conviction for a first offence if it were not so high. Of course, for a second offence, the penalty should be heavier. The increase of rabbits in our district is due to the want of proper means being taken to kill them. Everyone there is laying poison, but the rabbits won't take it. I have put down 10 miles of it myself. I do not think it is the inspector's fault, as he seems to be satisfied that the poison has been put down, and he is not an advocate of traps. I don't think we have the proper means.
121. *By Mr. Von Stieglitz.*—Did the inspector in your district ever summon a man and then not proceed with the case? Yes, he withdrew the case on account of the illness of the party summoned. There was no doubt of the rabbits being bad at that man's place, but whether the inspector was satisfied with what had been done since the summons I do not know.

123. *By the Chairman.*—Do you think special magistrates should be appointed to attend the different districts? Yes, it is too much to ask a man to decide in a case where his neighbour is concerned. The difficulty would be to get a man fitted to act as a special magistrate, but the inspectors would be very much strengthened in their positions if such were done.

124. Do you employ men to kill the rabbits? Yes, I believe I am the only one in the district who does so.

125. *By Mr. Davies.*—Do you think poisoning should be made compulsory? There is no poison that the rabbits in our district will take. The district is a damp one, and there is always plenty of green fodder for them. It should be made compulsory there to use ferrets and dogs.

126. *By the Chairman.*—Do you think the inspector has sufficient power under the present Act? Yes; but I don't know about the Chief Inspector.

EDWARD DOWLING, *called and examined.*

127. *By the Chairman.*—You are a landowner in the Midland Districts? Yes.

128. The rabbits are bad there? Yes.

129. Will you give the Committee your opinion in reference to the working of the Act? The Act is working fairly well; so did the Board system. I think it would be an improvement if the Chief Inspector had power to compel persons to lay poison where he thought necessary, at stated times; simultaneous poisoning would not do, because some districts are much earlier than others.

130. Have you tried poisoning? Yes, I used strychnine twenty years ago; when phosphorised oats came into vogue I used them largely,—it is the best way of dealing with rabbits at the end of the summer.

131. What is the best time for laying the oats? The matter should be left to the Inspector; about March, I think, is the best time. The scarcer the green feed the better will they take the poison.

132. Do you do any trapping? Yes, I employ a man all the year round. The man, constantly employed, destroys rabbits by hunting them with dogs and shooting besides trapping, and he is assisted by two or three others in laying poison at suitable times. I give him £20 a year, his rations, a cottage to live in, and a cow, besides all the skins he can get. I have endeavoured to impress upon him that he is not there to farm the rabbits, but as a gamekeeper to destroy the vermin; and if rabbits are so scarce that £20 a year is not enough, I will give him £40. The roving or professional trapper is about the worst evil the colony can suffer—in fact, the root of the whole evil is the commercial value of the skins, and the interest that the people have in them. If they were worth nothing we would be better off. Some people think the rabbits should be protected, as they are a living for the poor.

133. Have you tried fencing? I have a rabbit-proof fence round about four acres of garden, but I find it difficult in a dry season to keep the rabbits out. I have not tried it to any extent.

134. Is the Act fairly carried out in your district? Yes. The Inspector has quite as much as he can do.

135. Do you approve of visiting magistrates being appointed to try cases under this Act? That is a wide question. It is very unpleasant for local magistrates to have to try their friends and neighbours, and it may work badly in some places. In all cases I have seen justice was done.

136. Do you think the minimum penalty of £5 prevents justice being done? No, it is little enough for such a serious offence. In fact, I heard of an individual remarking, upon being fined £10, "Well, this is cheaper than killing rabbits."

137. Do you think the Act would be benefited by the appointment of visiting magistrates? I don't think so. Such magistrates would not be practical men, and would be more likely to deal with the case on strictly legal grounds, and not equitably, as a body of gentlemen who understood the question would. I admit there may be magistrates who show an undue amount of lenity.

138. *By Mr. Von Stieglitz.*—If it were possible to exterminate the rabbits in ten years, would the landowners pay considerably more than at present to effect that object? You would not get a practical man to believe that it was possible, in the first place.

139. But if they were convinced? Of course they would pay.

THURSDAY, AUGUST 20, 1891.

WILLIAM BURBURY, *called and examined.*

140. *By the Chairman.*—What is your name? William Burbury.

141. You are a resident in the Oatlands District? Yes.

142. Which is infested with rabbits? Yes, unfortunately.

143. You have had a good deal of experience in connection with rabbits? Yes, about 18 years.

144. Will you tell the Committee what means you adopt to keep the rabbits down? I find that every means, except poisoning, has failed to reduce the rabbits to any extent.

145. What means have you tried besides? I have tried hunting, shooting, trapping, and digging out burrows. My experience is different to that of many, as I have never failed in killing rabbits by a judicious laying down of properly prepared phosphorised oats or wheat.

[Rabbits.]

146. Have you given up all other means in favour of poisoning? I don't say that; though on one of my properties I would not use traps of any kind, because I find they destroy the native enemies of the rabbit.

