

{No. 107.}



1882.

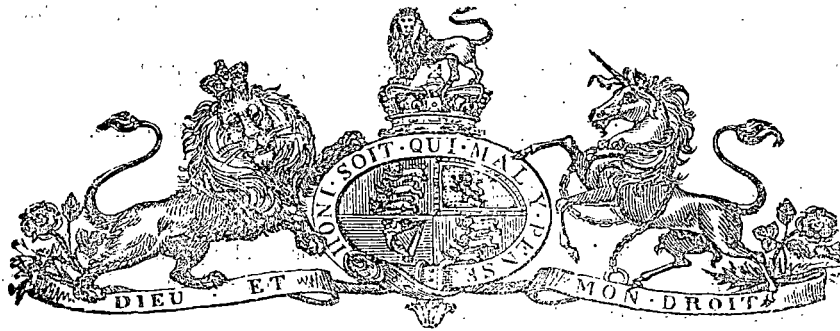
T A S M A N I A.

H O U S E O F A S S E M B L Y.

RABBIT DESTRUCTION BILL, No. 24 :

**REPORT FROM SELECT COMMITTEE, WITH MINUTES AND
APPENDICES.**

Laid upon the Table by the Attorney-General, and ordered by the House to be
printed, September 15, 1882.



SELECT COMMITTEE appointed, on the 26th August, to report upon the Rabbits Destruction Bill.

MEMBERS OF THE COMMITTEE.

MR. ARCHER.
MR. N. J. BROWN.
MR. W. T. H. BROWN.
MR. GRUBB.

MR. PILLINGER.
MR. SCOTT.
THE PREMIER. (*Mover.*)

DAYS OF MEETING.

1. Wednesday, August 30th.

2. Tuesday, September 5th.

3. Friday, September 15th.

MEETINGS OF COMMITTEE.

No. 1.

WEDNESDAY, AUGUST 30, 1882.

Present.—The Premier (Chairman), Messrs. Grubb, W. Brown, and Pillinger.

1. On the motion of Mr. Pillinger, seconded by Mr. Grubb, the Premier was voted to the Chair.

2. The Premier laid the following Papers on the Table:—Tasmanian Rabbit Act at present in force; New South Wales ditto, 1880 and 1881; South Australian ditto, and Report from the Inspector on the working thereof; New Zealand Rabbit Act, and Report of Select Committee of both Houses on the Rabbit nuisance; Victorian Rabbit Act in force at present; Letter from the Hon. James Whyte on the Rabbit question; Letter from Mr. Maurice Weston on the Rabbit nuisance; several Letters from the Hon. Jas. Whyte on the destruction of Rabbits; Letters from the following gentlemen, commenting on the Draft Bill for the destruction of Rabbits—The Warden, Deloraine; the Warden, Fingal; Messrs. Gatenby, A. Parker, C. Youl, Jas. Cox, T. Blythe, G. W. Keach, W. H. D. Archer; the Draft Tasmanian Rabbit Destruction Bill.

3. Committee requested Chairman to make selections for publication from the papers submitted.

4. The Committee adjourned until Wednesday the 6th instant at 11 A.M.

No. 2.

TUESDAY, SEPTEMBER 5, 1882.

Present.—The Premier, (Chairman), Messrs. N. J. Brown, W. T. H. Brown, Scott, Pillinger, Archer.

1. Minutes of last meeting read and confirmed.

2. Chairman reported that, in accordance with the request of the Committee, he had forwarded to the Government Printer for publication a *précis* of Papers submitted to the Committee.

3. Letter from Mr. Maurice Weston put in and read,—the writer offering to attend before Committee and give evidence, if desired.

4. Moved and carried—That the Sheep Inspectors be appointed to carry out the Act. (*Mr. Archer.*)

5. Moved and carried—That the power of rating be omitted from the Bill; the expenditure to be charged against Consolidated Revenue. (*Mr. N. J. Brown.*)
6. Moved and carried—Act to come in force 1st November. (*Mr. N. J. Brown.*)
7. Clause 7, line 40 to 44 struck out; line 45 to end of line 52 struck out.
8. Half cost to fall on owner, to be deducted from rate; adjudicate in case of difference.
9. Clause 16 struck out.
10. Clause 17. Money to go to Scab Act Fund.
11. Clause 18.
12. New Clause to be inserted prohibiting wilful liberation of Rabbits under penalty of £20.
13. Suggested repeal Game Act, to permit importation of Weasels and Ferrets and enlarging of Cats.
14. Bill to be in operation to 31st December, 1883.
15. Committee adjourn till called by the Chairman.

No. 3.

FRIDAY, SEPTEMBER 15, 1882.

Present.—The Premier (Chairman), Messrs. N. J. Brown, W. T. H. Brown, Scott.

1. Minutes of last meeting read and confirmed.
 2. Bill read with Amendments made at last meeting, which were agreed to.
 3. Moved and carried—That Inspector be prohibited from using dogs in the destruction of Rabbits. (*Mr. N. J. Brown.*)
 4. Moved and carried—That the Bill, as amended, be adopted, and that the Report be prepared for presentation to the House this evening. (*Mr. N. J. Brown.*)
- The Committee adjourned *sine die*.

R E P O R T.

Your Committee have the honor to report to your Honorable House that, having carefully considered the matter referred to them, they have arrived at the following conclusions:—

1. That further legislation for the destruction of Rabbits in certain parts of Tasmania is imperatively necessary.
2. That it is not expedient to devolve upon the Municipal Councils the duty of enforcing the destruction of Rabbits, as proposed in the Bill referred to them.
3. That the Staff now maintained under the Chief Inspector of Sheep would be sufficient, and would afford the most economical and efficient means of carrying out the objects of the Bill.
4. That the proposed legislation should be of a temporary character, so as to enable the question to be again considered after a practical test had been made of the efficiency of the proposed provisions for securing the destruction of Rabbits in those parts of the Colony where they are so numerous as to inflict serious injury upon owners and occupiers of land.

Your Committee have therefore amended the Draft Bill referred to them so as to carry out the views above expressed, and they recommend the adoption of the Bill as amended by them, a copy of which is attached to this Report (Appendix B).

Your Committee have attached to their Report (Appendix A) some interesting and valuable documentary information as to the means taken in Tasmania and in other Australian Colonies for the suppression of the Rabbit nuisance, a consideration of which will, they trust, assist the House in dealing with the proposed amended Bill.

W. R. GIBLIN, *Chairman.*

Committee Room, 15th September, 1882.

APPENDIX A.
TO REPORT OF COMMITTEE ON RABBIT DESTRUCTION
BILL.

NEW ZEALAND.