147. Then at present you depend almost solely upon poisoning? Except in the spring of the year, when the poisoned grain is not so readily taken by rabbits; then we use other means.

148. Then, as a matter of fact, you do use other means? Yes, but if my land was fenced in with rabbit-proof fencing, so that my neighbours' rabbits were not always running upon my land, I could kill nearly every rabbit there with poison.

149. Do you find that they will take the poison readily at all times of the year? I have never failed in getting them to take it, and I have had a lot of experience in poisoning. Even now, when the does are beginning to have young, the young rabbits, that are not more than a month or six weeks old, are found poisoned. The rabbits will take the phosphorised grain up to the end of October with us, and they begin again to take it in March. I have properties at Salt Pan Plains, which is in an early country, and in the Lake District, and I find no difference in the way in which the rabbits take the poison.

150. What do you think would be the best months in which to lay down poison? In a dry autumn, as early as possible, and from that right on to the end of October.

151. Would you poison all through the winter? Yes. I do not mean to say that it is a good thing to be sowing poisoned grain on a run every day, but if you do as we do, go all over the run in numbers, keeping about 200 yards apart, and putting down the poison systematically, you would not have to poison again that winter. You can do more with phosphorised oats in one week, or in one night even, than you can do with an army of trappers in a whole winter.

152. *By Mr. Von Stieglitz.*—Do you use the plough in laying poison? My son is using it this winter, and speaks well of it.

153. *By the Chairman.*—Is poison generally used in your district? No,—that is where the mischief comes in. I can tell you those who do use it, and who are satisfied with it: there are Mr. O'Connor, Mr. James Bisdee, and Mr. Foster. I am sure Mr. Bisdee will tell you, and I think the others will, that if their neighbours did as they do—lay phosphorised grain all over their runs in the autumn—there would be no need for any trapping at all.

154. Would you think it would be advisable to amend our Act to make poisoning compulsory? I think that is where our Act has failed, although I do not think that it has failed altogether.

155. Do you think it would be a good thing if the inspectors were able to compel people to lay down poison where the rabbits were found to be numerous? Yes, I am sure it would. If the Inspector gave an occupier notice to lay down poison, and he did not do so, and the inspector then went and laid down poison at the occupier's expense, he would not have to do it again after it had been done in one or two instances. It would soon wake the people up, and make them do it themselves, as an occupier can do it at much less expense to himself than the inspector could do it for him. That is the only way to reduce rabbits in large numbers, and I strongly recommend an amendment in that direction. The Chief Inspector ought to have the power, and before it is exercised the District Inspector ought to confer with him.

156. Have you had any experience of rabbit-proof fencing? No; but I should think it would be very effective. I have used it where I have had small patches of mangolds and turnips.

157. Would it be advisable to adopt some system of wire-fencing? If the power of compelling the laying down of poison were given the inspectors, and judiciously exercised, there would be no necessity for wire-fencing; and I would not advocate its use everywhere. I think where a man has cultivated land adjoining a rabbit-infested country belonging to someone else, the neighbour should be compelled to assist him in putting up a wire-netting fence.

158. *By Mr. Von Stieglitz.*—That would come under the Fencing Act? Yes; but if the Fencing Act is amended to make rabbit-proof fencing a legal fence under the Act, it should be done with great caution, and should only be enforced after the case has been investigated by two or three arbitrators. A man who could afford to wire-net his run would get the benefit at once, but I think it would be too expensive for many properties. You would have to get rid of all the old fences, and protect the new ones from fire, because bush-fires will destroy them at once.

159. *By the Chairman.*—Do you think that such an amendment would be oppressive? Yes; but I can give you an instance where hardship comes in under the present law. There is a very old resident named Pennycuik at Spring Hill, who has 100 acres of ground, and is surrounded by two neighbours who have very large properties. This family have been fighting the rabbits for the last 18 years, until now they are ruined, and in their extremity they have arranged to fence the place in with netting. One neighbour is assisting them to do it, and the other can't or won't.

160. *By Mr. Von Stieglitz.*—You think it should be done by arbitration? I think that where a man can make out as good a case as that man I have just mentioned his neighbours should be compelled to assist him.

161. In all badly infested districts should not a man be able to compel his neighbour to assist him? I think it would be oppressive.

162. *By the Chairman.*—Have you had any experience in regard to the erection of these fences? No.

163. Nor the cost of them? No.

164. How is the Act working in your district, generally speaking? I believe there is such a difficulty on the part of the inspectors in getting convictions that they are disheartened. I did think that the inspectors erred on the side of leniency, but we have had two cases under the Act, and we found the 11th Section framed in such a way that it was impossible to get a conviction where the magistrate is particularly

conscientious. The Section is: "If within Seven days after the service of such notice such occupier do not commence to use all such means, and take all such measures, and do and perform all and every such acts and things as may be necessary to destroy the rabbits on the land mentioned in such notice, and having so commenced do not continue such action until such rabbits are destroyed, he shall be liable to a penalty of not less than Five Pounds and not exceeding Twenty-five Pounds. In any prosecution under this Section the occupier shall be competent to give evidence on his own behalf." Though the inspector says you have not done enough, it is left in the hands of the magistrates to say whether you have done enough or not, and so there is no conviction. The occupier gives evidence that he did a certain amount, and is continuing to do so, and the magistrate must believe him.

165. *By Mr. Von Stieglitz.*—Can you suggest any amendment to that? It is a very difficult matter, and magistrates do not like fining their neighbours, especially £5, which is too high for a minimum. I heard a magistrate, who was a very sensible man, say that if the minimum fine was £1 he might have gone for a conviction.

166. *By the Chairman.*—Do you think it is a mistake to have a minimum at all? I will not say it is not, but I certainly think it should be reduced to £1 for a first offence.

167. *By Mr. Von Stieglitz.*—What do you think of having travelling magistrates to travel in these cases? If the other magistrates did not look upon it as a want of confidence in them, I should like to see it done. I, for one, would be glad to be rid of the unpleasantness of having to fine my neighbours.

168. *By Mr. Sutton.*—Under the former Act the minimum was lower? Yes.

169. And the witnesses who came to our Select Committee on the subject were in favour of having it increased? They were.

170. *By the Chairman.*—Have you had many prosecutions under the present Act in your district? Only two, and they were both dismissed. There has not been any conviction under this Act in my district. Both these cases were unfortunate selections on the part of the inspector. In the first case the inspector was wrong as to the boundary of the land in question, and in the second case I am sure the information would never have been laid if the inspector and the man he proceeded against had not quarrelled.

171. Has the inspector in your district more work than he can accomplish? I don't think any inspector, whoever he is, can give satisfaction, unless he has the power to compel negligent persons to lay phosphorised grain. With that amendment in the Act one man can do all the work in our district. If he knew that a certain run had been carefully laid down with poison, he would not have the trouble of going over it again.

172. *By Mr. Sutton.*—Is there much opposition to the use of poisoned grain in your district? I think there is, but I fancy the general feeling is in favour of it.

173. *By Mr. Mackenzie.*—Do you think that phosphorised oats and wheat are the best grains to use? They are the only ones I have used extensively.

174. Does the poisoned grain kill the native birds? I think it does about the homestead. My sons, however, tell me that they find very few dead. We have found the black and white magpie dead, but I do not think it is a granivorous bird. I think they may get poisoned by eating the entrails of the dead rabbits.

175. What is your objection to trapping? It destroys the natural enemies of the rabbits. I have one property upon which I do not allow any trapping, and upon which I turn out all the domestic cats I can. The rabbits do not seem to increase, but I find my neighbours trapping my cats. That is the Stonehouse property. I have never used many traps on my property in the Ross district, where we turned out a lot of cats.

176. *By Mr. Sutton.*—Have you seen any magpies caught in the traps? We do get birds in the traps, but I do not know if the magpie has been ever caught. The hawk is caught, and he is very fond of young rabbits.

177. *By Mr. Von Stieglitz.*—Do you believe in preserving the hawk? Yes, it eats scores of little rabbits.

178. *By the Chairman.*—You have had a meeting in regard to the Rabbit Act in your district? Yes; I was the Chairman of it.

179. Was the meeting a fairly representative one? Yes, it was well attended. There were two meetings, and at the first a Committee was appointed to bring up a report to the adjourned meeting. There were 50 or 60 people present.

180. Will you give us the purport of the report of the Committee? I sent it to Mr. Fysh.

181. *By Mr. Mackenzie.*—Did it advocate compulsory poisoning? Yes.

182. *By Mr. Von Stieglitz.*—Are the rabbits increasing or decreasing in your district? They are covering a wider area, but I do not think they are so thick in any one place as they were a few years ago.

183. Do you think the present system is as good as the Boards were? The Boards worked very badly in Oatlands.

184. You think it is better under the Chief Inspector? Yes, if you have a Rabbit Act you must have a head.

185. What do you think of doubling the tax in the infested districts and leaving it as it is in the clean districts? I think that all pastoral districts ought to contribute, because unless something is done the rabbits will soon be all over the country.

186. Then, if more revenue is required, how should it be raised? I have not thought that out. I think wherever there are sheep in large quantities there are rabbits.

187. *By Mr. Mackenzie.*—As it is possible more funds will be required to carry out this Act, would it not be advisable to increase the tax upon badly infested districts, and leave the ones where there are no rabbits to pay as they are now? I do not know of any clean districts.

188. I am in a clean district upon the North West Coast. Ringarooma is clean, and Glamorgan is asking to be relieved from paying the tax? There are plenty of rabbits in the Glamorgan District; they will soon be a nuisance unless they are kept down.

189. *By Mr. Von Stieglitz.*—Then you are in favour of the tax being the same all over the Colony? Yes, I think that all the sheep in the Colony should be taxed at the same rate. I do not see how you could draw a line.

190. *By the Chairman.*—I see that the Act was thoroughly condemned at the meeting held at Oatlands? Yes, at the first meeting there was a Committee appointed to draw up the report to the next meeting. There were five gentlemen named as a Committee, with power to add to their number. They held three meetings, and at the last meeting, which was held on the same day as the adjourned public meeting, the Committee were perfectly unanimous in the proposals they brought up. There was not one dissentient voice. They recommended that the present Rabbit Act be amended to give the Inspector power to order simultaneous and compulsory poisoning; and there was also a resolution asking the Government to assist in the importation of wire-netting and phosphorus as cheaply as possible.