REPORT of a Joint Committee of both Houses of the Parliament of NEW ZEALAND appointed to enquire into all circumstances connected with the increase of the Rabbit Nuisance, and to consider and report on any measures that may be deemed advisable to eradicate the pest. (22 July, 1881.)

YOUR Committee has conferred with a Committee of the other branch of the Legislature appointed for a similar purpose; and, acting as a joint Committee with it, has taken the evidence of a number of individuals, and obtained, by circular, an expression of opinion from a large number of others, part of which is appended, and has also agreed with the aforesaid Committee on the following report:—

Your Committee having, in concert with a Committee of the other branch of the Legislature, obtained a great amount of information on the subject of the rabbit nuisance, from many persons and from various parts of the colony, has agreed that a measure calculated to deal more effectively with the nuisance is urgently required, and therefore recommends that a Bill be introduced in this session to deal with the question, which shall provide that its administration shall be conducted by officers of the Government on a principle similar to that by which the provisions of "The Sheep Act, 1878," are enforced, and that all unoccupied crown land, also native or reserved land, as well as private land, should bear their proportionate share of the cost of destroying rabbits and expenses of administering the Act; and that provision should be made therein for the protection of the natural enemies of the rabbit at present in the colony.

The Committee desires to impress upon the Legislature its conviction that immediate and energetic action is essential in order to arrest the further extension of, and to suppress, this pest; otherwise the result will be ruinous.

No. 9.—*EXTRACT from the Report upon the Crown Lands Department of NEW ZEALAND, year 1881, C-5, by JAMES MCKERROW, Secretary for Crown Lands.*

Rabbit Pest.

CLOSELY connected with the settlement of the country is the difficulty of coping with this evil. It can be kept under by poisoning, shooting, and introduction of natural enemies; but where there is a region of broken back-country the contest has to be maintained from season to season at great expense, which is only partially met by the sale of skins. The carrying capacity of the infested country is of course seriously diminished, and some of the higher-lying runs have been abandoned altogether, very much from this cause. This in itself would not be so material, were it not that the abandoned country becomes the breeding-ground for fresh hordes, which overrun the lower occupied country. It is manifest that any partial treatment is unequal to the suppression of an evil which now affects several millions of acres of crown and freehold lands. Rigorous concerted action is necessary; and this cannot be expected of district associations, unless under the compulsion and direction of one authority. It therefore devolves on Government to possess itself of powers that will require every person to keep his ground clear on pain of severe penalties. This implies that Government must clear the unoccupied crown lands; and if these measures succeed in reducing the pest to small dimensions, as certainly they would, the expense would be far more than recouped in the increased carrying capacity of the country, and the greater rentals that would be got in reletting. Increasing the number of runs and holdings will in one way tend to diminish the evil by having more persons to contend against it; but, in the increase of settlers, there will be still greater need for Government inspection of rabbit districts, because the neglect of two or three persons in a district to keep their ground clear would render abortive in a great measure the efforts of those who did.

No. 10.

RETURN of the number and value of Rabbit-skins exported from NEW ZEALAND during the past three years, and to 31st March, 1881:—In 1878, 3,976,409 skins, value £33,460; 1879, 5,384,506 skins, value £46,759; 1880, 7,505,616 skins, value £66,976; 1881 (March quarter), 1,413,739 skins, value £11,915: total, 18,280,270 skins, value £159,110. The June quarter's returns have not all been received at this office.—H. S. MCKELLAR (for Secretary and Inspector.)—Customs Department, Wellington, 12th July, 1881.

Total number of sheep in the colony, 1878	13,069,338
Ditto, ditto, 1879	11,405,389
Showing a deficit of	1,663,949

The departmental returns for 1880 and 1881 are not yet compiled, but the Hon. Mr. Waterhouse estimates the deficiency now at two millions, and the loss to the exports of the colony at £500,000 per annum. (See *Hansard*, 23rd June, 1881, page 172.)

SOUTH AUSTRALIA.

REPORT as to Modes adopted in SOUTH AUSTRALIA for Destruction of Rabbits.

IN compliance with request contained in C.S.O., 2517/81, two copies of the current Rabbit Suppression Act are enclosed herewith.

The mode adopted by the Government of South Australia for carrying out the said Act is as follows:—

The country most infested with the pest is divided into districts, in each of which Government parties are placed under the supervision of sub-inspectors specially appointed for this work, the whole being supervised by one inspector.

The duties of the parties are to clear Crown lands adjoining leased or selected land, and, at the same time, to serve notices, in form of Schedule B. of the Act, on all landholders in the locality, in order to secure simultaneous action; but should such landholders fail to comply with the terms of the notice so served, the Government parties make an entry upon the land of the person so neglecting to comply with notice and effect a clearance at his expense.

Copies of detailed instructions to officers under the Rabbit Suppression Act are enclosed herewith.

At the time of the passing of the present Rabbit Suppression Act the settled districts in the north and along the River Murray were very greatly infested with the pest, which rendered farming and pastoral pursuits in the localities almost impossible, in many cases not even sufficient wheat for seed being left by the rabbits. But under the system pursued, the pest has given way, so that land formerly swarming with rabbits will now yield fair crops, and pastoral country which was over-run by this pest, will allow of an increased number of stock per square mile being depastured.

The chemical first used was bisulphide of carbon, which is manufactured by the Government and supplied to the Government parties and to the public, *vide* accompanying price list, and which is even now considered the best means of effecting a clearance when the abundance of green feed precludes the use of phosphorised grain. This latter, however, is proved to be a cheap and effective means of coping with the evil during the drier months of the year. The accompanying pamphlet contains full information as to the preparation of the phosphorised grain, and the use of both that and bisulphide of carbon.

When bisulphide of carbon is used the rabbits are destroyed in their burrows; consequently the actual number killed is not ascertained, but, from the disappearance of the pest, and the fact that very few of the holes are re-opened, it is evident that the number must be considerable.

The skins of the rabbits killed have not been utilised by the Government, owing to the increased expenditure necessary to render them marketable.

South Australia.

Chief Secretary's Office, Adelaide, 16th June, 1882.

SIR,

PURSUANT to the request contained in the last paragraph of your letter, dated 22nd December, 1881, I have the honor to inform you that, from March, 1878 (when the compulsory Act came into operation), to May, 1882, the sum of £82,879 13s. 11d. was expended in the destruction of rabbits in this Colony; and the total area cleared of the pest comprises 12,565 square miles.

No definite information can be given as to the cost incurred by landowners and lessees in destroying rabbits; but the Inspector says that two large estates, each comprising about 7000 acres, cost £6000 each to clear, the expenditure of which extended over a period of about 12 months.

The average cost of a fully equipped Government rabbit destruction party, consisting of 8 men, 2 horses, dray, and ordinary camp equipage, may be roughly estimated at about £60 per month.