191. *By Mr. Von Stieglitz.*—Do you prepare the poisoned grain yourself? Yes, and if I do not, one of my sons prepares it.

192. You thoroughly understand the process? Yes; I think it is very important that it should be properly done. I believe I was the first to use poison. I saw in the *Australasian* newspaper an extract from a Californian paper, where it stated that on a certain rabbit-infested island the occupier was using phosphorus to kill the rabbits. He boiled it in a copper with water, and then mixed pollard or sharps with it. I showed the statement to Mr. James Wilson, my partner at the time, and got some phosphorus, for which I paid 16s. per lb. Mr. Wilson tried it at Ashgrove, sending out a chaise cart half full of the stuff, which was strewn about the run, and the result was wonderful. From that has sprung the general use of phosphorised oats. The phosphorus is boiled in water until it is dispersed, and then the oats are put in. I use 1lb. weight of phosphorus to 4 bushels of oats, and I find it quite strong enough.

193. *By Mr. Mackenzie.*—How do you apply it? We scatter it, not more than one teaspoonful at a time, on the places where the rabbits feed.

194. You do not use a plough? My son told me he was using one, and liked it very well. The rabbit seems to be attracted to the freshly turned earth. Many people use hoes, but I have never found them necessary.

195. Is there much green fodder about? In the Eastern Marshes District there is a great deal, but there is not so much at Antill Ponds.

196. You think from March to October are the best months? Yes, but at the end of a dry summer you can begin earlier than March.

197. Does not the autumn grass interfere with the rabbits taking the poison? I don't think so. My experience is that they take the poisoned oats because they like them, and not because they are hungry. In the winter time they took the poison in the middle of a turnip field in the Eastern Marshes country.

198. How many years' experience have you had? Eighteen years.

199. You think the minimum fine should be reduced from £5? Yes; and where an inspector has given notice to lay poison, and it is not done within a reasonable time, the Chief Inspector should have power to go upon the land and see what he can do.

200. *By the Chairman.*—Without summoning the man first? That is the difficulty. I think where the inspector has gone through the legal form and given proper notice, and finds that, notwithstanding what the occupier has done, there are still a great many rabbits, he should have the power to go upon the land and see if he cannot kill them, for the protection of the neighbours.

201. That is a horrible power to put in the hands of anyone? Yes, but I cannot see how to get over it. Section 12 of the present Act says that the Inspector may enter upon the land if the occupier neglects to kill his rabbits, but in the case I mentioned he has not been guilty of neglect, by doing something.

202. But not sufficient? Yes, but who is to prove that? Under the Act at present the inspector has to obtain an order to enter upon the land from two Justices. Some Justices want everything proved to the very letter, and if a man comes before them and gives evidence upon his own behalf that he has done so and so, and killed so many rabbits, the Magistrates won't punish him.

203. *By Mr. Von Stieglitz.*—Do the rabbits cost you much? Yes, they do; in addition to eating my grass I am paying 2s. 6d. a dozen for rabbit skins, and am getting 2s. On the property where I live it costs me £80 a year, in addition to the loss of grass.

204. I suppose you lose another £80 by the grass eaten? A great deal more.

205. Do you think it is possible to exterminate the rabbits completely? I don't think it is.

206. If such a thing were possible, would the landholders be prepared to pay well for it? I believe there are a lot of landholders who farm the rabbits, and don't want them exterminated.

207. *By Mr. Mackenzie.*—It is stated that the trappers farm the rabbits, and abandon a run till after the breeding season? I think the rabbit-trapper is a curse, and only traps for his own benefit. There are times and places where the rabbits won't trap. I had two men on a property I have called Fonthill, and they did well, until they came to me and said they could not make wages. I went over the run, and told my son to poison it, and where the men said they could not get a dozen rabbits a day, we picked up 360 after laying down the poison. This shows that they will take poison where they will not trap.

208. *By the Chairman.*—You advise, then, that the inspector should have the power to compel the laying down of poison? Yes.

209. Would you advise that clause 11 of the present Act be amended so as to make a conviction easier to secure? Yes.

210. Do you think visiting magistrates should be appointed to deal with cases under the Act? As far as I am concerned, I should be very glad to see them; and I think it might have a good effect, if the magistrates would not take it as a slur upon the Bench. It does look like a want of confidence in the magistrates, and on that ground I would not advocate it. I think there should be something done in regard to boundary fencing.

211. *By Mr. Von Stieglitz.*—How long will the poisoned grain keep? It is better if used fresh. I think that after a time it begins to oxidise, as, if the air is allowed to get to it, it is not much good. I often keep it a week or ten days, but the fresher it is used the better. I once used musty oats, and the result was bad.

212. Do you think it would be a good thing to have a Government depôt, where the poison could be purchased? Yes, I believe it would.