I have, &c.

JNO. BRAY.

The Hon. the Colonial Treasurer, Tasmania.

NEW SOUTH WALES AND VICTORIA.

REPORT by the Chief Inspector of Stock, NEW SOUTH WALES, to the Under Secretary for Mines, on the Rabbit Pest. (1882.)

EXPERIENCE OF VICTORIA.

Extent of Pest in that Colony.

RABBITS are to be found, less or more, all over the western and north-western portions of Victoria, and as far up the Murray as the Ovens River. From Echuca, upwards, they are principally confined to the banks of the river. In the western districts they are very numerous and destructive; and in the Wimmera, where the country is comparatively scrubby and poor, it may be said they have all but taken possession of the Crown lands, and to a large extent also of the alienated land. On one property alone in the Colac District it is said that between £30,000 and £40,000 have been spent in destroying rabbits, while some owners are paying as much as £2000 a year to keep them down, many £1000 a year; and almost every holder of land is year by year put to a considerable expense in protecting his pasture and crops from these pests.

How it is being met there.

A great many modes of dealing with this evil have been tried in Victoria, viz., fencing the rabbits out, shooting, hunting with dogs, ferreting and netting, snaring and trapping, digging out and blocking up the burrows, and destroying the rabbits with noxious gas and poison. In all these modes, again, the work is at times done by the owners' own men, sometimes by contract, and at other times under the bonus system.

When the rabbits are to be fenced out, a wire netting 4 feet broad, with $1\frac{1}{2}$ to 2 inch mesh, is put on an ordinary wire fence, the netting to the extent of 1 foot being bent and put in the ground at an angle to prevent the rabbits from burrowing. They try to do so close at the foot of the fence, but stop when they come upon the netting. The cost of the netting for a fence rabbit-proof of this sort is about £80 to £100 a mile; and if it is found that rabbits cross the Murray after our land is cleared, and Victoria continues to be infested, it may be necessary to run a rabbit-proof fence along the river to keep them from again obtaining a footing in this Colony.

Dogs (terriers, cockers, and other dogs which hunt by scent) and guns are generally used together, though sometimes kangaroo dogs and greyhounds are taken out with the terriers to kill the rabbits they put up.

Where the rabbits have made a settlement, the most effective, but the most expensive, way is to dig them out, or, where it can be done (in rocky and stony ground), to block up the burrows and starve the rabbits in their holes.

Ferreting and netting is also a very successful mode of destroying them; but ferrets are comparatively scarce, they are liable to be lost, and everyone cannot manage them. A good many have also been taken in traps and snares, but these appliances are also expensive and comparatively slow.

The exterminator (the machine employed to charge the burrows with noxious gas) is also in some cases effective, but it is expensive, and the machine is cumbersome and unwieldy to take about, while the holes at times in the warrens are of such a sort (as in the case of bilbee and wombat holes, of which the rabbits take possession) as to render the gas inoperative; and in other cases there are fissures in the ground which allow it to escape.

A good many different sorts of poison have been laid, and in a great many different vehicles.

- (1.) The Poison.—The poisons most frequently used have been arsenic and phosphorus, and in a few cases strychnine.

Arsenic has been longest used, generally in conjunction with sugar and bran.

Phosphorus, again, has been more recently tried, and is now far more generally laid than any other poison.

2. The vehicle.—A mixture of crushed wheat and sugar, or bran and sugar, has been found an excellent vehicle, so far as destroying the rabbits is concerned, but the mixture is dangerous for stock, more especially sheep.

Whole wheat has been used successfully with arsenic, and latterly with phosphorus, but does not seem to retain the poison so long as the oats, and is more liable to be eaten by sheep.

Oats have within the last few years been employed very successfully and extensively as a vehicle for phosphorus.

Carrots have also been tried with good results as a vehicle for arsenic. This is what was to be expected, as all animals are fond of carrots; but the supply is comparatively limited, and in many cases they cannot be laid without endangering the stock; they are poisoned by bruising the outside and strewing it with arsenic.

Potatoes have been used successfully as a vehicle for strychnine, and could, of course, also be so for other poisons, especially arsenic. Turnips, pumpkins, and melons could be used in the same way as carrots; and cabbage-leaves, turnip-tops, green corn, and sorghum, could also be made vehicles by slitting or opening them, where there is room, and laying the poison in the slits or openings. But all these, like carrots and potatoes, can only be used where the stock can be removed from the paddock, or where these vehicles can be laid where the stock cannot get them. Where, however, the rabbits have been reduced in number, and it is of course of great importance to complete their destruction, sufficient precautions could be taken by laying down hollow logs, digging holes in the ground, fencing off small patches, and in other ways to keep the stock from reaching the poisoned vehicle.

Oil of rhodium has been employed successfully in conjunction with some of these vehicles as an attraction for the rabbits; and, although expensive, might be added where they cannot otherwise be induced to take the poison, or it might be so to make them take it more readily.

The result of the work done.

The reports under this head are very conflicting, more especially with regard to effect of poisoned grain. It is allowed that the poisoned grain is not nearly so successful when the grass is green and plentiful as it is when dry and scarce.

It is also generally allowed that while oats and wheat poisoned with the phosphorus have at first been successful in destroying the rabbits, it is at the same time the opinion that the rabbits after a time cease to take either the one or the other. I think, however, that these results are only what were to be expected. When the grass is plentiful and green, not only will the rabbits be comparatively careless about food such as oats or wheat, but they will not be so likely to see the grain on the ground as they would when the grass is brown and bare.

Then, again, all animals are endowed in a greater or less degree with the instinct which leads them to refuse to take what they see is destroying them. The rabbits would at first—and perhaps for a little time in the case of arsenic, and longer in that of phosphorus, which is a slow poison—take the grain; but as soon as those which took it began to die in any number the others would stop eating the grain. It is well known that the same thing happens where poison is laid for native dogs, rats, and other animals.

Want of simultaneous action there.

Although I think the failure of the attempts made in Victoria to destroy the rabbits with poison is largely due to not changing the vehicle in which the poison was laid, the main cause of the failure there has, in my opinion, been the want of simultaneous action on the part of the owners whose land was infested with rabbits. The law in Victoria is only applicable to a portion of the lands of the Colony—that alienated by the Crown; and even in the case of land to which the law does apply it has very seldom been enforced, or it has provided no penalty for neglecting to destroy. There the defaulting owner can only be compelled to do so by the Shire Councils—who have the carrying out of the Act—putting men on the defaulter's holding to destroy the rabbits; and, like our own Boards of Directors, these Councils dislike to exercise this power, and have seldom or never done so. The result has been, that while some owners did all they could to clear their land, others did nothing. The rabbits are, therefore, increasing in some districts; as numerous as ever in others; and, although a great many have been destroyed, their spread has not been really checked, for they are every other month making their appearance in fresh districts.