213. Have you tried peas with the phosphorus? Yes. I got very good results from them. The best results I have had are from oats, though I have had good ones from wheat. I have found that it is unwise to use too much phosphorus. One pound of phosphorus is quite sufficient for four bushels of oats. It will take six gallons of water to the four bushels.

214. *By Mr. Mackenzie.*—And the same quantities for wheat? Yes. I think that rabbit-trapping has a very demoralising effect upon young people. About two months ago a man laid an information against a rabbit for indecent assault upon his daughter. The girl, who was 14 years of age, came into Court dressed in the most extravagant style, and I found that she absolutely knew nothing. She had not been to school, though living within three miles of one, for years; she did not know what she came to Court for, and did not know that there was a God or devil, or a place of punishment, or a Heaven, or anything else. I am sorry to say there are a great many like this one.

215. Do the girls, then, go trapping? Yes. It is a very bad training for girls and young boys. It is very cruel work, and, on the score of humanity alone, poisoning is preferable.

216. Where do you find the rabbits after they are poisoned? Lying everywhere. Plenty of them die in their burrows, and sometimes they are found half a mile away from the poison.

217. *By the Chairman.*—Have you ever used strychnine? Yes; we used to cut up mangolds and carrots and put the strychnine in them. We found it act very well, but the process of preparing it is very slow. It causes death much more quickly than phosphorus.

218. Have you tried any solution of strychnine? We used to dissolve it with muriatic acid.

219. Have you tried the solution with grain? No. I think Mr. John Bisdee has tried it with grain and chaff. I am quite convinced that phosphorus is sufficient.

THOMAS A. TABART, *recalled and examined.*

220. *By the Chairman.*—Have you prepared answers to the questions that Mr. Von Stieglitz gave you to reply to? Yes. Questions 1 and 2—“What is your opinion regarding making the whole of the rabbits the property of the State?” and “Would this not take away the commercial value of the rabbits and their skins to private individuals?” My reply to that is that I am of opinion that making rabbits the property of the State, although nominally taking away their commercial value to private individuals, would not in reality do so, as the value they now represent in skins and carcasses would still be received by the people employed in destroying them in the form of a fixed income of so much per week or year, as the case may be. To question 3, “Could you not get a considerable revenue from the sale of the rabbits and their skins, if they were the property of the state, this revenue to go towards eradicating the pest?”—I reply that the revenue derivable from the sale of skins would be absurdly small in proportion to the necessary expenditure incurred in the work of extermination. Appended is an estimate in round numbers giving an approximate idea of the receipts and expenditure, taking Bothwell as an example:—

BOTHWELL.

Acreage	300,000 acres.
Men required to destroy rabbits at an average of 1 man to 1000 acres	300 men.
Taking one-tenth of three millions, the total number of skins annually exported	300,000 skins.
In order to make sensible progress towards extermination, at least three times this number must be accounted for, say	900,000 skins.
At 1s. per dozen nett these skins would realize	£3750.
At one man to 1000 acres of land there would be required	300 men.
Costing per annum at 30s. per week	£23,400.
Leaving a debit balance of	£19,650.

Without taking into consideration the cost of supervision, depôts, receiving officers, &c. The revenue derivable from sale of skins by Government would naturally decrease each year as the pest diminished.

221. Do you wish to comment upon any of the evidence? Yes, I would like to refer to the evidence given by Mr. John Lyne. He has made a statement that the inspectors dictate to the owners of land, and that is one of the reasons of the dislike of the occupiers of land to the inspectors. In my report for 1891 I ask the land-occupiers to assist the inspectors in the discharge of an unpleasant duty, by carrying out the necessary work for the destruction of rabbits on a proper system. In order to show you that it is

not my wish or the wish of any inspector to act as a dictator, I will read the instructions I issued to inspectors when this Act came into force. They were issued from the Chief Inspector's Office on January 1st, 1890:—

SIR,

ON entering on your duties as an Inspector under the Stock Act, 1889, you are to carry out the provisions of all Acts under which Inspectors of Stock are appointed.

One of the great objects to be attained is the destruction of rabbits; and although a more difficult question to grapple with than the eradication of Scab, still I am encouraged to hope that with energetic, uniform, and simultaneous action, the pest can be dealt with successfully. The provisions of "The Rabbit Destruction Act, 1889," so far as can be foreseen, are of such a nature as to embrace all circumstances that may arise, and the provisions are sufficiently stringent to compel careless occupiers to destroy the pest.

I need hardly inform you that I desire that all occupiers shall comply with the Act, which must be administered in a firm but judicious manner, so that "The Rabbit Destruction Act, 1889," may grow in public favour.

In any case of difficulty, or when you may be in doubt as to the course you ought to adopt, you will at once communicate with me either through the post, or by telegraph if necessary, as may appear most desirable, keeping a copy of your letter or telegram as the case may be.

In performing your duties you will at all times be courteous in your bearing to those with whom you come in contact, and, with due regard to the objects of the Act, give no unnecessary cause of annoyance to individuals. At the same time you will bear in mind that in all cases it will be your duty to act with the strictest impartiality, without respect to persons or their social position, or whether the individual you have to deal with has one acre of land or 10,000.