Under these circumstances, it is not surprising that in Victoria owners speak hopelessly of being able, except at an expense which would be most oppressive, to do more than keep the rabbits down; but there is little doubt that the result there would have been altogether different had owners been *compelled*, as they can be in this Colony—and as I trust they will be—to carry out the work of extermination promptly and simultaneously on all the holdings.

SUGGESTIONS for Destroying the Rabbits in this Colony. (New South Wales.)

THE following suggestions may perhaps be of use to the owners in the infested and suspected districts in clearing their holdings:—

1. They should provide themselves with dogs of the terrier, cocker, pointer, or setter breeds, to put up the outlying rabbits, which could then be shot, or run down with kangaroo dogs or grey-

hounds. This is very necessary, as rabbits (principally does in young) are lying out in considerable numbers in the bushes and scrubs 30, 40, and even 50 miles ahead of the burrows, and they will not move unless they are trampled on or hunted up by dogs. The great difficulty of dealing with this "advanced guard" is, of course, the finding them; and this can only be done with certainty by dogs of the sort I have mentioned, which should be distributed in twos or threes among the "rabbiter" and boundary riders on the runs.

2. Wherever there are any traces of rabbits, owners should commence at once and carry out some such systematic course of poisoning as the following:—

- (1.) They should, where they are in a position to do so, obtain and use proper machines for mixing the poisons. Where there are not, the Board should—as some of them have already done—purchase and supply at first cost the poisoned grain properly mixed.
- (2.) They should use a slow poison like phosphorus, where the rabbits which take it go away by themselves and die in holes and places where they are not likely to attract the notice of the rest.
- (3.) They could, as the first vehicle for the poison, use oats, and in putting them out they should so do the work as that the poison would be so completely within the reach of all the rabbits in the one colony or warren as that the one portion of them will not see the other dying without also having had a chance of taking the poisoned grain.
- (4.) Then they should, in the course of six or eight weeks, lay poison again with an entirely different vehicle, say carrots, pumpkins, potatoes, or some other vegetable, taking care, of course, that these vehicles are laid out of reach of the stock—in the holes among logs, in brush fences, or in enclosures from which the stock have been removed. The brush fences ought not to be destroyed unless the poisoning fail.
- (5.) After that again, if any rabbits still remain, wheat or maize might be tried, and after that, if necessary, cabbage leaves or green corn tops.

In this way, by regularly and systematically changing the vehicle in which the poison is laid, it is believed that the rabbits can be brought to take one set of poison after another till they are exterminated, or so far destroyed that those that remain can easily be entirely cleared off by other means than poison.

3. If it is seen that the rabbits are taking the poison, the digging out and blocking up of the burrows might be deferred where they are very numerous, but to test whether or not they are being destroyed by the poison the burrows should be closed in such a way that it will be seen if the rabbits are using them. If they are not taking the poison all the burrows, except where they are very numerous, *i.e.*, where there is a regular warren, should be dug out. Indeed, in any case where the burrows are at all isolated they should be dug out and the rabbits destroyed, notwithstanding that poison is being laid and other steps taken for their extermination.

4. Where there is a considerable number of burrows in one locality, but too scattered to operate upon with the exterminator, instead of digging them out another plan might be tried:—The burrows might be enclosed with a rabbit-proof fence of wire netting. To make such a fence wire netting 4 or 5 feet wide, with (say) 1½ and 2-inch mesh, could be used by bending 12 inches of the netting, and letting the bent portion into the ground at an angle, so that when the rabbits attempt to burrow (as they do at the bottom of the portion of the netting which is above ground) they are met by the wire and stopped. In a case such as this it would be best to use the 5 feet netting, as that would make a 1 foot higher (4 feet) rabbit-proof fence. Then, supposing that the fence is thoroughly secure, traps could be constructed at the corners and other suitable points in the fence on something like the same principle as rat-traps, but, of course, on a very much larger scale. These traps could be visited daily, and the rabbits found in them destroyed, while the person who does that work could also see whether the rabbits were attempting to burrow under the fence from either the outside or the in, and if they were he could put a piece of wire netting across the course they were taking or he could in some other way stop them. The rabbits inside the fence would thus be either trapped or starved, and when they were, the mouths of the burrows could be filled up and the fencing removed to another place.

REASONS for Compulsion.

The success of the steps which are about to be taken for the extermination of the rabbits will almost entirely depend upon their being carried out simultaneously. If they are ordinarily effective and simultaneous, the work will be quickly and inexpensively done; but if some owners kill and others do not, or if some do their work thoroughly and others only partially, or even if every owner should destroy the rabbits, but at different times, their extermination will be costly and tedious; while the rabbits will continue to spread, and, it may be, will never be completely exterminated.

Although this is clearly the case, there are some owners in the infested districts who, it is feared, would fail to do their share of the work as they ought, and it will therefore have to be made quite plain to every one of them that he must clear his land of the vermin as promptly and thoroughly as

possible. He must, in fact, be brought to make the extermination of the rabbits a special and urgent business which will brook no delay—not as a good many would otherwise treat it,—something which can be done at their convenience and in a half-and-half way. It is to be feared, too, that some owners will content themselves with feeble and fitful attempts at what they term “keeping the rabbits down,” and will not, unless they are compelled, aim at extermination. Anything short of that should not be countenanced for a moment, for if it is, the Colony will be put to a heavy annual outlay in “keeping the rabbits down,” and they may get into country where it will be impossible to exterminate them, or even to prevent them spreading.

Hence the necessity for thorough and close supervision, and compulsion in every case of neglect; and as there is no question but the work can be done, if set about at once with vigour, the sooner and more effectively it is so the better, even for those who may have to be compelled to do their share; while, if any owners require compulsion, they should receive no sympathy whatever, especially when the extreme urgency of the matter is considered, and when it is recollected that if they clear their land they would be repaid to a large extent for their trouble and expense.

ALEX. BRUCE,
Chief Inspector of Stock, New South Wales.

TASMANIA.

LETTER from the late Hon. JAS. WHYTE, dated 22nd June, 1882, to the Hon. W. R. GIBLIN.

Inspector of Sheep Office, 22nd June, 1882.

MY DEAR SIR,

HEREWITH I send you some rough notes which may probably form the basis of a workable Rabbit Destruction Act.