The success of the Act may be materially advanced or retarded by the discreet or indiscreet procedure of Inspectors during the early stages of its working; I shall therefore expect you to be prompt, but careful, in all your actions as an Inspector, and that you will aid me heartily, and in good faith, to accomplish the object contemplated by the Legislature, viz., the destruction of rabbits from the lands of Tasmania with as little delay and at as small an amount of inconvenience and annoyance to individuals as possible.

You will consider strictly confidential all information you may receive from outside sources bearing upon the existence of rabbits upon the holdings of individual occupiers.

Feeling confident that you are well acquainted with the most approved modes of dealing with the rabbit pest, I shall consider it part of your duty to afford all information in your power to anyone you may find unacquainted with the best methods.

I desire that you will retain a copy of every communication you may be called upon to make to whomsoever it may be addressed, such copies to be considered as the property of this Department, and to be open for perusal and examination by the Chief Inspector when considered necessary. A diary shall be kept setting forth all work performed by you, showing the inspections made, and all proceedings taken under the Act, and the result. From this diary a report must be compiled and furnished to the Chief Inspector as early as possible after the 1st day of each month.

When proceedings are to be instituted under 53 Vict., No. 42, the nature of the offence, and the particulars, must be forwarded to the Chief Inspector in writing for his approval prior to the prosecution.

These instructions will apply to all Acts which Inspectors of Stock are appointed to carry out.

I have, &c.

You will see by these instructions that it is not our wish to act as dictators. We simply give what instructions are considered necessary if the Act is not carried out.

222. The inspectors give advice when they are asked for it? Yes.

223. Have any complaints been made to you about inspectors? Yes, there was one.

224. Was it from Glamorgan? No. I had a verbal complaint made to me by an owner of land, but I declined to receive it because it would be unfair to take a verbal complaint against an inspector, and without giving him the opportunity to defend himself. I requested him to put it into writing, that it might be forwarded to the inspector for his defence, but it was never written. Beyond that, I have had no complaints.

225. Have you anything further to add? Yes. I spoke before of the difficulty I had in carrying on prosecutions under this Act, and I noticed in the evidence of Mr. Von Stieglitz that he was one of those who were proceeded against. I take exception to the action of the Bench in that case. The case was not decided on the first hearing, but the Bench "adjourned for one month, to allow of a satisfactory reduction being made in the rabbits." The bench refused to allow an inspection to be made, with the result stated. The case was called on a month after the adjournment, and I gave instructions to the inspector to protest against any evidence being given or taken. Mr. Von Stieglitz was fined £5 and costs. With reference to a question asked of a witness by Mr. Von Stieglitz in regard to the withdrawal of a case, I think it was only right that I should withdraw under the circumstances. It was the case of a landholder in the Fingal District, against whom an information was laid; but, before the case came on, I received a letter from his wife stating that he was stricken down by an apoplectic fit, and that steps had been taken to put on men to kill the rabbits on his land. I consider I was perfectly justified in withdrawing that case. There is another case in which I had instructed an inspector to take action against a landholder for not having complied with the Act, and the case was dismissed upon the evidence of trappers who were working on this property for their own benefit. One of the trappers said that in going over the run he only counted twenty rabbits, and the other that he only counted two. The inspector pointed out that these two witnesses got their living by trapping rabbits. One of the trappers said that he caught in March 120,000 rabbits, in April 105,000, in May 86,000, in June 61,000, and in July 48,000. If rabbits could be caught in that way they would soon be exterminated, but to my mind the evidence shows on the face of it that it should not be received. The chief magistrate who heard that case was the landlord of the man who was proceeded against, and both he and his brother magistrate had been served with notices under the 11th Section of the Act on the same day as the defendant. All this bears out what I maintain, that a special magistrate should be appointed to hear all cases under this Act.

226. Is the Oatlands District a badly infested one? Yes, it is the worst in the Island.

227. There were only two cases of prosecution there? Yes. The inspector at Oatlands was unfortunately stricken with typhoid fever, and was not able to do any work for some months, and consequently

the rabbits increased. I ordered Mr. C. W. Tabart into the district; and he was assisted by the Bothwel and Richmond inspectors. Mr. Tabart only entered upon one badly infested run, and gave the owner notice to destroy his rabbits, and upon going again within ten days he found that decided steps had been taken to reduce the rabbits.

228. You were aware of that as soon as it happened? Yes.

229. You do not obtain a conviction in every case? No.

230. It seems to me you are disheartened? Well, when I find a bench considering that laying a bushel of oats over 3500 acres of land is doing sufficient, I consider it is almost useless to deal with them.

231. The Act is almost a dead letter in that district? Yes.

232. *By Mr. Von Stieglitz.*—Can you suggest any amendment in Clause 11? I think the clause is sufficient. All we want is a poisoning clause.

233. *By the Chairman.*—Does not Clause 12 give you that? We have to go before a bench of magistrates and get an order from them. If I find an occupier of land is not doing his duty, I should like to have the power to order him to lay poisoned oats upon his property.