I would have done this sooner, but I have been and still am exceedingly unwell from the effects of a severe cold, which has left me in such a weak condition that I can only write with difficulty. In the second place, the subject is surrounded with difficulties, principally arising from the diversity of opinions amongst settlers, which may naturally be expected to be reflected and operate upon Members of Parliament, particularly amongst those who have not given any attention to the subject. And thirdly, I am labouring under the depressing belief that no Act framed on lines such as I can approve of will receive the sanction of Parliament. And I may add also, that the matter is not one I feel myself master of, as I did in respect to the Scab Act. Moreover, when that Act was passed I was in the House myself, and possessed a large influence therein. There was certainly an opposition, of a political character, brought to bear against the Scab Act which will not operate against any proposed Rabbit Act. The subject, however, is not much understood, and therefore the probability is that it will be very imperfectly dealt with in the first place; so that any Act which may be passed during the ensuing Session will assuredly require amendment in the next.

This view of the matter, to my mind, raises the question whether it may not be the wiser course to deal with the matter, in the first place, in the very mildest form which will bring into operation the principle of compulsion, and constitute some authority to compel landowners to destroy their rabbits in the summer time as well as in the winter. As a matter of fact, it is much more important that they should be destroyed in the spring and summer than in the winter. The spring and summer are the principal breeding seasons of the year, but then the skins are of little value compared with their value in winter: hence the very common practice of leaving off destroying the rabbits at the very time when they should be destroyed to make the work effective.

To subsidise the existing Rabbit Trusts, without some controlling power over them, would be simply a waste of money. They have been sufficiently tried under the existing Rabbit Act, and have been found woefully wanting. That Act was mine; and I knew well at the time it would prove a failure, as any merely permissive Act generally is. So with the Californian Thistle Act, which was also mine. It has proved a miserable failure; and the curse continues to spread.

Whatever may be the nature of the Bill you frame, provision must be made from some source for carrying it out. If a Rabbit Act is placed in the hands of the Chief Inspector of Sheep to carry out, he cannot, be he whom he may, do it with the existing staff, which at the end of the year will be reduced to three Inspectors.

In South Australia the Rabbit Destruction Act is not carried out by the Inspector of Stock Department, as you will see from the papers I send you attached to the South Australian Act. It is carried out by a separate Department, under the Commissioner of Lands, who is also a Minister. This I think wholly unnecessary, and must be inconvenient. In New South Wales the Act is carried out by the Scab Department, under a system of Boards, but with additional officers and sub-agents.

The revenue provided is from an assessment on stock, by the Boards, of not more than 3d. on large stock, meaning horses and cattle, and a ½d. on sheep.

In South Australia and Victoria the cost of destroying rabbits is defrayed from the General Revenue.

I shall remain in town, in case you may wish to see me.

I have, &c.

JAMES WHYTE.

The Hon. W. R. GIBLIN, Premier.

LETTER from MAURICE WESTON, Esquire, Shene, Brighton, to the Honorable Colonial Secretary.

Shene, Brighton, 13th June, 1882.

SIR,

I HAVE much pleasure, at your request, forwarding you in writing what information I can give in reference to the practicability of completely clearing Tasmania of rabbits by the judicious use of phosphorised grain, or at any rate keeping them down to such a low number as to do no harm. I can only say I started a second time to use phosphorised oats after having, as I thought, given it two years previously a fair trial and pronounced it a failure. It was with great cautiousness I again went into it, but not before I had received undoubted testimony from New Zealand of its clearing whole runs and large tracts of country of the pest, also the same undoubted testimony from Victoria, and, what is more convincing still, satisfactory answers from every one I had written to on the subject in Tasmania. Had I not had perfect faith in its fresh trial, and perseverance, I should have been foiled actually by my own employés.

In going up and down the country I had constructed poison-yards at about 10 chains apart all the way through a property of mine I passed through weekly, and, keeping them well supplied with the phosphorised oats, found the oats I had laid continually taken, even after putting as much as 20 good handfuls in each yard, and the rabbits at the same time rapidly decreasing; and, going to the length of sowing the oats all about the runs on each side of the road, found that in a short time after, where I formerly saw thousands of rabbits moving about, could only see two or three; observed at the same time the grass taking a growth. While all this was going on, I chanced to come down an old track about a mile and a half distant, and nearly parallel with the poison-yards on the same property, and also alongside a neighbour; the rabbits were moving before me in thousands, and the grass eaten into the earth. On the person I had in charge being remonstrated with, even with all my experience staring him in the face, wanted to declare to me that the phosphorised oats were no good except to thin out the rabbits a little. I told him that if he could not clear the whole property in 10 days I would have to come and do it myself, and get some one in his place. I gave orders for at least a bag of the poisoned oats to be sown a day till the desired effect was arrived at, viz., the extermination of the rabbits. The result was that in 10 days scarcely a rabbit was to be seen alive, but their dead bodies lying scattered all over the land. I have since tried it on five different places, all in different parts of the country, and found exactly the same result. I have since actually rented a property of 3700 acres, one of the worst rabbit places in the country, adjoining me, just to keep them off a little farther from my property, and save my grass in the meantime till a compulsory act is passed, and given a higher rent for the estate than ever it was let for before even when free from rabbits. This must give you some little idea of the faith I have in the poison.

I commenced the use of the phosphorised oats in the middle of spring, and have more or less continued it ever since, having to continually go on with it, from the fresh influx of rabbits continually coming in from my neighbours, who have in most cases never even tried the use of poison. With skill and judgment in laying the oats in *proper places*, and *proper quantities*, I could have guaranteed to have cleared any property, of whatever extent or however rough a place, and with any number of rabbits on it, in a very short time. In my own case, I have never found the cost to exceed more than 10 per cent. of the good I have derived in one year, and would not consider it ought in any case to be more than 25 per cent., even allowing the exterminator to be used as well as the poison, and all the rabbit warrens properly closed. In my own case, the rabbits were so thinned down that I had no need to use my exterminators. One burrow that was dug out was found nearly full of dead rabbits. I have communicated with most of the people who I have heard of procuring mixing machines, and they one and all pronounce it the greatest success possible, and if there was only one person who had made this matter his study to direct people where he found they were wrong, it would make the phosphorised grain not only a popular remedy, but a great success, and be a benefit of at least £100,000 to the sheepowners as well as the agriculturists, who now suffer more or less in very many places, and further to compel those indolent people to destroy their rabbits who would not be made to do so otherwise than by compulsion. I would recommend one Inspector appointed for each side

of the Island, with a good salary and travelling expenses, to make him thoroughly independent of everyone but the carrying out of the compulsory Rabbit Act. Now I would recommend the Head Inspector to be appointed should be made thoroughly conversant with every case where the rabbits have been got rid of by the phosphorised oats and other means as well, and be also thoroughly convinced in his own mind of the practicability of the matter when applied to the whole Colony, and his report got as soon as possible so that it could, if necessary, be laid before Parliament. Whoever you might select for this undertaking I would be most happy to take round and show all I have done, and let him hear from word of mouth from my formerly prejudiced people how they have carried out my instructions, and the effect produced. He could also visit at the same time other parts of the country where the same success has been attained, and by his report that would be drawn the Government would be in a position to judge if the person they had chosen would be qualified to carry out this proposed measure.

One matter I would much like the Government to consider,—the necessity of their importing from England the phosphorus required for the whole Island. Some large quantity which was imported to New Zealand, its cost landed there was 3s. 1d. per lb., at which price some 2½ tons was imported into New Zealand by a Company. Taking into consideration that it required, to clear 190,000 acres in New Zealand belonging to the New Zealand Company there, some 2½ tons, it would require a large quantity for Tasmania. I have myself already used 60 lbs. of it. You can set down 40 to 50 lbs. for every settler owning up to 2000 sheep in all the rabbit affected parts, which information could be got from the Chief Inspector of Sheep.

A practical gentleman from New Zealand, who had cleared his large run of rabbits and kept it clear, told me that the Compulsory Act there was not carried out as it should be on account of the Inspectors not liking to quarrel as it were with their own bread and butter, and made too many friends by staying at people's houses. I have no doubt in some parts, houses of accommodation being far apart in New Zealand would lead to this, but would not apply to this country; this could be well avoided here by giving the two Inspectors good salaries and proper travelling expenses, and appointing none but practical and independent minded men. In no case of having to carry out the compulsory clauses of the Act need it be any hardship, as I am convinced the benefit derived in one year would double the cost incurred, especially when each one around is being served in the same way, and not, as in my own case at present, as soon as one lot of rabbits are poisoned off, and feed gets fresh, another lot comes in. I may add that in no measure have I had to resort to trapping, as I consider the traps do most harm in the long run in rough country destroying the wild and tame cats which abound in almost all parts of the country, with the exception of the Midland District, which from long trapping has been cleared of these natural enemies of the rabbits, and in consequence the rabbits firmly implanted, as it were, in that district. To suppose that rabbits will not take poisoned oats for long is quite an absurdity, as a new generation is so continually springing up, they, the young rabbits, would have to be instructed by their parents as they begin to roam away from their birth-place. I cannot imagine rabbits capable of receiving such an education, otherwise it would have been quite impossible to have poisoned off whole estates overrun with them as has been done.

In New Zealand, after extensively laying down the poisoned oats, I have been told of 1500 dead rabbits being picked up by one man in a day, and the skins saved. I have had only a bushel of the poisoned grain sown, and over 100 were picked up next morning.

Want of success in using phosphorised oats, which, I am happy to say, is only the exception and not the rule, can only be attributed—from want of Raymond's Mixing Machines, to bad mixing; but more generally, in not studying the habits of the rabbits and putting the poisoned grain near their burrows, and not on their feeding grounds, which are nearly always eaten bare of grass and consequently the oats easily seen and picked up by the rabbits; and another thing, the quantity sown should always be regulated by the number of rabbits to be poisoned, or if sown in too large quantities it must of necessity get stale and lose some of its effects, and thrown about in great quantities I have heard of its poisoning the common magpie, but I have not seen myself a single bird killed by it. The poisoned rabbits do not hurt any animal that may eat them, consequently there is no destruction of the animals that naturally prey on the rabbits. To show there are other ways of exterminating the rabbits otherwise than by poison, some two years ago I found on two of my properties I had, from rabbits and consequent loss of grass, to reduce my lambing flocks to half their usual numbers, and even then had only 40 per cent. of small lambs. About two months before last lambing I commenced, with three boys and a shepherd, to use two Exterminators on every burrow I found, completely destroying every rabbit in them, and properly closing them up, found on going through these two places scarcely a rabbit to be seen. I then put on them more ewes up to two-thirds my usual flock, and I had 90 per cent. of fine lambs on both properties, a per-centage that had never been attained before by me. The cost of this work on one place was £25, and £160 benefit in that year, and the other place, about £12 cost, and £100 benefit. One sandy and ferny hill, where the burrows were so thick you could almost step from one to another, was worked all over by the Exterminator. A gentleman from the north (Mr. G. F. Thirkell) went over the ground with me some six weeks after, and we did not find a single burrow had been opened, the Exterminator had

done its work so effectually, and completely destroyed every rabbit in their burrows, or they would have easily scratched their way out. Now compare this to another settler who had tried the Exterminator, and found nearly every burrow opened by the rabbits, clearly proving that the rabbits were not smothered in their holes by the use of the Exterminator. It must have been that instead of using the bellows of the Exterminator to gently drive the fumes of the poisonous gas to the extremity of the burrows, a pressure was put on that made a furnace by which the gas-generating material was too quickly consumed, again showing the want of some head to direct and advise on all these matters.

Destruction caused by Rabbits in Lambing Flocks.

I knew of 1200 ewes that always on the same run had from 80 to 90 per cent. of lambs every year; this was reduced in one year to 30 lambs, all that was saved from the 1200 ewes; and on adjoining runs only 30 to 40 per cent. of small weak lambs instead of 80 per cent. as formerly. In many parts where formerly they depended on an early lambing, now cannot lamb till spring time, and a great loss is incurred from so little wool being shorn off the lambs.

In making these few crude remarks I feel that I have only lightly touched on the merits and working of this question as it affects the present and future welfare of the country. Remembering what a high estimate the stud sheep of Tasmania hold in all the other Colonies, the breeding of which is rapidly extending over the whole country, and vastly adding to its wealth, of what a high importance to the State it should be to conserve and protect such an industry, which, without a person can afford to erect a paling fence or a stone wall around his property, is likely to be injured if not ruined by the yearly increase and spread of the rabbit pest, which I have endeavoured to show in this written report can be so easily kept down, if only united action is resorted to and the principle carried out that every landholder or occupier should be made to destroy the rabbits on his own land at his own expense, and not allowed to keep them or breed them to his neighbour's injury!

I shall be glad to give the Government at any time any suggestion I can offer in the preparing of the proposed Compulsory Rabbit Act, and be happy to afford any information or advice to the Inspectors appointed, feeling that I am as much interested as any one in Tasmania in the passing of this measure and its proper mode of being carried out.

I have, &c.

MAURICE WESTON.

The Hon. the Colonial Secretary.



APPENDIX B.

AS AMENDED BY SELECT COMMITTEE.

A

B I L L

TO

Provide for the Destruction of Rabbits in A.D. 1882.
Tasmania.