234. *By Mr. Mackenzie.*—Is not the miscarriage of justice due to the high minimum fine of £5? Magistrates have told me so, but I consider that when a man has had a notice served upon him and does not attempt to do anything, he should be fined that amount.

235. Do you not think that the fine should be reduced for a first offence, because there are so many opinions as to the best means of killing rabbits, and the defendant may have been doing all he knew and yet not have hit upon the right plan? Yes; if you get twenty practical men together, you won't get five who will agree as to the proper means to be adopted.

236. *By the Chairman.*—Have you read the report of the meeting at Oatlands? Yes.

237. Do you concur in the views expressed there? Most heartily.

238. Do you think it is necessary to have compulsory poisoning all through the district? I would exempt those who are doing their duty.

239. Would you leave it to the discretion of the inspector? Yes; I would ask the right for the inspector to order poison to be laid down on certain properties.

240. Do you think that would have an equally good effect to ordering compulsory poisoning all through the district? Yes. I do not think Parliament would grant a clause for compulsory poisoning everywhere. Besides, the more quietly you deal with rabbits the better. With traps and dogs you drive them from one end of the country to the other. Simultaneous poisoning during January or February, or from the middle of January to the middle of March, is what we really require.

241. *By Mr. Mackenzie.*—Do you think those months would be the most suitable all over the Island? I don't know whether they would be where there are late seasons and green grass, though I have known rabbits take the poison where there is abundance of green stuff. Some two or three years since I had a main road poisoned with peas, and it was very successful.

242. *By Mr. Von Stieglitz.*—The simultaneous poisoning would be where your inspectors recommend? I should have it laid all through the infested districts.

243. What do you think of establishing a Government depôt where people could purchase poisoned grain? If it could be established it would be a very good idea, but I do not see how it would work. It would mean increased expense, and the railway carriage is difficult, as there is a heavy charge on phosphorus or phosphorised grain. It would be a difficult matter to get people whom you could depend upon to make the poisoned grain, as they would want a high rate of wages. There would be great difficulty in getting the poisoned grain fresh.

244. People should get it at cost price if you compel them to use it. Could you not have one man to make the poisoned grain, and two men to seal it up in tins as it was made? Where would be the funds to do that? Our funds are run very close. Where there are a number of small holders I have always recommended them to purchase a poisoning machine among themselves, and let one man keep it and make the poison for the rest. Mr. Burbury supplies a great many at cost price. Mr. Webster had to pay a man who phosphorised his grain 18s. a day. It is abominable work, and the fumes are very objectionable. A man can only make about three lots a day, as it has to be allowed to stand to cool.

NICHOLAS JOHN BROWN, *called and examined.*

245. *By the Chairman.*—Have you had any experience in killing rabbits? Yes, for several years, at Meadow Banks, near Hamilton. I was one of the first to begin the use of poisoned grain. Previous to that I employed trappers, but I found the poisoned grain the most effectual method.

246. Could you cope with the rabbits by that means? Fairly well, except that I was annoyed by rabbits coming in from neighbouring lands where no trouble was taken to destroy them. While they were not eradicated they were kept in check, and every summer, during January, February, March, and April, immense numbers of them were poisoned.

247. Have you had any experience with rabbit-proof fencing? No, but I have seen the result of it on Mr. John Downie's property which have quite astonished me. It is a question whether every man can get the money to net in a large area of land; but, of course, what can be done on 2000 acres can be done on 20,000 acres with equal effect.

248. It is a question whether all kinds of country are suitable for this fencing? On the rougher parts of the country the fencing would cost more than in the open country, but it is only a matter of expense; it is not at all impracticable.

249. *By Mr. Mackenzie.*—Have you had experience in various parts of the country? I have only had personal experience in one part—the Hamilton District; but in travelling about the country I have observed the effect of various practices. I do not think that any method will be successful in eradicating rabbits, except by fencing in small areas and dealing with them separately. If the grain was properly poisoned, and the poisoning made compulsory in February and March, as it is in Victoria, the effect would be to check the plague very much indeed.

250. Do you find that the rabbits take the poison more freely in certain districts than they do in others? No, I cannot say that I have found any difference; but there is a difference in regard to the state of the herbage. When I found they would not take oats, I successfully tried wheat. I have not tried roots of any kind, but I have tried fruit, such as apples and plums. Of course, the process of poisoning them involves a great deal of labour. I find, generally, that if the rabbits won't take the poison in one shape they will in another. When the grass is green they are least disposed to take the grain. I find about March the best time.

251. *By Mr. Von Stieglitz.*—Have there been many convictions in your district? I don't think there have been many. There will not be many as long as the administration of the Act is left in the hands of the local justices.

252. Do you think it should be taken out of their hands? If the law is to remain as it is, it will never be effectually administered unless the cases are adjudicated upon by magistrates who have no connection with the district. Local justices are very averse to annoying their neighbours if they can possibly avoid it. I think the magistrates, so far from taking such appointment as a slur upon themselves, would welcome it. I would suggest the appointment of a magistrate from the North to try cases in the South, and *vice versa*. I have been specially disappointed in the Act in regard to the powers given to inspectors to go upon anyone's land who refuses or neglects to kill his rabbits.