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

- 1** This Act may be cited as “The Rabbits Destruction Act, 1882.” Short title.
- 5 2** This Act shall come into force and take effect on the First day of Commencement
November, 1882. of Act.
- 3** In this Act, unless the context otherwise determines— Interpretation.
- “Crown Land” shall mean Waste Lands of the Crown :
- 10 “Occupier”** shall include the owner of any unoccupied land ; and every person in possession of any Crown Land under any contract for the purchase thereof, or occupying any Crown Land for pastoral purposes, shall be deemed to be the occupier of such land for the purposes of this Act :
- 15 “Inspector”** means the Chief Inspector or any Inspector of Sheep appointed under “The Scab Act, 1875,” and as to all notices, 39 Vict. No. 20.
penalties, and other matters with reference to any District, shall mean the Inspector usually acting in or for such District ; and if there shall not be any such Inspector, then an Inspector appointed for such District by the Chief Inspector :

[Bill 24.]

A.D. 1882.

“District” shall mean a Municipal District, whether a Rural Municipality or not:

Districts may be declared “Infested” or “Clean.”

4 The Governor in Council may, upon the report of the Chief Inspector, by Notice in the *Gazette*, declare any District to be an “Infested District,” and may upon the like report declare in manner 5 aforesaid any other District to be a “Clean District.”

Chief Inspector of Sheep to take measures for destruction of rabbits.

5 The Chief Inspector shall take such measures as he deems necessary to ensure the destruction within any Infested District of all rabbits then being in or upon any part of such District, and generally to enforce the provisions of this Act. 10

Occupier of land to destroy rabbits, under a penalty.

6 Every occupier of land shall, within Three months after the commencement of this Act, take such effectual means as may be approved by an Inspector to destroy all rabbits found on the land occupied by him; and if after the expiration of the time herein 15 limited any rabbits shall be found upon such land such occupier shall be liable to a penalty not exceeding Twenty Pounds, unless such occupier shall prove to the satisfaction of the adjudicating Justices that he has used due diligence to comply with the provisions of this Section. In any prosecution under this Section the occupier shall be competent to give evidence on his own behalf. 20

Persons authorised may enter upon lands to search for rabbits.

7 It shall be lawful for an Inspector or any person authorised by an Inspector by writing under his hand in that behalf, without notice, to enter upon any lands within any Infested District, whether enclosed or not, at any reasonable hour in the day-time, for the purpose of ascer- 25 taining if any rabbits are thereupon; and no such person shall be deemed a trespasser by reason of such entry, or be liable for any damage thereby occasioned, unless the same was occasioned by such person wilfully and without necessity: Provided that any person so authorised shall exhibit such written authority if required to do so by the occupier of such land, 30 or his servant or agent; and if, being so required, he shall fail to exhibit such authority, then he shall be liable to be deemed and dealt with as a trespasser.

If rabbits found on land and occupier fail to take steps to destroy same, Inspector may employ persons for that purpose.

8 If at any time after the expiration of the time hereinbefore limited any rabbits shall be found upon any land, an Inspector shall cause a 35 notice signed by him, in the form in the Schedule or to the like effect, to be served upon the occupier thereof requiring him within a certain time to be specified in such notice, not exceeding One month, to destroy all rabbits upon such land; and if within such time such occupier shall fail to take steps to the satisfaction of the Inspector for 40 the destruction of such rabbits, such Inspector may authorise any person in writing to enter upon the said land and to use all such lawful means as he may deem necessary for taking and destroying such rabbits and removing the carcasses or any portion thereof, and for that purpose such person may stop up any rabbit-burrows or holes on such 45 land.

It shall not be lawful for an Inspector or any person authorised by him to use dogs for the purpose of hunting or destroying rabbits upon any land.

Where in any case any rabbits shall be found upon any land the owner or occupier whereof is unknown or cannot be found, an Inspector 50 shall, without serving any notice, forthwith take the steps hereinbefore mentioned for destroying the rabbits found upon such land.

[46 VICT.]

Rabbits Destruction.

9 Where by this Act any Notice is authorised or required to be given by any Inspector or other person, the same may be given either by delivering the same personally, or by leaving the same at, or posting the same addressed to the usual or last known place of abode in *Tasmania* of the person to whom the same is addressed. A.D. 1882.
Delivery of Notices.

10 If it appears to an Inspector that any unoccupied Crown Lands within any District are infested with rabbits, and that there is reason to apprehend that such rabbits may spread to the occupied pastoral Crown Lands or private lands in such District, then the said Inspector shall forthwith take all such measures as he deems necessary for the purpose of destroying the rabbits thereon, and may appoint and employ such and so many persons as he sees fit to destroy the rabbits on such unoccupied Crown Lands, and every such person shall make use of such vehicles, instruments, and appliances on such land as shall be necessary for the purpose of destroying the rabbits thereon; and all expenses incurred by the Inspector as aforesaid shall be defrayed out of the Consolidated Revenue Fund. Inspector to destroy rabbits on Crown Lands.

11 Where an Inspector shall have incurred any expenses in taking or destroying the rabbits found upon the lands of any person, the amount of all such expenses shall be recoverable from such person by such Inspector, with costs, by action or plaint in any Court of competent jurisdiction, or by complaint under *The Magistrates Summary Procedure Act*. Recovery of expenses incurred by Inspector. 19 Vict. No. 8.

25 The amount of all such expenses shall be ascertained by any two Justices, who shall sign the same in token of their allowance thereof; and in any proceeding to recover the amount of such expenses it shall be sufficient to produce the allowance of such expenses purporting to be signed by two or more Justices, and such allowance shall be *prima facie* evidence that the expenses so allowed were actually and lawfully incurred by such Inspector as aforesaid, and the onus of proving the contrary shall be upon the defendant.

35 12 Where an Inspector shall have incurred any expenses in taking or destroying rabbits upon any land (not being Crown Land) the owner or occupier whereof is unknown or cannot be found, such Inspector shall proceed *ex parte*, in manner hereinbefore directed, to recover the amount of such expenses, and the amount so recovered shall be and remain a charge upon the property in respect of which such amount has been recovered, and payment of such amount may be enforced at any future time as if the then occupier had himself been liable to pay such amount in the first instance; and the production of the receipt for such amount paid by or recovered from any such occupier for any amount due before the commencement of his occupancy shall be a discharge for the amount so paid or recovered in payment of rent to the owner, and such owner shall be entitled to recover from the person who was occupier when such amount became payable the proportion of the amount to which such occupier was liable as money paid to his use. Recovery of expenses where owner or occupier unknown.

50 13 All expenses incurred by the Chief or any Inspector, under this Act which are not recoverable, or which cannot be recovered from any other person, or which are not made chargeable upon the Consolidated Revenue Fund, shall be defrayed out of the Scab Act Fund; and in case such Fund shall at any time be insufficient to defray all lawful charges thereon under this or any other Act, the amount of such deficiency shall be defrayed out of the Consolidated Revenue Fund. Where expenses not recoverable, same to be defrayed out of Scab Act Fund.

A.D. 1882.

Occupier, if
tenant, may
recover half
expenses from
owner.

14 Where the occupier of any land, being the tenant thereof—

Shall have incurred any expenses in destroying the rabbits on such land ; or

Shall have paid under this Act any sum of money on account of any expenses incurred by an Inspector under this Act, or any sum of money on account of any expenses incurred as aforesaid shall have been recovered from such occupier ;

such occupier shall be entitled to recover from his landlord One-half of the amount paid by or recovered from him as money paid to the use of the landlord, or the same may be deducted from or set off against the rent then due or thereafter to become due ; and if any dispute shall arise as to the amount which such occupier shall be entitled to recover, such amount shall be ascertained by Two Justices in the mode hereinbefore prescribed in respect of expenses incurred by an Inspector : Provided that nothing herein contained shall affect the liability of a tenant to his landlord under any agreement for the payment of any sum of money under this Act by the tenant.

Half expenses in-
curred by pastoral
Crown tenant to
be defrayed out of
Consolidated
Revenue Fund.

15 Where any person in the lawful occupation of any pastoral Crown Land shall, after the commencement of this Act, expend any sum or sums of money in taking or destroying the rabbits being in or upon such land, or such person shall pay to an Inspector any expenses incurred by such Inspector for the like purpose, or such Inspector shall recover such expenses from such person, it shall be lawful for the Treasurer, out of the Consolidated Revenue Fund, upon the production to him of such proof of such payment or recovery as the Treasurer may require, to pay to such person one-half of all sums of money expended or paid or recovered from such person as hereinbefore mentioned.

Moneys in hands
of Trustees of
Districts and
unpaid rates to
be paid to Scab
Act Fund.

16 All moneys in the possession or control of the Trustees of any Rabbit District at the time of the commencement of this Act shall, within One month after the commencement hereof, be paid by such Trustees into the Treasury to the credit of the Scab Act Fund ; and all Rates made by such Trustees and not paid or recovered at the time of the commencement of this Act shall be payable to and recoverable by the Chief Inspector or any Inspector, and may be recovered in the same manner as the Rural Police Rate is by law recoverable ; and all such moneys and rates when recovered shall form part of the Scab Act Fund.

Obstructing
Inspector, &c.

17 If any person wilfully obstructs, hinders, or interrupts, or causes or procures to be obstructed, hindered, or interrupted, any Inspector, or any person duly employed or authorised by an Inspector, or in the exercise of any power or authority vested in an Inspector or any of the persons aforesaid by this Act, or threatens, or assaults, or uses improper or abusive language to any of the persons aforesaid whilst in the performance or execution of his duty under this Act, every such person shall for any such offence, if not otherwise specially provided for, incur a penalty not exceeding Twenty Pounds : Provided, that no proceeding for the recovery of any such penalty, nor the payment thereof, shall be a bar to any action at Law by any of the persons aforesaid for or in respect of any such assault as aforesaid, but every such action may be commenced and proceeded with as if this Act had not been passed, any Law or usage to the contrary notwithstanding.

[46 VICT.]

Rabbits Destruction.

18 If any person knowingly sets at large, or attempts to set at large, or is concerned in setting at large any live rabbits in any District, every person so offending shall for every rabbit so set at large, or attempted to be set large, forfeit and pay a penalty not exceeding Twenty 5 Pounds.

A.D. 1882.

Penalty for setting rabbits at large.

19 No person shall be liable to any penalty if such person shall set at large, or attempt to set at large, or be concerned in setting at large in any Infested District, any weasel, ferret, or domestic cat, anything contained in the Twenty-fourth Section of "The Game Protection Act, 10 1879," to the contrary notwithstanding.

No person liable to penalty for setting weasel, &c., at large in Infested Districts. 42 Vict. No. 24.

20 All offences against this Act, and all penalties and sums of money imposed or made payable by this Act, shall, where no other mode of proceeding is by law provided, be heard, determined, and recovered in a summary way by and before Two or more Justices of the Peace, 15 in the mode prescribed by *The Magistrates Summary Procedure Act*.

Offences to be dealt with summarily.

19 Vict. No. 8.

21 Any person who thinks himself aggrieved by any penalty imposed under the authority of this Act which is recoverable in a summary manner, may, unless otherwise expressly provided, appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

Appeal from penalties.

19 Vict. No. 10.

22 All expenses recovered by any Inspector, and all penalties imposed under this Act, shall be paid into the Treasury and shall form part of the Scab Act Fund.

Appropriation of penalties.

23 No action shall lie against any person for anything done in pursuance of this Act unless notice in writing of such action, and of the cause thereof, is given to the defendant One month at least before the commencement of the action, and such action is commenced within Three months after the cause of action has accrued; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence; and no plaintiff shall recover in any such action if tender of sufficient amends has been made before such action brought, or if a sufficient sum of money has been paid into Court by or on behalf of the defendant after such action brought, together with the costs incurred up to that time; and if a verdict passes for the defendant, or if the plaintiff becomes nonsuit or discontinues such action, or if upon demurrer or otherwise judgment is given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for recovering the same as any defendant has by Law in other cases; and though a verdict is given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Judge before whom the case is tried certifies his approbation of the action, and the verdict obtained thereupon.

Persons acting under Act entitled to notice of action, &c.

24 "The Rabbits Destruction Act, 1877," is hereby repealed:

Repeal of 41 Vict. No. 27.

Provided that such repeal shall not affect—

(1.) Anything duly done before this Act commences and takes effect:

45

(2.) Any liability accruing before this Act commences and takes effect:

[Bill 24.]

A.D. 1882.
—

(3.) Any penalty, forfeiture, or other punishment incurred or to be incurred in respect of any offence committed before this Act commences and takes effect :

(4.) The institution of any legal proceeding, or any other remedy for enforcing or recovering any such liability, penalty, forfeiture, or punishment as aforesaid.

Act to be in force
until 31st Decem-
ber, 1883.

25 This Act shall continue in force until the Thirty-first day of December, 1883, and no longer.

SCHEDULE.

NOTICE TO OCCUPIER TO DESTROY RABBITS.

18

To

TAKE notice that you are hereby required, under "The Rabbits Destruction Act, 1882," within days from the date of the service of this notice upon you, to take immediate measures to ensure the complete destruction of rabbits on the land of which you are the occupier; and that if you do not, within such time comply with the same, I shall authorise some person in that behalf to enter upon the said land and take such other measures in accordance with the said Act as may be deemed necessary to ensure the complete destruction of such animals.

*A.B.,**An Inspector under the said Act.*