253. The inspector can do nothing until he gets a conviction? No. It is so difficult to get a conviction under the Act that the inspectors are powerless to take the further steps which are authorised. That objection would be removed if a magistrate was appointed who had no connection with the district.

254. *By Mr. Mackenzie.*—Do you think the inspectors have fairly tried the magistrates in your district by taking sufficient proceedings? Not having lived in the district for some time I cannot answer; I only judge by what I have seen in the reports. I am not prepared to say whether the inspectors have done as much as they ought to have done, but I have observed several cases in which there has been an indisposition on the part of the local magistrates to administer the Act strictly.

255. Have you any idea of the cost of wire fencing? It will depend upon how it is erected. If it is put along a post-and-rail fence the cost would not be more than £40 a mile; but if you erect a new one with iron standards and strong straining-posts, the cost would be from £70 to £80. The wire could be put along a post-and-rail fence as effectually as if a new fence was made. 6 inches of the netting is buried in the ground.

256. Would not they clamber up the rails? There is that objection, but it could be removed by taking one of the rails out. The fence might not be quite as effectual as a new one, but for all practical purposes it would answer well.

257. *By Mr. Von Stieglitz.*—Do you think the Fencing Act should be amended? I am decidedly of opinion that the Act should be amended, so that anyone desirous of making his land rabbit-proof should have the assistance of his neighbour in doing so. I am quite sure the effect would be not to give wealthy men an opportunity of oppressing poorer ones, but to give poor men the right to make the wealthy ones assist in fencing in their land.

258. Do you think a neighbour should be compelled to keep gorse boundary hedges trimmed? I think there is power; but speaking generally, I think there ought to be power to compel a man to adopt any reasonable means of destroying cover and discouraging rabbits. To remove any objection that might be felt to giving one neighbour arbitrary powers to dictate to another in a matter of that kind, I should like to make a provision for the matter being decided by two justices, or the special magistrate I have spoken of, who would hear the whole of the facts before deciding whether the demand was reasonable or not. This would remove a good many objections to the alteration of the law.

259. *By the Chairman.*—Do you think it would be advisable for the Government to import wire netting and supply it at cost price? I see many objections to that. The chief one is that the Government would have a number of creditors spread all over the country; with whom they might find it difficult to deal on occasion. In Victoria the netting is supplied by the Government to the Shire Councils, and the Councils in turn supply it to the persons who require it. The Shire Councils only are responsible to the Government, who have the power to take the price of the wire from their annual subsidies. We have no such machinery as that; and I question whether the system works very well in Victoria. For the Government to deal directly with individuals would lead to a great deal of heartburning and unpleasantness. Probably, from time to time you would have landholders coming to Parliament to be relieved from their obligations to the Government for some special reason or other. I think the netting should be allowed to come in free of duty. It is in my knowledge that some of the landholders are finding that the 1½-inch mesh is not small enough, and they want to order the 1¼-inch mesh; but, unfortunately, under the existing tariff that has not been relieved of duty. I presume the intention of the Government was to exempt all rabbit-proof netting, and I think, therefore, that all rabbit-proof netting down to 1-inch mesh should be exempted.

260. *By Mr. Von Stieglitz.*—Do you think the Government should supply poisoned grain? I am doubtful of that, because if you throw the responsibility on each individual of seeing that the grain is properly poisoned you are likely to get more effectual work done. It is not wise to keep a large stock of poisoned grain on hand for any length of time, as my experience is that the poison is less effectual in proportion to the time that it is kept. Grain put out within twelve hours after it has been poisoned is the

most effectual. The poisoning properties of the phosphorus seem to evaporate, no matter whether the grain is kept in a closed vessel or not. I have prepared the grain myself, and put it out on the following morning, and in the evening I have seen the rabbits lying about in all directions, and next morning a great many more. I once used grain that had lain in the phosphoriser a week, but the results were very good.

261. What effect has the rain on the grain? The rain washes the poison away. There is no doubt it is more effectual when used in dry weather.

262. Do you find it poison the native birds? No, I have not found many birds. The men I employed were picked men. I do not employ any casual hands about the work. I made it a condition with my men that they were to put the grain down only in small quantities, and as much as possible under cover, where the birds could not get at it. The result was that I found very few birds killed on my property.

263. You don't use a plough? It is used by the man who is renting my property. We only got as far as the use of hoes.



или за употреба на рогов.

303. Кога користете рогов? Тој се користи од страна на многу професионалци. Може да се користи

подолго време, каде што роговот не може да се користи. Резултатот е дека јој се многу рогови се користат од страна на многу професионалци, но не се користат во големи количини, иако се користат во големи количини.

304. До колку користете роговот? Не, јој не користат многу професионалци. Резултатот е дека јој се многу рогови се користат од страна на многу професионалци, но не се користат во големи количини, иако се користат во големи количини.

305. Каков ефект има роговот на роговот? Резултатот е дека јој се многу рогови се користат од страна на многу професионалци, но не се користат во големи количини, иако се користат во големи количини.